

Chatham County Commissioners
Chatham County
P.O. Box 1809
Pittsboro, NC 27312

September 21, 2021

Dear Commissioner:

We are writing because we are concerned that the Vickers Village proposed text changes to the CCO will result in ordinance language that is vague and could inadvertently expand the designated area for compact communities beyond the area specified in the 2017 Chatham County Comprehensive Plan and Land Use Map.

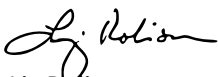
Currently, the area where compact communities are allowed is a carefully defined area. The CCO text has very clear geographical guidelines about where compact communities can be placed, in addition to stating that the Map was the controlling definition. The proposed text amendment appears to allow and encourage developers to propose extensions to the Map. The revisions remove most of the geographical guidelines about where compact communities are considered appropriate. The new Section D of the text amendment even makes the location guidelines in the CCO text optional, with compact communities being allowed either in D1 which has specified areas or D2 where it must be shown on the Map. With these text revisions, the only required geographical guidelines are 1) the parcels are located in Northeast Chatham County 2) one of the entrances is within a mile of a major 4-lane principal or a minor arterial road such as 15-501 or 64, and 3) that it is shown on the Map.

If these proposed text changes are adopted, there would no longer be guidelines written into the CCO to guide developers, the Planning Board, and BOC on which parcels should and should not be considered for approval and added to the official Map. The Compact Residential area in the Land Use Map could serve as a guide, but it is not legally binding. This presents several problems:

- Could this result in greater priority being given to the more vaguely worded guidelines in the CCO than the Comprehensive Plan/Land Use Map since zoning ordinances are legally binding?
- Could this lead to a legal challenge that compact communities should be allowed in a larger area than the Compact Residential area due to the inconsistency between the proposed CCO text revisions and the Comprehensive Plan/Land Use Map?
- How much land would the proposed text revisions potentially allow Commissioners in the future to add to the official Map?

We urge you to read the wording of the proposed text changes carefully and consider having the county attorney examine the potential problems with the vague wording. Please send the proposed text changes back to the Planning Board to be rewritten and the language clarified, or deny approval.

Thank you,



Liz Rolison
Briar Chapel/StopChathamNorth



Rose Krasnow
Farrington Village HOA

Cc: Mike Dasher
Diana Hales
Karen Howard
James Crawford
Franklin Gomez
Jason Sullivan

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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 Fearrington 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

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.

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

Vickers Village Wastewater and Storm Water Proposal Evaluation
By
Dr. Halford House
Presented September 7, 2021

I am grateful for the opportunity to present to the leadership, the citizens of Chatham County and the applicants for the Vickers Village proposed project. I speak as a professional with a 30+ year career in academia and business developing and managing wastewater and storm water technologies for the benefit of community health. More importantly perhaps, I have lived in Chatham for 39 years.

I am extremely concerned by the current incomplete proposal and the imminent threats that it presents. I strongly oppose this project and support a Moratorium on High Density Development. My position is based on what appears to be a savvy and well-funded team presenting an incomplete and substantially flawed approach to the Vickers Village project. This is particularly alarming since they propose technologies previously employed in Chatham that are extremely contentious due to their well documented and imminent threats to the health and environments of the citizens of Chatham County.

The basis for any effective project is developing good site information and using it as the basis for design. In my view, there is no way the applicant can design an effective wastewater and storm water system that the site (with its residential and commercial areas) can accommodate, based on the information presented. These omissions are evidenced by the two soils reports presented that are incomplete and contain contradictory content. Language in a preliminary soils report suggests the soils of the site are complex and of a great spatial variability that challenge an effective wastewater system design. This incomplete information presents a significant challenge to define a hydraulic loading rate for effective wastewater system design. To insure a successful project, the applicant must provide a site-specific design, implementation based on that design, and effective operation and maintenance of the system once constructed. The applicant has chosen AQUA NC to provide operation and maintenance.

AQUA NC, although a large company, has a poor reputation for transparency and capability for effective management. They poorly manage numerous systems in Northeast Chatham that are plagued with the same problems witnessed at Briar Chapel such as failing to report system malfunctions, Notice of Violations and noxious odors. The combination of an incomplete design with contradictory criteria, an operator with poor records of management, indicates imminent threats posed by the Vickers Village proposal.

The plan for storm water management is based on state options that allow a non-contiguous property to be used for density calculations to meet Watershed Protection requirements. Of course, this puts additional challenges for the on site storm water management due to the actual functional impervious space increase. Headwaters are where the primary function of Piedmont streams originates and they are nearly completely impervious and therefore extensive stream erosion and loss of environmental function is imminent. In addition, the UHAUL property uphill from the site with over ten acres of concrete and metal buildings will shed water directly and quickly onto the upper parts of the site with no apparent management planned.

Critical to the protection of water quality from wastewater and or storm water is the adequate extent and function of stream buffers. The applicant has not committed to the use of the buffer provisions in the CCO. In addition, the extent of the buffers noted in the application is inconsistent ranging from 50-100 ft. for perennial streams. Since the applicant has not committed to Chatham ordinances, they will only be required to provide 25 ft. buffer as a part of their wastewater permit with NCDEQ. This is unacceptable for the health of the residents of the proposed development and the residents of the neighborhoods around it, especially since nutrient rich runoff will flow into nearby Jordan Lake, the drinking water supply for the region. I therefore, for the noted reasons and many more presented during the previous Public Hearing, strongly advocate for a Moratorium on High Density Development, revision of the CCO to insure green space between communities, and the formation of a study group to develop effective wastewater management for Chatham County.

Amelia Barton
630 Vickers Road
Chapel Hill, NC
September 6th, 2021

Dear Chatham County Planning Board and Board of Commissioners,

My name is Amelia and I am a resident of Vickers Road. I live in the old Vickers Farmhouse where the road dead ends just past the entrance to McGregor Woods. I moved to this house because I love the feel of living on a historic farm (over one hundred years old) on a quiet, rural piece of land. Looking at your land use plan, you state that you want to preserve the “form and function of the rural character” of Chatham County. By putting this compact community *outside the current CCO boundary*, you are distinctly NOT preserving the form and function of the rural charm of where I, and the residents of McGregor Woods, live. It would impede my ability to travel my own road, have a quiet existence, and know each of my neighbors. These are the exact aspects of rural living I love so dearly about Chatham County.

My lifestyle aside, I am deeply worried about this development from a public health, community and socio-economic standpoint. You, as the planning board of Chatham County, have a responsibility to the residents of Chatham County. This development will not AT ALL benefit the *current* residents of Chatham County. There are several reasons for this. First, we have not been told what the going rate for these town homes will be. There will be 96 town homes as stated in the current plan, 171 units, which could be up to 300 residents. The plan as laid out by the developer says that they do not wish to be a “bedroom community” or commuter development. Since they have not released the price of these homes it seems to me that these will not be homes that are affordable to many of the residents of Chatham County. To get around this, they have stated that there will be units that are “affordable” mostly planned for above the commercial shops of the village. These apartments are supposedly going to be for workers in the village and would be at a price that they can afford. First, there are so few of these units that there is no way it would shift the balance of this community from a bedroom community to a localized development. Likely, they will instead just pay the fee to not even include affordable housing at all just like they did at Briar Chapel. Then, we will again end up with another bedroom community full of wealthy transplants from California or New York commuting to Research Triangle Park. That will change the feel of our county and neighborhood even more than it has already changed in recent years. It will also create a harsher reality for the people who are already struggling to afford to live in a county they have called home for so long. Many residents have been pushed out already. For example, many teachers who teach in Chatham County are living in Alamance or other counties because they cannot afford the rising rents and mortgages. Is that the type of county we want to be? One where the people who work to support us and our children are not able to live here?

Second, there is no complete plan for wastewater treatment currently. There is speculation that Vickers Village is waiting to see if they can offload their wastewater to Briar Chapel or Fearington Village. That is an absolutely ludicrous idea because NEITHER of those wastewater treatment plans are currently

working. We have all seen the video of the wastewater being sprayed on people's houses in Briar Chapel. The people in that development who live near that treatment plant have already seen the value of their homes decrease significantly. The aerosols that get dispersed from wastewater spraying can travel up to 70 meters and contain all sorts of bacterial, fungal, viral, and chemical contaminants. That is putting the community at HUGE risk. Additionally, Fearington Village currently basically dispenses their wastewater directly into the watershed because they do not have a fully functioning system. My question then becomes: how can we either let Vickers Village bring wastewater to either of these failed systems or how can we even think of creating another private wastewater treatment plant when we have concrete examples of them failing in the area? THIS DOES NOT MAKE SENSE! There is no sewage or public wastewater treatment in Chatham and allowing all these private developments to half ass their own has caused massive problems and will continue to do so. Jordan Lake is already polluted. We had twelve cows die from Pokeberry Creek pollution from Briar Chapel, affecting a Chatham County resident's livelihood. A woman living near Briar Chapel wastewater contracted an antibiotic resistant disease. Bush Creek is receiving essentially untreated waste from Fearington Village. How much more can our county waterways take? How much more can our citizens take? All these questions can be answered by this one singular question: how much more will you *allow*?

There is so much more about this development that is wrong, and I know you have heard about it from other people. It is wrong, and you have the power to make it right. Do the right thing for the citizens of Chatham County. It seems to me that currently, you are allowing yourselves to be walked all over by developers with money, rather than fighting for your citizens. It is time to find your spines and say no more. It is your responsibility to protect us. We have had enough.

Sincerely,
Amelia Barton
Vickers Road Resident

Comments in Opposition to Vickers Bennett Group LLC and Vickers Village.

Elizabeth Parker
200 McGregor's Woods Rd in Chatham County
Chapel Hill, NC 27517
epkr@bellsouth.net

to Chatham Co Planning Board Members, meeting Sept. 7, 2021

I am a long time Chatham Co resident, renting, then buying and building, living now on McGregor Woods Rd (off Vickers Rd) for the past 26 years. I am one of the property owners adjacent to the proposed Vickers Village Devp. Years ago, I recall going to planning board meetings re: the then proposed Briar Chapel Devp, with developers reassuring residents that all would be well with the wastewater and storm water system plans they had. And now years later, there have been numerous concerns and complaints with the wastewater and storm water systems: odors and aerosols carrying contaminants in the spray irrigation, affecting the health and lives of Chatham co residents. "They" have not fixed the problems there. And now other developments are planning to use the same flawed system without the benefit of more considered thought, study, and careful planning to prevent such problems happening in other proposed developments. I am very concerned! and consider approval of this development to be an imminent threat to me, my neighbors, and other Chatham citizens.

We all are living in a crazy world now, rapid climate change, and evolving water shortages worldwide. Much of this is of our own making and could have been prevented if, especially the powers that be, had been more proactive and forward thinking in how to conserve and protect our climate and limited water resources. Science was ignored, and the buck was passed to the future generations to deal with. Now the same thing is happening at my front door and across the street. Our Chatham officials, both elected and appointed, seem to be taking a more dangerous path to continue with the same, instead of taking the needed time, thoughtful planning, and expertise to help us learn from our mistakes first BEFORE moving ahead with dense development after dense development.

I am in favor of a more detailed look at high density development, in particular the wastewater issues, through a study commission. I am also in favor of a moratorium on compact dense development based on no available wastewater infrastructure and a moratorium based on CCO requirements not being met (seeking dense housing but waivering on several other important components of the CCO).

Thank you for reading my comments and considering them. Your actions influence me, other citizens of Chatham now, and those of future generations in Chatham County.

Elizabeth Parker, Sept 6, 2021

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Dear Chatham County Planning Board:

As a Chatham County property owner (160 McGregor Woods Road, Chapel Hill, NC 27517), whose property will be directly and negatively affected by the proposed Vickers Village development, I am writing to urge you to put the Vickers Bennett Group proposal on hold, pending a complete and thorough Environment Impact Analysis. In particular, I am concerned that there has not been an adequate soil analysis of the proposed development site, nor have there been studies on storm water runoff and on the impact of aerosols (with pollutants) from spray irrigation using wastewater.

My health and the health of my neighbors are at serious risk from storm water runoff (we all have wells) and waste water reuse through spray irrigation that not only carries noxious odors, but disease-causing bacteria and viruses.

My concern is compounded by the example of the Briar Chapel Community wastewater system, which has proven to be inadequate and unsafe, with multiple sewage spills and carcinogens in the water, putting BCC's residents and animals at health risk. With the water treatment plant located on the Vickers Village site, the Vickers Bennett Group plans to employ the same faulty type of water management system. We can only expect the same negative results, unless a moratorium is put in place so that an EIA can be conducted and that, based on its findings, the Vickers Bennett Group be held to its standards for the health benefit of my neighborhood and, indeed, all surrounding Chatham County neighborhoods..

Sincerely,
Carolyn Wood

160 McGregor Woods Rd

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

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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
919-542-3331

August 16, 2021

Chatham County Zoning Administrator & Planner
ATTN: Angela Plummer
P.O. Box 54
Pittsboro, NC 27312
Email: angela.plummer@chathamcountync.gov

To Whom It May Concern:

We write to commend Antonio McBroom and his plan to bring a new development of homes to Chatham County. Our community has grown substantially along with our neighbors, so our need for affordable housing is more apparent than ever. The latest census numbers show Chatham gaining some 20 percent in our population. We need these homes to ensure the quality of life and affordability that we enjoy can be maintained.

As Chatham continues to grow, smart developments like the Vickers Village plan devised by Mr. McBroom will keep us both aligned with the needs of future generations that hope to call the area home and the current residents who enjoy the natural beauty around us. This development will accomplish both while keeping prices affordable for everyone.

Mr. McBroom was born in Goldston and understands what makes our communities special. He was a Morehead Scholar at The University of North Carolina at Chapel Hill and went on to become the successful businessman we know today. He is a testament to the strength of our community and now he has developed this plan to continue making Chatham a great place to work, play and raise a family, just as we have done.

We know that Mr. McBroom has the best interests of Chatham at heart and that this plan would be an exciting new chapter in our community's continued growth.

Sincerely,

A handwritten signature in black ink that reads "Robert & Cynthia Reives". The signature is written in a cursive style with a large, sweeping flourish at the end.

Robert and Cynthia Reives
98 Roberts Chapel Church Road
Goldston, NC 27252

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: 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

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As a Chatham resident I would like to voice my strong opinion against the addition of Fearington 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 Fearington 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

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: 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 Farrington 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

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: virginia penley <vipenley@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

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.

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

Anthony Durniak

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 plant. 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

Honorable Commissioners,

I'm Shelley Colbert, and I am a resident of Baldwin Township.

I oppose the expansion of the CCO in the manner proposed through text and map revisions in the Vickers- Bennett application. The proposal(s) is premature, it is inadequate in its analysis, and it will create an inconsistent patchwork of parcels with negative consequences for other residential properties in the area. In addition to five parcels which already are within, or partially within, the current CCO boundary, the applicant proposes to add fourteen parcels, including a 12 acre orphan parcel that isn't contiguous with any other portion of the current CCO, nor is it contiguous with the applicant's other parcels within the current CCO boundary (AKPAR 18636).

I strongly urge the commissioners to scrutinize the parcels at issue using the 2021 aerial images available on the County's GIS mapping on the [Chatham County Land Records Viewer \(arcgis.com\)](https://arcgis.com). The actual parcel images present a far more compelling description of the physical incongruities and limitations, and the potential scope of negative impacts to adjoining neighbors, than suggested by the applicant's Exhibit C, which is a two-color graphic of the parcels lacking the detail and nuance of actual conditions subject to amendment.

As a matter of public policy, one-off, piecemeal requests to amend and expand the CCO, which benefit only a single private interest to the detriment of other property owners, defeat the purpose of comprehensive, strategic planning. A comprehensive CCO is necessary for compact communities to coexist successfully with neighboring communities, while preserving the rural character of Chatham County.

If the current version of the CCO again warrants reassessment, then let's do that in a comprehensive fashion, while being mindful of those neighboring interests that exist outside of the CCO, and let's revisit obsolete definitions of "mixed use" that fail to take into account demonstrable changes to the manner in which goods and services are provided since the original CCO in 2004, almost two decades ago.

Commissioners, we have got to learn from prior development mistakes, and demand better information and justification from developers at the very beginning of the process. The applicant has not even remotely demonstrated that its proposals merit further consideration based on what is available in the public record, and the request goes far

beyond what might be reasonably necessary to adjust the CCO boundary for a very limited number of parcels “bisected” by the current map.

I have previously detailed my objections to the commissioners on the poor quality of information and lack of persuasive evidence presented to the county, and its citizens, by some applicants seeking to change existing zoning. I do so again- please reject this.

PH-2 Comments in Opposition to Vickers Bennett Group LLC Text and Map Amendments
Dr. Halford House
611 Vickers Road
halfordhouse7@gmail.com
919-357-1949

Please Note: This document is intended both as a separate evaluation and a supplement to the presentations of residents with properties contiguous to the proposed Vickers Village Project.

Presenters include: Susan Delaney and Erin Carter

PH-2 A legislative public hearing for a request by the Vickers Bennett Group LLC for text and map amendments to the Chatham County Compact Community Ordinance specifically Section 6.1, p 3 for an expansion of the CCO map and text amendments to support the expansion of area request.

I oppose the amendments and rezoning due to: (1) our extremely negative history and the lack of regulatory control by Chatham County and the NC Division of Water Quality for Compact Communities; (2) the irresponsible location of wastewater treatment plants (WWTP) within communities and the associated public health risk; (3) the high risk posed by the county’s fixed and polluted water supply; and (4) the insidious process toward urban sprawl created by adjacent poorly buffered compact communities.

Potential County Actions: (1) Targeted Existing Taxes, (2) Amend NCDEQ regulations, (3) Amend the CCO to include transect approaches, (4) Provide Conditional Uses, (5) Develop a county driven regional plan for Integrated Water Management.

Oppositions Explained:

1. Briar Chapel Compact Community (BCCC) 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 BCCC that are the same proposed to serve the Vickers Village project that have proven to be beyond the control of NC Division of Environmental Quality (NCDEQ) and/or Chatham County. The BCCC wastewater and storm water systems have created extensive public health risk and environmental degradation resulting in major community and county dissatisfaction.

2. Cities have not and do not locate their WWTPs within the community for what are obvious reasons as noted by the citizens of Briar Chapel smelling the waste of their neighbors as they try to enjoy outside dining and other recreation. However locating the WWTP within the community has become the standard for large-scale community wastewater treatment and reuse systems. The nuisance odors and aerosols that carry disease causing bacteria and virus both decrease and threaten the quality of life of the citizens of Chatham County.
3. 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.
4. Vickers Village or any other project that proposes to use the CCO to support its application must insure the citizens of Chatham County that the public and environmental health damages that occurred at BCCC will not be repeated. Adjoining Compact Communities without extensive buffers between represent a gradual transition to one Large Community of urban sprawl as successive smaller projects combine functionally and detrimentally.

5. **Potential County Actions Explained**

Targeted existing tax approach that earmarks 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.

Employ the USEPA through the Clean Water Act to critique NCDEQ Regulations. Contact Congressman Price to ask for his assistance to have the USEPA critique the NCDEQ Water Regulations using the Clean Water Act as the controlling policy tool.

Amend the CCO to Include the Transect Concept or Other Development Concepts. Since current CCO amendment requests do not envision a substantial “green buffer” around the proposed projects, amend the Compact Community Ordinance to include the transect concept, which regards land uses as a continuum from wild lands to high-density.

Create Conditional Uses to manage potential poor design, implementation, and maintenance of wastewater and storm water systems.

Develop a Chatham County driven regional wastewater management plan that focuses on Integrated Water Management (IWM). IWM is the process of planning, designing, implementing, and maintaining the combination of diverse water sources such as surface, groundwater, potable water, rainwater, storm water, and “wastewater” into a coordinated and efficient network. The IWM process should provide economic, ethical, and environmental solutions to conserve and reuse water, a finite and critical resource. In addition, the IWM Chatham Plan should locate wastewater treatment functions remote from residences, avoid

discharge into our surface waters, and since agriculture is the biggest use of reclaimed water in the world, explore the potential for distribution of reclaimed water from the eastern portions of the county to the western agricultural areas (United Nations 2010).

Five Findings for Vickers Village

Conditional Use Permit Request Must Show How the Request Satisfies the Following Five Findings:

- 1. The area defined for the project is not acceptable for the district since it is outside of the area defined to meet the stated Purpose of the CCO.**

The critical Purpose of the CCO is to prevent one compact community adjacent to another through the use of buffers from neighboring properties and roadways. Compact communities adjacent to each other are a recipe for urban sprawl and associated negative impacts.

Historical, regional and current evidence suggest that this potential expanded CCO area, if approved will again be subject to expansion by future development applications reviewed by future county boards as a loss of institutional memory ensues. The endpoint of this gradualism is urban sprawl with all of its negative impacts of increased traffic, environmental degradation, increased negative fiscal impacts and the decrease in quality of life of the citizens of Chatham County and the surrounding area.

The CCO defines a specific area for the potential implementation of development projects within the district. The current application seeks to expand the area that may be regulated by the CCO. Chatham County must resolve how to protect the welfare of the citizens of the district from this and similar projects as Briar Chapel prior to approval of additional CCO based projects.

- 2. The proposed project is not essential or desirable for the public convenience or welfare.**

The current residences in the district have been and continue to be well served by public utilities, roads, schools, fire department, police protection, recycling centers, grocery stores, parks, and miscellaneous shopping and entertainment resources.

The recent need for additional schools have been nicely addressed by Chatham County and the private sector. All of the noted services are available within a 5-10 min drive of everyone in the district and in many cases replicated. The proposed project does not provide anything that the district does not already have in abundance.

However the proposed project will add additional traffic, noise, cost, air, water, and light pollution. In addition, residential development does not pay for itself through tax revenues and therefore the neighbors and existing long-term citizens of the county will end up subsidizing the project. The proposed project therefore is not essential or desirable.

3. **Based on the negative experiences with Briar Chapel's storm water and wastewater systems, the current proposed project will likely be detrimental to the health, safety or welfare of the community.**

Recent history of both the lack of proper wastewater and storm water management at Briar Chapel clearly document detriments to the health and safety of the citizens of the community. The wastewater record at Briar Chapel consist 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 NCDEQ in the last 18 months, 526 resident complaints; of these complaints, 390 were for odor conditions surrounding the wastewater treatment system (Personal Communication. Stop Chatham North 2021).

The houses of Briar Chapel residents, their vegetable gardens, and children's play areas have been sprayed with wastewater. Wastewater contains nearly every disease causing virus and or bacteria witnessed from around the world including COVID (USEPA 2018).

"North Carolina Public Health is community health. Disease prevention, health services and health promotion programs protect entire communities – not just individuals – from untoward outcomes such as communicable diseases, epidemics, and contaminated food and water. We work daily to reduce the impact of chronic and oral diseases. All North Carolina citizens benefit from protections like safe food and water, adequate waste treatment and sanitation, infectious disease control, immunized children and adults, and emergency preparedness. One essential service is to diagnose and investigate health problems and health hazards in the community" (NC Department of Public Health 2019).

Briar Chapel development was required by the CCO to provide as built designs and monitoring reports of the wastewater system operation that have not been supplied by Briar Chapel or obtained by Chatham County (CCO 2004).

Inadequate storm water control has resulted in extensive stream erosion and loss of environmental function within Pokeberry Creek that flows through Briar Chapel. Stream restoration costs are estimated in the millions of dollars (Personal Communication, Stop Chatham North 2021).

The standard location of the WWTP during the design and implementation of community systems in Chatham County has been within the community. For obvious reasons, Pittsboro, Chapel Hill, Durham or any other city of note, has not located their wastewater systems within the community. Such locations create a near definite occurrence of nuisance odor and transport of disease containing aerosols into the living space of the associated community residents.

"Emerging pathogens may exhibit fate and transport characteristics that provide for atypical transmission pathways or higher exposure concentrations than natural transmission sources (e.g., human-to-human transmission, fomite contamination from infected individuals). Given the

significant health threat posed by some emerging pathogens (e.g., Ebola virus [EBOV], severe acute respiratory syndrome [SARS]), exposure to emerging pathogens in a wastewater system could result in potentially serious health outcomes” (USEPA 2018).

In a study of downwind drift from a wastewater spray field using ponded chlorinated effluent, “estimated mean bacterial die off was 52% at 21 to 30 m and 77% at 200 m. Median aerodynamic particle size was 2.5 to 2.8 μm , with 66 to 78% of particles between 1 and 5 μm , the reported range of efficient pulmonary deposition” (JWPC 1983).

The Briar Chapel developer, Newland has failed to meet several Purposes of the CCO even though they are well funded and a capable developer with a substantial track record of residential projects. The current applicants do not have the extensive experience of Newland and therefore can not ensure that the following additional CCO Purposes will be met: These include “Ensure sustainable water provision and wastewater treatment in a way that does not create a future economic burden for the taxpayers of Chatham County; and Protect Chatham County’s water quality and water resources, minimize its energy use, and protect its air quality (CCO 2004)

4. The requested permit is not consistent with the objectives of the Land Conservation and Development Plan (LCDP 2017).

The recognition that the LCDP is “aspirational” and provides a framework for long term planning of Chatham County and is not responsive to short term development feedback that is more suitable to ordinances is very important for the evaluation of the Vickers Village application. In addition, the LCDP plan anticipated high quality and well managed projects that based on BCCC have not occurred. (LCDP 2017).

In addition, since the plan was created, the known impacts of climate change have increased dramatically; therefore a more conservative development approach is warranted. Poorly planned high-density development puts increased demand Plan Elements **noted in the plan** such as Land Use, Health, Natural Resources, Resiliency, Utilities and Public Services. The removal of existing vegetation impacts both air quality by decreasing carbon sequestration and wildlife populations by removing food and cover. (LCDP 2017; Woody Harrelson. 2021. Kiss the Ground, Netflix).

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities are uncertain.

Chatham County has a fixed water supply that is significantly polluted. The combinations of decreased water quality, uncertain supply due to potential drought, and increased demand for drinking water suggest a more conservative approach to managing future growth rather than increased high-density development.

Although the proposed site is supplied with a 12 inch water main to potentially provide potable water from Jordan Lake, the actual water supply both quantity and quality are in question. Jordan Lake is polluted with both traditional pollutants such as nitrogen, phosphorus, and those

of emerging concern such as endocrine disruptors and other biologically active compounds. Jordan Lake is receiving wastewater discharges from Chapel Hill and Durham, non point source pollution from storm water runoff of the surrounding region. The citizens of Chatham are now drinking diluted wastewater from other communities (NC DEQ 2019).

“From January to June 2018, staff from the NC Division of Environmental Quality (NCDEQ) collected samples for 1,4-dioxane, bromide, and 23 different per- and polyfluoroalkyl substances (PFAS) at six in-lake locations and seven river/stream locations. Analytical results indicated the presence of 1,4-dioxane and at least one PFAS compound in the Haw River arm during every sampling event, with some evidence of backflow to other portions of the reservoir” (NC DEQ 2019).

North Carolina has had 7 droughts since the early 20th century, the latest occurred from 1998-2002. Jordan Lake was nearly dry and the Haw River flow was 70% treated wastewater. Use is dependent on dilution of pollution that is not present during drought. As the citizens of other communities around the country have observed that just because you have the pipe does not mean you will get the water. Chatham County has a fixed supply with a decreasing quality and a proposed increased demand based on high-density growth. The combination of Climate Change and a fixed and polluted water supply require that a more conservative approach must be developed to manage future growth (USGS 2005; NCDEQ 2019; IPCC 2021).

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August 13, 2021

Angela Plummer
Chatham County's Zoning Administer and Planner
P.O. Box 54
Pittsboro, NC 27312

Greetings Angela,

My name is Sherry Andrews, and I was raised in Chatham County, attending Pittsboro Elementary, Horton Middle School, and Northwood High School. After graduating from North Carolina State University, I began working at Chatham Middle School teaching both language arts and history. From there, I taught English and various social studies at Northwood High School. Once I completed my graduate work at NCSU in counseling, I transferred to Chatham Central High School to serve as the school's only school counselor for 27 years, which is where and how I come to know Antonio McBroom. To simply say I am invested in Chatham County would be an understatement. After retiring in 2013 (having completed a total of 33 years in education), I started a college planning business based in Chatham. I am proud to tell anyone and everyone that I am from Chatham County.

I first met Antonio McBroom when he was in the 8th grade. I was immediately impressed with his maturity, intelligence, and deep determination. Even as an 8th grader, I knew he was headed for greatness. As Antonio matriculated through Chatham Central High School, I witnessed a young man of integrity and passion grow and develop into a wise and prolific individual. He earned not only the Morehead Scholarship from UNC Chapel Hill, which he accepted, but also numerous other scholarships, such as the Park Scholarship at NCSU (he turned it down), the Discover scholarship, and gained national recognition from the Coca Cola Scholarship – just to name a few. He is who he says he is: a man of his word, a young man from humble beginnings with big dreams, and a man who's handshake is as good as his word.

For the past four years, I have served on Antonio's advisory team. I have watched him develop the Vickers Village project from its very beginnings. The residential and commercial development planned for this Chatham County land is well thought out and determined with living accommodations, work aspects, shopping, and recreation facilities. In the current climate, it is the exact type of family living that is sought by families of all ages. Having lived in the North Chatham area for many years, I am certain the success of this village. Based on my readings of the plan for Vickers Village, it is evident that Antonio will maintain the environmental integrity of the area as well as develop its buildings in a way that compliments its surroundings. Vickers Village will be an asset to northern Chatham.

What is most important to me in this letter is to express that I am certain, without any reservations that Antonio will do exactly what he tells you he will do in the construction of this project. He has always been upfront and honest with me, and I have a great deal of respect for

him and his family. Knowing Antonio for the last twenty plus years has given me an insight to his character that few individuals will have.

Thank you for the opportunity to share my thoughts.

Sincerely,

Sherry Andrews

August 16, 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 old timers 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

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~~ ^{and} an overwhelmingly negative history of nearby neighborhoods' wastewater treatment plants; ~~the irresponsible location of wastewater treatment plants within communities;~~ ^{the irresponsible} 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.

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- 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.