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CITY PLANNING & LAND DEVELOPMENT CONSULTING

September 3, 2021

Chatham County Planning Board
12 East Street – PO Box 1809
Pittsboro NC 27312

Regarding: September 7, 2021 Planning Board Meeting . . . Agenda Item VIII-2 – Congruus LLC
Proposed Text Amendment Enlarging the Compact Communities Zoning Boundary

Dear Planning Board Members:

I am writing in support of the proposed text amendment extending the CCO Boundary to the south which would add about 185 acres to the existing CCO District that is much larger. Within the information you have received, and attached hereto, is my letter to the County Commissioners at their August 16, 2021 Public Hearing.

Over many decades, Chatham County property owners, residents, elected leaders, and advisory board members have planned for and seen the beneficial results of Compact Community development in the U.S. 15-501 N. corridor between Pittsboro and Chapel Hill. Fearington Village, beginning in 1974; Briar Chapel (2004); Southern Village in Chapel Hill (1994) and other more recent well-planned residential neighborhoods supporting these communities have all shown the wisdom of planning for and creating varied and diverse populations with housing of different types, densities, households, and prices.

More importantly, in my view, is that the county has seen to it that each of these communities has also developed the private and public community services and amenities that create stable communities and provide for long term participation in community life by residents in community life.

We have all learned a lot about how the up-front public planning processes that focus on complete communities has served new residents and those already in the county.

In the CCO ordinance adopted in 2004 and Plan Chatham in 2017, the county took the very strong planning positions that laid out a vision for the type of community desired along the U.S. 15-501 N. Corridor.

The properties proposed to be re-zoned provide for the continuing implementation of the existing CCO in that they all have independent access to public roads, ample environmental protection standards to satisfy and would be an appropriate form of support "infill". Because the current boundary of the CCO district cuts unevenly through several properties in an area where zoning lines co-terminus with property lines seem to be a better land use management situation.

Approval of the proposed CCO boundary change requested by Congruus LLC does not approve any specific plan. Rather it creates the opportunity for the County realize more of its vision of the future, but not before the full vetting of specific plans with solutions for all infrastructure considerations - water, sewer, stormwater management, stream corridor protections, roadways, electric & solar energy, etc.

Sincerely,

Scott Radway

Scott Radway, AICP
2627 Meacham Road
Chapel Hill, 27516



Radway Design

CITY PLANNING & LAND DEVELOPMENT CONSULTING

August 16, 2021

Chatham County Commissioners
12 East Street – PO Box 1809
Pittsboro NC 27312

Regarding: Proposed Text Amendment Enlarging the Compact Communities Zoning Boundary
August 16, 2021 Public Hearing

Dear Commissioners:

I am writing in support of the proposed text amendment extending the CCO Boundary to the south which would add about 185 acres to the existing CCO District that is much larger.

The current boundary of the CCO district cuts unevenly through several properties in an area where zoning lines co-terminus with property lines seem to be a better land use management situation.

The properties proposed to be re-zoned provide a very logical extension of the existing CCO in that they all have independent access to public roads and would be an appropriate form of “infill”. The existing subdivisions and lotting patterns to the east and south enclose the proposed rezoning.

As a City Planning Director in two municipalities, and presently a city planning & development consultant, I have watched the development of Briar Chapel over the past 15 years and have friends living in very different types of neighborhoods in Briar Chapel that are completely the result of the CCO structure that promotes “community planning” with a healthy mix of public and private facilities and resources. The alternative – stand-alone large lot subdivision developments - are the opposite of what is needed for the creation of communities with diverse families – families of different sizes, ages, and cultural interests. Proximity to community amenities, both private and public, a range of housing types and prices, and the ability to weave valuable open space through these compact communities and neighborhoods provides the best opportunity to create lasting places of value.

I know you will hear from many who support this proposal and those who do not support it – perhaps in unequal quantities. I urge you to consider the interests of all who participate in the process.

As a consultant to many local governments over the past 25 years, the question I am often asked is “How do we create community and successful neighborhoods and not just subdivisions?” Were that question asked of me by the Chatham County Commissioners, my answer would be: “The CCO you have already put in place does that very well. Extending that opportunity via this zoning amendment will let you continue the process of community building rather than the promotion of piecemeal/leapfrog development with all its attendant complications.”

Sincerely,

Scott Radway

Scott Radway, AICP
2627 Meacham Road
Chapel Hill, 27516

09/07/2021 Katherine Tawney 132 Treywood Lane 919-218-3978

Chatham County tax assessors decreased the land values of properties that are located within 1400 feet of the ONSWC address by 5 to 25%

Respected Planning Board members,

Chatham County needs to correct the weaknesses in our county wastewater treatment systems before they plan to expand the CCO zone. The subpar performances of private wastewater treatment utilities that service neighborhoods, like Briar Chapel in particular, have resulted in public nuisances of noxious odors, sewer discharge and improperly managed reclaimed water systems. The question about whether or not these nuisances lower residential property values in Briar Chapel was unanswered, until now.

In 2020, Mr Lee Bowman, a local real estate developer testified to the North Carolina Utilities Commission that there is “no credible evidence” that owning a house by the wastewater treatment plant in Briar Chapel reduces residential property values. At the time of testimony, he was the Director of Project and Corporate Development for Envirolink, Inc and a contractor for a company named ONSWC-Chatham North, LLC.

An evaluation of Chatham County's most recent property tax assessment records counter Mr Bowman's claim (2021). These records demonstrate that the value of land lots located at addresses closer to the ONSWC wastewater treatment plant address lost value in 2021. In contrast, the value of other properties in the rest of the neighborhood increased in value or stayed the same. Please note that these value assessments were determined by “credible” tax assessors that were hired for Chatham County.

The percentage changes in land value can be found on the new 2021 Chatham County property tax cards in the [Geographic Information Systems \(GIS\) database online](#). I used the GIS toolkit on the site to measure the distances in linear feet between the home addresses and the ONSWC wastewater treatment plant address to evaluate the impact of location on property value (178 Boulder Point Dr).

Table 1 shows that 127 properties that were located on 9 streets in Briar Chapel were devalued by Chatham County tax assessors by 5% to 25%. In contrast, the rest of the properties in Briar Chapel that were located more had more stable values. Many of those land appraisals even adjusted upward, as much as 50%!

Data in Table 2 suggests that properties that are nearer to the plant lose more value. Seventeen of the homes that lost 25% in land value. My finding that the decrease in residential land value with respect to proximity to the wastewater treatment plant is made stronger by the fact that the tax assessors decreased the property value of the ONSWC wastewater treatment plant property by the greatest amount of all at -50% (-\$328,000)!

I request that Chatham county authorities delay the expansion of the Compact Community zone. We need a plan for safer sewage processing that is not a public nuisance and does not compromise our citizens' health and property values. At this precarious time with regard to public and environmental health, Chatham administrators need to correct the weaknesses in our current wastewater treatment plan, with its fragmented infrastructure and insufficient supervision, before we stress it more with concentrated growth in a larger compact community zone.

Table 1. Number of houses in each percentage change in land value category listed by street name

<i>Street Name</i>	Percentage Change (%) in land value				
	5	10	15	20	25
Abercorn		12	6	1	
Birch Hollow		3	3	4	
Boone	1	7	5	4	3
Boulder Point		6	4		
Chapel Lawn		5	7	3	
Cliffdale		8	4	7	
Log Bridge		4			
Middleton		2	3	3	7
Whispering Wind				8	7
Grand Total	1	47	32	30	17

Table 2. Distance of property in linear feet (ft) from the wastewater treatment plant stratified by percentage change in land value (5 % to 25%).

AVERAGE (ft)

<i>Street Name</i>	Percent Change(%)				
	5	10	15	20	25
Abercorn		1023	932	693	
Birch Hollow		914	754	627	
Boone	1150	958	905	889	725
Boulder Point		1096	1,003		
Chapel Lawn		1030	857	735	
Cliffdale		1340	1,049	1002	
Log Bridge		1207			
Middleton		1115	1,028	630	609
Whispering Wind				628	541
Grand Total	1150	1090	927	763	602

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Dear Mr. Garrett:

I am writing to you as the soon to be owner of Chatham County parcel numbers 2904, 2905, and 65232.

As you are well aware, a portion of these parcels were approved CU-B-1 many years ago by Chatham County for Thomas and Fearington Developers, LLC. and sit across the street from Fearington Village.

My firm has had a good relationship with Thomas and Fearington Developers, Congruus, LLC and VRC, Ltd. for many years and we look forward to working with the County and the community to see a high quality project planned, developed and built on those parcels as well as the parcels owned by Congruus, LLC.

To that end, I am well aware of the proposal by our neighbor, Congruus, LLC., to expand the CCO map via text amendment in order to put all of their property in the CCO area.

This is a reasonable request that I support and it will allow Congruus, LLC to submit a well planned CCO application to the county instead of a series of ad hoc requests and one-off proposals for planning approval.

Furthermore, the CCO boundary as it sits should likely be extended south and east to Morris Road in this area to not only include the aforementioned request from Congruus, LLC. for its 184 acres, but also include our parcel numbers 2904, 2905, and 65232 as well.

This makes sense and would allow for better small area planning and more coordinated projects that will serve the long term interest of Chatham County.

Respectfully,

Aldo Bartolone
Member/Manager
AVRA Development, LLC.

From: Adrienne Lallo <adriennelallo@me.com>
Sent: Thursday, September 9, 2021 11:28 AM
To: GoToMeeting1 <gotomeeting1@chathamcountync.gov>
Subject: Pathway to Public Wastewater Options

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Based on the questions Tuesday evening (9/7), I think it would be useful for the Planning Board or the Commissioners to show or put together a road map for residents to understand the steps to achieving a comprehensive water management utility for the county.

Just spitballing here:

Step	Governing Body	Laws Involved	Ballpark Timeframe (e.g., 1 year)	Ballpark Cost (range)	Public Buy-in Consideration
Hire consultant					

Where I lived previously, it took about 15+ years to create a public-private partnership to create a health district, establish a medical school at the flagship university, and create an integrated healthcare system. Along with that went an information campaign to get citizens to pass a referendum for a property tax increase. It was a lot of heavy lifting for many years, but it made sense from both economic and societal perspective. Average citizens need this big picture view a) to understand the practical demands of a comprehensive approach and b) to attract people who can see the project through.

Adrienne Lallo | 512-619-1365

From: Sally & Bruce Campbell <campbell1038@gmail.com>
Sent: Thursday, September 9, 2021 12:27 PM
To: GoToMeeting1 <gotomeeting1@chathamcountync.gov>
Subject: Planning Board meeting

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Can the Congruus developers give a ballpark figure for "affordable" housing in their project? I was taken aback when I heard \$300,000 plus was considered "affordable" for the project in Moncure. Thank you. Sally Campbell

From: mikebarcello <mikebarcello@gmail.com>
Sent: Thursday, September 9, 2021 12:49 PM
To: GoToMeeting1 <gotomeeting1@chathamcountync.gov>
Subject: Comments on Zoning meeting

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This was the first zoning meeting I attended. (stayed on until about 8pm)

Despite being a citizen of Pittsboro for a mere 6 years, I am surprised and concerned at the speed of development throughout the whole region.

Dont get me wrong. I am not anti-development. Everyone needs a place to live, work and play.

What concerns me is the development which "paved paradise to put up a parking lot".

That said, kudos to the zoning board!

I was thoroughly impressed with your concern, logic and expertise on display during the zoning board meeting.

It was comforting to learn Chatham county has zoning categories to encourage conservation, along with a board with the wisdom to follow/enforce the intent.

Keep up the great work!

Side note/question:

While driving 15/501 it is painful to see the 100% clear cutting done for each new construction site.

Does, or could Chatham develop code specifically so that there is a large swath of trees between roads and parking lots of commercial buildings?

In Cary it seems that much of the commercial space is well buffered in an aesthetically pleasing manner.
\\

Kindest Regards,

Mike Barcello

46 Donald Drive

Pittsboro

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Sullivan:

I am writing to you regarding the requests from Congruus LLC and Vickers-Bennet Group to extend the CCO boundary via a text amendment.

These are reasonable requests that will allow these developers to submit well planned CCO applications to Chatham County instead of a series ad hoc requests.

I support these requests.

As a native of Chatham County whose family has been here long before Briar Chapel or Fearington were a glint in their developer's eyes, I have witnessed firsthand the pros and cons of growth.

For example, much of my family's farm is under Jordan Lake, which ironically supplies the drinking water for the residents of Briar Chapel and Fearington.

I think we did our part for the region when the US Government came a-knocking fifty years ago.

At this point in my life I can see the benefit of planned growth in areas that make sense in our County such as in and around Briar Chapel and Fearington, while preserving green spaces and farm land in other parts of the County.

I believe this was the intention of the County's Land Use Plan adopted in 2017.

Another stated intention of the County's policy makers is to address the real need for affordable housing in our community.

I would wager a guess that I am one of the few people contacting your office who actually lives in an "affordable living project" in our County.

I live in Bellemont Pointe at 167 Winston Way, Apartment 108 in Pittsboro. This housing has changed my life and provided a safe and affordable place for me to live as well a place for my children and grandchildren to visit and stay.

Once you have lived under a limited budget and in substandard housing you will understand the true beauty and importance of safe and healthy affordable housing.

It can save your life. It certainly changed mine.

I support these potential CCO projects because I see them as a vehicle for our County to get more affordable housing options for our people.

These options can be created as a component of their plan and approval by the County.

It is time for those who have much to cooperate and share so that progress can be made on affordable housing and affordable living in our County.

This means that my friends and neighbors in Fearington and Briar Chapel need to be forward thinking, cooperate and share.

They should fix their sewer infrastructure or work with others who can and stop throwing up roadblocks and kicking the can down the road.

This is the only way more affordable and diverse housing can be built and made available to Chatham residents and it is long past time to work and plan together to get this done.

Use these CCO projects as a vehicle to work together, solve problems and create something positive for residents up and down the wealth and income ladder.

Sincerely,

Pam Cash-Roper
167 Winston Way
Apartment 108
Bellepoint-Pointe
Pittsboro

Testimony to Chatham County Planning Board re: Fearington Preserve Congruus CCO Map Amendment—September 7, 2021

I am Jennifer Drake, I live at 58 Highveld Avenue, in Briar Chapel. I am speaking as a Board Member and Vice President representing the Board of Directors of the Briar Chapel Community Association and on behalf of our community. I want to express our concern over a suggestion in the “Utilities and Public Services” section of the JUSTIFICATION FOR PROPOSED AMENDMENT TO THE COMPACT COMMUNITIES’ ORDINANCE by Congruus LLC, that the Briar Chapel wastewater treatment plant may be part of a “regional sanitary sewer solution”. Our Board’s sole objective is to caution Congruus LLC and the Planning Board that the Briar Chapel Community Association is strongly opposed to any suggestion that wastewater from any development outside the current boundaries of Briar Chapel be treated within Briar Chapel.

BCCA and its members have been deeply engaged in efforts to improve the wastewater services provided to our community by Old North State Water Company (ONSWC). BCCA's current collaborative efforts with ONSWC and the developer of Briar Chapel, NNP-Briar Chapel, resulted from an agreement among the three parties in a Binding Tri-Party Agreement, signed October 19, 2020. This accomplished several things, including the withdrawal of an effort by Old North State to make the Briar Chapel plant a regional wastewater treatment facility that would have required a four-fold expansion of capacity to bring wastewater from Fearington Village and other developments to the Briar Chapel facility. The Agreement formed a Tri-Party Council of senior officials of the ONSWC, the Briar Chapel developer, and the BCCA Board of Directors to help keep all parties informed of the plans and concerns of the other parties and to provide a forum for discussion of issues and joint efforts to make progress on our mutual goals.

The arguments that BCCA made against regionalization in 2020 are still relevant. The Briar Chapel plant is located in the heart of a densely populated, residential community. It shouldn't have been located here, but we're doing our best to eliminate the spills and odors associated with its location and operation. The Tri-Party Agreement enabled us to work together with the utility and the developer toward fixing operational issues, as well as upgrading the plant and expanding its capacity to better meet Briar Chapel's needs. We are cautiously optimistic that the causes of the spills have been corrected and that new odor mitigation measures will result in a better living experience for all our residents.

What we don't want are any further proposals to bring wastewater from other locations, contiguous or not, to Briar Chapel. We've suffered enough. But we are making progress on solving our problems ourselves and we will vigorously oppose any efforts to add any other development's wastewater to our already problematic facility.

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Hello Mr. Garrett,

I am a seven-year resident of Briar Chapel, and I'd like to voice my opposition to allowing Congruus or any developer permission to connect to our Briar Chapel wastewater treatment plant. I've spoken or written to the Planning Board and the Chatham County Board of Commissioners about this topic in the past (pre-pandemic).

I understand that the Planning Board will discuss an agenda item tonight by the developer Congruus to expand the Compact Community Ordinance and thereby regionalize the Briar Chapel wastewater treatment plant here in Briar Chapel. I, and hundreds of my Briar Chapel neighbors, vehemently oppose any such regionalization. My opposition is based on many things.

1) Others will have communicated this better than I can, with more direct examples, but our current wastewater treatment plant (WWTP) owned and operated by Old North State Water Company (ONS) has difficulty even safely and effectively processing the wastewater generated

by the existing homes in Briar Chapel. There have been multiple, dozens, of sewage spills in our Briar Chapel neighborhood over the last 2-3 years with resultant NOVs from the NCDEQ and many of those spills have reached and entered Pokeberry Creek, causing untold environmental damage.

2) The WWTP was built in a far, unpopulated corner, at the time, of Briar Chapel and incorrectly placed up on a hill. The developer (Newland) may have had plans to build right up close to the plant in future phases, but the general Briar Chapel populace was unaware. Only too late did we realize, by stench and spill, how poorly planned and constructed the WWTP and its infrastructure was. Briar Chapel residents have paid the price for that poor construction and company mismanagement ever since.

3) I sat in at a Bold Construction 'seminar' for their Williams Corner development in 2019, I believe. The representative speaking at that meeting basically admitted when pushed that they did not plan on building any wastewater treatment facility on their property because it was easier and better for them to have that waste carried away and off property...to the existing WWTP in Briar Chapel. Every developer with plans to build in our development zone (business and residential) here in lower NE Chatham seems to assume that they can hook up to the Briar Chapel WWTP. Our facility cannot safely handle the influx of waste from neighboring communities and developments. It can't handle our own, so it will surely buckle under the strain of additional demand and the residents of Briar Chapel will bear the brunt of whatever damage happens in our neighborhood, to Pokeberry Creek, and to our home values.

4) Time and again, Newland has appealed to the Planning Board and the Board of Commissioners to expand their purview beyond what was originally set up in the CCO and CUP. Inch by inch, both entities have given in to Newland's wishes, to the detriment of the Briar Chapel homeowners, and now another developer, Congruus, is asking for the same indulgences. I understand that Chatham County would rather assign the responsibility for future wastewater treatment to an existing facility, but in doing so, our neighborhood is being undermined. Briar Chapel was not a popular option for longtime NE Chatham County locals. While that battle happened long before I moved to NC and Briar Chapel, I can sympathize with them - when Briar Chapel was approved, there were many limits and agreements involved so that even with its large footprint, Chatham residents were given to believe that it would adhere to those original conditions and maintain as green and environmentally sound a community as possible. ONS management and infrastructure, and any developers requesting regionalizing connections to the Briar Chapel WWTP betray the foundational reasons that Briar Chapel was allowed to exist and that many of us moved into the community.

I respectfully request and urge the Planning Board to deny Congruus, or any developer, connection access to the Briar Chapel WWTP.

Sincerely,
Stacey Donelan

Good evening. My name is Rose Krasnow, and I reside at 594 Woodbury in Fearington Village. Prior to moving here, I worked as Deputy Director of the Montgomery County, Maryland Planning Department, so I am experienced with zoning and development. In looking at the Chatham zoning ordinance, I was surprised to see that it says very little about wastewater, but let me remind you of what it does say: (Section 8.7)

“The lot sizes required for the various districts in this Ordinance were drawn based upon the assumption that adequate water supply and sewage disposal systems are available to each and every lot. The lack of adequate systems for one or both facilities, however, may require larger lot areas or, in some instances, not permit development as proposed by a developer.”

I fully understand why the Compact Community Ordinance was adopted. I even believe it makes sense in a county as large as Chatham to have some areas where greater density is allowed. But it only makes sense if the necessary infrastructure is in place. The CCO was created to allow Briar Chapel to move forward and it has become a popular place to live. The developer, Newland, did not shirk from its responsibility; they built a wastewater plant on site. Unfortunately, that system has been plagued with problems, including significant sewer spills and almost constant odor problems.

Congruus doesn't even want to build their own plant; rather they have implied they will connect to Briar Chapel's or to Fearington's. Unfortunately, the wording of the CCO is such that I can see why they thought this was an option. The CCO says: “Wastewater treatment shall occur at centralized wastewater treatment facilities either on-site or at existing, previously permitted off-site facilities.”

Needless to say, the plants in Fearington and Briar Chapel have both been so permitted. However, neither was built with the intention of becoming a regional plant. Moreover, Fitch Creations has made it clear that they do not have the capacity to handle additional sewage from outside the community nor do they have any interest in doing so.

If the County wants Northeast Chatham to grow, they need to acknowledge that a regional treatment plant is needed. Connecting new developments to existing private systems is **not** a regional solution and would place an extremely unfair burden on those existing communities.

I should also point out that Amendment D of the CCO, which provides guidelines for wastewater management, says: “Encouraged: Tie into an off-site **public** wastewater treatment system, if available, to handle the wastewater from the compact community.” Alas, there is no public wastewater system in Northeast Chatham.

The Board of Commissioners has recently discussed the possibility of repealing or changing the compact community ordinance. Moreover, the county is just beginning work on a new unified development ordinance. Clearly, now is **not** the time to expand the boundaries of the CCO, which will allow Congruus to move forward with a full development application with higher densities. Now is the time to establish a taskforce to determine the best way to develop a public regional wastewater solution that will serve the best interests of all Chatham County residents for years to come.

Thank you.

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I want to express my opposition to any expansion or added entities to the WasteWater Treatment plant located in Briar Chapel. I live in the Encore community which is part of Briar Chapel located near the plant. We have finally been able to be outside without noxious odors emanating from the plant. It is not only a terrible place for the plant to be built in an area surrounded by homes, we are worried about potential health hazards to the residents who are 55 and over and some have health issues that could

be exacerbated by problems at the plant. We were told that there would be no expansion by ONSWC and we expect the county to hold them to their word. Thank you for your consideration of my request. Lois Sobel, 81 Abercorn Circle.

Planning Board Members,

The Congruus application should be challenged not only by the planning board, but reconsidered by the planning department itself, because the applicant has not in fact met its burden to demonstrate either a need or a desirability to amend the ordinance as proposed, or to address the required infrastructure and other components in the Comprehensive Plan necessary to approve the application.

Because of time limitations, I have submitted more detailed written remarks, and I would request that the planning board members consider them, but I would like to highlight those concerns in a summary fashion now:

Foremost, this expansion of the CCO cannot be allowed unless the developer can identify how wastewater treatment will be provided to the proposed expansion of the CCO, without negatively impacting other requirements of the CCO, the Comprehensive Plan, and existing neighborhoods. It's simple: the developer doesn't want to build a system—it wants to shift undisputed financial and environmental risks and costs to other communities already overburdened and struggling with poorly designed, complex systems that have a history of environmental violations, rogue operators and mismanagement.

Unless the developer includes in the application its own affirmative, noncontingent commitment to independently provide wastewater treatment, this proposed expansion of the CCO does not meet the CCO requirements, or the Comprehensive Plan, for required infrastructure and you should recommend rejection of this application.

No current wastewater treatment provider – Fearington or Old North State in Briar Chapel- is able to state publicly that it is capable of expanding its system to include this development, nor has either one publicly indicated an intention or willingness to do so. My interpretation of that reticence, apart from the technical impediments to expansion that I will mention in a moment, is that neither provider relishes the likelihood of protracted, sustained community opposition and potential litigation if they were to support expansion and regionalization of the wastewater treatments in the neighborhoods they currently serve.

Recent decisions from NCDEQ, particularly with respect to the Old North State/Briar Chapel plant, show why: NCDEQ has restricted the spray field component and prohibited the use of open space for recreation west of the plant. Oversaturation is already a problem and there is no place to expand. In addition, significant violations and fines continue. The most recent NCDEQ Notice of Violation for Briar Chapel was issued due to an unauthorized irrigation discharge of 345,000 gallons that discharged on Briar Chapel property and into Pokeberry Creek from July 11 to July 14, 2021.

There are other deficiencies in the application as well concerning traffic, walkability, public transportation, obsolete mixed use models, and recreation, and I ask that you look at my written comments for additional details.

Thank you,

Shelley Colbert

Baldwin Township/ Briar Chapel

Thank you. My name is Victoria Shea and I live in Fearington Village.

My issue is wastewater.

I am not opposed to development, even dense development in my NE section of Chatham County. I could actually support this development if it ended up making and fulfilling a promise of providing housing that is sufficiently affordable for hundreds of additional middle-income wage-earners both to live and work in our area. But those prospective residents are going to wash their dishes and clothes, take showers, and flush their toilets. And it does not appear that any realistic thought has been given to what is going to happen to all that wastewater.

You have received multiple comments from Fearington Village residents about the wastewater problem, and Fitch Creations has stated that the Fearington Waste Water Treatment Plant is not designed for or amenable to use by other communities. And everyone in County government knows that there have been numerous problems of spillage and odor from the Briar Chapel Waste Water Treatment Plant, which is clearly not in a position to take on even more wastewater.

It is not good planning to permit this developer or any others to ignore the issue of wastewater or just hope that either Fearington Village or Briar Chapel will magically decide to solve their problem. It is time for the County to face the problem directly by 1) setting up a Commission to establish and implement a regional plan for wastewater treatment, and 2) to make the hard but responsible decision to postpone new developments until a regional wastewater treatment facility is available for them.

I know that I speak for many Fearington Village residents. Thank you for taking our comments into consideration.

Victoria Shea 1075 Fearington Post, Pittsboro NC 27312

My name is Vickie Shea and I live in Fearington Village. My comments were going to be on wastewater and the need for a regional public plan, but I understand that now is not the time for that.

I think you have received so many emails about wastewater because citizens are concerned that once a project gets some approval, it keeps going and going and eventually becomes inevitable.

I was heartened by the first discussion and decision this evening about the project in Moncure. You showed you can stand up to developers who try to gloss over elements of an ordinance they purport to meet but don't.

I hope you will be equally perceptive and strong if or when this development **without** a realistic wastewater treatment plan comes before you.

Good evening Planning Board. My name is Anthony Curtis. Tonight I would like to take a moment to speak about the Vickers group Proposed amendments to the CCO. I am speaking on behalf of myself and in the interest of several other community members expressing concern over this amendment.

In the planning Board Agenda notes it is stated "This area is only permitted in the designated area as shown on the map and is not currently offered county-wide." This was a deliberate consideration from the 2004 CCO approval, as it was never intended to be applied in other areas of the county.

Additionally, it goes on to state "In the Land Conservation and Development Plan, compact corridors were encouraged so that the rural and agricultural areas could be protected". This amendment specifically targets that historically farmed land that was intended to have been protected by the CCO boundaries as originally approved. Further, when we step back and review the definition of "Compact" in this context, it should be noted, that ever-expanding boundaries are antithetical to that intent.

I would like to speak on several points that are causing concern for many within the surrounding communities that have asked me to speak on their behalf tonight.

In the original CCO designation for that area in 2004, environmental and economic impacts to the surrounding communities were considered. These are not even addressed in this amendment and would compromise the spirit in which the CCO maps were originally delineated. There is no effort whatsoever to even approximate the considerations originally required of the original map boundary.

Additionally, under the upcoming Unified Development Ordinance UDO, Developers would have the opportunity to build towards these standards as defined in their application. Further, that would allow the community members to have more say in making sure their communities **progress** in a manner that not only fills the pockets of developers but also fills the needs of the areas in which they live. One may argue that timing might preclude the use of the UDO for this project, which is slated for adoption in the next year or two. The only way that this could be true is if the developer is already a considerable ways into plat design. The plats have been excluded from this amendment and, as such, we either must assume they are either not completed or have been excluded deliberately. Either way, there is no reason presented that would make it inappropriate to wait for the UDO approval.

And my last point is that there are no delineations of areas that will land be protected. The very brief mentions of areas described as being set aside for protection, would be excluded by existing ordinances regardless, and that in maintaining a rural character, excluding already protected land, wetlands specifically, is not congruent with Plan Chatham's maintenance of rural character. Rural does not equal swamp. It is, in fact, the bare minimum that any developer would be expected to adhere to, to be within in the law.

I would like to ask that when you consider this submission tonight, you either hold this new area to the standards that were expected of the original 2004 map or to vote against this change in favor of

deferring to the upcoming UDO which will undoubtedly be finalized by the time that these plats begin need for specific review.

Good evening. My name is Donna Sukkar. I'm a member of StopChathamNorth and a resident of Chatham County.

I'm speaking tonight to ask you to please consider a moratorium on development along the 15/501 corridor until a Study Commission can be formed to evaluate options for providing wastewater management to support responsible growth that ensures the health, safety, and welfare of the residents of Chatham County.

Our reasons for supporting this study are three-fold. First, as we have gotten involved in the wastewater issues in Briar Chapel, we have discovered that several bad decisions were made in the design, construction, and location of the Briar Chapel wastewater system. Our developer located the plant at one of the highest elevations within the community requiring extensive pumping to move sewage to the plant. They used inadequate pipes which over time have resulted in an increasing number of pipe failures and sewage spills. Our developer located homes very close to the plant, which has resulted in continuing odor complaints, health concerns and a de-valuation of properties. A study could help develop guidelines to inform the UDO, which Chatham County could use as a basis for reviewing and approving future proposals for wastewater facilities in the county.

Second, Briar Chapel's plant and other plants in neighboring communities are targets for regionalization as other proposed development in NE Chatham County look for a solution for wastewater. Adding additional development to existing systems that are already having significant issues puts residents at risk. These proposals create an opportunity for developers to continue to build with total disregard for long-term consequences. A study is needed to develop long term, sustainable solutions for wastewater to support growth in NE Chatham County.

Third, we realize that Chatham County's current strategy of requiring developers to provide their communities wastewater treatment facilities is not working. Most developers will do only what they have to do to get their communities built, then they will sell the plant and walk away. The problems with these facilities don't show up until years later after the developer is gone becoming both a financial burden and a health risk for the residents. The residents and our environment suffer the consequences.

Currently, NE Chatham County has 12 wastewater treatment plants, all built by developers, and most sold to third parties. Three of these plants which discharge directly into our waterways are not meeting nutrient requirements on a recurring basis. Several of these plants are within 5-15 years of projected plant life (steel plants have a shorter life span). Failure of any of these plants would have a tremendous impact on our residents and the environment. In addition, numerous older and smaller subdivisions in NE Chatham County are on septic systems that are also approaching end of life or need to be upgraded.

Members of the Planning Board please support us in standing up a study group to develop a long-term plan that adopts a more sustainable strategy for wastewater management in NE Chatham County.

I have submitted a copy of this presentation for your files along with a comprehensive list of the wastewater plants in Northeastern Chatham County highlighting problems and issues associated with each. Thank you for your time this evening.

Good evening. My name is Liz Rolison. I'm a member of StopChathamNorth and a resident of Briar Chapel since 2014.

I'm speaking tonight to ask you to consider a moratorium on development along the 15/501 corridor until a Study Commission can develop sustainable options for providing much needed wastewater infrastructure to northeastern Chatham County.

The Ferrington Preserve proposal states their intent to request a contiguous service extension to use the Briar Chapel wastewater system for their development. If that fails, they hope to use Ferrington Village's system. Both of these systems have well documented problems that each of our communities are struggling to resolve. Allowing Ferrington Preserve to utilize either of these systems would be irresponsible and would only make a bad situation worse.

Last fall we discussed the problems with the Briar Chapel WW system. While ONSWC is working to make improvements, so far the problems have continued. Let me bring you up-to-date:

- Briar Chapel has had 33 sewage spills, totaling over 88,000 gallons of sewage most of which flowed into Pokeberry Creek, a tributary to the Haw River and Jordan Lake. Five of these spills have occurred since we met with you last fall. (See attached Sanitary Sewer Overflow)
- Briar Chapel's WW system has received 24 Notices of Violation (NOV) from NCDEQ, six more violations since last fall. The most recent violation was for the unauthorized discharge of 345,000 gallons of reclaimed water onto Briar Chapel property, all of which went into Pokeberry Creek. This was caused by human oversight when a flush valve was left open for 3 days. (See attached Notice of Violations to Briar Chapel WW System)
- Over the last 1.5 years we have received over 400 resident complaints about odor conditions in the area surrounding the WWTP. Currently our WWTP is having to dispose of 35,000 lbs of sludge per week, a significant source of odors. As volumes increase, this problem only gets worse. ONSWC has committed to install some odor control improvements, but we won't know for some time whether these improvements will solve the odor issues.
- Briar Chapel has over 300 homes within a ¼ mile of the WWTP. Recently, we saw homes located near the WWTP have their tax valuations drop by an average of 10% and some of those closest to the plant dropped by as much as 18%-22%. (See attached map)
- Since last fall, ONSWC has gotten approval to double the capacity of the WWTP to 500,000 gpd and a similar increase in the volume of spray irrigation capacity. This additional capacity is fully committed to Newland to provide sufficient capacity to accommodate the remaining commercial and residential development within Briar Chapel.

Newland was allowed to place our WWTP in the middle of our densely populated community. This was a mistake. To allow Farrington Preserve or any other development to utilize our WWTP would be compounding the problem. Chatham County didn't protect us when these decisions were made initially, we need you to step up, enforce the CCO and defend us now.

Chatham County needs to develop a long-term plan and adopt a sustainable strategy for wastewater management in NE Chatham County. We need a moratorium until these steps can be taken.

Thank you for your time this evening.

My name is Henry Field, better known as Rusty, and I am speaking on behalf of StopChathamNorth, a nonprofit representing homeowners within Briar Chapel. I have been a resident of Briar Chapel and Chatham County since February, 2014.

We are voicing opposition to the current requests from Farrington Preserve and Vickers Village to extend the compact community map originally designated for Briar Chapel. We are also objecting to the zoning request changes requested by Vickers Village. I will be quoting from the piece in the August 26, 2021 *Chatham News and Record* by Hannah McClellan titled: *A guide to the county's Compact Communities Ordinance*.

Our main concern with these proposals is that they attempt to utilize the Compact Community Ordinance, which was "adopted in 2004 to address Briar Chapel" according to County Planning Director Jason Sullivan, in ways that Chatham County never intended. Allowing developers to continually expand the CCO map would result in a large, densely populated zone destroying the rural character of Northeast Chatham County.

Allowing developers to include detached parcels into the CCO, as Vickers Village is proposing, would be a disaster. It would set a precedent that would increase density in the compact community and decrease the protected green space that is a major purpose for the CCO. It would also reduce the communities' recreational spaces which is another purpose of the ordinance. The CCO was designed to "protect Chatham County's rural character by adequately buffering compact communities from neighboring properties and roadways." Quoting from the August 26 *News and Record* article," [Mr.] Sullivan said the CCO was designed for projects 'with a bigger footprint' and developers of smaller projects are submitting applications under the CCO are requesting waivers of the standards due to site constraints." He was, of course, referring to Vickers Village. Mr. Sullivan went on to say that "... the regulations are intended to implement all of these objectives [purposes] and are not intended to be options on a menu."

Another major purpose of the CCO is to "promote new communities that support mixed-use development anchored by a village center composed of commercial, civic and residential uses ..." The commercial component is a critical part of this mix and both Vickers Village and Farrington Preserve are asking for waivers to reduce the size of the commercial areas despite what the CCO determined was optimal.

Two additional purposes of the CCO are to “ensure sustainable water provision and wastewater treatment ...” and “protect Chatham County’s water quality and water resources.” Fearrington Preserve is proposing to connect to either Briar Chapel’s or Fearrington Village’s wastewater systems. Both of these systems have serious problems that have resulted in damage to the county’s water resources. Both have serious sustainability issues. A decision to allow Fearrington Preserve to connect to one of these systems is a short-sighted action with long-term consequences.

While StopChathamNorth agrees that the CCO map boundaries need to be cleaned up and agrees that tax parcels that are bifurcated by the boundary lines should be included in the CCO, we oppose adding additional properties to the CCO map.

The August 26 *News and Record* article quoted Chairperson Mike Dasher, “I think we need an option for high density development in those areas of the county that the comp plan says we want higher density development ... We have a compact community ordinance that is not a great vehicle for what I think this board wants to see there” At the Board’s July 19 meeting Commissioner Howard even “expressed interest in potentially repealing the Compact Community Ordinance.”

The county is working on a Unified Development Plan that, according to Mr. Sullivan, “is intended to, ‘update, modernize and integrate existing regulations into a single user-friendly document. It will also help implement the future vision laid out in the 2017 Plan Chatham document’”

Neither Vickers Village nor Fearrington Preserve meet all the purposes listed in the flawed CCO as required by the ordinance. Both want to reduce buffers and commercial space. Vickers Village wants to reduce protected green space and recreational facilities within the footprint of the community and Fearrington Preserve is proposing to send its wastewater to facilities with serious problems that have a history of damaging water resources. They are therefore not eligible to develop under the CCO.

We ask the Planning Board to recommend denial of the Vickers Village and Fearrington Preserve applications to expand the CCO MAP. We further ask that Vickers Village zoning request be denied. We would like for this Board to recommend that both of these developments wait until the Unified Development Ordinance is in force and then apply under the UDO.

I am here tonight on behalf of my Mother, Reba Sullivan of 255 Lois Lane. She is a citizen of Chatham County and even more unique that she was literally born on the land that she still lives. She was married to my Father, Lee Sullivan for almost 52 years. Many of you know him personally in his civic activities, one of which is the preservation of Chatham County History as he was the President of the Chatham County Historical Society and served in many other capacities in Chatham County as a citizen and small business man. Sadly, we lost my Father due to a rapidly declining heart on January 13, 2021. One thing that the Commissioners and Planning Board have known for over 20 years is that he has done everything in his power to protect my Mother’s property as was and is her wish. When Newland Communities proposed Briar Chapel, they thought it was a good idea to place the waste treatment plant adjacent to Donald Parker’s property and my Mother’s. As today we can see my Father successfully helped make sure that didn’t happen and with the issues the sewer system is having, we are fortunate it is not adjacent to our property.

My Father passed on January 13, 2021 and we were unable to have a celebration of life service and my brother, and I did not even allow family to visit my Mother due to COVID-19. We did not want to lose another parent. An agent of VRC, David Clark felt that it was ok to make a "cold call" on my Mother on February 26, to see if he could talk to her about selling her land. He did this even though vaccinations were not available and put my Mother at risk. He dropped family names that he was working with. She said, "I am not interested in talking about or selling my land". On March 22, 2021, John Folley with VRC again came to our property and found me working. I was very upset and asked, "why after being told not to come to this property again, was he here on behalf of VRC". He said that "his Mother-in-law went to church with my Mother and that he thought that it would be ok to talk to us about a way to help her". He also claimed that he did not know another agent of VRC had been out previously. I told him we were only interested in protecting my Mother's property and nothing else. I met with him on March 23, 2021 with Donald Parker only to see their plans. We at that time said we would accept nothing less than a 300' conservation buffer between our property and any further development, a fence around the entire property and no sewer facility adjacent to our property.

I also told him that we had serious concerns about already increased traffic on Parker-Herndon Road and had there been a traffic study on increased traffic due to 500-600 new houses dumping onto Parker-Herndon Road. On behalf of my Mother, we are opposed to the zoning change to move the already approved compact community zoning line. The question is this, when do you the Commissioners look out for birthright citizens of the county who have served this community faithfully for decades to the benefit of possible future citizens. I hope that you are not putting those that are not here yet before those that are here and have been here. The Compact Community Ordinance boundaries were clearly outlined by you the Planning Board in 2017. In fact, a comprehensive plan was adopted by the Chatham County on November 20, 2017 and was effective on November 20, 2017. In that plan it states clearly where Compact Communities should be and why it is important to have boundaries around these communities, to lessen the negative environmental impact. Congruus LLC asks for the County to approve an extension on the southern boundary of the current compact community boundary. They have purchased this land and own it outright, which concerns me that they already have assurances that this request will be approved. Congruus, LLC has a plan to clean up Pokeberry Creek. Why is that clean up needed? The reason is the negative environmental impact of Briar Chapel. There is a serious sewer issue with the waste treatment plant in Briar Chapel which has been ongoing for at least the past three years that I am aware of. I have personally seen raw sewer running down the bike trails near the power lines and reported it to the county.

Commissioner Jim Crawford stated on August 16, 2021 Board meeting clearly that he did not see what the issue was and that all land between the Town of Pittsboro line to the Orange County line should be rezoned for compact communities. He also stated that everyone that has been living there wants to sell and they would get more this way. I can assure you that our family and many others that we personally know, have no interest in selling our land. He also brought up the future zoning request that would be coming from the US 1 corridor near Moncure that would be coming up soon. Commissioner Crawford did not grow up here and he obviously does not understand that there are those of us, that want the integrity of their land to be maintained.

Finally, the Parker Herndon Road was and is a farm road. When I was a child, the road was a dirt road and has only changed in that asphalt has been added. The road has become busier and more dangerous, it is the designated route for buses coming to Chatham Grove Elementary school, one of 4 new schools

to that geographic area and more growth on a farm road is concerning. The next concern is that if they widen or change the road, the current, many life-long residents lose property to road improvements. I also know that all along Parker Herndon Road, Morris Road and Hamlet Chapel Road that there has been and will continue to be affordable housing. It is there because families have kept their land and given their heirs a place to build their home on. Some of those names are familiar; Burnette, Rountree, Perry, Penny, Parker, Andrews, Sullivan and many more. Congruus LLC claims that they are coming in to fix things or make them better. Newland Communities made the same promise with Briar Chapel. A developer is in business to make money as they should for their investors. You as a Planning Board and our County Commissioners have a responsibility to look out for the good of all of its citizens. You developed a Comprehensive Plan and should follow the plan that you developed. I will be placing two documents from March and April 2017 that make it clear that you the Planning Board wanted a clearly draw boundary Compact Communities in the northeastern part of Chatham County.

My name is Susan DeLaney and I am a Naturopathic Doctor with a medical practice in Natural medicine in Carrboro for the past 34 years. Today I will be addressing the public health issues related to the expansion of compact communities in Chatham County. While the idea of compact communities is a good idea for our growing population, the lack of safe and functional infrastructure to manage the human waste is a problem for the entire county. Waste that spills into these creeks and waterways ultimately becomes the drinking water for Chatham County, currently drawn from the polluted Jordan lake. All of us are affected and connected in this web.

When I spoke before the Chatham Board of County Commissioners in August, I listened to Mr. Donald Parker speak about the death of 10 cows, turns out it was actually 12 cows on the farm of the late Mr. Durham. As the daughter of a dairy farmer in Union country I was stunned to hear this news. Cows are expensive and can sell for \$2-3,000 a piece depending on their size. Mr. Parker introduced me to Mr. Toni Mann, who is the nephew of Mr. Durham, who assisted him as his cows were losing weight becoming sick and dying. In the spring of 2018 these cows began to become sick and died within a week despite their best efforts- which included working with veterinarians who did extensive testing for multiple causes, including parasites, and other specific cow related diseases. Vet bills for each cow were \$900.00 per cow!! A serious investment in an effort to save his cows.

The death of these cows continued until January of 2019 and no one was able to determine the reason for their illness and for their death. What we do know is that they were being fed the exact same feed and pasture of Mr. Parkers cows who were not sickened. The sole source of water for the sickened cows

was Poke Berry Creek which had been contaminated in multiple, by well documented, raw sewage spills from the dysfunctional and unregulated wastewater treatment plant in Briar Chapel. Let me remind you of some numbers:

The wastewater record at Briar Chapel consists of 33 sewage spills with a total of 89,000 gallons of sewage spilled and 72,000 gallons spilled into Pokeberry Creek; 23 notices of Violation issued by the NCDEQ in the past 18 months.

No one on this Board or the County Commissioners seems to be alarmed by the death of these cows. A report to the State Board of Health might be in order here to generate more interest and concern.

My second public health concern in regards to a case that I recently learned about with an antibiotic resistant infection at UNC hospitals. Antibiotic resistant infections are one of the top ten leading public health concerns according to the World Health Organization. It accounts for 2.8 million infections in the United State each year and 35,000 death each year!! When asked by infectious disease specialists at UNC, “how and where did you get this infection?” The answer- “I live at Briar Chapel close to the wastewater treatment plant”, which as we now know releases lots of bacteria into the air via aerosols and into the water heading down stream.

I have attached a few documents for your reading purposes regarding the increasing threat of antibiotic Resistant bacteria infections which are growing rapidly in this country. I do hope that you will read them and understand how important this issue is to our community. I want to share a quote from the Whole Health Organizations report “Recognizing that human, animal, food and environmental health are closely interconnected, the report calls for a coordinated, multisectoral “One Health” approach. In other words, our health is deeply interwoven into the web of health of the animals and the environment around us.

Without a comprehensive plan for dealing with water and sewage this county is in danger of creating a disastrous public health situation, putting people’s health at risk. Our county government is abdicating its responsibility to private companies who are not accountable to government health agencies, opting to pay the fines instead of fixing the sewage problems they created. Our county government has not been responsive to citizens’ concerns, acting instead to work with big developers who make big promises and do not deliver on those promises.

Compact communities can work, but the proposed solutions for such communities in Chatham

County have been public health nightmares. Compact communities work in places nearby such as Raleigh and Cary, but they have public services of water and sewage to ensure that these issues are regulated and delivered safely and properly. Without a comprehensive plan for wastewater, North Chatham County is likely to become the states next superfund site-requiring a federal government intervention to repair the problems we are about to create!! This Board must put a pause in place until this issue of waste water has been resolved. To continue to move ahead is unethical and probably illegal. Thanks for your time and for listening to a citizens concerns. Susan R. DeLaney

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To the Chatham County Planning Board:

I am writing to support the approval of the request by Congruus LLC to amend the Chatham County Compact Community boundary map, Section 6.1, p 3-4.

Expansion of the existing CCO to include the rest of Congruus' property will allow for more coordinated, sensible, and sensitive overall planning for this area, rather than a piecemeal approach. Congruus will be able to submit a CCO for their entire property, including affordable housing units that are currently lacking in Chatham County.

Thank you for your attention.

Patricia Petersen

Member, Board of Directors

Triangle Traditional Music and Dance Retirement Society

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Mr. Garrett:

I am totally opposed to the admission of Farrington Preserve as a Compact Community Ordinance development, requested by its developer, Congruus, LLC. I understand that this is on the agenda for tonight's Planning Board meeting, September 7, 2021.

With admission as a CCO development, Congruus has indicated that it wants to direct sewage to the treatment system of Briar Chapel or Fearington Village. I live in Briar Chapel where Briar Chapel's Wastewater Treatment Plant is situated in the midst of a densely populated area. It has for years caused the problems of noxious odors, sewage spills, and over-irrigation in certain areas, including hiking trails. It was not designed nor located to serve the needs of communities beyond Briar Chapel.

Before all of North Chatham County becomes densely populated, the County needs to look into the planning and construction of a regional wastewater treatment system that is not in the midst of a dense housing development. If the County is to prosper in the long run and adequately provide for the health and welfare of its citizens this must be a top priority.

Please direct my comments to the members of the Planning Board. Thank you.

Sincerely,

Rosalyn Robitaille

247 Abercorn Cir

Chapel Hill, NC 27516

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Dear Mr. Garrett,

I urge you NOT to grant the request of Congruus LLC to increase their development acreage without adequate treatment of environmental consequences that would create serious damage to Chatham County.

The Congruus LLC request demands one of two responses:

1. The County should insist that Congruus LLC build the infrastructure suitable for their entire housing development, with particular attention to the requirement that the project includes a wastewater system adequate to the needs of the entire proposed development.
2. As an alternative, Chatham County should build all the infrastructure needed to support the Congruus LLC project and similar projects that come to Chatham County. A comprehensive development plan is needed to deal with the increasingly unstable weather patterns coming to the County if we are to avoid the fate that Hurricane Ida visited upon New York and New Jersey.

You should NOT allow Congruus LLC to utilize existing systems serving Fearington Village and Briar Chapel, since those existing systems were designed to serve the development needs of those projects alone. The existing systems would be overwhelmed by the Congruus LLC development plans, and the Chatham County tax base would be impacted negatively by the reputation all of these communities would acquire for their inevitable vulnerability to flooding and sewer backups.

Please vote NO to the Congruus LLC proposal.

Sincerely yours,
David Wigdor

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Dear Dan Garrett,

I was not aware of the subject meeting. I was advised via a neighbor on NextDoor.

Is the regionalization of the Briar Chapel (BC) Waste Water Treating Plant (WWTP) being considered? I am a Briar Chapel owner since 2016 and I am shocked to hear this because our waste water treatment plant is surrounding by residential homes. Please come out to see it's location. Furthermore, we have had and continue to have sewage nuisances, eg spillage and odor. I reported some of the sewage problems I have personally experienced to my county and state.

Sincerely,

Teresa Sorella Weedon

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Dear Mr. Garrett,

Please do **not** grant the request made by Congruus LLC to increase the acreage available to them for development. The consequence would be a much denser development than their original plan called for with serious negative consequences for Chatham County.

There are two viable responses to the Congruus LLC request:

1. Insist that Congruus LLC build the infrastructure needed to support the housing development they wish to build; in particular, insist that they build a wastewater system sufficient to the needs of the housing development. Or,
2. Have Chatham County build the infrastructure needed to support future development like that proposed by Congruus LLC and other future housing projects

that will come to Chatham. In former times, Chatham County has often left infrastructure development up to private developers like Fitch. **Perhaps the time for private development of public services is past.** If we as a county are going to be able to deal effectively with the increasingly unstable weather patterns facing the country; if we want to avoid the pattern of sewage backups and overflows that Hurricane Ida brought to New York and New Jersey, we will need to think and plan for Chatham County as a whole.

What is **not** viable is to allow Congruus LLC to tap into the systems built by the developers of Fearington Village and Briar Chapel. These systems are sufficient to the needs of the respective communities, but are not—nor were meant to be—adequate to serve as a system for Chatham County development more generally. You would risk not only damage to the residents of these communities, but to the Chatham County tax base if they get the reputation of being vulnerable to flooding and sewer backups.

Thank you for voting NO.

Alexandra Wigdor

3000 Galloway Ridge

From: beth cooper <bcooper1909@yahoo.com>

Date: September 3, 2021 at 2:24:21 PM EDT

To: eric@ericandrewsrealtor.com

Subject: Fearington Preserve waste water

As I understand, Congruus LLC, is planning a very large development called "Fearington Preserve " right across the highway from Fearington and has **made no plans** for waste water. They want to connect their system to Fearington's or Briar Chapel's waste water plant. DO NOT allow this to take place.

Thank you,

Beth

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To: Chatham County Planning Board
Date: September 7, 2021

This is to register my opinion that a *confirmed* plan for wastewater management be required as part of any request for any new development - in the present instance, the request by Congruus. Wastewater management needs to be part of the initial request, not something left to be addressed down the road. Thank you for your attention.

James Coplan

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Though I do not wish to speak at the September 7th meeting, I will be attending and would like to convey my views to the Planning Board on the Congruus LLC request to expand the CCO boundaries.

If I understand correctly, the purpose of this request is to make the Briar Chapel wastewater treatment plant a regional plant. I live in the Encore section of Briar Chapel, less than a quarter of a mile from the Briar Chapel plant. Given the problems Briar Chapel and especially Encore residents have had with the operation of this plant, I am vehemently opposed to the approval of this request.

Even though the plant is being expanded to accommodate the growing number of residents using it, and hopefully is being improved, the new treatment capacity is already at or very near its limits. The plant was designed to be used for Briar Chapel. Its location, among many homes in the community, was foolish and deceitful to begin with. But giving additional communities access to the plant is inviting problems like odors and spills that the current expansion and efforts at improvement are trying to address. Furthermore, it passes off all the consequences of further problems onto the residents of Briar Chapel while leaving the piggybacking community all the environmental benefits of offsite wastewater treatment. Some residents have already seen their property value decline. Such an arrangement is intolerable.

With all due respect, this is not what I call "planning." The plant was not well planned in the past, sitting as it does in the midst of community residents, and will be less so in the future if this proposal is approved. Please deny the request.

Denis Robitaille

247 Abercorn Circle, Encore at Briar Chapel

Chapel Hill, NC 27516

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Greetings Dan,

Comments from Jim Roberts, Chatham County resident

Landowner Vickers Rd and Clearwater Lake Road (resident)

For planning meeting 9/7/2021

I am writing in reference to the expansion request by Congruus LLC for a map amendment to include 184.04 acres of land off of Parker Herndon and Morris Roads within the boundaries of the CCO. I am also writing to oppose a similar expansion of the map for the Vickers Village and the Chatham North project adjacent to the Vickers Road.

I am asking for a moratorium on the CCO expansion for the following reasons:

Wastewater issues – current and future - are the most important. If we cannot handle and control the issues that we already have, why are we expanding the CCO to include more potential development? As an example, the situation with Briar Chapel has shown to be ill conceived and dangerous to the health of the residents that live close to it. Photos have been submitted to the County Commissioners showing yellow ooze from the spraying of aerosols from the treatment plant. They were ignored. Additionally, Donald Parker has lost 12 cows from drinking the water in Pokeberry Creek. This was all but ignored in the last commissioners meeting but this is a huge deal. This is the creek in which the wastewater from Briar Chapel is dumped. Please reference the letter by Susan DeLaney covering this issue and more. The Chatham Record cited that property values have gone down because of this situation. Normally, that doesn't happen. This shows that there is a huge problem here. If you don't believe it, talk to the people that live near this plant.

If this expansion is allowed, the developer will be granted an up-zoning that would let them build at a much higher density than currently allowed. While we have not seen the actual development plan. The applicant has said that they do not want to build their own wastewater treatment plant. Instead, they said they want to connect to either the Briar Chapel or the Farrington plant. I understand that Farrington Village passed on this idea and Briar Chapel clearly should not be allowed to increase their capacity given all the issues that cannot be solved. For this reason alone, we should turn down this request.

Somewhere in the past, Briar Chapel was allowed to build a wastewater treatment plant on the highest part of the development. This means that waste for 3000 households are all pumped UPHILL. As we all know, water runs DOWNHILL. This was approved by the county commissioners and the planning board at the request of the developer. While an engineer might argue that the solution is feasible to pump uphill and it is done all the time, the truth always gets in the way of a good theory. While you may disagree, I believe that the engineers, the developers, the county commissioners, and the planning board were all wrong in their assessments about the wastewater treatment plant and Briar Chapel. One

thing is certain. If the wastewater had been downhill, we would not have the issues that we have had to pump waste uphill. Property values have diminished. The increased tax base money is now having to be used to fix problems that did not exist in the first place. Not enough study was done to assure that there would not be problems and when there are problems, Chatham County does not have enough money and inspectors to keep track of and fix the issues so they go unchecked. As far back as 2017 in the minutes of Plan Chatham dated March 16th and April 6, concerns were raised about the maps CCO's inconsistencies and accuracies.

I also oppose the expansion of the maps for Vickers Village and Chatham North as well. There are too many unknowns, too many shifting maps and NO TRUST to developers that are only about maximizing profits over good land stewardship. The Aqua company that is slated to put in wastewater treatment at Vickers Village has not shown competency in their past systems either.

Therefore, I request a moratorium on the request to expand the CCO. They should be left in place till more study can be done. The people of this county need to have confidence that the motto of PLAN CHATHAM - *working together to preserve and progress* is being adhered to. We cannot get to progress, if we have to fight to preserve both air and water, the most basic of human needs. We should not at this point where once again, the chance for unbridled profit takes the lead over good common sense land management. Sadly, that is what has already happened with Briar Chapel.

Thank you for your efforts and time on this matter. It is of grave importance to the citizens that you serve.

Best regards,

Jim Roberts

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Dear Mr. Garrett,

Please relay to the Chatham County Planning Board the information that the Fearington Village/Fearington Utilities wastewater treatment plant was built for the use of Fearington Village ONLY.

The building of a wastewater treatment for Fearington Preserve is one of the costs of doing business for Congruus LLC.

Thank you,

Marilyn Racine

Fearington Village

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Dear Mr. Garrett,

I am writing this email to urge the Planning Board to require Congruus LLC, developer of the property located at Parker Herndon and Morris Roads, to construct and operate its own wastewater treatment facility to serve its development. The developer should not be permitted to utilize the wastewater treatment facility in Briar Chapel, the effect of which is to maximize the developer's profits to the detriment of the residents of Briar Chapel. It is unsound to allow the use of the Briar Chapel facility as a regional facility.

Please consider a moratorium on large residential developments until a task force addressing this matter and plan for regional wastewater management is established. This aspect of development is too important to Chatham County's environment and development to address on an ad hoc basis.

Thank you for considering this email.

Stephanie Powell
114 Beacon Ridge Blvd.
Chapel Hill NC 27516

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Mr. Garrett
Members of the Chatham County Planning Board

I am a resident of Fearington, writing to you concerning the hearing on the Congruus request/application for a map amendment.

I'll be brief. A clear solution to the wastewater issue is an indispensable element of a development plan. There is no clear, viable solution in their application. Their stated intention to avoid building their own wastewater plant by using either the Fearington or Briar Chapel plants is transparently unworkable. The approval of this application without realistically addressing the wastewater issue would call into question the understanding of the project's wastewater impact, and, ultimately, the approval process by this board.

Regards

Joseph Dorey
729 Barnsley
Fearington Village

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Mr Garrett;

As a resident of Fearington Village I am completely opposed to any changes in the CCO rules. I do not want any denser building to be granted.

Our waste treatment plant was only built for our residents. You can't allow a company that has nothing to do with us or the plant to simply usurp its use. It is just in the planning stages to be brought up to current standards, and will have only the capacity for the village when built out.

Wastewater has already been a problem for Fearington as well as Briar Chapel.

The builder is totally responsible for their own plant.
If they do not have an environmentally sound plan, they can't build.

Do not allow the circumventing of the CCO rules, they're in place for a reason.

We expect you to do what is right for the residents of rural Chatham county.

Thank You,
Sheila Dorey
729 Barnsley

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Mr. Garrett,

I am a resident of Chatham County residing in Fearington Village and became aware that the Planning Board is considering expansion of the CCO to include more land and higher density building. Until, and only if Chatham County solves its Wastewater problem, I urge the Planning Board to vote not to expand the CCO boundaries or allow denser development.

Thank you.
Barbara Thomas
652 Fearington Post
Pittsboro, NC 27312

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Dear Mr. Garrett and other Planning Board members,

As a resident of Chatham County, I can see that growth is surging. I am respectfully asking (begging, actually) that the huge issue of adequate water supply and wastewater management be fully considered, and resolved, before additional approvals be granted for large neighborhoods and retail complexes, especially for upzoning that exceeds current density parameters and system capacities. Ferrington has issued multiple statements making it clear that nothing more can or will be added to their system. Briar Chapel is grappling with their own capacity issues, even as they continue to expand at a staggering rate.

Chatham County growth is inevitable. However, logical growth is our only hope to avoid negative impacts to the quality of life and property values of those of us who already live here.

Best regards,
Sheri Castle

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I am Charles S. Brown, Jr. My wife, Renee A. Brown, and I reside at 638 Spindlewood, Pittsboro NC In Ferrington Village. I am writing in opposition to the agenda item at the Tuesday, September 7, at 6:30 PM the Chatham County Planning Board when a Public Hearing on a request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO) will be held.

Our objection to the requested CCO amendment is based on the Congruus's suggested connection to the Ferrington waste water treatment facility. The Ferrington waste water treatment, is currently being upgraded. These modifications will improve treatment effectiveness but will not result in any increased treatment capacity in support of a waste water collection and treatment facility from outside the current Ferrington facilities.

While we have not seen the actual development plan, Congruus has said that they do not want to build their own wastewater treatment plant. Instead, they propose to connect to either the Briar Chapel or the Ferrington plants.

Although we have not seen the proposed CCO amendment, we understand that the Planning Board staff has recommended approval of Congruus's request to expand the CCO boundaries. The Planning Board voted and sent their approval recommendation to the Chatham County Commissioners, at their public hearing to be held August 16th.

In light of our opposition to the CCO amendment, we recommend postponement of consideration of Congruus's requested until the County has developed and approved a comprehensive solution to the waste water treatment needs that adequately support further development in northern Chatham County.

Charle S. Brown, Jr.

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I am totally against the request by Congruus to annex this proposed site. I live in Fearington, and we have our own issues with waste water. Our ponds have had to have work and our facility in Fearington Village is almost at capacity. Please listen to the voters who live in the area, and do not vote yes to this development. Mary Kay Hennessy 4326 Millcreek Circle, Pittsboro. NC

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Dear Mr. Garrett,

As a resident of Fearington Village, I am very dismayed by the Chatham County Planning Board. I have never lived anywhere in the US where a developer is allowed to get an upzoning granted without the developer having to provide water and sewage for the development. Chatham County is full of parcels waiting to be developed, but it is the responsibility of the Planning Board to guarantee that all of the services that will need to be provided for that development are met. I demand that Congruus LLC provide his own wastewater treatment plant for his development just like Fitch Creations did for his. If the county wants to grow by leaps and bounds and reap all the benefits of the growth, they should be looking at all the roads, schools, sewage, water, etc. needs that have to be provided. Either Chatham County or the developer has to provide them. This is a disgrace. Why should Fearington Village be asked to deal with sewage odors and leaks like those that occur in Briar Chapel? Obviously someone was not doing their job when Briar Chapel was approved. Hopefully they will do better this time. Try getting impact studies done before approving large developments. Chatham County is not going to be a sleepy little farm county much longer and is going to have to put on its big boy pants and start acting like Orange and Durham and Wake Counties.

My vote is a big NO!!

Sincerely,

Linda Lamm
13 West Madison

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Mr. Garrett,

We just learned, via email from the Fearington Home Owners Association, that on Tuesday, September 7, at 6:30 PM the Chatham County Planning Board will be holding a public hearing on a request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO). We have not seen the actual development plan, but do understand the applicant has said that they do not want to build their own wastewater treatment plant (WWTP). Instead, they said they want to connect to either the Briar Chapel or the Fearington Village plant.

We also understand that:

- (1) the staff has recommended approval of this request to expand the CCO boundaries
- (2) the Planning Board will vote (no date specified) and send their recommendation to the Chatham County Commissioners
- (3) the Commissioners have already indicated their support of this request at their public hearing held August 16th.

All of the above begs the question "what is the purpose of the public hearing on September 7th if this decision has already been made"?

It would appear that, by design, our community has been given very little time to react and prepare for an open debate on this proposal given the hearing is tomorrow evening and, even if we had had more time, the debate would fall on deaf ears because the decision to approve this request with little or no regard for the residents of Fearington Village, Briar Chapel or the waste water infrastructure for these communities seems to have already been decided.

Our primary concern is the waste water challenges this development will create and the problems Chatham County has in general when dealing with this issue.

If there is no opportunity to reverse the current course the County Commissioners seem to be on we would ask that the Commissioners have the foresight and courage to require this developer to build their own WWTP. We believe it would be unreasonable and irresponsible for the Chatham County Commissioners to require either Fearington Village or Briar Chapel to share their WWTP facilities when both are near or at capacity.

Thank you

Skip and Cheryl Garvin

Fearington Village Residents

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Dear Dan and Members of the Planning Board,

I am writing to express my husband's and my lack of support for the request by Congruus to utilize Ferrington wastewater facilities as a requirement of their new building proposal. PLEASE VOTE NO.

We are already being charged for upgrades to our old system and know that this facility is not equipped to handle more waste on the scale of what is being proposed. We feel it is critical that Chatham County ensure that any new developments be able to sustain their own infrastructures in order to not over tax existing installations, including the struggling Briar Chapel.

With Chatham Park and its dense housing growth not even completed yet, we feel it is your job to oversee the entire area and make sure that the proposed level of housing does not create traffic problems and a change to the very bucolic nature of Pittsboro that drew us here in the first place.

Thank you, Linda and Chris Morris

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Dear Dan,

Please add my concern towards having another community added to the wastewater treatment plant of Ferrington Village. The current wastewater treatment plants in Chatham County are already taxed beyond capacity now delivering water that has levels of chemical toxicity. Allowing a builder to create a new community without taking responsibility to build their own treatment facility is unconscionable and cannot be allowed.

Mary Heaton

Mary Heaton
3000 Galloway Ridge
Apartment A007
Pittsboro, NC 27312

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As President of the Ferrington Homeowners Association and just as a resident I have serious concerns about the proposed dense housing development ac, traffic and even crimeross 15-501 and following Andrews Store Road.

We all dislike the fast urbanization of this section of the county and all the issues it will bring from pollution, traffic and even crime. However, having been around a long while, I anticipate that even the most conservative county commissioners cannot resist the lure of a larger tax base.

Even so, the development should not proceed until the county has developed the infrastructure to support it. One key element of that is of course a regional sewage system. Allowing developments with little alternatives in disposing of wastewater threatens surrounding areas and pollutes the few streams feeding into lake Jordan.

Carl D. Angel

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September 5, 2021

Mr. Dan Garrett
Chatham County Planning Board
Chatham County, NC

Dear Mr. Garrett,

Over the past several years as longtime residents of Fearrington Village, we have firsthand experience with the various community wastewater treatment proposals, changes and reversals directly impacting us as homeowners. We attended a number of meetings wherein Envirolink and collaborators shared plans for commingled systems with other communities, e.g. Briar Chapel, and to us, there seemed to be a lack of circumspection regarding the community-specific impacts (e.g. massive increase in effluent volume on Fearrington). Hence, we were relieved when Fitch Creations, Inc. undertook the responsibilities for upgrading its treatment plant to meet regulatory guidelines, and meet the needs of our Fearrington community.

Accordingly, it was distressing to learn that the Chatham County Planning Board is now considering a request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance. It is our understanding that this request, if approved, would permit building at a much higher density than currently allowed. Further, it is our understanding that the request indicates the applicant does not want to build their own wastewater treatment plant, instead they want to connect to Fearrington's or Briar Chapel's.

We respectfully request that you do not allow more dense development until the county has solved the wastewater problem.

We deeply appreciate your service to our county, and we feel confident that you will guide the long-standing wastewater treatment problem towards a comprehensive solution.

Respectfully,

Linda and Robert(Skip) Woolson
910 Woodham
Pittsboro, NC

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To paraphrase the FHA Board, I do not believe more dense development should be allowed until the county has solved the wastewater problem.

Vince Tollers
913 Woodham
Pittsboro, NC 27312

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Dan Garrett

Chatham County Planning Board

We are residents of Fearington Village and wholeheartedly agree with Fitch Creations that our wastewater system will not accommodate additional inflow from proposed new developments.

We relocated here from New Jersey and standing protocol there was that any new development was responsible to develop and build their own wastewater systems. Chatham Park has very responsibly addressed their wastewater with a state-of-the-art processing plant. Additional burden should not be shouldered by Fearington Village or Briar Chapel just to make it easier and less costly for Congruus LLC to build their development. We are very disappointed the Planning Board has allowed the Congrus project to even made it to the point of a public hearing without a sensible wastewater management plan.

We believe the Chatham County Planning Board and Chatham County Commissioners should be primarily concerned with their existing constituents and not some 400 potential new comers.

Ken and Regina Indyk

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Mr. Garrett,

I have just been informed of the upcoming hearing. I am a Fearington Village resident. I am concerned about the proposal to approve the CCO change. I don't feel that any dense new development without appropriate waste treatment should be approved in our Town and Community. I hope you will consider my position on this matter.

John Sullivan

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Mr. Garrett,

I am a resident of Fearrington Village, Pittsboro.

I am writing to tell you I strongly disagree with the extension of this CCO boundaries until a waste water treatment plan is in place.

The FV treatment plant is antiquated and CANNOT handle further expansion.

Furthermore, I believe Chatham County government needs to address this quickly growing issue by building a Regional waste water treatment plant. This will enable growth and resolve the many issues surrounding this topic for the growth in Northeast Chatham County.

Sincerely,
Katherine Hare
17 Caswell
Pittsboro NC

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Dear Mr. Garrett,

My husband Sam Hummel and I live at 4082 Woodleigh in Fearrington Village. I am writing to express our deep concern about expanding the Compact Community Ordinance boundary without first resolving the wastewater treatment issue. It is apparent that the developers want to rush this boundary expansion decision through, with very little notice and without giving adequate time for public comment. But among those of us who have just now received word about this issue, there is strong and very solid opposition to the boundary extension because that vote would allow a subsequent vote to force Fearrington Village to treat the waste-water of a new densely-developed residential subdivision within the proposed expanded CCO boundary!

I know that the issue at hand is the boundary expansion, but the "elephant in the room" is the issue of wastewater treatment consolidation. Such a regional consolidation would require the construction of an extremely costly regional wastewater treatment system in Fearrington Village, which will require the added expense of either adding pumping stations to transport our wastewater far uphill, or dump more lines of raw sewage into our modest-size proprietary treatment plant. Either plan will most likely cause much environmental damage to our nearby homes, including sewer spills and odor problems. Our waste-water treatment rates would be driven up significantly as a result. The Fearrington Homeowners Association is currently in the process of building a new updated water treatment system for our village, but it would not be nearly large enough to also handle new intensive residential development on the opposite side of Hwy. 15-501.

I agree that the whole County needs a regional wastewater treatment facility, but there should be a moratorium on the construction of any new large residential developments until there is an officially sanctioned plan for regional wastewater management. The Commissioners should appoint a task force to develop a workable regional wastewater treatment plan as soon as possible so that residents of Ferrington Village and Briar Chapel can rest assured that we will not be penalized financially by poor planning. We have valid reasons to be very concerned about a plan that would torpedo the real estate values of our homes as well as those of the entire Ferrington Village.

I urge you to assure our Ferrington Villagel residents that a new county-owned and managed regional wastewater treatment plant will eventually be built to serve any further dense residential development in our area. And until that happens, I urge you to consider voting “No” on a CCO boundary expansion and voting “Yes” on imposing a moratorium on any further large-scale development in this nothern area of the county.

Anne and Sam Hummel
4082 Woodleigh
Ferrington Village
Pittsboro, NC 27312

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Dear Mr. Garrett:

Being residents of Ferrington Village, we are very upset and worried that the owners of the Congruus development will try to somehow find a way to connect to our near-capacity wastewater treatment facility or to that of Briar Chapel. Of course Congruus does not want to build their own! That would cost money!!!

And, an additional 140+ acres with no supporting infrastructure approved or in place? Sounds like a classic cart before the horse scenario.

Please do the right thing and do not expand the CCO until a task force addresses a regional wastewater solution for northeast Chatham County. We urge you to place the burden of correct planning and cost responsibility directly where it belongs—on the developer.

Thank you.

Lowell Smith
Carole Yardley

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I am a ten year resident of Fearington Village and have been following some of the proposal from Congruus. I understand that they propose a sizable development but do not intend to provide their own onsite sewage disposal facility. Most of us who live in Fearington know that the sewage treatment facility that Fitch Creations built is already at capacity and cannot accept the input from another development. I cannot think of any reason why Congruus should not be required to create its own solution to the issue that it will be creating. If they cannot afford to deal with the issues created by their own development, they should not be permitted to proceed.

Peter Hewitt

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To: Chatham County Planning Board

The purpose of this communication is to respectfully ask you to decline the request by Congruus, LLC for a map revision allowing not only increased density but also access to wastewater treatment of neighboring communities.

My wife and I recently moved to Chatham County from a small community in SW Florida where we lived for the past 60 years. During that time we witnessed far too many decisions by the Building and Zoning Department which placated developers requesting amendments to existing rules and regulations. Based on my observation, there have been requests with similarities to the one I am objecting to which have come back to haunt the community after the developer has either failed or completed the project and left the area. It is hard to put the toothpaste back in the tube once the damage has been done.

Chatham County is a very special place- much like how our former community use to be. I have observed some developers, obviously not all, with business models designed to limit their expenses as much as possible while maximizing the density of the community they planning to create. What is being requested and what I am objecting to seems eerily familiar to some situations I have witnessed in the past.

Most sincerely,

John Dibble
11312 US 15-501 N
Suite 107 #220
Chapel Hill, NC 27517

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Dear Mr. Garrett,

As a resident of Chatham County and of Fearington Village, I am very concerned at what appears to be a rush to approve new development plans from Congruus LLC which include no plans for wastewater treatment. This seems very dangerous and short-sighted, especially in light of the present problems being experienced in the Briar Chapel community and the water quality problems in Chatham County as a whole. It seems the developers are hoping to tie into the systems at either Fearington Village or Briar Chapel but this is impossible to do without imposing a huge tax burden on residents of those communities which stand to benefit in no way from such a development. Do we have any say in this matter? Or is it a case of taxation without representation?

I hope you will study this matter and approve only developments that are fully planned and can be self-sufficient. I believe this is in the best interest of all Chatham County residents.

Yours truly,
Patricia P. Biggers
222 Fearington Post

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Dear Mr. Garrett,

We are relatively new residents of Fearington Village (4 West Camden), and we oppose the extension of the CCO requested by Congruus LLC. The Fearington Homeowners Association Board has worked vigorously with Fitch Creations to upgrade the wastewater treatment plant serving the Village. This has entailed significant expenditure of time as well as the expense of engaging expert engineering advice and design. The treatment plant can and will be improved without interruption to Village residents or the commercial Village Center. Yet, as you've heard from both Fitch Creations and the FHA Board, the treatment plant cannot be expanded.

We are concerned and indeed alarmed that the Planning Department staff has recommended the addition of 184 acres to the CCO without resolving the wastewater issue. This is discouraging news about the new County we recently moved to and urge you to slow the process down in order to make the appropriate decisions about wastewater treatment. That decision should not and cannot include Fearington Village's wastewater treatment plant as an option.

As you know, Fearington is a model, aesthetically beautiful, neighborly, and nationally recognized community. It was the first multi-use community between Chapel Hill and Pittsboro and has significantly expanded the tax base of the County over the past few decades. The Village founder and his family have been leaders in the county and the broader region, and residents of the Village have

contributed time and talent to making the County a better place to live for all its citizens. The Village continues to grow sensibly with sensitivity to the fragile environment near Jordan Lake. We deserve to be treated fairly and with transparency.

Thank you for your consideration,

Larry and Lee Newlin

1104 Ferrington Post

Dear Mr. Garrett,

I am a resident of Ferrington Village and have been quite alarmed by the water treatment and potable water problems in Chatham County. I have lived in Baltimore County, Maryland, Montgomery County, Maryland, Fulton County, Georgia, Palm Beach County, Florida, and St. Louis County, Missouri. In each of those counties there was a very capable Planning Commission that made sure that there were sufficient utilities, roadways, schools, fire departments, and other government infrastructure to allow for any new development. In the event that there was not adequate infrastructure, the developer, at his expense, would have to provide it. When a developer wanted to build a mall in Baltimore County, the Planning Commission required that they build an exit from the major highway to their development to avoid creating an overflow of traffic on the highway.

I have never lived in a county that did not provide water and sewage for the residents. If someone wants to build a large development, why wouldn't one of the requirements for increasing density be that they have to provide their own water treatment plant? And why can't the county start getting all developers of office buildings, restaurants, medical facilities, housing communities, hotels, senior living communities, etc. to contribute to a county water system. The fact that the water in Pittsboro is not up to healthy standards is appalling.

I have followed the problems that Briar Chapel has with their waste water and think that the Commission should be held responsible for the sewage odors and sewage backups in their community. If everyone had been doing their job, there would have been engineers from the county overseeing all of the planning and implementation at the expense of Briar Chapel.

We have paid in our community to maintain and guarantee that our water sewage system is adequate for us, and we do not want to be burdened by the Commission because they won't do their job. In light of all the income that this development will provide, it is time for Chatham County to either provide the services or deny the development.

Sincerely,

Doug Lamm

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Our Fearington Village wastewater treatment plant SIMPLY CANNOT BE EXPANDED TO ACCOMMODATE THE NEW DEVELOPMENT!

PLEASE require the developer to solve its wastewater problem in a way which does not impact on the present Fearington Village wastewater treatment plant.

Those developers should NOT be allowed to pawn off their wastewater problem onto our neighborhood!

Thank you,

George Malacinski, Ph.D.
Prof. Biology (Emeritus)

Home owner (907 Ashton, Fearington Village)

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Dear Sir

Regarding the upcoming public hearing on a request by Congruus LLC for a map amendment for an additional 184 acres of land off Parker Herndon and Morris Roads, I am encouraging you to vote NO. Without adequate plans for wastewater treatment, it seems completely foolish to allow additional high density development to go forward.

Living in Fearington Village, I know the problems associated with a sewer system that is marginal. If the developer is thinking they could hook into Fearington's already overburdened system, they are mistaken.

Please don't allow this to happen.

Thank you.

Betty King
432 Fearington Post
Pittsboro, NC 27312

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Dear Commissioners and Mr. Garrett:

Please do not approve the request by Congruus LLC to develop 184.04 acres of land by expanding the CCO map to include their property. First, this development does not meet the purposes defined in the CCO. Second, Congruus LLC has no concrete plans, much less prior regulatory approval for their wastewater treatment and disposal. They "hope" to tie into the Briar Chapel or Fearington wastewater treatment plants.

The communities of Briar Chapel and Fearington Village should not be sites for a regional wastewater plant. All one has to do is to look at the many environmental and structural problems that have plagued the wastewater treatment facility in Briar Chapel as more units have tied into it.

There should be a moratorium on residential and commercial development until there is a plan for a regional wastewater treatment plant. Government must be responsible for the infrastructure that is necessary for the welfare of the citizens and the environment. It is time to stop having private wastewater treatment plants in the middle of neighborhoods. The time has come for a regional wastewater plant.

Thank you.

Elizabeth Kawabata

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Dear Mr. Garrett,

Congruus LLC should not be allowed to increase the acreage for development. He needs to build his own waste treatment plant even with the present plan. Fearington and Briar Chapel already have serious issues in this regard. To put additional burden on these communities would be irresponsible.

Rev. Harold E. Truax

Donna L. Truax

4310 Burke Place

Fearington Village

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Dear Mr. Garrett:

Thank you, first of all, for your commitment to making Chatham County a better place in which to live and do business.

Ferrington Preserve's proposal for piggy-backing their wastewater onto Ferrington Village's current system is a no-go, both from an engineering and environmental prospective. The system used by the Village already faces necessary and costly upgrades simply to maintain service to its current residents. Adding another development's wastewater will overwhelm the Village's already burdened system.

As desirous as Chatham County is of further development, the cost of developing new housing and commercial properties in our beautiful county must include wastewater plans that meet and or exceed projected needs. Failing that position, the county should investigate expeditiously building a state-of-the-art water treatment facility that is designed to meet the needs of projected developments over the next 50 years.

Thank you for any consideration you extend the above.

All the best,

Mike

Michael Connolly
631 Spindlewood
Pittsboro, NC 27312

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To: Chatham County Planning Board

I am a new resident of North Carolina and am currently building a home with my husband in Ferrington Village. I am deeply concerned about the impact of expanding the Compact Community Ordinance (CCO) Boundaries to include the 184.04 acres off of Parker Herndon and Morris Roads as requested by Congruus LLC.

Having experienced rapid expansion of development in Florida without the necessary safeguards for the infrastructure such as wastewater in place, I ask you to vote "No" on this request to expand the CCO Boundaries.

Yours truly,
Elizabeth J. Dibble

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To: Chatham County Planning Board

From: E. Diane Anderson
218 Farrington Post

I am very concerned about the potential for environmental damage if the proposal request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO). We already have a wastewater problem, and this would add exponentially to that problem. Please do not allow this to pass. Thank you!

E. Diane Anderson

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Dear Mr. Garrett,

The subject map amendment proposal is a very, very bad idea at this time. As a former officer of the Farrington Village homeowners association and a neighbor to the current waste treatment plant serving the village, I can tell you that the problems of the waste treatment situation in this area are serious.

Neither Farrington Utilities (serving Farrington Village) nor Envirolink (serving Briar Chapel) are in a position to serve the proposed additional 184.04 acres. The current Farrington Utilities facility produces sewer odors that I smell on every walk or bike ride along the nearby access road to my house. The

Envirolink facilities have been a source of complaints from residents of Briar Chapel for some time now.

It would be a major injustice to the residents of this area for the Planning Board to approve this proposal at this time.

Sincerely,
Bob & Ruth Steen
604 Stoneview
Pittsboro, NC 27312

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September 3, 2021

To the attention of Chatham County Planning Board

Concerning the request by Congruus LLC to include an additional 184.04 acres within the boundaries of the Compact Community Ordinance (CCO). I do not believe more dense development should be allowed until the county has solved the wastewater problem.

James P. Rudbeck
16 West Camden
Pittsboro, NC 27312

From: Vidabeth Bensen <vidabeth@embarqmail.com>
Date: September 4, 2021 at 8:24:26 AM EDT
To: dangarrett@chathamcountync.gov
Subject: **Ferrington Treatment Plant**

Dear Mr. Garrett,

As a Ferrington resident, I oppose the new development across from our village using Ferrington's Water Treatment Plant. This plant is the proper size for our community only. It is in a small area in close

proximity to residences which would be adversely impacted with any enlargements for outside developments.

Please - vote AGAINST enlarging Fearington's Water Treatment Plant.

Thank you.

Vidabeth Bensen
601 Stoneview
Fearington Village

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Mr. Garrett,

I wish to express my concerns regarding the potential expansion of the Compact Community Ordinance boundaries. First, as a resident of Briar Chapel, we were given no notice of this public hearing held in August when many residents are absent and on vacation. Second, a motion to extend the public hearings an additional month was voted down on what grounds I cannot imagine and third, the Chatham County Planning Board potential vote on this matter was scheduled right after the Labor Day weekend. All of these points clearly leave the impression that the Commissioners do not really want the public to weigh in on this critical issue.

In Briar Chapel, we have too often experienced spills from a wastewater system and their cleanups not to mention noxious odors due to the fact the treatment plant was improperly built. Furthermore, our wastewater treatment center was not designed to be a regional servicing unit as it is too close to residential homes and sits square in the middle of a large section of our development.

Given the issues in Briar Chapel and the aging wastewater treatment facility in Fearington, the first point that should be addressed in any proposed new development is how this new area will deal with their sewage treatment and wastewater. Developers should not assume they can be incorporated in existing wastewater treatment systems. We do not want them. Let's not be shortsighted on this. A long term solution to the wastewater issue in this high growth area needs to be addressed. I would like to see a moratorium on any new development until the Commissioners address this critical issue and that the Planning Board postpone their vote for another month to allow for a reasonable window for public input.

I would request my comments be distributed to all 11 Commissioners.

Thank you.
Bonnie McCarthy

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Dear Mr, Garrett,

As Fearington Village residents, we strongly oppose any new development that would use Fearington's waste treatment plant. This plant has been developed and planned to be a proper size for Fearington Village only. The plant is in a small area surrounded by residences and cannot and should not be enlarged to include outside developments. Fearington's sewage treatment already is smelly and problematic for nearby residents.

Please vote AGAINST any approval to enlarge the Congruus development across from us. The waste water treatment problem for that development must be solved FIRST. We also are hopeful that the Planning Board will encourage long-term solutions to the wastewater issues in this rapidly growing area of Chatham Coimty.

Thank you,

Bruce and Dianne Birch
292 Stoneview
292 Fearington Post
Pittsboro, NC 27312

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We have been resident in Pittsboro, particularly in Fearington, for 16 years. We are appalled that a new developer would be approved without having to pay for their own waste water treatment, considering the recent problems at Briar Chapel and the current upgrades going on at Fearington. We will be paying for our own treatment, but can't understand why we should have to subsidize another developer.

Mary Ann and Joe Woehrel

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Dear Mr. Garrett,

I have a few comments to share relevant to the subject meeting next week.

As a former president of one of our several homeowners association organizations in Fearington Village, I have a vital interest in the long-term viability of our unique community in northern Chatham County. So I'd like to share some personal views about the upcoming subject meeting and the proposed Congruus development across from NC 15/501.

The relevant published meeting agenda relates only to a “map amendment”, but the potential impacts of that development are important and far-reaching for the all the residents of Chatham County. One likely impact are the disruptions of daily life owing to the apparent and atypical planned high density of residences in the Congruus development. Perhaps the most obvious impact is the likely adverse effect on traffic density and flow as the development evolves. However, as I understand the situation, there appears to be little we neighbors can do to scale back or otherwise significantly affect this planned high-density project.

My other primary concern relates to wastewater processing. The Congruus developer appears to be planning for a connection to the existing Fearington Village wastewater facility. That facility is already near its processing limit; the inclusion of wastewater from this new development would likely result in a public-utility disaster; such a connection should be disallowed by Chatham County. I urge the Planning Board to recommend that the County reject any such plan. In my view, every significant housing or industrial development in the County should plan for its own services of wastewater treatment, just as Fearington Village has done.

Regards,
Joe Kalinowski
4068 Fearington Post
Pittsboro, NC 27312

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Looks good to me.

On Fri, Sep 3, 2021 at 5:59 PM Phil Morse <pmorse888@gmail.com> wrote:

The undersigned would like to express the following in respect to the request by Congruus for a modification to the compact community ordinance:

We welcome sensible and well-thought-out plans for development but we see no grounds for approving what Congruus has proposed:

- (1) Hooking up to either the Fearington or Briar Chapel treatment plants cannot be an option because they are both nearing capacity already.
- (2) The statement “to not create a future economic burden for the taxpayers of Chatham County” needs further clarification. It is too vague to mean anything as it stands.

Therefore, we encourage the planning board to vote no on the approval of the Congruus request.

Bob Cherniak
Phil Morse

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Dear Mt. Garrett,

I am John Branson, representing myself and my wife who have been residents of Fearington Village in since 2012. We are dismayed, not so much by the increase in development in Chatham County, e.g. Chatham Park and the new proposed development by Congress, LLC, but by the fact that the County has not taken responsibility to either create large wastewater facilities for the whole of the County in light of the dramatic increase in development, or to mandate that smaller wastewater treatment facilities MUST be incorporated into these new developments and NOT become the responsibility of existing wastewater treatment facilities. As you already know, the Briar Chapel facility has had numerous problems in the past and continues to pose challenges and hazards to the people of Briar Chapel. Neither Briar Chapel nor Fearington should be "tagged" with the responsibility of managing wastewater for this new development of Congruus, LLC!

Leadership must be taken by your Committee to both foresee and PLAN for appropriate wastewater treatment facilities in Chatham Country or the dream of a dramatic increase of population density will become an unholy swamp of grievance, litigation and mistrust of County officials and planners.

Please ensure proper wastewater facilities for the County or we will all end up in court which does no one any good.

Thank you,

John and Judyth Branson

johnhoodbranson@gmail.com

827 Fearington Post

Pittsboro, North Carolina 27312

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I understand that on Tuesday, September 7, at 6:30 PM the Chatham County Planning Board will be holding a Public Hearing on a request by Congruus LLC (the developer) for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO). If allowed, this amendment would in effect grant the developer a zoning change that would let them build at a much higher density than currently allowed.

As a Fearington Village resident, I am concerned about this proposal to expand the size of the property to be used for a dense new development, Fearington Preserve. A dense development necessarily entails increased wastewater and that is the real issue right now. How will that wastewater be managed?

In this county, wastewater treatment should be the first thing to plan for with a workable solution, yet the developer has expressed only vague ideas about how to manage the wastewater from all those new

residences. It seems the developer knows what they don't want to do, but has provided no specific information about how they plan to handle wastewater.

The applicant has said that they do not want to build their own wastewater treatment plant. Instead, they said they want to connect to either the Briar Chapel or the Fearington plant. I would point out that Fitch Creations, Inc. has sent the following to Planning Board staff:

First, Fitch Creations, Inc., either in its capacity as the developer of Fearington Village or as the owner of Fearington Utilities, is not involved with this project. Second, Fearington Utilities' waste treatment plant is nearing capacity and for that reason cannot consider connecting to wastewater collection systems outside our service area, which is defined with the North Carolina Utilities Commission as being only Fearington Village. We are in the planning stages of upgrading the plant but this renovation will not increase treatment capacity.

In addition, on August 16, Fearington Homeowners Association Vice President Rose Krasnow testified forcefully to the County Commissioners about reasons not to involve the Fearington Village Waste Water Treatment Plant (WWTP) in the proposed development,

Letting the developers continue to plan homes without a workable solution for wastewater treatment is a disservice to both the surrounding communities and the eventual residents.

This map amendment should not be approved as long as the developer has no specific, workable proposals for wastewater management.

Eileen McCorry
4103 The Knolls Close
Pittsboro, NC 27312

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Dear Dan Garrett and Members of the Planning Board,

My name is Leslee Shell and I reside with my husband Michael LaVerghetta at 10 Macon in Fearington Village. I am a former member of the Fearington Homeowners Association Board. As such, I became acquainted with the wastewater problems of Briar Chapel and also became aware of deficiencies in our own wastewater system that are now being addressed by Fitch Creations.

I want to express my concern that Congruus LLC evidently plans to connect with either the Briar Chapel or the Fearington wastewater system. I strongly object. Our systems are only sufficient for our community and cannot handle additional volume. Briar Chapel has had many sewage spills, seepage, and odor issues. Their system cannot handle additional capacity. Our own wastewater system here at Fearington Village is forty years old and is at capacity. It is currently undergoing much needed repairs.

Please do not approve the expansion of the Compact Community Ordinance. This issue deserves more careful consideration and study.

Sincerely,
Leslee Shell and Michael LaVerghetta

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As I understand, Congruus LLC, is planning a very large development called "Farrington Preserve " right across the highway from Farrington and has **made no plans** for waste water. They want to connect their system to Farrington's or Briar Chapel's waste water plant. **DO NOT** allow this to take place.

Thank you,
Beth

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My husband and I live in Farrington Village. We are very concerned about potential implications of any approval to expand the boundaries of the Chatham Compact Community Ordinance, as proposed by Congruus LLC. As we understand, Congruus wants to develop this land at a much higher density than currently allowed, without a plan for providing additional wastewater treatment facilities.

Neither Briar Chapel nor Farrington Village has the capacity to accept more wastewater. The county needs to address the problem of regional wastewater treatment facilities before approving expansion of the CCO.

Thank you
Andrea and Bill Tarpley

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My husband Ralph Pruiett and I are residents of Farrington Village and are very concerned about the implications of expanding the boundaries of the Chatham Compact Community Ordinance (CCO) to include 184 acres proposed by Congruus LLC. Congruus plans to develop this land at a much higher density than currently allowed--all without providing additional wastewater treatment facilities.

Chatham already has a wastewater treatment problem. Neither Briar Chapel nor Farrington has the capacity to accept more wastewater. The County needs to address this problem before approving expansion of the CCO.

Thank you,
Mary and Ralph Pruiett

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Dear Mr Garrett,

I am a homeowner in Fearington Village and am very concerned about the possibility of the increase in size of the CCO across from Fearington Village. Not only am I concerned about the size of the community , but the lack of planning for the wastewater treatment is unbelievable. This should be a part of their plan, or it should NOT be allowed. To just assume that they can hook into something close by is poor planning and that the county would consider this a plan is just unbelievable. We are looking at concerns with the treatment of our wastewater and have done considerable exploration and planning to handle OUR wastewater and cannot assume more responsibility for more population. Not only can we not handle the increase, the disturbance to our community would be great. No plan is not a plan... Please reconsider this and insist that they have a viable plan to handle wastewater.

respectfully,

Rose Mary Smith

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I am a Fearington Village resident, and I can attest to the fact that our current waste water plant is inadequate - come take a whiff of the air in the adjacent neighborhoods (Closes).

No further dense development should be approved until Chatham County has solved the wastewater problem.

Sincerely,

Dublin Popov

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As a resident of Fearington Village, I am strongly opposed to any efforts to have another development tie into our system. If development across 15/501 takes place, it is their responsibility to build their own treatment plant. Kathryn Coughlan.

602 Stoneview

602 Fearington Post

Pittsboro, N.C. 27312

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Dear Mr. Garrett,

This note is to express my concern about the request by Congruus LLC for a map amendment to include

an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO), which is being considered by the Planning Board.

A high-density development in this area is not appropriate unless the developers can provide a reasonable plan for waste management. The Fearington Village waste treatment plant is near capacity and could not be expected to handle other development's waste. Briar Chapel has had continuing issues with wastewater and cannot be relied upon to service any future high density development.

We are reaping the unintended consequences of poor infrastructure and need to be better stewards of our county. A planning process should involve a PLAN, and that has not been provided.

Sincerely,

Carolyn Boyle
Chatham County Resident

From: Cheri DeRosia <cheriderosia@gmail.com>
Sent: Friday, September 3, 2021 10:03 AM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: Congruus project question/comment

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I'm writing about the Congruus proposal to expand the boundaries of the compact community area around Briar Chapel.

I'm unlike many of my neighbors in that I support dense residential development because I believe that the only way to keep housing affordable to middle- and lower-income people is to build houses to keep up with population growth.

However, there really needs to be a plan for growth, and that plan MUST include a safe, environmentally-sensitive wastewater solution. Planning for growth but not planning to take responsibility for the impact of that growth is not planning at all.

Please let me know if you think there's a better way to communicate my concerns.

Thanks so much,

Cheri DeRosia
561 Weathersfield, Pittsboro, NC 27312

From: DJ Lewandowski <dlewandoman@gmail.com>
Sent: Friday, September 3, 2021 11:22 AM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: water treatment

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Hello Mr. Sullivan,
Just my two cents. It doesn't seem like prudent community planning to approve a housing development that lacks a detailed waste-water plan.
thanks.
dan lewandowski
560 Weathersfield
Pittsboro

From: Anthony Carroll <anthony.j.carroll@outlook.com>
Sent: Friday, September 3, 2021 11:47 AM
To: Daniel Garrett <dan.garrett@chathamcountync.gov>
Cc: Lindsay Ray <lindsay.ray@chathamcountync.gov>
Subject: Proposed Amendment to the Compact Communities Ordinance

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To the Chatham County Planning Board and Board of Commissioners:

Since moving to Ferrington Village in 2019, I have seen the proposed combined wastewater treatment facility for Ferrington Village and Briar Chapel – the most rudimentary of potential “regional wastewater solutions” – fail. Ferrington Village’s facility is moving ahead with upgrades that will permit it to continue to operate on a stand-alone basis, but without increasing its capacity. The Briar Chapel facility remains a work in process and has yet to demonstrate that it adequately addresses the needs of its existing community.

Now Congruus is seeking the first in a series of approvals that would permit it construct more than 1000 additional housing units. It does not propose to take any action of its own to deal with the wastewater that would be generated by these homes, but rather refers to the existing FV and BC facilities and expresses the vague hope that a “regional sanitary sewer solution” will be found, apparently by connecting to one of these existing facilities with troubled histories which lack the capacity to accommodate it. It would be irresponsible for the Board to allow additional development by Congruus or any other developer without the resulting wastewater issues having been squarely addressed, not wished away or palmed off on others. Accordingly, the Board should reject Congruus’ proposal at this time.

I would also like to express my serious concerns with the manner in which this matter has been raised and dealt with to date by the relevant County authorities. Congruus’ proposal was brought before the Board of Commissioners at a meeting held during the dog days of August without meaningful prior

disclosure or outreach having been made to the communities involved (aside from promises apparently having been made to a local cultural group). A sensible motion from two Commissioners to extend the time for comment was brushed aside by the others. Now the Planning Board's hearing on this important matter is scheduled for the day after Labor Day and during the Rosh Hashanah holiday. The citizens of Chatham County deserve better than this rush to judgment.

Please include these comments in the materials to be reviewed by the members of the Planning Board at its September 7 meeting, and by the Commissioners in considering this matter. Sincerely,

Anthony Carroll

From: Mary Carroll <mcullencarroll@outlook.com>
Sent: Friday, September 3, 2021 12:00 PM
To: Daniel Garrett <dan.garrett@chathamcountync.gov>; Lindsay Ray <lindsay.ray@chathamcountync.gov>
Subject: Proposed amendment to Fearington Preserve CCO

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Chatham County Board of Commissioners, and Chatham County Planning Committee;

As a resident of Fearington Village, I am writing to urge you to reject the request to amend the CCO for the proposed Fearington Preserve development.

That the developers put forward a proposal without a clearly outlined plan to deal with the wastewater generated by some 1000 homes seems at best careless, and at worst, shoddy, irresponsible and a terrible precedent for future development projects. The environmental impact of wastewater problems is well known. (Ask folks who live in Briar Chapel.) Congruus' plan for dealing with the wastewater must be explained in detail before they are permitted to proceed.

That our elected County Commissioners and the appointed Planning Committee might allow this project to proceed without insisting that Congruus take full responsibility for a viable wastewater plan is shocking and deeply concerning.

The development of this property—especially with a plan this large--will have a profound impact on every aspect of life in this part of Chatham County. We rely on our elected Commissioners and their staff to make sure any new developments include the necessary infrastructure to ensure the safety of the surrounding communities, and fulfill all of the purposes of the CCO.

I urge you to recommend against this plan.

Sincerely,
Mary Cullen Carroll
683 Spindlewood
Pittsboro, NC

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO) is being considered by the Planning Board. A high density development in this area is not appropriate unless the developers can provide a reasonable plan for handling waste water.

The Fearington Village treatment plant is near capacity and could not be expected to handle other waste. Briar Chapel has had continuing issues with waste water and cannot be relied upon for any future high density development. We are reaping the unintended consequences of poor infrastructure and need to be better stewards of our county. A planning process should involve a PLAN and that has not been provided.

Chatham County Resident,

John Boyle

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Hello - I would like to speak at the Planning Board meeting on Sept.7 on the following Agenda item

VIII. ZONING:

2. A legislative public hearing for a request by Congruus LLC for a map amendment to the Chatham County Compact Community boundary map specifically Section 6.1, p 3-4 for an expansion of the CCO map to include an additional 184.04 acres off Parker Herndon and Morris roads, Baldwin Township

I have already registered for the meeting and received the Zoom link.

Could you please confirm that you have received this request and that I will be recognized to speak on this agenda item.

Thank you,

Victoria Shea
1075 Ferrington Post
Pittsboro NC 27312

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To Chatham Hearing Board

We are opposed to this Amendment for Congruus LLC. to allow more compact housing in the land off Parker Herndon and Morris Rds. We are opposed because there are questions about Wastewater Treatment in the area defined. We are Ferrington Homeowners and I have been a Board of Director for the Townhomes community for four years. Any more wastewater coming to the Ferrington Utilities Plant would very badly affect our Community of dense population near the Fitch Utilities plant. We already experience odor from the Ferrington Utilities Plant. The owners of same are reasonably willing to work with us on this problem. However, further introduction of wastewater to the plant or near it would seriously damage our property values.

The applicants for this amendment to be heard on Tuesday evening, Sept 7, need to explain how they intend to handle wastewater. Sincerely, (Rev. Dr.) Hugh H Knapp
456 Beechmast, Ferrington Village

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Hi,

My name is Dixie Swanson and I live at 18 Yancey, in Ferrington Village.

I'm opposed to any entity tying into 'our' WWTP, a 1970's vintage system that limps along.

How bad is our system?

We got a notice the other day not to put anything oily or fatty down our disposals, as the WWTP can't handle it. Instead, we're supposed to freeze animal fat and discard in the trash. For oils, they suggest pouring it over kitty litter and putting that in the trash.

When I visit one friend here in the village, I smell the sewage from the limp-along plant ... not a good omen for trying to add in more homes and businesses.

The plant is owned by Fitch Creations, not the community, and we're at his mercy for upgrades ... and, so far, they are lagging behind.

It would be stupid to attempt to put any more load on this WWTP.

Any new development should either treat their own sewage or the county should go into the WWTP business. I suspect the county is no more interested in treating their sewage than we are! I doubt you have the legal standing to compel any third party to treat sewage. That flies in the face of basic property rights and we here in the area would vigorously oppose that.

Cleaning up after yourself is not too big a burden to put onto a developer. Insisting some third party do it is, quite simply, nuts.

Dixie Swanson, MD

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Hi Dan

> I am concerned about increasing density in this area. In addition to the waste water issue, the traffic is already hazardous.

> Linda Patterson

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To the Chatham County Board of Commissioners, and Chatham County Planning Committee;

As a resident of Fearington Village, I am writing to urge you to reject the request to amend the CCO for the proposed Fearington Preserve development.

That the developers put forward a proposal without a clearly outlined plan to deal with the wastewater generated by some 1000 homes seems at best careless, and at worst, shoddy, irresponsible and a terrible precedent for future development projects. The environmental impact of wastewater problems is well known. (Ask folks who live in Briar Chapel.) Congruus' plan for dealing with the wastewater must be explained in detail before they are permitted to proceed.

That our elected County Commissioners and the appointed Planning Committee might allow this project to proceed without insisting that Congruus take full responsibility for a viable wastewater plan is shocking and deeply concerning.

The development of this property—especially with a plan this large--will have a profound impact on every aspect of life in this part of Chatham County. We rely on our elected Commissioners and their staff to make sure any new developments include the necessary infrastructure to ensure the safety of the surrounding communities, and fulfill all of the purposes of the CCO.

I urge you to recommend against this plan.

Sincerely,
Mary Cullen Carroll
683 Spindlewood
Pittsboro, NC

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Dan, there is no capacity for waste water treatment for this request.

Vote No!
Lawrence Layton
594A Fearington Village

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To the Chatham County Planning Board and Board of Commissioners:

Since moving to Fearington Village in 2019, I have seen the proposed combined wastewater treatment facility for Fearington Village and Briar Chapel – the most rudimentary of potential “regional wastewater solutions” – fail. Fearington Village’s facility is moving ahead with upgrades that will permit it to continue to operate on a stand-alone basis, but without increasing its capacity. The Briar Chapel facility remains a work in process and has yet to demonstrate that it adequately addresses the needs of its existing community.

Now Congruus is seeking the first in a series of approvals that would permit it construct more than 1000 additional housing units. It does not propose to take any action of its own to deal with the wastewater that would be generated by these homes, but rather refers to the existing FV and BC facilities and expresses the vague hope that a “regional sanitary sewer solution” will be found, apparently by connecting to one of these existing facilities with troubled histories which lack the capacity to accommodate it. It would be irresponsible for the Board to allow additional development by Congruus or any other developer without the resulting wastewater issues having been squarely addressed, not wished away or palmed off on others. Accordingly, the Board should reject Congruus’ proposal at this time.

I would also like to express my serious concerns with the manner in which this matter has been raised and dealt with to date by the relevant County authorities. Congruus’ proposal was brought before the Board of Commissioners at a meeting held during the dog days of August without meaningful prior disclosure or outreach having been made to the communities involved (aside from promises apparently having been made to a local cultural group). A sensible motion from two Commissioners to extend the time for comment was brushed aside by the others. Now the Planning Board’s hearing on this important matter is scheduled for the day after Labor Day and during the Rosh Hashanah holiday. The citizens of Chatham County deserve better than this rush to judgment.

Please include these comments in the materials to be reviewed by the members of the Planning Board at its September 7 meeting, and by the Commissioners in considering this matter. Sincerely,

Anthony Carroll

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Dear Mr. Garrett,

I am writing to urge you to reject the request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO).

The developer has indicated it plans to connect to the Fitch/Fearrington Village wastewater treatment plant as a way to manage wastewater. This seemingly cavalier attitude is wrong on almost every level. For starters, the Fitch wastewater treatment plant is currently at capacity serving the Fearrington households and is, in fact, in the process of being updated to better serve that community. Adding an entirely new development would be a disaster—and certainly is not approved by R.B. Fitch and other leaders in Fearrington.

The Congruus developer stands to make significant profit from its development—surely, part of the planning should incorporate a wastewater treatment facility to serve its households and commercial areas. It’s unconscionable that the developer should assume that other, established communities should assume the responsibility to the Congruous development.

I urge you and others of the Planning Board to reject this proposal. Your mission is to ensure the responsible development of Chatham County. It would be counter to your mission—and serious folly—to approve this development that has so far demonstrated such disregard for the values of the county.

My name is Katie Baer. I live at 847 North Langdon in Fearington Village. Thank you for considering my comments.

Katie Baer

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Mr. Garrett,

I am writing to you with the understanding that my comment will be distributed to all members of the Planning Board prior to and for consideration at the meeting this coming Tuesday, Sept. 7. I am a resident of Chatham County, and will not be able to attend to comment as I will be traveling at the conclusion of Labor Day weekend.

The application by Congress LLC should not be granted at this time. There is no plan for wastewater treatment generated by the proposed community. The function of your group, as you all well know, is planning, and review of plans prior to approval. If your job was merely to approve for the sake of promoting development, you would be the County Approval Board. It is not. You are the County Planning Board. You are not in place to ignore issues, or kick them down the road, but rather to PLAN for them. There is a 100% certain need for wastewater treatment of any new residential structure or community. Please do not ignore this reality. Please do your job and require a PLAN for this.

New development is desired and desirable but the facts of life cannot be ignored and then handled as an emergency. It must be planned for, and to plan means to address the issue in advance.

Thank you in advance for distributing this comment to Board members in a timely way, Howard Fifer, voting resident of Chatham County

From: Mickey Kesselman <mickey@kesselmanassociates.com>

Sent: Friday, September 3, 2021 11:07 AM

To: Daniel Garrett <dan.garrett@chathamcountync.gov>

Cc: Andrew and Brigitte Haight <ACH57@mac.com>; Bonnie O'Connell <bobcat88@gmail.com>; Douglas Haight <dbh341@aol.com>; Jacobus de Vries <jack.devries617@icloud.com>; Jim & Sherry Smithwick <jsmithwick825@gmail.com>; Mike Hardy <michael.hardy.email@gmail.com>; Nancy Brewer <nancy728624@gmail.com>; Peter & Colleen Cook <peterpcook@gmail.com>; Ron Kesselman <ronald.kesselman@yahoo.com>; Sara Hulme <shhulme@gmail.com>; Sean and Ann Meeker-O'Connell <wamoconnell@gmail.com>; Sheila and Joe Dorey <joseph.dorey@gmail.com>; Tom O'Connell

<thomas_o@bellsouth.net>; Vera Graye <veragraye@gmail.com>

Subject: Congruas LLC Project

Importance: High

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Dear Mr. Garrett,

As residents of Fearington Village (724 Barnsley), and on behalf of our neighbors, I/we ask you to deny the Congruas application. Let them construct their own water treatment plant! We have enough water problems in our area.

The Haw River is polluted. It is filled with arsenic, lead and PFAS'. It has been labeled one of the worst rivers in America (Consumer Reports Special Issue Magazine, May 2021 issue pgs 36-38). Unfortunately Pittsboro obtains its water from the Haw River.

The Jordan Lake is polluted. Review this fact at The Haw River Assembly (hawriver.org).

That's enough.

Take a stand against this developer on behalf of the good people of Pittsboro and Chatham County; our quality of life deserves better than this developer and his schemes.

Mickey and Linda Kesselman

(You have our permission to read this letter at a hearing.)

Trusted Advisor, LLC.

620 Fearington Post

Pittsboro, NC 27312

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Mr. Garrett,

We are residents of Fearington Village at 727 Barnsley in the Woods section. We're writing with respect to the Congruas application to expand the boundaries of the CCO. We are especially irritated that more higher density housing be proposed without the necessary sewage treatment investment. Both the Brian Chapel treatment plant and the Fearington plant have had issues and need improvement so it seems foolish to add more sewage input to either. Additionally, the Fearington plant has the ability to let processed water into the Jordan Lake watershed – something that a large increase in capacity would likely encroach upon. To top it off, the long connector to the Fearington plant would result in costly and disruptive construction that would degrade the value of our properties while adding greatly to our ratepayer costs. We strongly urge the Board to reject the Congruas application.

Peter and Colleen Cook

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Dear Mr. Garrett,

Thank you for your service to our wonderful Chatham County. Naturally, more people want to live in and enjoy this beautiful area, and I welcome development that respects and enhances our community. That sort of development would include new communities having a forward-thinking plan for treatment of their wastewater. That does not appear to be the case with Fearington Preserve. The treatment plant for Fearington Village was designed for and can only adequately service Fearington Village. Addition of Fearington Preserve wastewater to the Fearington Village plant is a clear recipe for future problems for everyone. I encourage you to make Fearington Preserve, and all other developers in Chatham County, make provisions for caring for their wastewater, not just send it downstream.

I appreciate your kind attention to this important matter.

Gae Whitener
631 Spindlewood
Pittsboro, NC 27312

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My wife and I have resided in FV for the past 11 years. The increased traffic and building along 15/501 has been unprecedented in the area. The overall feeling is we need a comprehensive plan going forward. Over population, sewage facilities and air pollution are among the many concerns of all the residents up and down route 15/501. Please consider the quality of life of the surrounding communities and not the financial gains of the developers.

Sincerely,

Leo & Theresa Shanahan

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Dear Mr. Garrett –

As I am not able to attend the public hearing, on a request by Congruus LLC for a map amendment to include an additional 184.04 acres of land, I am writing to you today to let you know that I am opposed to this amendment.

I am a resident of Fearington Village. It is my understanding that this development is intent on not building their own waste water treatment plant. I think it is irresponsible of the board to

allow a development that doesn't address this aspect in a concrete manner. It is my understanding as well that Fearington Village's plant can't handle any additional houses into its system and doesn't want to expand.

Please vote down this amendment. The communities in the area don't want this much expansion or irresponsible building without all aspect being addressed by the developer.

Thank you for your time,
Michelle Massa
41 Caswell
1213 Fearington Post
Pittsboro, NC 27312

From: **Cheri DeRosia** <cheriderosia@gmail.com>
Date: Thu, Sep 2, 2021 at 4:22 PM
Subject: Congruus project question/comment
To: Jonathan Spoon <jmspoon5@gmail.com>

Hey, Jon, I hope you are well!

I bet you've heard that people in my neighborhood are all up in arms about the Congruus proposal to expand the boundaries of the compact community area around Briar Chapel.

I'm unlike many of my neighbors in that I support dense residential development because I believe that the only way to keep housing affordable to middle- and lower-income people is to build houses to keep up with population growth.

However, there really needs to be a plan for growth, and that plan MUST include a safe, environmentally-sensitive wastewater solution. Planning for growth but not planning to take responsibility for the impact of that growth is not planning at all.

Please let me know if you think there's a better way to communicate my concerns.

Thanks so much,

Cheri

From: **Chris Kaman** <chrishkaman@icloud.com>
Date: Mon, Aug 30, 2021 at 9:40 AM
Subject: Congruus LLC request
To: <jmspoon5@gmail.com>

Dear Mr. Spoon,

I am a resident of Fearington Village. I was recently made aware of a request by Congruus LLC to expand the boundaries of their development. I am opposed to this request since they have no way to dispose of their wastewater. They hope to connect to either Fearington Village treatment plant (or Briar Chapel's treatment plant).

The FV water treatment plant was not intended to become a regional wastewater plant. I have read Rose Krasnow's comments at the board of commissioner meeting on August 16th, and fully support her comments and recommendation for a study commission to come up with a solution to the ongoing wastewater management issue. I am glad the commissioners referred this matter to the planning board. I hope you will consider a regional wastewater system to serve the needs of north Chatham County as the best solution.

Sincerely

Chris Kaman
104 Creekwood (Fearington Post)

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As a resident of Fearington Village I am trying to keep up with the news that a private developer is seeking approval to tie into Fearington's wastewater treatment plant. (Congruus LLC/Parker Herndon & Morris Roads).

I'm scratching my head to understand why a private developer would think Fearington's wastewater plant should be available for them to use? My understanding is our developer, Fitch, build the plant and it is already at its capacity.

Please note my objection to this effort with the Planning Board members.

Ann Melchior
4225 Henderson Place
Pittsboro, NC 27312

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Dear Mr Garrett,

I hope the Planning Board will recognize that a large planned development such as Congruus proposes needs to include its plan for sewage treatment instead of arm

waving and hopes to connect to some existing treatment plant. Unless their stated goals include a concrete statement, with concurrence from any third parties, it can hardly be considered a "Plan". As a Fearington Village resident i strongly oppose any effort to add any load to the Fearington waste treatment facility. We experienced multiple problems when Briar Chapel attempted to connect to our system including spills of raw sewage and odors. We don't need a repeat of that unfortunate experience and urge the county to reject the Congruus application until the sewage treatment question is adequately addressed.

Jim Brooking
242 Fox Ridge

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Dear Mr. Garrett,

I am a resident of Fearington Village and am writing to express significant concerns about any approval of the request by Congruus LLC for a map amendment to include an additional 184.04 acres of land within the boundaries of the Compact Community Ordinance (CCO) without an associated plan for a new wastewater treatment plant for that community.

I am aware that the applicant has said that they do not want to build their own wastewater treatment plant. What the applicant wants and what is appropriate and necessary for a developer to do differ. It should not be policy to allow development without thoughtful consideration of the utilities and basic infrastructure needed to support planned density. I also note the developer suggests a free rider arrangement of simply tapping into neighboring treatment plants. This is not feasible, and would likely create health and environmental harms.

Neither the Fearington Village nor the Briar Chapel plants can accommodate the additional load. As noted by Fitch Creations in their comments to the committee, "Fearington Utilities' waste treatment plant is nearing capacity and for that reason cannot consider connecting to wastewater collection systems outside our service area, which is defined with the North Carolina Utilities Commission as being only Fearington Village." And one only needs to peruse Nextdoor to learn about the wastewater challenges (smell, leaks) already faced by some Fearington Village and Briar Chapel residents - challenges that would increase exponentially with approval of the developer's proposed plan

I ask that the planning board consider both the implications for current Chatham residents and the long-term policy implications of their vote, and deny the application as submitted.

Kind regards,
Ann Meeker-O'Connell

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Dear Sir,

I write to inform you of my opposition to the addition of 184 acres within the Compact Community Ordinance as requested by Congruus LLC.

The Fearington Utilities treatment plant is near capacity. Further development in the area is fine, but the developer should be responsible for related costs rather than transferring that burden to an existing facility that does not have the capacity (or responsibility) to accept the additional effluent.

Here's hoping that sound principals and practices prevail.

Sincerely,

James R. Hayes, MD, PhD
594D Woodbury
Pittsboro, NC 27312

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We strongly urge the Chatham County Planning Board to consider:

1. Placing a moratorium on the map amendment in Northern Chatham County that would allow Congruus an additional 184.04 acres within the CCO.
2. A task force should be formed to study the wastewater treatment issues developing in Northern Chatham County.
3. The intensity of the development occurring in this area requires an appropriate and thoughtful strategy to deal with water treatment options which are currently seriously overwhelmed.

Sincerely, Suzanne Burke

From: **Bruce & Sally Campbell** <campbell1038@msn.com>
Date: Thu, Sep 2, 2021 at 2:41 PM
Subject: Sept. 7 meeting
To: jason.sullivan@chathamnc.org <jason.sullivan@chathamnc.org>

To the Planning Board: We hope you will act as the name of your group suggests and begin to make a comprehensive plan for the future of our county. We believe it is irresponsible to continue to allow development without a plan for the infrastructure needed to support such development, including waste water management, roads, traffic control, etc.

Specifically, please do not vote to extend the boundaries of the Compact Community Ordinance in the case of Congruus LLC until a waste water task force has been created. Apparently, neither Fearington Village nor Briar Chapel is willing to accept waste water from this development.

It seems that a number of developments are in the planning stages in Chatham County. Please do not continue the piecemeal approach to planning that has been followed in the past. Thank you.

Bruce and Sally Campbell
12. E. Madison
Pittsboro

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Dear Mr. Garrett,

I am writing to you to request a NO vote for any movement forward to expand the CCO boundaries, as requested by Congruus LLC. The issue of high density in this area is secondary to the fact that there is no viable plan for wastewater treatment. Fearington Utilities does not have the capacity to take on external waste. To be honest, we've been scrambling for the past few years trying to address the issue of an outdated plant. As I'm sure you're aware, at one point there was talk of FV wastewater hooking up to Briar Chapel's wastewater treatment plant. But given the ongoing issues that the BC plant has had, from leaks to faulty equipment, etc., that idea was justifiably voted down. Even though Fearington Utilities plans to upgrade the existing plant, there is no plan to increase capacity, which is nearly full. It is not a viable option for an external development to glob onto our wastewater treatment plant.

How is it even possible that a development plan would even be considered without a definitive plan in place for waste? I urge you to vote NO on this request to expand the boundaries of the CCO until the issue of wastewater treatment is solved.

Sincerely,

~ Deborah Repplier
221 Fearington Post

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Mr. Garrett,

I am a resident of Fearington Village and, as such, am very much opposed to the expansion of the CCO Boundaries. We already know that our wastewater capacity is rapidly shrinking. There is new construction on-going in the Village, and the broader issue of wastewater treatment capabilities has previously reared its head in discussion of nearby communities. Fitch has expressed their objection to CCO expansion saying that, even with upgrades to our wastewater treatment facilities, these will not result in increased treatment capabilities.

I strongly urge the Planning Board NOT to approve the expansion of CCO boundaries. It is short-sighted and dangerous to do so.

Jo Bolig
555 Weathersfield
Pittsboro, NC 20312

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Board Members:

As with other residents of Fearington Village, we have been recently informed that Congruus LLC is asking to increase the boundaries of the Compact Community Ordinance with no plans for treating wastewater from that development. It is our understanding that they have reported speaking to Fearington residents of a plan to connect to the Fearington plant. This is not true. We strongly oppose granting this application until Congruus can present evidence to the Board that they have developed a plan and received approval for their development's wastewater treatment.

Sally Pilcher & Fred Chesek
172 Wintersage

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Hello Mr Garrett. I wanted to add my input, as a resident of Fearington Village, to the discussion on the waste water issue in Chatham County, especially concerning the new development being discussed in the September 7th meeting. Both the Fearington and Briar Chapel systems are inadequate or operating at max capacity already, and are not capable of handling the increased load of another entire community. Unless developers are willing to install their own systems, or until Chatham County builds a countywide system, please do not approve any new developments which will worsen an already worrisome problem. I am not against development of the County, just irresponsible development. Thank you for your time and service. I'll be watching the proceedings with great interest. Anne Sanders

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Dear Dan Garrett,

The high density development with inadequate sewage treatment plan proposed by Congruus for Morris Road area is irresponsible to the point of criminal and should be opposed. As a nine year resident of Fearington Village I have been involved in many neighborhood discussions about inadequate capacity for sewage wastewater in both Fearington and Briar Chapel. Worst of all, I have smelled the stink of sewage and some of my friends have experienced raw sewage in their back yards. We do not have adequate wastewater treatment capacity to serve our current communities, which are still expanding, much less this foolish massive new development. Moreover, this area has significant drinking water issues on the horizon unless infrastructure is seriously upgraded. I will sign on to any lawsuits that will likely be mounted to fight this irresponsible development plan and actively work to vote out any officials who support it. Please help us protect our homes and health and fight this development plan.

Sincerely,

Sharon Derry
916 Woodham
Fearington Village

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I have lived in this immediate area for 30 years. I have seen huge changes in the building going on. Fresh water and wastewater are becoming a large issue for the county. Please hold any developers accountable for their actions. Few developers live here and have to deal with their actions. I plan to live here for the rest of my life. I want it to be a great one.

Respectfully, Carl Stice
Resident of Fearington Village

--

Carl Stice
Optician
Chapel Hill Eyecare

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As a resident of Fearington Village, I oppose the proposal of adding a thousand homes opposite our village, BEFORE a plan has been presented for handling this development's waste water plan. It is irresponsible for the planning board to approve this development without seeing a planned waste water system. Briar Chapel has experienced the effects of poor waste water planning. We don't need to set up another scenario where effects of no planning can happen again!

How does a county approve a building proposal without advising its residents of its possible ramifications? Fearington Village residents were not advised of this development! It feels like a

maneuver to advance this building project without input from constituents. Please listen to us, and have the builders address what their water plan is before starting to build. I don't oppose the building, but let's do a study of how waste water will be handled.

Thanks for listening.

Adele Kelly
4053 Sampson
Farrington Village
Pittsboro, NC 27312

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Dear Mr. Garrett,

Please add our names to the list of Chatham County residents who **object to the expansion of the Compact Community Ordinance (CCO)** on the Chatham County Planning Board agenda Tuesday, Sept. 7, until the county moves to a public solution for wastewater and drinking water.

Today, sections of our county are subject to unwanted and ultimately unsustainable commercial and residential development that only benefits a handful of land owners and the developers who continue to erode Chatham's rural ambience and healthful environment.

We are concerned that without an integrated development plan that prioritizes sound water management, the county will be irreparably damaged and future generations will pay the price.

Adrienne S Lallo
Edward L Lallo
884 Farrington Post | 884 Ashton
Pittsboro, NC 27312

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"First, Fitch Creations, Inc., either in its capacity as the developer of Farrington Village or as the owner of Farrington Utilities, is not involved with this project. Second, Farrington Utilities' waste treatment plant is nearing capacity and for that reason cannot consider connecting to wastewater collection systems outside our service area, which is defined with the North Carolina Utilities Commission as being only Farrington Village. We are in the planning stages of upgrading the plant but this renovation will not increase treatment capacity."

What the Fitches said.

Also, wouldn't it be prudent to actually see the "actual development plan" before any final decisions? Just saying...

Stephen Elder
401 Lyndfield Close

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Dear Mr. Garrett,

I am a resident of Chatham County at 849 North Langdon in Pittsboro. I'd like to submit a comment to the Tuesday, September 7, Chatham County Planning Board Public Hearing on a request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO).

The applicant has stated that they do not want to build their own wastewater treatment plant. Instead, they said they want to connect to either the Briar Chapel or the Ferrington plant. As a resident of Ferrington, I concur with the Fitch Creations statement:

"First, Fitch Creations, Inc., either in its capacity as the developer of Ferrington Village or as the owner of Ferrington Utilities, is not involved with this project. Second, Ferrington Utilities' waste treatment plant is nearing capacity and for that reason cannot consider connecting to wastewater collection systems outside our service area, which is defined with the North Carolina Utilities Commission as being only Ferrington Village. We are in the planning stages of upgrading the plant but this renovation will not increase treatment capacity."

The Briar Chapel wastewater system has had its own share of problems.

I agree with others who say that the key issue here is not density. The issue is wastewater. I do not believe more dense development should be allowed until the county has resolved the wastewater problem.

The map amendment should not be approved until the wastewater problem is resolved.

-- Stephen Gartrell
849 North Langdon
Pittsboro, NC 27312

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Dear Mr, Garrett,

As Ferrington Village residents, we strongly oppose that any new development across from our village use Ferrington's waste treatment plant. This plant has been developed and planned to be a proper size for Ferrington Village only. The plant is in a small area surrounded by residences and cannot and SHOULD not be enlarged to include outside developments.

Please vote AGAINST any approval to enlarge the development across from us. The waste water treatment problem for that development must be solved FIRST.

Thank you,

Nancy and Fred Hall
603 Stoneview
603 Ferrington Post
Ferrington Village
Pittsboro, NC 27312

From: Helen Thompson <thompsonhd@nc.rr.com>

Date: September 2, 2021 at 6:34:28 PM EDT

To: eric@ericandrewsrealtor.com

Subject: Deny Congruus Request

Dear Sir:

I am writing to request that you vote to either (1)deny Congruus' request to extend the boundaries of the CCO map or (2)vote for a moratorium on all development approvals until waste water solutions, both private and public, can be *thoroughly* studied.

Allowing building of dense communities such as Ferrington Preserve is obviously ruining the rural nature of NE Chatham, something very dear to me and thousands of other residents in the area. But just as important, **Compact Communities such as Ferrington Preserve will result in a large, densely populated zone in NE Chatham County without an adequate wastewater solution.**

Expecting neighboring communities with poorly designed, overtaxed, and/or antiquated wastewater treatment plants to assume a function that the county should shoulder or that Congruus itself should shoulder is shockingly audacious and suggests poor planning. **Please vote for an option based not on what YOU would want for the area but for what the current residents in North Chatham want.**

**Helen Thompson
364 Linden Close
Ferrington Village
Pittsboro NC 27312**

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It would be deeply irresponsible to grant a permit to any entity without a legal prior agreement concerning its wastewater treatment.

If the county does not wish to be in the sewage treatment business, each developer must be.

In the pending issue, neither Fitch nor Briar Chapel have indicated that their already troubled systems can take more. Therefore you must reject the permit as it stands.

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For those whose vote matters,

As a resident of Fearington I believe that Chatham County needs to address the impending, very real wastewater concerns in our area before further burdening those who are already working on current solutions. Please do not impose any burden on Briar Chapel or Fearington when they do not currently have their own solutions finalized.

Why is there no talk of a lift station on county land to enhance the county sewage in this area? I pass two on the way to my daughter's Apex home.

Thank you for your consideration.

Sincerely,
Shelby S. Clark

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This is in reference to the current consideration of a request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads. But this comment also applies to all development requests.

The issue is WASTEWATER and until there is a viable and comprehensive plan to address that issue, development needs to be curtailed.

Acquiescence to the developers without a comprehensive WASTEWATER plan will be a great disservice to Chatham County and the residents.

REMEMBER: A credible and plausible WASTEWATER PLAN or no development!

Paul & Margaret Ising
1322 Langdon Place
Pittsboro, NC 27312

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Mr. Garrett,

I oppose the request by Congruus LLC due to the following.

On Tuesday, September 7, at 6:30 PM the Chatham County Planning Board will be holding a Public Hearing on a request by Congruus LLC for a map amendment to include an additional 184.04 acres of land off Parker Herndon and Morris Roads within the boundaries of the Compact Community Ordinance (CCO). While it sounds innocent enough, if allowed the developer has in effect been granted an upzoning that would let them build at a much higher density than currently allowed. While we have not seen the actual development plan, the applicant has said that they do not want to build their own wastewater treatment plant. Instead, they said they want to connect to either the Briar Chapel or the Fearington plant.

The Fitch's sent the following to Planning Board staff:

"First, Fitch Creations, Inc., either in its capacity as the developer of Fearington Village or as the owner of Fearington Utilities, is not involved with this project. Second, Fearington Utilities' waste treatment plant is nearing capacity and for that reason cannot consider connecting to wastewater collection systems outside our service area, which is defined with the North Carolina Utilities Commission as being only Fearington Village. We are in the planning stages of upgrading the plant but this renovation will not increase treatment capacity."

Briar Chapel wastewater system has problems already without adding more to their system.

Jan Droke

Fearington Village

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Dear Mr. Garrett:

I will keep this short: Any approval of the expansion of the CCO Boundaries without a wastewater treatment plan in place to accommodate the expansion is irresponsible governance.

Thank you,

Fred Morris

1148 Fearington Post

Fearington Village, NC 27312

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Please deny new developments from hooking up to Fearington Village Sewage System.

Thanks Roger Thomas 19 E Camden Fearington Village

"First, Fitch Creations, Inc., either in its capacity as the developer of Fearington Village or as the owner of Fearington Utilities, is not involved with this project. Second, Fearington Utilities' waste treatment plant is nearing capacity and for that reason cannot consider connecting to wastewater collection systems outside our service area, which is defined with the North Carolina Utilities Commission as being only Fearington Village. We are in the planning stages of upgrading the plant but this renovation will not increase treatment capacity."

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Hello, I would like to register my opinion that no affirmative action be taken by the Planning Board until such time as the developer has put forth a viable plan to deal with waste water treatment associated with any proposed development. A fundamental element of the planning process is to insure that basic and necessary infrastructure associated with the project be set forth prior to any action. While, at this easy stage, it is appropriate to leave certain designs principles for later discussion, it is not appropriate to move forward without any consideration of how basic services associated with the site development be identified and determined to be a viable; otherwise the residents of the proposed development and those in the adjacent areas will be subject to potential adverse health impacts and environmental degradation associated with the project and Chatham County will suffer as well. First consider the basics of any development, no matter how conceptual, such as sewer, water, roads, etc. and then make an appropriate determination about the approval of the project. Perhaps, after such a determination as to the adequacy of these plans the Planning Board may justifiably approve the zoning change. But, until such time, the Planning Board should defer any affirmative action. My comments are based on 40 years experience as an Urban and Regional Planner, one who knows the development field well. I hope you will take these comments seriously in your deliberations. Michael Gap

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No, no no no. This proposed water treatment use of Fearington must NOT take place.

We agree with Fitch Creations statement:

"First, Fitch Creations, Inc., either in its capacity as the developer of Fearington Village or as the owner of Fearington Utilities, is not involved with this project. Second, Fearington Utilities' waste treatment plant is nearing capacity and for that reason cannot consider connecting to

wastewater collection systems outside our service area, which is defined with the North Carolina Utilities Commission as being only Fearington Village. We are in the planning stages of upgrading the plant but this renovation will not increase treatment capacity.”

Libby and Peter Wilkie

From: Anne OConnor <anniegrace44@gmail.com>
Sent: Thursday, September 2, 2021 11:11 AM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: development across from Fearington Village

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Several of us at Fearington Village have expressed their disapproval of the planned development of Fearington Preserve. In particular, the wastewater treatment they plan to use is already at peak capacity. Briar Chapel, Fearington Village and Fearington Preserve will all suffer the stinking result from their proposal of the CCO. Please prevent this plan from happening.

Sincerely,
Anne O'connor, resident Fearington Village

From: B Lynn Whitener <infopac@embarqmail.com>
Sent: Thursday, September 2, 2021 4:19 PM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: adequate wastewater planning

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,

When new development is considered, wastewater capture and treatment should be an expected part of the proposal. Chatham County is already home to developments that cannot adequately and appropriately manage water.

We need to carefully husband our resources and protect ourselves from predictable problems by having sound systems as part of all development.

Thanks for the job you do.

Lynn Whitener

Lynn Whitener
560 Weathersfield
Pittsboro, NC 27312

From: Bruce & Sally Campbell <campbell1038@msn.com>
Sent: Thursday, September 2, 2021 2:41 PM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: Sept. 7 meeting

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Planning Board: We hope you will act as the name of your group suggests and begin to make a comprehensive plan for the future of our county. We believe it is irresponsible to continue to allow development without a plan for the infrastructure needed to support such development, including waste water management, roads, traffic control, etc.

Specifically, please do not vote to extend the boundaries of the Compact Community Ordinance in the case of Congruus LLC until a waste water task force has been created. Apparently, neither Fearington Village nor Briar Chapel is willing to accept waste water from this development.

It seems that a number of developments are in the planning stages in Chatham County. Please do not continue the piecemeal approach to planning that has been followed in the past. Thank you.

Bruce and Sally Campbell
12. E. Madison
Pittsboro

From: Suzanne Burke <burkesuzanne68@gmail.com>
Sent: Saturday, August 28, 2021 10:36 AM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: Water Treatment & Development

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Sullivan, I am aware that a developer has been interested in building homes in the Northern Chatham area. It appears that the developer wants to use Fearington Village or Briar Chapel's water treatment resources. Though I am not opposed to properly planned development, the idea of this developer's plans to avoid the responsibility of appropriate water treatment planning by foisting that onto Fearington or Briar Chapel is totally unacceptable. It is another example of developers who demolish natural habitats, add traffic issues, build homes, and walk away with the profits with no responsibility as to what they have done.

It is up to you and the planning board to be proactive in protecting Chatham county's resources without adding a burden on those who live here. Neither Briar Chapel nor Fearington Village can afford to take that responsibility, nor should they have to. Building along 15/501 continues to add heavy traffic and dangerous driving conditions. (NCDOT has allowed this.) Briar Chapel has experienced serious water treatment issues that are harming their environment. It seems that there has been little thought by the planning board in Chatham County to carefully manage the lands entrusted to them.

Developers appear to have a free hand here. Should the developer involved succeed in his efforts, the responsibility will fall on the Commissioners and Planning Board of Chatham County. I urge you to consider the damage to this county's future.

Sincerely,
Mrs. Suzanne Burke

From: David Miller <dsmiller1942@gmail.com>
Sent: Saturday, August 28, 2021 2:57 PM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: Fearington Preserve

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

When considering approval of the proposed Fearington Preserve, please make sure that the proposal includes an adequate plan for waste water treatment and disposal. In my opinion, the use of waste water treatment plants at Fearington Village or at Briar Chapel should not be part of Fearington Preserve's waste water solution.

Thanks,
David Miller, resident of Fearington Village

From: Nancy Jacobs <nbjacobs16@gmail.com>
Sent: Saturday, August 28, 2021 5:16 PM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: re: Fearington Preserve

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Sullivan, I'm writing to express my dismay at the lack of forethought and planning displayed by the developers of the above planned community. What kind of developer does not make plans for the waste water early in their consideration? I was shocked to learn of this just a day ago, and apparently it's been going on for a while I'm sorry I

missed the last Board of Commissioners meeting.. I'm a resident of Fearington Village and I applaud Greg Fitch for his stance on our water treatment system, and keeping it solely for our community. I know Briar Chapel has ongoing problems with theirs. I hope you will consider that by naming their development similar to ours, we will be linked to them no matter how their buildings turn out. We do not like that either.

The fact that they are starting out in such a haphazard way portends no good.

While they have said that they have contacted people in the surrounding community, I do not know of anyone who has been contacted. I'd like to see names and responses.

I hope that your group will watch this development carefully and make sure it follows the highest standards.

Sincerely, Nancy Jacobs

From: Kris Swenson <badgerdawg45@gmail.com>
Sent: Friday, August 27, 2021 3:26 PM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Subject: New developments in North Chatham

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Sullivan and all concerned parties, We were just informed of a new neighborhood plan in the works called Fearington Preserve.

If this developer has no self contained water treatment plan, please do not allow them to assume tie ins to Fearington Village.... That system is in need of new piping and wanted to join into Briar Chapel's. We live in Briar Chapel and in the short time we have lived here, there have been numerous spills and pipe breaks and mismanagement of our water treatment. I dont even live by the actual center and yet I can smell sewer stink coming from our lift station. I've seen horrible spills. We in BC are still trying to get the company to keep their promises of corrections and new pipe improvements. Integra Water/ Old North State has not properly handled our own neighborhood's waste with out issues, so there is no way we should have to take on even more.

We want a clean environment and surrounding area. We want to be good neighbors . Please do not allow more waste to be pumped INTO Briar Chapel.

Sincerely,
Kristen Swenson
Cardinal Ridge Rd

Sent: Monday, August 16, 2021 11:04 PM
To: Lindsay Ray <lindsay.ray@chathamcountync.gov>
Subject: Support for amending the Compact Communities Ordinance

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lindsay,

My husband and I have been residents of Chatham County since April of 2001. We have also been actively involved with a group of people interested in creating a community living situation centered on Music, Dance and Art. The working name for this group is The Triangle Traditional Music and Dance Retirement Society. As part of that group we would like to add our support for amending the Compact Communities Ordinance (CCO) boundary proposed by CONGRUUS, LLC, for its Fearington Preserve development.

We are working to create an intentional community based on active participation in the arts, music and dance realm. We are also interested in creating opportunities for people to age in a more home like atmosphere. Properties located in the proposed CCO expansion area are under consideration as a location for our community.

Amending the CCO boundary to include the properties under consideration for our project would allow for the higher level of planning that is required, rather than the ad hoc development now available to those properties. This coordinated planning would facilitate amenities deemed essential by our members, which include: diversity of housing types, including multifamily buildings as well as detached and semi-detached housing to meet an array of needs and financial abilities; a community center for participatory arts, music and dance; community dining; an adult care home; coordinated recreational areas for walking, running, biking, exploring nature; environmental preservation and protection.

To help create this kind of neighborhood community my husband and I (and Triangle Traditional Music and Dance Retirement Society) strongly support extending the Compact Communities Ordinance boundary under consideration at this time.

Thank you,

DeeDee Laurilliard

From: John DiMiceli <jdemiceli94@gmail.com>
Sent: Saturday, August 14, 2021 11:30 PM
To: Lindsay Ray <lindsay.ray@chathamcountync.gov>
Cc: STOPCHATHAMNORTH@gmail.com
Subject: Application from Fearington Preserve

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chatham County Board of Commissioners:

In the past, I've attended public hearings and submitted testimony in opposition to the use of Briar Chapel's wastewater treatment plant as a regional wastewater treatment facility. I applauded and was grateful for the County's decision not to allow Fearington Village's wastewater to be transferred to Briar Chapel for treatment.

I speak again to object to the Fearington Preserve proposal for these reasons:

(1) A wastewater treatment plant should serve only the community in which it is located. It should never be expected to serve the needs of other communities, or any commercial activity, simply because they share a common boundary as that places an unfair burden on the community in which the plant is located. The "home" community assumes all the risk for the plant including leaks, spills, odors, or other

system failures that would be isolated incidents for regional sewage treatment plants in other parts of the state that have been cited apart from residential areas, or kept local to communities required to construct and operate their own plants.

(2) Those who benefit most from sending their wastewater to Briar Chapel are the developers of the entities (communities, businesses) that border Briar Chapel. They are spared the expense of building their own wastewater treatment plants. This amounts to a subsidy by the residents of Briar Chapel to those developers, but not of their own volition, rather granted by Chatham County.

(3) The economy of lower sewer rates often argued as a benefit to the residents of Briar Chapel as a result of other entities connecting to Briar Chapel's wastewater plant ignores the fact that those other entities, and the people they serve, are also receiving that benefit without bearing any of the costs for the wastewater plant including the disturbance to land, native species, and vegetation from construction, future maintenance, and the variety of system failures that may occur.

The Fearington Preserve proposal and petition to Chatham County to connect to Briar Chapel's wastewater treatment plant is inherently unfair to the residents of Briar Chapel, places and undue burden upon them, and is the equivalent of a subsidy to the developer of Fearington Preserve who cares nothing about Briar Chapel or its residents.

Please deny this request.

Thank you.

John DiMiceli
43 Bennett Mountain Trace
Briar Chapel

From: Alan Vincent <advtricity@gmail.com>

Sent: Monday, August 16, 2021 12:41 AM

To: Lindsay Ray <lindsay.ray@chathamcountync.gov>

Subject: [BULK] REGARDING PUBLIC HEARING FOR REZONING 184.04 ACRES OFF PARKER HERNDON AND MORRIS ROADS.

Importance: Low

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

WE OPPOSE THE REZONING OF THE CCO MAP EXPANSION SECTION 6.1, P 3-4

- 1) CONCERNED ABOUT BUILDING NOISE, STREET TRAFFIC/NOISE, ROAD NOISE AND EVENTUALLY NEIGHBORHOOD NOISE IF THE EXPANSION IS ALLOWED.
- 2) VERY CONCERNED ABOUT THE SEWAGE ISSUE BY ADDING SUCH A LARGE COMMUNITY TO THE AREA.
- 3) CONCERNED FOR THE ENVIRONMENTAL IMPACT IT WILL HAVE ON OUR PROPERTY DUE TO SILT AND CHEMICAL RUNOFF FROM THEIR PROPERTY ONTO OURS AS OUR PROPERTY IS DOWNHILL ON TWO SIDES FROM THEIRS.
- 4) NOT OPPOSED TO PROGRESS BUT WE MOVED HERE SIX YEARS AGO TO BE IN THE COUNTRY.

5) WE ARE AVID SHOOTERS AND I HUNT ON OUR 7.2 ACRES OF PROPERTY; CONCERNED THAT THIS WILL HINDER OUR ABILITY TO DO SO.

ALAN AND JEANNINE VINCENT
1180 PARKER HERNDON ROAD
PITTSBORO, NC 27312

To Chatham County Board of Commissioners:

I strongly voice my opposition to the proposal by Congruus to extend the Compact Communities map to include additional property from Fearington Preserve and to allow them to propose the development under the Compact Communities Ordinance. Approving Congruus's request would be a major mistake for Chatham County.

Allowing building of dense communities such as Fearington Preserve is obviously ruining the rural nature of NE Chatham, something very dear to thousands of residents in the area. But just as important, **Compact Communities such as Fearington Preserve will result in a large, densely populated zone in NE Chatham County without an adequate wastewater solution.**

The solution is for the Chatham County Commissioners, first, to restrict dense growth in the area, and, if a county-owned wastewater facility is not feasible, second, they must hold Congruus responsible for building their own high quality wastewater treatment facility.

Expecting neighboring communities with poorly designed, overtaxed, and/or antiquated wastewater treatment plants to assume something Congruus itself should shoulder is shockingly audacious and suggests poor planning.

Wastewater treatment is not the only infrastructure that will be negatively impacted by the proposed, almost unrestricted growth the Chatham County Commissioners seem to be hell bent on allowing. Traffic on 15-501 is already deadly. Schools are overcrowded. Who is going to pay for road improvements, new schools to serve a large community like Fearington Preserve or for necessary law enforcement, drinking water, and many other services provided by the County? Us, the taxpayers, not Congruus.

Jordan Lake must also be considered. Where is storm water run-off going to go? Either through Fearington, into Bush Creek, and then into Jordan, or into Pokeberry Creek and then into the already threatened Haw River. Remember that run-off from Bush Creek will carry silt (in particular Chapel Hill gravel from an old mine) into the Lake, not a desirable contaminant for unhealthy Jordan Lake.

I beg you to have a conscience, show some backbone, and **say NO to Congruus's application**, no matter the pressure put on you. Ask yourselves who will ultimately benefit, the existing citizens of NE Chatham or a handful of wealthy investors in Congruus.

Donnie Thompson
Resident, Fearington Village

From: John Foley <johnfoleyjr@gmail.com>

Sent: Monday, August 16, 2021 4:54 PM

To: Lindsay Ray <lindsay.ray@chathamcountync.gov>

Subject: Regarding: Proposed Text Amendment Enlarging the CCO Boundary, August 16, 2021 Public Hearing

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August 15, 2021

Chatham County Board of Commissioners
12 East Street – PO Box 1809
Pittsboro NC 27312

Regarding: Proposed Text Amendment Enlarging the CCO Boundary, August 16, 2021 Public Hearing

Dear Evening Commissioners

As many of you know I have a passion for helping people and working on the issue of affordable housing.

I have spent some time working on the concept of Fearington Preserve over the past two years and have spoken with a number of neighbors and property owners.

What interests me about this project is the potential for getting some much needed affordable housing units built between Fearington and Briar Chapel.

The developer supports this idea and wants to see affordable housing built in Fearington Preserve and with input from me and others their planners have already studied and created areas where units can be built and occupied.

The vehicle for this to occur of course will be planning and the utilization of the County's Compact Community Ordinance or "CCO".

The first step for this to occur will be the extension of the current CCO map to include the entirety of all parcels that encompass Fearington Preserve.

I support the proposed text amendment extending the existing CCO Boundary to the south and west which would add approximately 185 acres to the larger existing CCO District and I sincerely hope that this will lead to affordable housing units becoming available sooner than later for the people in our community who are running out of housing options.

Regards,

John Foley

From: Marjorie Hudson <HUDSON.MARJORIE@GMAIL.COM>
Sent: Monday, August 16, 2021 2:59 PM
To: Lindsay Ray <LINDSAY.RAY@CHATHAMCOUNTYNC.GOV>
Subject: Comments for Hearing 1, August 16, 2021, Congruus CCO change

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lindsay Ray and County Commissioners,

I am writing as an adjacent landowner and representative for another adjacent landowner in my family, Miriam Hudson.

I have some thoughts and concerns about the proposed rezoning of the CONGRUUS property across Morris Road from us.

Our property is part of a century farm, in continuous family ownership since 1914. The family has built one house on the property since 1980, and an earlier small farmhouse was just given Historic designation. The land remains in timber, open hayfields, and pasture, giving a sense of the historic purposes of Chatham County land. The land is also a significant source of Native American artifacts and contains old ponds and field berms to protect neighboring land from flooding. Being unpaved in any part, it protects local streams from flooding, especially Pokeberry Creek, a significant tributary to the Haw River.

We have enjoyed the benefits of having the natural areas of the Fearington property on Morris Road as a neighbor, and we have walked the property many times, keeping an eye on it for absent owners.

I understand that if the new proposed zoning change goes into effect, it will lose the R-1 Zoning and change to a Compact Community Ordinance zoning. Here are our questions and concerns.

Flooding

We've observed that a large part of the property across Morris Road is prone to flooding, and in fact most of it is wetland. During the last heavy rains in Hurricane Michael, a raging flood cut a 35 foot gap in the roadbed, and at least 25 feet deep, taking out the bridge. DOT workers told us it was not just the Hurricane, it was the holding ponds in Briar Chapel that had overflowed. Water came up to the level of the road, making for treacherous shoulders, near Pokeberry Creek and near our pond property at the other end of the Fearington holding. I have a video.

- Holding ponds and hard surfaces in this section of the Fearington Preserve would obviously exacerbate the problem.
- Climate change will likely bring us more extreme storms.
- To my eye, not having surveyed the property myself, very little of the former Jesse Fearington property is actually on high land. It seems to me that this area would be best remaining in R-1

designation, with fewer houses. If you go to CCO designation, I strongly urge you to require the owners to plan for a lower housing density in this flood prone area.

Traffic

The traffic on this road is usually sparse, making it a haven for bike riders and walkers. However, there are blind curves at either side of the current entryway. Drivers weave over the line without being able to see whether there is oncoming traffic. There is a school bus stop at Auburn Lane just after one of the blind curves. Increased traffic there could be disastrous.

- An entry with increased traffic load would be dangerous on Morris Road where the current entrance is located.
- Moving the entrance would be difficult, as most of that side of the road is prone to flooding.
- So, I recommend limiting both housing and traffic there to a lower density than is proposed.

Dark Sky and lighting

One of the treasures of rural Chatham County is the night sky, and we and our neighbors love watching stars. My husband, when he was growing up here, remembers the experience of nights “so dark you couldn’t see your hand in front of your face.” We see far fewer stars now. Lights from new development, especially gas stations and ball fields, but also housing, leave a clouded night sky perpetually pale pink.

- Whether the zoning remains R-1 or changes to CCO, I strongly urge you to strictly invoke the full cutoff ordinance for night lighting, for street lights and porch lights alike. Best case: street lights are footlights, set near the ground.

View Buffer

The CC ordinance requires a 100 foot natural buffer, but allows for waiving that buffer. The property on Morris Road contains many mature, beautiful trees that we have enjoyed for years – tall pines, poplars, and even mature magnolia trees—and extraordinary bird life and wildlife: Turkeys, foxes, Indigo Buntings, Warblers, Bluebirds, Orioles, Pileated Woodpeckers, hawks, and nesting owls. We have even seen bald eagles. We strongly urge you to:

- Preserve the mature trees along the road and as many interior as you can.
- If CCO passes, strictly enforce the 100 foot buffer, preserving mature trees as part of that.
- Wouldn’t that be a signal that the Fearington Preserve lives up to its name?

Affordable Housing

We very much support the CCO provisions for affordable housing and if you go that way for all or part of this parcel, we would like to see actual Habitat for Humanity Houses included and built on the property. There are fewer and fewer areas where workers and families can affordably live near us. We need workers, school teachers living in our district.

Sewer

What are the alternatives for sewer? We are opposed to spray fields in the “smellshed” of our farm.

- We would be in favor of state of the art sewer technology.
- We are opposed to spray fields in the “smellshed” of our farm.
- If the designation is R1, we strongly urge limiting septic in the land bordering Pokeberry Creek, a major tributary to the Haw River / Jordan Lake. In other words, the developer themselves should limit housing density in the Morris Road parcel.

Energy Opportunities

Our farm has successfully used modified house design, low-E windows, solar panels, and geothermal heat to reduce our energy footprint.

- What if the Preserve actually used these elements and aimed for low carbon housing, low impact development?
- In my vision, a development called the Preserve, if it truly lived up to its name, would be an attractive resource for the county and for the future.
- For example, Briar Chapel worked with award winning local architect Alicia Ravetto to generate LEEDS certification housing. This next generation of housing should reach beyond that.

Placement of Commercial Development

The plans have not yet been drawn for review, as I understand it. Our preferences:

- Walkable “town center / Fearington village / Southern village style” commercial development in the interior if the owners gain CCO designation.
- I understand that approval of final plans by the county commissioners is no guarantee that a plan will be followed. Commissioners approved the Briar Chapel plats with village-style planning for the interior, but these plans were overridden by the next generation of commissioners, who approved commercial placement directly on the highway. Frankly, I was appalled. It seemed a real betrayal to the character of North Chatham. Briar Chapel friends say they can’t even get a cup of coffee inside residential Briar Chapel, except at the Club House.
- We do not want commercial development directly across from our historic farm.

Thank you for taking the time to look at these concerns. I look forward to hearing more details as the developer goes through the planning approvals.

Sincerely,

Marjorie and Sam Hudson

ANTHONY DURNIK
26 Serenity Hill Circle
Chapel Hill, NC 27516

908-200-9425 (cell)
e-mail: adurniak@ymail.com

Date: August 16, 2021

To: The Chatham County Board of Commissioners

Re: Applications to amend the Compact Community Ordinance by Fearington Preserve and Vickers Village

Written Public Comment – will not present at hearing

Dear Commissioners:

I and my wife moved to Chatham County in 2015 and settled in the Briar Chapel community. A major attraction for us was the county's forward looking and comprehensive design of its Compact Community Ordinance. The ordinance strives for sustainability by balancing house building with the maintenance of native green spaces. The zoning requests before you now present an opportunity to take a fresh look at how best to encourage development in the northeastern section of the county while preserving the rustic character of the county and minimizing the environmental impact.

An essential component of this review must be an examination of how wastewater is treated, and water reclaimed. Simply amending the existing Compact Communities Ordinance does not adequately deal with the wastewater issue. The facility in the original CCO now serves Briar Chapel and it is not located nor designed to serve the needs of buildings beyond the original community. For this reason, **we recommend that the Commissioners postpone action on the requests from Fearington Preserve and Vickers Village, and any other new development proposals, until a complete review of the wastewater treatment options has been done.**

There are four reasons why this is important:

- 1) The regulation of wastewater facilities in North Carolina is done in a disjointed manner.
- 2) Only the county looks at these plans from a macro level, county-wide perspective.
- 3) Having a robust approach to water reclamation will allow Chatham County to compete more effectively with neighboring counties for development and the property tax dollars it brings.
- 4) The creation of a county level wastewater treatment and water reclamation project can be shown to be beneficial to all of Chatham County

Let me explain.

- 1) The regulation of wastewater treatment and water reclamation is done on a disjointed basis.** The design of wastewater facilities is under the control of the North Carolina Department of Environmental Quality, Division of Water Resources. They look at each proposal as a self-contained project. They do not appear to take into consideration the facility's location relative to the surrounding existing neighborhoods, nor the potential for future development in the vicinity of the plan. And they rely on the assurances of the applicant that the noise and odors generated by the plant will not be a nuisance to surrounding residents.

Similarly, the North Carolina Utilities Commission looks at each request for a utility franchise and the approval of rates on a case-by-case basis. And the request to start operating as a utility and charging customers is only processed once the facility is built and ready to start operations. Once again, the commission relies on the assurances of the applicant that the plant is operating properly in accordance with the permit granted by the NC DEQ.

2) Only the county is in position to look at these projects as they relate to each other and the county as a whole — both now and in the future.

Because builders and developers must come to the county for building permits and zoning variances, it is uniquely positioned to understand on a macro level the impact these projects will have on each other and the county as a whole. Only the county can bring the various parties together to negotiate to coordinate their various projects.

3) Having a robust approach to wastewater treatment and water reclamation will allow Chatham County to compete more effectively for development and the property tax revenue it brings.

The nearby municipalities of Cary, Durham, and Raleigh all have large, government owned and operated regional wastewater treatment facilities. And these competitors for development dollars brag about the water reclamation opportunities their plants provide. Because of their size these utilities have a volume that lets them operate more efficiently and provide on-site supervision of the operations 24 hours a day, 7 days a week, year round. Because of these economies of scale they can keep their rates to customers reasonable.

4) The creation of a county level wastewater treatment and water reclamation project can be shown to be beneficial to all of Chatham County.

One reason cited for why the county does not want to consider a county facility is because it will not benefit all county residents. On the contrary, the availability of a centralized water reclamation facility allows more densely situated residential development than is possible with individual independent septic systems for each house. This reduces the pressure of urban sprawl on the more pristine western parts of the county and supports the agricultural industry in North Carolina. And it can provide an economically attractive option for existing houses faced with the need to upgrade or replace their aging individual septic systems.

It is in the county's best interest to build a new facility designed and located in a place that lets it serve the forthcoming development without putting a burden on existing communities..

Thank you for the opportunity to comment on this important issue.

Sincerely

Anthony and Marsha Durniak

From: Rosalyn Robitaille <robitaille.roz@gmail.com>

Sent: Monday, August 16, 2021 1:59 PM

To: Lindsay Ray <lindsay.ray@chathamcountync.gov>

Subject: Board of Commissioners' Meeting 08/16/21

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Ray:

We understand that the Board of Commissioners will address and possibly vote on a request from a proposed development, (called Fearrington Preserve, I believe) to connect to the Briar Chapel Wastewater Treatment plant. I am totally opposed to using the Briar Chapel plant as a regional wastewater treatment plant for this new development and any other development outside of Briar Chapel.

Chatham County has allowed the recent development of numerous residential, commercial, and mixed-use developments throughout the northeast section of the county, with a hodgepodge of sewage treatment systems, many of which are failing or at capacity.

Chatham County needs to look into the planning and construction of a regional wastewater treatment system that is not in the midst of a dense housing development. If the County is to prosper in the long run and adequately provide for the health and welfare of its citizens, this must be a top priority.

Please convey this statement to the members of the Board of Commissioners. Thank you.

Sincerely,

Denis and Rosalyn Robitaille

247 Abercorn Cir.

Chapel Hill, NC 27516

From: Mareah Steketee <mcsteketee25@gmail.com>

Sent: Saturday, August 14, 2021 4:07 PM

To: Karen Howard <karen.howard@chathamcountync.gov>; Diana Hales <diana.hales@chathamcountync.gov>; Jim Crawford <james.crawford@chathamcountync.gov>; Mike Dasher <mike.dasher@chathamcountync.gov>; Franklin Gomez-Flores <franklin.gomez@chathamcountync.gov>; Lindsay Ray <lindsay.ray@chathamcountync.gov>; Mareah Steketee <mcsteketee25@gmail.com>

Subject: Letter concerning CCO Amendment Proposal, File#: 3969, Chatham Co Commissioners, Public Hearing, 8/16/2021

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners & Ms. Lindsay,

Thank you for holding a public hearing about growth in a particular area of Chatham County. This email is related to the Chatham County Commissioners meeting on Monday, 8/16/2021. More specifically, it is a letter pertaining to the agenda item labeled: **A legislative public hearing for a request by Congruus LLC for a map amendment to the Chatham County Compact Community boundary map specifically Section 6.1, p 3-4 for an expansion of the CCO map to include an**

additional 184.04 acres off Parker Herndon and Morris roads, Baldwin Township (Agenda File #: 3969).

The following link is a letter in support of the proposed amended CCO designation.

[Letter of Support for Public Hearing, Congress LLC Request for CCO Amendment, File# 3969](#)

There will be a representative from our organization at the public hearing to share our views on this amendment. Thank you for this opportunity. Please feel free to contact me or any of our Board Members for more information.

The Triangle Traditional Music and Dance Retirement Society

www.dancingintoretirement.org

Mareah Steketee, President, 919.606.099631 (text or vm)

Ed Cox, Treasurer

Alan Julich, Secretary

From: virginia penley <vjpenley@gmail.com>

Sent: Saturday, August 14, 2021 11:34 AM

To: Lindsay Ray <lindsay.ray@chathamcountync.gov>

Subject: RE: Proposed Text Amendment Enlarging the CCO Boundary for Fearington Preserve

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August 14, 2021

Chatham County Commissioners

12 East Street – PO Box 1809

Pittsboro NC 27312

RE: Proposed Text Amendment Enlarging the CCO Boundary for Fearington Preserve

August 16, 2021 Public Hearing

Dear Commissioners:

I have lived in Chatham County for approximately fifty years. I can remember when Bill Smith of later Crook's Corner fame opened the first iteration of the Cat's Cradle and Tommy Edwards and the Blue Grass Experience anchored the establishment.

Chapel Hill was still a university village and when I first moved to the Mann's Chapel area there were more dirt and gravel roads than paved roads and many households still used the old "party lines" for phone service.

I moved to my current location off of Mann's Chapel Road over thirty-five years ago.

When Briar Chapel was first proposed, I was against the development.

Like many neighbors and locals I did not want to see the area around my home change and I frankly did not look forward to additional people living in North Chatham nor the potential new traffic.

Now that Briar Chapel has been developed and thousands of new people have moved there I have come to appreciate and value my new neighbors and fellow Chathamites.

I can clearly see their contributions to the community and the value of Briar Chapel.

Today I hope that Briar Chapel and its CCO area will be utilized by our policy makers as a foundational building block to add services that the oldtimers like me and our heirs need such as county water, sanitary sewer, more transit and a diversity of housing including access to affordable living options.

The 15-501 quadrant from Mann's Chapel Road to Morris Road is entirely different then the area I lived in as a student at UNC over fifty years ago. It is now a more dense "urbanized zone" as the 2020 US Census indicates.

I support the proposed text amendment extending the existing CCO Boundary to the south and west which would add approximately 185 acres to the larger existing CCO District.

In addition I support the idea of extending the CCO District to the corner of Morris Road and 15-501 as well as the suggested extensions from other property owners such as the Vickers Bennett Group.

This would eliminate the issue of the current CCO district that cuts unevenly through several properties and would likely make for better long term planning and implementation.

Regards,

Virginia Penley
465 Rosswood Road
Chapel Hill, NC 27516

From: Kris Swenson <badgerdawg45@gmail.com>

Sent: Saturday, August 14, 2021 10:40 AM

To: Lindsay Ray <lindsay.ray@chathamcountync.gov>

Subject: Public meeting Re: Developing around Briar Chapel & our Private WWTC

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Committee & Board & interested parties, I am voicing my opposition to any future development attempts to connect, use, extension into Briar Chapel's private Waste Water Treatment.

My husband and I bought our home in 2020. We were told that BC had it's own WWT. We were unfamiliar with this plan because our former home had a city / county run system.

During the past year and a half we have witnessed the many spills, odors and over watering in the spray fields. This has been so devastating to not only our health but the health and well-being of the surrounding forest ,rivers and all wildlife. Expanding upon a system that is already failing is not in any way wise. BC was concerned about the damage and poisoning of our own neighborhood and was writing to our Congressman looking for help. Who is responsible? Mr John McDonald gave us his word all pipes would be fixed and improved upon, but when ? No further expansion should be permitted, especially when what is currently utilized is broken!

Also, the county needs to be extremely concerned about the dangers of adding more traffic onto the very narrow Andrew's Store Road.

These are our concerns as homeowners in Briar Chapel and Chatham County.

Thank you for your consideration,
Kristen & Jerome Swenson

Testimony of Rose Krasnow – August 16, 2021 (Congruus)

My name is Rose Krasnow and I reside at 594 Woodbury in Fearington Village. Professionally, I am an urban planner who served three terms as the Mayor of Rockville, Maryland. Now I am Vice President of the Fearington Homes Association and Chair of the Wastewater Management Task Force. Both of these groups are very concerned about the Congruus proposal to expand the limits of the Compact Community Ordinance (CCO).

When the CCO was created, density was capped at 2650 units. Its stated purpose was to allow some pockets of density throughout the County while still preserving Chatham's rural character. Continuing to allow more properties into within the CCO is not in keeping with this intent. Even more important is that there is no means to manage the wastewater that would result from these dense developments.

The Comprehensive Plan states that "it is likely that distributed private and public systems will be needed to meet environmental and economic goals" and that the development of Property under the CCO could and should allow coordination with existing development along 15-501 to create a regional sanitary sewer solution.

Congruus says it agrees that a regional approach is needed, apparently because they do not want to build their own treatment plant. Rather, they have implied they will simply connect to either the Briar Chapel or the Fearington Village plants. No! This is not acceptable. These plants were built to serve their particular communities and should not become regional plants. We have already seen the problems that Briar Chapel has been having with their own wastewater plant. Numerous sewer spills and odor problems have resulted in the assessed value of properties closest to the plant actually going down. Thank goodness the state agreed that the interconnect between Fearington Village and Briar

Chapel was a bad idea. Yet now we are facing the possibility of another interconnected system. The existing FV WWTP does not have the capacity to handle the wastewater generated by Fearington Preserve. Our approved capacity is only 270,000 gallons a day. Moreover, the applicant has not considered either the cost or the disruption to FV of building a three mile long interceptor sewer line and the pumping stations that would be required. We have looked at the approximate route of such a line, and there is a 100 foot increase in elevation just to reach 15-501 from Pokeberry Creek. Moreover, the cost could easily reach five million dollars, which would have to be recovered from rate payers like myself.

The applicant stated that stakeholders of the community have been contacted. We are unaware of any effort to speak to residents of the Village or to the Fearington Homeowners Association.

The Chatham County Government set a precedent for a regional approach to water management years ago when they applied for and were granted the withdrawal of water from Jordan Lake. The same regional approach should be considered for wastewater management. We urge you not to approve expansion of the CCO boundaries. Rather, we ask you to put together a study commission that can come up with a solution to this ongoing wastewater management issue. The problem will not go away on its own. Please don't cave to the developers.

From: Mariana Fiorentino <mariana@terranovaglobal.com>

Sent: Friday, August 13, 2021 4:21 PM

To: Lindsay Ray <lindsay.ray@chathamcountync.gov>

Subject: PUBLIC HEARING 21-3969 - Text Amendment to amend CCO BOUNDARY

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I write to support the text amendment extending the CCO Boundary. Your affirmative vote means there can be creative forward thinking development, providing for economies of scale, diverse housing types and prices, shared amenities, greater protection of the environment, well thought out traffic flows - in essence better planning for the highest and best use of this land.

The area in question is not out in the country. It is in proximity to existing neighborhoods that provide housing and recreational amenities and schools. It is urban. There is a greater need for much more of it. Approving the text amendment will insure a greater housing diversity, meaning that more people will have the opportunity to choose the housing type that suits their needs and meets their budgets. Offering affordable and workforce housing options are sorely needed now more than ever.

I am working with a group very interested in bringing a community of retirees to live together creating an environment where the arts are celebrated. Their vision is inclusive. Neighboring communities would benefit from their presence. They would be a

resource for the schools, not a drain on them. They are protectors of the environment and creators of music and dance experiences which would be shared with the greater communities. Approving the text amendment will make this community possible.

In general, you will be offering much needed housing diversity while increasing the tax base. You will be protecting streams, assuring smart traffic flow and making the best use of resources currently in place and adding to them. You will make it possible for this creative community to be part of Chatham County's commitment to welcoming and appreciating its retirees.

There is certainly a place for one and two acre lots that would need 3000+Square foot homes to support the acreage prices. That is not what this area needs. That is not what many people need and can afford. That is not what can make the creative retirees' community happen.

It would be a waste of this precious finite land that has far much better use than developing it for large lots and high end housing.

Thank you for your consideration.

Mariana Fiorentino, Founder/Broker/Owner/REALTOR

c 919 961.2225 o 919 929.2005 *Focused on You Since 1995*

Education: M.A., Ed.M. Columbia University

From: Blair Reeves <gaslight@gmail.com>
Sent: Friday, August 13, 2021 2:49 PM
To: Lindsay Ray <lindsay.ray@chathamcountync.gov>
Subject: Written public input for the BoC

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello there,

I am writing with some brief remarks regarding the public hearings coming up next week on the Ferrington Preserve and Vickers Village proposed developments.

As a Briar Chapel resident, I am strongly **in favor** of both of these developments, and I urge the board of commissioners to permit their construction with no undue delay.

We moved to Briar Chapel, and this part of Chatham County itself, with the eager anticipation of accelerated development in the area. We want more neighbors. This new density will not only bring added amenities and jobs to our community, but also add to the county tax base, which badly needs the revenue to support top-notch schools.

As you know, there is a coordinated effort among a small, vocal minority of local residents to oppose these developments, and most all others as well. The grounds for this opposition change like the wind, because NIMBYs oppose all development, and then invent a rationale afterward. I urge the Board not to allow the NIMBYs to strangle our community's growth.

Cheers,
Blair Reeves

Honorable Commissioners,

My name is Shelley Colbert; I'm a resident of Baldwin Township in Chatham County, and I live in the Briar Chapel subdivision. I will be providing additional public input concerning specific upcoming agenda items on the 8/16/21 agenda, but I would like to submit written comments of a more general nature and context for the public record and the Commissioners' consideration.

Less than sixty days ago, I submitted written comments concerning wastewater treatment and other planning and development issues, citing the need for strategic future planning decisions by the county and better information and justification from developers proposing changes to existing zoning. (I am repeating portions of my prior public comments from 6/21/2021 at the end of this submission).

2020 tract-level census data was released by the Commerce Department on August 12, 2021. I live in tract 201.05, which is now the most densely-populated tract in Chatham County. Expressed as persons per square mile, its population density is 908.1, over eight times greater than the county-wide density of 111.9.

Adjacent neighborhood tracts 201.08 to the south, location of the proposed "Farrington Preserve" had population density of 179.1, and adjacent eastern tract 201.03, location of the Vickers proposals, has density of 502.2 (the third-highest in Chatham County).

My census.gov data map source may be viewed at the following link:
[2020 Census Demographic Data Map Viewer](#)

Citizens continue to see piecemeal, inchoate and ill-defined proposals to amend prior county planning decisions, such as the CCO boundaries, which, if approved, would undermine prior strategic planning, unfairly shift infrastructure burdens to adjoining

neighborhoods and neighbors, and would result in a patchwork of inconsistent and inequitable standards for contiguous neighbors, parcels and subdivisions.

To the extent that any development schemes, including those on the August 16 agenda, propose to transfer infrastructure burdens to neighboring tracts which already have high population density, and which are already struggling with inadequate infrastructure such as wastewater treatment, schools, recreation, traffic management and public transportation, the commissioners should deny those requests.

Also of concern is the extent to which proposed high-density intrusions and expansion into less-dense census tracts, through the manipulation of the CCO boundaries and requirements, would result in subverting well-established County planning goals. It is a step backward to tolerate ad hoc, incremental CCO amendments, predictably resulting in disruption to individual residential property owners and farms, and increased traffic volume along secondary roads never designed to function as commercial arteries, and to locate commercial and multi-family projects in areas with no reasonable expectation of walkability or even future public transportation access.

As I previously noted to the commissioners on June 21, 2021:

“As the last year has amply demonstrated, the pandemic accelerated and made manifest broad structural shifts that were already underway, moving commercial activity away from brick and mortar business models, including retail and professional services, to online and other virtual means of procuring and providing goods and services. Market oversaturation, especially in retail and certain other sectors, was laid bare by the pandemic, which hastened a record number of closures and bankruptcies.

“Population growth no longer is adequate justification, nor can it be expected to sustain, old business models heavily reliant on retail and personal services increasingly unconstrained by the need to be physically co-located with local populations.

“Also during the last year, ‘mixed use residential’ became a redefined and highly personal concept as much of the workforce worked full-time from home, while people of all ages increased shopping and obtaining services online-- as many of my neighbors in Briar Chapel and surrounding Chatham communities will attest.

“While none of us has a crystal ball, there is general consensus that the shifts accelerated during COVID but already well underway before the pandemic will require us as a society and a community to rethink how we implement planning models and policy, and manage growth and infrastructure.

“I ask the board, and the planning department, to require better details and commitments in order to avoid the mistakes of the past. Too many

developers are clinging to old models of residential development, as well as reliance on traditional commercial assumptions that are inexorably heading toward obsolescence.”

Shelley Colbert
Baldwin Township
August 16, 2021

From: Ellen Cohen <msecohen@yahoo.com>
Sent: Sunday, August 15, 2021 6:20 PM
To: Lindsay Ray <lindsay.ray@chathamcountync.gov>
Subject: Public Hearing 1&2 Mon 8/16/21

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a Chatham resident I would like to voice my strong opinion against the addition of Ferrington Preserve land and Vickers Village land to the Compact Communities Ordinance area.

The reason I moved to Chatham County was because I wanted to live in a quieter, more natural, rural area with a lower population and less congestion. Unfortunately, Chatham Park is moving along, already changing the nature of our area, acres of trees have been leveled for more and more construction - even in north Chatham, and now developers are asking for more land to pack with homes.

Besides drastically changing the look and feel of our county, the whole environment is negatively impacted as more development happens. Traffic, which is already problematic, will increase exponentially bringing with it more pollution and noise. The number of accidents that we already regularly see will also escalate.

High on the problem list with more density, is the septic/sewer issue. As is widely known, Chapel Ridge has had an abundance of failures and toxic spills with its waste system, and Ferrington Village is operating with an old and inadequate/polluting treatment system. Do we really want to add to these problems?

As more homes, cars and people are incorporated into the area, there will be more pollution from all sources. Our already impacted air, water and soil will continue to be increasingly strained as we continue to build.

And of top priority: Most people overlook the importance of trees to the environment and to life itself. In my estimation, one of the very deepest concerns with all of this "construction on steroids", is the loss of more trees as the infrastructures are put in place and then homes, businesses, schools, roads, offices, etc get packed in.

We need to be clear that trees are a huge part of how the earth cares for itself. Trees provide food, shelter and habitat for the creatures of our ecosystem. They're nature's means of moderating sun, rain and wind. They're responsible for taking water from heavy rains into the soil and preventing flooding, for insuring water supply, for holding onto soil and preventing erosion. Trees keep temperatures down in the summer with their shade, they insulate us from the cold in the winter and from winds during storms. They have a direct impact on climate locally and globally, altering the air currents and weather patterns. One cannot help but notice all the floods, droughts, fires, mud slides, storms, extreme heat, extreme cold, water contamination and pollution - ongoing destruction all around us! And we can't continue to pretend that we are not, in large part, responsible for it all by the way we ignore how our environment works.

Trees are critical for filtering all sorts of toxic pollutants and CO₂ out of the air, and for giving us the oxygen we breathe. In this day and age we know that we are at all responsible for reversing climate change. We need to take in and understand the impact of statistics like: 1 acre of trees absorbs 6 tons of CO₂ and puts out 4 tons of oxygen per year. Do we really want to continue cutting down the acres of trees that we are blessed with at the current frantic pace or will we be able to see that money and growth aren't what matter here??

It's time to take a more comprehensive look at our little piece of earth - the microcosm that we are directly responsible for, as well as our part in global problems. We need to start acting in a more educated manner, to manage our surroundings in more intelligent ways. We need to ask ourselves, "who will benefit from pushing more high density development, and who will benefit from saving the trees and our natural environment and helping mother nature keep the balance?"

Thanks for your time -
Ellen Cohen
Farrington Village

From: Ellen Lohr-Hinkel <mirabellen2@gmail.com>

Sent: Sunday, August 15, 2021 4:13 PM

To: Karen Howard <karen.howard@chathamcountync.gov>; Mike Dasher <mike.dasher@chathamcountync.gov>; Diana Hales <diana.hales@chathamcountync.gov>; Jim Crawford <james.crawford@chathamcountync.gov>; Franklin Gomez-Flores <franklin.gomez@chathamcountync.gov>

Cc: Lindsay Ray <lindsay.ray@chathamcountync.gov>

Subject: Proposed Text Amendment Enlarging the CCO Boundary, August 16, 2021, Public Hearing

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Re: Proposed Text Amendment Enlarging the CCO Boundary, August 16, 2021, Public Hearing

Dear Commissioners,

As long-time residents of and property owners in Chatham County (District 2) since 1986 and as long-time members of the Triangle Traditional Music and Dance Retirement Society (a North Carolina 501(c)(3)), we are adding our voices in support of amending the Compact Communities Ordinance (CCO) boundary proposed by CONGRUUS, LLC, for its Fearington Preserve development (Agenda File #: 3969).

For quite some time, our members have been hoping to locate property that would lend itself to creating an affordable, inclusive, intentional community, based on our commitment to and lifelong participation in the arts, music, and dance. At the same time, we envision that our community would be of benefit to the greater community/county by creating an environment where the arts are celebrated and nurtured. Our society is inclusive, and the arts and protecting the environment are important to us. Approving the text amendment would make our community possible, and our community would, we believe, benefit the tax base and Chatham County overall.

Thank you for your consideration.

Ralph Hinkel and Ellen Lohr-Hinkel
44 Haw River Trail

Pittsboro, NC, 27312

My name is Rusty Field and I am speaking on behalf of StopChathamNorth, an incorporated nonprofit representing homeowners within Briar Chapel. We are voicing opposition to the current requests from Fearington Preserve and Vickers Village to extend the compact community map originally designated for Briar Chapel.

Our main concern with these proposals is they attempt to utilize the Compact Community Ordinance in ways that Chatham County never intended and will result in a large, densely populated zone in NE Chatham County without an adequate wastewater solution for this part of Chatham County.

The Compact Community Ordinance (CCO) was developed to provide Chatham County some control over large-scale, dense development, by capping the size of these communities. We support smart growth, but compact communities were meant to be few and far between to protect the rural character of the area. It was never intended to be utilized by developers to create clusters of multiple compact communities that essentially overwhelm a region of the county.

Fearington Preserve and Vickers Village are seeking to extend the compact community map to allow them to propose their developments under the CCO. We have another developer (Herndon Farms) who already falls within the compact community map and is also proposing a compact community. All of these proposals are for property contiguous to Briar Chapel. Briar Chapel is already approved for 2,649 residential units. Approving these requests will basically negate the sizing cap for compact communities in Chatham County.

Vickers Village plans include a wastewater (WW) facility for their development. Fearington Preserve has not yet finalized their plans for wastewater, but hopes to request a contiguous service area extension to connect to Briar Chapel's WW system and if that fails, Fearington Village's WW system. As you well know, both the Briar Chapel and Fearington Village WW systems have significant issues and do not have the capacity to extend service to Fearington Preserve. What is needed is a long term plan for wastewater. Members of StopChathamNorth and residents of Briar Chapel have recently met with the Chatham County Commissioners and the County Manager, Dan LaMontagne, to urge formation of a Study Commission to develop a comprehensive plan for wastewater in NE Chatham County. We need to get ahead of this issue by developing agreement on a sustainable approach to managing wastewater in this part of Chatham County.

From: virginia penley <vjpenley@gmail.com>
Sent: Saturday, August 14, 2021 11:34 AM
To: Lindsay Ray <lindsay.ray@chathamcountync.gov>
Subject: RE: Proposed Text Amendment Enlarging the CCO Boundary for Fearington Preserve

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August 14, 2021

Chatham County Commissioners
12 East Street – PO Box 1809
Pittsboro NC 27312

**RE: Proposed Text Amendment Enlarging the CCO Boundary for Fearington Preserve
August 16, 2021 Public Hearing**

Dear Commissioners:

I have lived in Chatham County for approximately fifty years. I can remember when Bill Smith of later Crook's Corner fame opened the first iteration of the Cat's Cradle and Tommy Edwards and the Blue Grass Experience anchored the establishment.

Chapel Hill was still a university village and when I first moved to the Mann's Chapel area there were more dirt and gravel roads than paved roads and many households still used the old "party lines" for phone service.

I moved to my current location off of Mann's Chapel Road over thirty-five years ago.

When Briar Chapel was first proposed, I was against the development.

Like many neighbors and locals I did not want to see the area around my home change and I frankly did not look forward to additional people living in North Chatham nor the potential new traffic.

Now that Briar Chapel has been developed and thousands of new people have moved there I have come to appreciate and value my new neighbors and fellow Chathamites.

I can clearly see their contributions to the community and the value of Briar Chapel.

Today I hope that Briar Chapel and its CCO area will be utilized by our policy makers as a foundational building block to add services that the oldtimers like me and our heirs need such as county water, sanitary sewer, more transit and a diversity of housing including access to affordable living options.

The 15-501 quadrant from Mann's Chapel Road to Morris Road is entirely different than the area I lived in as a student at UNC over fifty years ago. It is now a more dense "urbanized zone" as the 2020 US Census indicates.

I support the proposed text amendment extending the existing CCO Boundary to the south and west which would add approximately 185 acres to the larger existing CCO District.

In addition I support the idea of extending the CCO District to the corner of Morris Road and 15-501 as well as the suggested extensions from other property owners such as the Vickers Bennett Group.

This would eliminate the issue of the current CCO district that cuts unevenly through several properties and would likely make for better long term planning and implementation.

Regards,

Virginia Penley
465 Rosswood Road
Chapel Hill, NC 27516



Radway Design

CITY PLANNING & LAND DEVELOPMENT CONSULTING

August 16, 2021

Chatham County Commissioners
12 East Street – PO Box 1809
Pittsboro NC 27312

Regarding: Proposed Text Amendment Enlarging the Compact Communities Zoning Boundary
August 16, 2021 Public Hearing

Dear Commissioners:

I am writing in support of the proposed text amendment extending the CCO Boundary to the south which would add about 185 acres to the existing CCO District that is much larger.

The current boundary of the CCO district cuts unevenly through several properties in an area where zoning lines co-terminus with property lines seem to be a better land use management situation.

The properties proposed to be re-zoned provide a very logical extension of the existing CCO in that they all have independent access to public roads and would be an appropriate form of “infill”. The existing subdivisions and lotting patterns to the east and south enclose the proposed rezoning.

As a City Planning Director in two municipalities, and presently a city planning & development consultant, I have watched the development of Briar Chapel over the past 15 years and have friends living in very different types of neighborhoods in Briar Chapel that are completely the result of the CCO structure that promotes “community planning” with a healthy mix of public and private facilities and resources. The alternative – stand-alone large lot subdivision developments - are the opposite of what is needed for the creation of communities with diverse families – families of different sizes, ages, and cultural interests. Proximity to community amenities, both private and public, a range of housing types and prices, and the ability to weave valuable open space through these compact communities and neighborhoods provides the best opportunity to create lasting places of value.

I know you will hear from many who support this proposal and those who do not support it – perhaps in unequal quantities. I urge you to consider the interests of all who participate in the process.

As a consultant to many local governments over the past 25 years, the question I am often asked is “How do we create community and successful neighborhoods and not just subdivisions?” Were that question asked of me by the Chatham County Commissioners, my answer would be: “The CCO you have already put in place does that very well. Extending that opportunity via this zoning amendment will let you continue the process of community building rather than the promotion of piecemeal/leapfrog development with all its attendant complications.”

Sincerely,

Scott Radway

Scott Radway, AICP
2627 Meacham Road
Chapel Hill, 27516

Opposition to Vickers Bennett Group LLC Text and Map Amendments

Presented By Erin Carter

Hello everyone! My name is Erin Carter, I am an adjacent property owner and ~~Vickers Road~~^{1720 Vickers Rd} resident of 12 years. I oppose the amendments and rezoning due to a lack of regulatory control by Chatham County and the NC Division of Water Quality for Compact Communities, ~~and~~^{an} an overwhelmingly negative history of nearby neighborhoods' wastewater treatment plants; ~~the irresponsible location of wastewater treatment plants within communities;~~ the county's fixed and polluted water supply; and the slow process toward urban sprawl created by adjacent, poorly buffered compact communities.

- Briar Chapel Compact Community has essentially provided a test case to determine the viability of the high-density development approach for Chatham County. The wastewater and storm water facilities of Briar Chapel are the same proposed to serve the Vickers Village project, and these have proven to be beyond the control of NC Division of Environmental Quality and Chatham County. The Briar Chapel wastewater and stormwater systems have created extensive public health risk and environmental degradation resulting in major community and county dissatisfaction.
- Cities have not and do not locate their wastewater treatment within the community for the obvious reasons noted by the citizens of Briar Chapel: smelling the waste of their neighbors as they try to enjoy outside dining and other recreation. However, this wastewater treatment location approach has become standard for large-scale community wastewater treatment and reuse systems. The nuisance odors and aerosols that carry disease-causing bacteria and viruses decrease the quality of life of the citizens of Chatham County and threaten public health. The lives and health of Chatham citizens should be of greatest concern to the Council.

- Additional high-density development as proposed will create increased risk for the citizens of Chatham County since climate change and associated drought are now better understood. Our fixed water supply is already polluted and therefore unreliable. The citizens of Chatham County are at risk by a water supply allocation process that favors economic development at the cost of long-term security of water resources.
- Vickers Village or any other project that proposes to use the Compact Community Ordinance to support its application must ensure the public and environmental health damages that occurred at Briar Chapel will not be repeated. Adjoining Compact Communities without extensive buffers represent a gradual transition to one Large Community of miles of urban sprawl as successive smaller projects combine functionally. Think Cary, but minus the necessary municipal regulation and infrastructure.
- Significant financial commitments are needed before any additional Compact Community Ordinance projects can be considered for approval. One solution is for Chatham County to use a targeted and proportional tax approach to earmark a portion of the current taxes received from communities that use the wastewater and storm water technologies currently in question. This approach is not additional taxes but will create budgetary resources from the users of the technologies to support potential litigation and create salaries for employees to monitor the Public Health aspects of the existing and additional projects of note.

Reference additional details submitted to the public record through email by Dr. Halford House, 611 Vickers Road, halfordhouse7@gmail.com.