

October 28, 2021

Chatham County Planning Board

Re: Site-Specific Information Regarding Herndon Farms (West Tract)

Responding to your request for site-specific information, we are several land-owners directly adjacent to the proposed West Tract wastewater treatment plant and spray fields, along with homeowners in the Oak Island community who will also be affected by the proposal.

Site-Specific Considerations for the West Tract

The land directly west of the primary spray fields is a heavily-wooded community of about 25 people in eleven homes, all depending on Oak Island Drive for the only road access to 15-501 South. (See Exhibit J.1) Primary attractions of this neighborhood include its rural character, low-density environment, and extensive wildlife.

Oak Island Drive is a private, narrow, tree-lined gravel road ~0.65 mile in length. This road was designed only to support light vehicle traffic. Landowner access from 15-501 is secured by an easement. A second access easement extends alongside the west border of the proposed primary spray area. These rural roads are used daily by most of the neighborhood for recreational use and access to mail boxes at 15-501.

The road is currently maintained solely by homeowner funding and personal labor. Most maintenance effort is concentrated on the apron providing exit to 15-501, the generally flat portion directly adjacent to the proposed treatment plant and primary spray fields, and the downhill section adjacent to the open space designated for future spray areas.

A roughly one-acre pond is situated north of the future spray area open space. The pond is co-owned and maintained by three landowners. It is a home to much wildlife, including fish, turtles, frogs, heron, owls, and other migrating birds. It is fed by a watershed draining from Bennett Mountain and areas of the open space designated as future spray fields via runoff to Oak Island Drive and an ephemeral creek on the northwest side of parcel 79956. (See Exhibit B11.) We have observed water sheeting off the watershed to each of these areas after heavy rains saturated the soil.

Concerns and Questions

The Application stated “Preserving the rural character was identified as the most important goal during the planning process.” However, the specifics in the posted application and associated exhibits concentrate primarily on the east-side subdivision, leaving us uncertain on whether the stated goals and findings will apply equally to the west side. For example, it is not clear whether assertions in Exhibit F (Environmental Impact Statement and Addendum) apply to the west side on issues relating to noise, lighting, runoff, buffers to adjacent property, etc.

A. Road Impact: The application and exhibits do not discuss the potential impact on Oak Island Drive. **How will free access and road quality be assured during the lengthy periods of construction and on-going operations?**

- Equipment Access: **Does Saprolyte anticipate any heavy or repetitive access to Oak Island Drive west of the north-south Access Easement and will it require access through existing landowner property?** The proposed easement within its West Tract property should be sufficient for access by construction equipment.
- Road Maintenance: On any portion of Oak Island Drive to be used by Saprolyte: **will Saprolyte assume responsibility for maintenance and any widening, upgrades, or paving necessary? Will it be required to make sure all neighbors can use the road freely to 15-501 during construction and future operations?**

B. Waste Water System Impact: **How will the proposed wastewater treatment facility and primary/future spray fields be operated with minimal disruption and without impairing “the integrity or character of the surrounding or adjoining areas”?** (Finding #3)

- Future Spray Fields: While Saprolyte states they have “left close to 40 acres of the site as open space, largely undisturbed”, Exhibit J.1 notes that “10 acres in this area may be used for future variable spray areas.” **Will primary and future spray field areas be clear cut or left in their natural state where possible? Will these future 10 acres be sited close to neighboring property lines or drain to the road and pond?**
- Runoff: Drawings shown in Exhibits B.6 do not address stormwater issues for the west side. Application rates of up to 0.5 in/hr would significantly increase water volume, especially in the future spray areas. **What impact will potential runoff combined with heavy rains have on the maintenance of both the roads and pond? Will the continually wet and stagnant water increase local mosquito populations?**
- Water Quality: We rely on Saprolyte’s commitment to treat wastewater to yield Type 2 water as critical to the health of the local human and wildlife. **Will water quality standards and regular testing be implemented to assure that Type 2 quality will be continually achieved? The upset pond would be a significant odor source if used -- where will that be located?**
- Noise: Exhibit F states “The on-site wastewater treatment system produces only minimal noise created by the aeration motors and is located well beyond where this noise would impact any surrounding residents or developments.” This statement appears to apply to the facility itself, not including spray field operation, and is arguable in the case of parcel 2751. **Will permits state specific noise limitations at the property line of the nearest landowner and specific hours of operation?**
- Lighting: Exhibit B.5 applies only for the east side development, with no lighting plan indicated for west side wastewater treatment and spray fields. **Where will lighting be**

required and will it be done with "as little impact as possible on offsite wildlife and neighboring properties", especially parcel 2751 and Oak Island Drive?

- C. Perimeter Buffers: The support provided for reducing buffers to 50' applies only to the east side community; no reasoning was given that shows a need for less than 100' buffers on the west side.
- If there exists valid reasons to allow some buffer reduction elsewhere in the development, it seems reasonable that any new precedent should state that these reductions will be limited to the minimum footage that can be supported by convincing evidence of need.
 - **We request that a 100' natural vegetative buffer be required alongside all adjoining west-side properties** to achieve the "natural, yet well vegetative transition to neighboring properties" the Developer intends for the east-side subdivision. It appears that no buffers will be provided for the West Tract primary spray field. This is especially critical for parcel 2751, adjoining the southwest corner of the primary spray field, because the house is positioned close to this corner. It has a direct open view to the primary spray field, possibly to the Treatment Facility, and any spray noise will be easily heard.

We request that Saprolite be required to provide the Planning Board a clear summary of its west-side development plans addressing the questions raised. In the Exhibit titled Perimeter Buffer Discussions, Saprolite outlines discussions with east-side property owners regarding various concerns. The west-side property owners would welcome similar discussions and agreements. Thank you for your time and attention to our information and concerns.

Sincerely,

Adjacent Landowners:

Michael Bishop, 291 Oak Island Dr., parcel 2751

Marion and Walton Haywood, 501 Oak Island Dr., parcel 1536

Ed and Kathy Pettiss, 348 Oak Island Dr., parcel 79956 (primary contact for questions)

Affected Neighbors:

Roy Baker and Clare Smith

Amy and John Dowden

Diana and Nick Gower

Lynn and Rich Hayes

Katie and Wen Feng Jiang

Suz Robinson