



Chatham County Planning Board Minutes January 4, 2022

The Chatham County Planning Board met in regular session on the above date and the meeting were as follows:

<u>Present</u>		<u>Absent</u>
Jon Spoon, Chair	George Lucier, Vice-Chair	Jamie Hager
Caroline Siverson	Clyde Frazier	
Eric Andrews	Allison Weakley	
Brittany Harrison	Bill Arthur	
Alex West	James Fogleman	

Planning Department

Jason Sullivan, Director, Kim Tyson, Subdivision Administrator, Angela Plummer, Zoning Administrator, Chance Mullis Planner II, Hunter Glenn Planner I, Vance McNeas Zoning Official, and Dan Garrett, Clerk to the Planning Board.

I. CALL TO ORDER:

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

II. VIRTUAL MEETING GUIDELINES:

III. DETERMINATION OF QUORUM:

Chair Spoon stated there is a quorum, 10 members present, Ms. Hager was absent.

IV. APPROVAL OF AGENDA:

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

V. APPROVAL OF THE MINUTES:

Consideration of the December 7, 2021 Planning Board minutes. Motion made by Vice-Chair Lucier to approve the minutes, second by Mr. Fogleman. The December 7, 2021 minutes were approved 10-0.

VI. PUBLIC INPUT SESSION:

There were no residents to speak at this time.

VII. SUBDIVISION & ZONING ITEMS:

1. Request by Chad Abbot, P.E. for subdivision **First Plat** review and approval of **Ridgecrest Estates**, consisting of 30 lots on 49.41 acres, located off Hamlets Chapel Road, SR-1525, parcels #1798.

Ms. Tyson stated the Planning Board met December 7, 2021 to review the request. Three speakers provided comments during the public hearing and concerns raised were: Mr. Erik Berg would like to work with the developer with his shed encroachment and to purchase some land; Ms. Anna Berg stated various artifacts from the original plantation home and an old road runs through the proposed project and down the creek; items she has discovered are belt buckles, tools, plow pieces, pieces of bridges, and stone foundation has been found in the area; Ms. Kathy Dowd had concerns with placing 30 homes on the proposed site with the current conditions of the creek crossing. Comments also included that when it rains significantly there are problems with creek crossings.

Board discussion included if the driveways for Lots 1 and 8 could come off Mann's Chapel Road; how much piping is required for Lot 19/19A septic; resolution with Mr. Berg shed encroachments; off-site septic; odd-shaped lots; and house sites bordering riparian buffers.

Mr. Chad Abbot, P.E. and Peter Griffin, Developer were present. Mr. Abbot commented that if NCDOT would be open to allowing the driveways for Lots 1 and 8 they would be willing for the driveways to come off Mann's Chapel Road. The septic lines for Lot 19/19A is approximately 1200' and the line will follow the road then turn onto Lot 14. Both lot 14 and 19 septic lines will run in the same ditch and cross the stream in the same easement having one impact to the buffer. Mr. Abbot explained he was aware of Mr. Ricky Spoon and Mr. Berg's discussions, but at the time he was well into the project design and the developer had contractual obligations. He stated the shed encroachment is non-compliant with zoning.

Board members voted to postpone making a recommendation on the project to January 4, 2022, meeting. They stated there are too many lots for the proposed project, home sites are being forced too close to the buffers, if Lots 1 and 8 could be accessed from Mann's Chapel Road, and resolution with Mr. Berg's shed encroachments,

After the Planning Board meeting, staff received email correspondence dated December 8, 2021, from Jen Britt, EI with NCDOT. Ms. Britt stated, "it is unfavorable to access Mann's Chapel Road so close with Hamlet's Chapel intersection; given the small size of Lot 1, the configuration would potentially put traffic backing out of Lot 1 onto Mann's Chapel Road to get out." Ms. Britt asked if the access for lot 1 could be located between Lots 2 and 3 and if it would help if the driveway for lot 8 could be located between Lots 5, 6, or 7.

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. These properties are in an area of the county identified as Rural on the Future Land Use and Conservation Plan Map. The description for rural includes single family homes on large lots, low density development, mix use of agriculture, home-based and small-scale businesses, open space, greenway trails, protected lands, and conservation easements.

The proposed subdivision meets the adopted riparian buffer and stormwater control standards of the county. The developer also contacted the NC Natural Heritage Program to review their database for any rare species, important natural communities, natural areas, or conservation/managed areas within the project boundary and no rare species were identified in their records. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to identify future regulatory changes.

Ms. Tyson stated the Planning Department recommends granting approval of the road names Ridgecrest Estates Drive and Berg Drive and granting approval of subdivision First Plat for **Ridgecrest Estates** with the following conditions:

1. Approval of the First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners.
 2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
 3. Final plat shall show the entrance road as Ridgecrest Estates Drive and the interior public right-of-way shall be shown as Berg Drive.
 4. Final plat shall add a note that states "Approval of the subdivision plat by Chatham County is limited to Subdivision Regulation approval and does not constitute approval of any possible zoning setback violations shown on the plat."
- Mr. Chad Abbott stated they have already gone through three or four iterations of this plan to meet several of the county ordinance requirements to get to the current proposal. We did leave last month's meeting to see what we could do to address the items that were discussed at the meeting. We have had several meetings with the adjacent property owner and the applicant has agreed to work with them to address the shed encroachments as much as possible through minor property line adjustments when the soils and septic areas are finalized. We did not revise the plan, but we are willing to work towards addressing as many of those concerns as possible, but as this plan is drawn now it does meet all the requirements of the ordinance. We are also willing to work with NCDOT on lots 1 and 8 with side loading garages to mitigate their concerns about someone backing out onto Manns Chapel Road. If there is any way we can alter lot 1 through the workings on the construction drawings, we will. We could also adjust the lots around the cul-de-sac and the off-site septic once we have a better understanding of the soils. This will all be determined by the soils report.

Board discussion:

- Mr. Andrews has recused himself from discussion on this item.
- Ms. Weakley stated she is disappointed that we did not see any changes to the layout because there were several of the Board members who raised concern with the number of off-site septic areas, lots 1, 2, 9, 10, 14, and 19 those are out of sight and out of mind. Mr. Drew Blake with Watershed Protection had said they should be minimized because they are problematic. There are still the house sites right against the buffer. The issues raised at the meeting last month remain because we have not seen any changes in the layout.
- Vice-Chair Lucier stated he has problems with lot 1 and the driveway location, NCDOT would prefer that to be away from Hamlets Chapel Road because headlights could cause a safety issue and it crosses two wetland areas. Lot 14 is an odd shape to keep from having off-site septic, but the septic pipe will go under the creek and lot 19 will also have a septic pipe under Wilkerson Creek as well. These three lots raise concerns for me.
- Ms. Siverson stated she has the same concerns as Ms. Weakley and Vice-Chair Lucier. She also has concerns about how close the house sites are to the buffers because there are some really nice huge trees along that buffer and that area needs to remain undisturbed, but with this layout that might not be the case. It is understood that there might be some changes to the layout as it moves forward, but it is difficult to support this based off of this current layout.

- Chair Spoon stated he has some reservations as well; this is not a perfect parcel design and we had brought up those concerns last month. Personally, he was willing to go along with the staff recommendation, but it sounds like there are some Board members that have serious reservations about this property.

Motion made by Ms. Weakley to deny this item because of the issues that had been raised, second by Vice-Chair Lucier. Chair Spoon conducted a roll call vote, and this item was not approved with a vote of 6-3, opposed by Chair Spoon, Mr. Frazier, and Mr. West.

2. A legislative public hearing for a Conditional District Compact Community rezoning request by Herndon Farms One, LLC for an active-adult (55 and older) compact community with 161 residential units, congregate care facility, one-story office/daycare, community gardens, and barn for events on approximately 97.86 (previously 96.86 acres) acres being Parcels 93852, 2752, 18750, 18897, 18896, and 18909, located on US 15-501 N split by Williams and Baldwin townships.

NOTE: Planning Board review was conducted on November 2, 2021. Due to the amount of discussion, the applicant was advised to review their comments and adjust the site plan. The applicant was not able to provide revised information in sufficient time to allow staff to review all the changes, so he requested a month extension for the item to be scheduled for additional review by the Planning Board. Attachment B includes the concerns and discussion points by the Planning Board and staff and Attachment C includes the proposed revisions by the applicant.

Application details - Current zoning: R1, Residential. Proposed zoning: Conditional District Compact Community 55 and older. Water: Chatham County. Sewer: Private wastewater treatment system with spray and drip irrigation. Acreage: approximately 97.86 acres. Proposed dwelling units: 161. Proposed non-residential square footage: 150,000 square feet (10,000 sq. ft. daycare and 140,000 sq. ft. congregate care facility), as well as a 2300 sq. ft. office/community center, a small barn, and a covered pavilion community event space.

WAIVER NO. 1: Section 12.1 – Performance Standards – Commercial Component – applicant requests to not be limited to the 10,000 sq. ft. maximum in order to construct the 140,000 congregate care facility.

To consider a rezoning to Conditional District Compact Community the standards and requirements for the Zoning Ordinance and Compact Communities Ordinance must be met. Additionally, the rezoning application should include support from the goals, guiding principles, and strategies of Plan Chatham.

The applicant met with the Chatham County Appearance Commission on July 24, 2019. There were concerns about the eastern portion of the property stating one plan showed an undisturbed buffer and another showed grading lines in the buffer zone. It was agreed upon by the commission and the applicant to terrace a portion leaving a 25-foot natural area, install a 6-foot retaining wall and plant the remaining 25 feet to provide adequate screening. There was also concern about leaving the existing vegetation along US 15 501. The applicant stated it is a priority to leave existing vegetation in the buffer zone and it would be noted on the plan revision to reflect this change. The commission approved the overall plant list and plans with the revisions noted. There are three waivers relating to buffers:

WAIVER NO. 2: Section 9.3 – Viewshed Buffer – the applicant requests a 50% reduction for approximately 200 feet along US 15-501 adjacent to the residential section of the project. The buffer in front of the commercial area is to remain at 100 feet.

WAIVER NO 3: Section 9.2 – Perimeter Buffer – the applicant requests a 50% reduction around the entire community except for the area noted as Side E on Exhibit W.3.B which is proposed to be zero as allowed by the CCO Section 9.2.

There has been opposition by adjacent landowners adjoining Side A, B, and D requesting the 100-foot buffer be required to remain. If the 100' buffer remains, the applicant will be required to resubmit a new site plan and configuration for the project for the rezoning and the subdivision submittal.

This waiver No. 3 will be modified based on submitted revised site plans to only allow a 100% reduction in the buffer adjacent to the commercial property for the veterinary hospital. All other perimeter buffers will remain at 100 feet.

WAIVER NO. 4: Section 9.3 – Viewshed Buffer – the applicant requests authorization to impact the viewshed buffer for required utility crossing which will involve the removal of existing vegetation and some grading for those lines.

A community meeting was held March 7, 2019. Approximately 26 citizens attended, several concerns were addressed, and changes made prior to the application being submitted. Those questions and comments can be reviewed in the application Exhibit K. There are two main issues that residents in the community have expressed and those are concerns about the reduction in the perimeter buffer along Sides A, B, and C and the wastewater treatment plant on the east side of US 15-501 with access off Oak Island Road.

Property may be rezoned to a conditional zoning district only in response to and consistent with an application submitted in compliance with Section 5 of the Chatham County Zoning Ordinance. The findings are as follows:

1. **The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reason how the proposed amendment will correct the same.** The applicant is claiming no error in the Ordinance. The proposed use of Compact Community is allowed under Section 10.11 of the zoning ordinance. Additionally, the property is located within the Compact Community Ordinance boundary allowing for compact community rezoning applications to be submitted.

Planning staff thinks this standard has been supported.

2. **The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.** In November 2017, the Board of Commissioners adopted Plan Chatham. This plan provides a road map to guide development to areas best suited for various types and mixes of uses. A Market Analysis was provided as Exhibit C. The report specifically cites Recommendation 10, pg. 91 of the Comprehensive Land Use Plan, HL Policy 16, Strategy 16.1 to 16.5 which encourages the development of housing and services for the aging population, specifically the 55 and older. The community will consist of independent single family living units, townhomes, duplexes, and units within the congregate care facility.

The proposed community will yield approximately 49 full time jobs within the commercial area and is expected to increase the real property tax base by about \$78.2 million. A Fiscal Impact Analysis was conducted and can be reviewed under Exhibit D.

The community will offer an “aging-in-place” atmosphere where active adults can own their homes, participate in community gardens and events, as well as transition into other assisted care as needed.

This community is stated to provide affordable housing to active adults. The applicant has chosen the payment in lieu option of \$500/per 161 units = \$80,500. The CCO states that a minimum of 5% of the housing shall be dedicated to the affordable housing component. This would be eight (8) units of which the applicant is only providing approximately \$10,000 for each required affordable dwelling unit. This is significantly less than prior compact community developers have contributed. The applicant does state however, they intend to also offer 19 townhome units at a lower price point than other residential units in the community.

An agreement with the developer and the County has been reached. The reduction in units to 151 has been submitted and the developer agrees to pay \$45,000 per affordable housing unit. This has been conditioned below.

Planning staff thinks this standard is supported

3. **The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.** The county’s comprehensive plan, Plan Chatham, was adopted in November 2017. A future land use and conservation map was also included, and it identifies areas of the county where more intensive development may be supported under certain circumstances. This proposal is located within the area noted for mixed use and compact communities as shown on the map included in the Introduction & Background and as part of Recommendation 02, Strategy 5.2, Pg 66, Compact Communities.

In Plan Chatham, Pg. 41, Goals and Objectives, lists several development objectives. The applicant has addressed these in the application materials. A few noted here are:

- Objective #1: Preserving the rural character - by incorporating a community farm, community gardens, and a Koi Pond that the development will center around. The farm is anticipated to produce food and materials (eggs, honey, goat milk) to be used by the residents. The commercial area has remained outside of the 100 foot viewshed buffer which aids in keeping with the rural character.
- Objective #5 and #6: Conserve Natural Resources – the WWTP system will generate Type 2 effluent clean enough to be used for irrigation, some food crops and in water features proposed for the development. By concentrating the development to one side of the total property area, close to 40 acres of the site will remain in open space, largely undisturbed, and working to connect trails to other developments. The proposed daycare can also benefit from the recreation on the farm.
- Objective #7 – provide infrastructure to support desired development and support economic and environmental objectives. With the compactness of the development, low impervious surface, and large open spaces creates more environmental efficiency. By meeting the EPA's Water Sense program, the project will achieve a more than 50% reduction of water and wastewater design loads.

Planning staff thinks this standard has been supported.

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

An environmental impact assessment was provided, and peer reviewed by Johnson, Mirmiran & Thompson, Inc. There are some stream features and wetlands that require buffering and have been identified on the site plan. There is an area to the rear of Parcel 2752, labeled Bennett Mountain SMHA, that is to remain forested and become part of a trail system and open area. The only structure for this parcel will be the wastewater treatment plant (to be operated by Aqua America) and is to be located on the highway side of the parcel. The applicant states the plant is to serve this development only.

A Traffic Impact Analysis was performed by Kimley-Horn and peer reviewed by Gannett Fleming. Minor improvements to US 15-501 will be required for the entries into the community. This will go through the NCDOT review and approval process. Two entries off US 15-501 N are proposed. One at the commercial area and one into the residential area. This is supported by Land Use Policy 6, Strategy 6.4, Pg 67 of Plan Chatham.

The development will also have a transit stop within the community as shown on Exhibit B.3 as well as sidewalks for connectivity which are encouraged or required in the Compact Community Ordinance.

The aging in place perspective allows for residents to live, work, and recreate in the same area. Being near other commercial uses to this development for eating, shopping, and medical needs, will assist in keeping more revenue within the county. This is a focus of the Economic Development Plan as well.

Planning staff thinks this standard has been supported.

5. All other circumstances, factors, and reason which the applicant offers in support of the proposed amendment.

The CCO requires a minimum of 30% open space to be maintained in a development. This project will have approximately 40%. **Revised site plans for the reduction in the number of units and increased buffers now shows approximately 42% open space is being provided.**

Please note that sections 8, Stormwater and 9.1, Riparian Buffers, are now superseded by the Chatham County Stormwater Ordinance and the riparian buffer standards in the Watershed Protection Ordinance.

The project will be served by Chatham County water system and a private wastewater treatment system. A non-discharge permit will be required from NC Department of Water Quality. The membrane bioreactor system proposed will use an aerobic treatment technology which is said to be more efficient than a typical anaerobic treatment. The system is to produce little odor and noise. Please note that the county cannot regulate the type of wastewater treatment system for a development because that approval is under the purview of the NC Department of Environmental Quality.

Irrigation lines will be used for the gardens, farming areas, and water features from the effluent of the wastewater which will be treated on-site.

The applicant proposed a balanced site grading process where the earth and rock moving from the higher elevations will be placed in lower elevations and when completed, the remaining will be used on site for berms and landscaping. Chatham County Stormwater regulations shall be followed for the 1 year, 24-hour storm event.

Access to Parcel 2752 for the WWTP location is not currently aligned as it was required per the Attachment C survey and deed information. A condition has been included for review to correct the alignment.

Planning staff thinks this standard is supported.

Planning staff supports approval of the request in conjunction with the below stated conditions.

The Planning Board has up to two meetings in which to make a recommendation to the Board of Commissioners for approval or denial.

Should the recommendation be for approval, the following consistency statement is provided for consideration.

The requested conditional district rezoning meets the intent and spirit of Plan Chatham by (a) being located within an area identified by the Board as acceptable for further development of compact communities and (b) has supported the goals and objectives of the Plan and the Compact Communities Ordinance.

The following conditions are hereby incorporated into the approval:

Site Specific Conditions

1. The Master Plan, attached as Exhibit A, shall be the guide for all phases of the development. Any modifications, changes, alterations not allowed by administrative approval, must be resubmitted as a CD-CCO Revision and all submittal requirements followed.
 - Total project area = 97.86 acres
 - Maximum Impervious Surface = 24%
 - Total Number of Dwelling Units = 151
2. The site plan/s for the commercial areas must be reviewed by the Chatham County Appearance Commission.
3. Landscaping/Screening. All required screening and buffers shall be in place prior to issuance of a certificate of occupancy or next optimal planting season after issuance of a certificate of occupancy. Existing vegetation may be used to fully or partially fulfill the landscaping and buffer requirements of the County. The extent to which the same can be used shall be determined by the Planning Department prior to issuance of the certificate of zoning compliance. It is strongly recommended that existing native vegetation be preserved where practical. Grading within buffers will be done in compliance with approved erosion control plans and as approved by the Planning Department prior to disturbance.
4. All required permits and/or authorizations from local, state, and federal agencies shall be submitted as part of the platting process and prior to any land disturbing activities covered under current ordinance, law, or regulation and before any such zoning determinations are approved. This includes but is not limited to Zoning, Planning, Building Inspections, Environmental Health, Fire Marshal, NC Department of Environmental Quality, NC Utilities Commission, Watershed Protection, NC Department of Transportation, Utilities, etc.
5. Phasing – Phasing is permitted with this approval. The development schedule states the following and shall be followed unless a new phasing schedule is approved. It is:
 - 8/1/2022 – Submit for Construction Plans
 - 1/1/2023 – Submit for Final Plans
 - 3/1/2023 – Site Work Begins
 - 3/1/2024 – Residential and Commercial Construction Begins
 - 9/1/2025 – Some Residential and Daycare Completed
 - 2/1/2026 – Congregate Care Facility Construction Begins
 - 6/1/2027 – Congregate Care Facility Completed
 - 3/1/2028 – Residential Completed
6. Sidewalks will be provided along both sides of all streets, but not alleys, with residences or other buildings fronting them. Sidewalks will be provided along one side of all other streets, but not alleys, that provide connections within the community but do not serve as building frontage. Street trees, either planted or preserved, will be provided along all streets.
7. Solid Waste Management. Solid residential waste is managed and shall continue to be managed by residential curbside recycling and solid waste pick-up. With regard to construction debris and non-residential solid waste removal, Applicant shall continue to contract with builders and contractors to dispose of the same appropriately.
8. Commercial Uses. The commercial component of the development shall be limited to locations shown on the Master Plan and the uses allowed within the development shall be all those uses now allowed or later added as allowed in the December 2008 Zoning Ordinance under Section 10.13 Table 1: Zoning Table of Permitted Uses under the

Zoning Districts denoted as “O/I,” and “NB.” Irrespective of whether such uses are shown as permitted or as requiring a conditional use permit, all such uses shall be deemed allowed as of right within the Herndon Farms development. Building signage for the commercial uses shall comply with the Chatham County Zoning Ordinance in effect of the original approval date. Monument signs shall be allowed as shown on Site Details sheet provided with the application labeled Exhibit B.4 Conceptual Landscape Plan. Commercial components of the Herndon Farms development shall be accessible via public sidewalks, greenways, paths, or trails.

9. Lighting Plan Approval. All area lighting shall meet County standards and not adversely affect adjoining residential areas.
10. Permits. Any required State or Federal permits or encroachment agreements, including a commercial driveway permit(s) from NCDOT shall be obtained and copies submitted to the County prior to approval of a preliminary plat for each phase.
11. The recorded 60-foot-wide easement identified as Oak Island Road, shall be moved to align with the recorded survey and deed information. NCDOT shall review and approve this realignment. Once moved, the previous area shall be seeded and put back into a natural state. If an NCDOT commercial driveway permit is needed for the WWTP, that shall also be obtained prior to any realignment.
12. Improvements. Off-site improvements required by NCDOT of any other agency shall be constructed at no cost to the County including the traffic improvements as stated in the most recent TIA and others as ultimately deemed warranted by the NCDOT following its analysis, if required.
13. The applicant must reach an agreement with the Chatham County Fire Marshal’s Office and North Chatham Fire Department regarding emergency vehicle access, on street parking restrictions, and provision of adequate off-street parking within the development prior to preparing construction drawings for the Construction Plan under the Subdivision Regulations. Off-street parking shall be provided for in accordance with Section 14 of the Chatham County Zoning Ordinance.
14. The Applicant shall demonstrate availability of adequate water and wastewater supplies to serve the property. Plans for provision of water supply shall be approved by the County prior to issuance of a Construction Plan for each phase. Such plans shall be in conformity with any County water policies then in effect and the Applicant shall pay all water fees and charges associated with the applicable phase, including then current water fees, review, and inspection charges, prior to submittal of the Construction Plan for each phase. The entire cost of extending public utility services if desired or required under County regulations shall be borne by the Applicant.
15. Adequate wastewater treatment service for the entire project area shall be designed and approved by the appropriate regulatory agency prior to issuance of a preliminary plat for each phase and constructed at no cost to the County. Adequate facilities for the spray irrigation of treated effluent from each phase of the project shall be designed, approved by the appropriate regulatory agency, and constructed at no cost to the County prior to issuance of a Certificate of Occupancy for any building within that phase of the project.
16. Equipment such as pumps and blowers will be appropriately insulated or buffered for noise reduction. Wastewater treatment plant blowers will be enclosed. All motor noise from the wastewater treatment plant will be subject to the provisions and restrictions of the Chatham County Noise Ordinance.
17. Moderate Income Housing. With the consent of the Applicant, and as an approximately equivalent alternative to and in lieu of the housing standards for Moderate Income persons set forth in Option A of the Compact Community Ordinance, the developer shall do the following: An agreed upon dollar amount via a contract with Chatham County supporting the payment in lieu option. The developer proposes \$45,000 for per affordable housing unit (151 x 5% as required by the CCO = 7.55 units). The developer shall enter into a contract with the County upon approval.
18. A detailed tracking process shall be developed by the applicant and agreed to by county staff (Planning and Watershed Protection Departments) prior to any land disturbing activity occurring on the property. The tracking mechanism must ensure that the built upon area for the project is tracked for each subdivision or commercial lot and include any areas with impervious surface. The tracking mechanism must also include a process for reconciling the final built upon area for each lot and include a linkage to the sizing of the stormwater devices. The tracking mechanism and all supporting documentation must be supplied to the county as part of any site plan or final plat submittal. Additionally, all documents must be provided to the county at the completion of the project and transferred to the Homeowner’s Association. Upon completion of the project, the Homeowner’s Association shall assume responsibility for tracking any additional built upon area allocations within the development. A detailed report of Built Upon Area calculations shall be provided by the developer to the County for each phase of the project to ensure the maximum 24% allowance is maintained.
19. A building permit shall be issued and remain valid at all times within three (3) years from the date of this approval becomes final and non-appealable or from the date any court order entered in an appeal regarding this approval becomes final and non-appealable, whichever is later. Failure to comply will void this approval and any site plans approved thereof and the project will be void.
20. The development may not be turned over to a Homeowner’s Association until the county or other state regulatory agency has confirmed compliance with any required permitting.

21. The following waivers are approved as included in the application:

- WAIVER NO. 1: Section 12.1 – Performance Standards – Commercial Component – applicant requests to not be limited to the 10,000 sq. ft. maximum in order to construct the 140,000 congregate care facility.
- WAIVER NO. 2: Section 9.3 – Viewshed Buffer – the applicant requests a 50% reduction for approximately 200 feet along US 15-501 adjacent to the residential section of the project. The buffer in front of the commercial area is to remain at 100 feet.
- WAIVER NO. 3: Section 9.2 – Perimeter Buffer – the applicant requests a 50% reduction around the entire community with the exception of the area noted as Side E on Exhibit W.3.B which is proposed to be zero as allowed by the CCO Section 9.2.
- WAIVER NO. 4: Section 9.3 – Viewshed Buffer – the applicant requests authorization to impact the viewshed buffer for required utility crossing which will involve the removal of existing vegetation and some grading for those lines.

Standard Administrative Conditions

22. Fees. Applicant shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, building inspection, recreation and impact fees established from time to time.
23. Continued Validity. The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
24. Non-Severability. If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
25. Non-Waiver. Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.
26. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.

ATTACHMENT B

Planning Board discussion and concerns from the November 2, 2021 meeting

The following is a summary of issues and items discussed by **staff**:

1. It was not clear where the 20% required open space is located within the community
2. There is conflicting information on the traffic patterns where a left turn into the site from US 15-501 S is not approved by NCDOT making it a requirement for traffic travelling south to make a U-turn at the intersection of Vickers Rd./Great Ridge Parkway in order to enter the site.
3. Affordable housing wording needed to be agreed upon. (See Condition 16 for proposed wording)
4. Several comments received from the Oak Island residents concerning the WWTP location, use of the private road for access, runoff, and the requirement for the 100 foot viewshed/perimeter buffer.

The following is a summary of issues and items discussed by the **Planning Board**:

1. Waiver for perimeter buffer on the western side of the community doesn't appear to be needed.
2. Legal access to the WWTP via Oak Island Road.
3. Range of life stages for the facility.
4. Traffic generation onto US 15-501. Applicant stated mostly retired persons over 55 and would not generate as much traffic as a contemporary subdivision with families.
5. Concerns over total site grading. Applicant advised not in the buffers, but project needs to be graded for ADA accessibility.
6. Why the 100-foot perimeter buffers can't be met. Applicant stated development is on one side of the road and very compact. Applicant stated they could reduce the total number of units to comply with the 100-foot buffer.
7. Members discussed the on-site visit and commented that it was a difficult property, and they were concerned about the buffers, current trees being removed, too many units, cannot support the 50-foot reduction in the buffers, and confusion on the agreements with adjacent property owners.

Motion was made and seconded to postpone further review of the application until the applicant could evaluate all the raised concerns. This passed unanimously.

- Mr. Travis Blake stated they were able to redesign the project and accommodate the 100' buffer that was requested by the Board members and adjoining property owners. In order to reach the 100' buffer we reduced the lot count from 161 to 151 and our open space area has increased to 42.2% of the 30% required and the 8 acres of the Duke Power easement is not included in open space. Because of the topography of this project, we are fortunate to have gravity fed treatment system. The Koi pond is part of the wastewater reuse system and gives you an indication of how clean the water will be, we can use it for livestock and a holding area where fish can survive. Mr. Blake showed a map of the parcel with the wastewater treatment plant with easement access for maintenance and the 100' buffer. There is 24.38 acres available for spray irrigation with potential additional 10 acres, 14.24 acres of drip irrigation with a total usable land area is 48.62 acres, but we only need to use 12.5 to 15 acres.

Mr. Blake stated the Traffic Impact Analysis (TIA) has been reviewed and approved by three separate traffic engineering professionals and are comfortable with the flow. We have also planned for the NCDOT future use of changes to 15/501 as a super street. Herndon Farms will have more than 50% less traffic than if the development were non-age segregated and had more intense commercial venues. Legal documentation from public records has been provided that shows the right to access agreement on Oak Island Drive. The proposed 5% grade for most of the community creates walkability and accessible for everyone. Much of the site topography is already close to that grade. There is an affordable house agreement in place, Payment-in-Lieu to Chatham County. It is a \$45,000 per lot value for 5% of 151 total residential lots which calculates to \$339,750 total fee.

PUBLIC INPUT:

- Ms. Kelly Truesdale stated she is attending this meeting with her father Mr. Collins and our family farm is adjacent to the populated east side of Herndon Farms. We are pleased and relieved to see the required 100' buffer was included in the revision. The revised plans indicate that the buffer is being used as a spray and drip area and we wanted to know more about that, and it is labeled open space. We were of the understanding that it would remain wooded. We are also concerned about the density because it looks like there will be 300+ residence on 50 acres, not including the increased noise and traffic from people visiting the daycare, the convalescent center, and the community center. There will be noise from the buses, ambulances, and cars coming in and out of the community. There is concern with the traffic pattern, with two teenage drivers in the home it is concerning to see 15/501 to continue to keep getting piled up with more traffic. The proposed plan will add more traffic to an existing congested area with constant U-turns made along Vickers and Popular . We have another large neighborhood coming in on Vickers and Jack Bennett, I see much more traffic coming into this area and we really need to assess if this is a good idea. Near our property the land is high in elevation and rocky, it seems the proposed amount of grading will be costly and disturbing to current residents and wildlife in the surrounding areas. Ms. Truesdale thanked the Planning Board.
- Chair Spooned thanked Ms. Truesdale and addressed one concern about the buffer labeled as open space, it will remain wooded and untouched.
- Mr. Andrew Haight stated he is an adjacent property owner on the north portion of the development. While I am pleased that the applicant has addressed our concern with the buffer, I am still concerned about the potential impact on my well, septic system, and traffic. We were told by Travis Blake if it were necessary, we could tap into the County water source and their wastewater treatment, but I do not know if that is still valid, there is no evidence of it in the documents. I am also very concerned about the U-turn at Hidden Oaks drive. We were also told that a perimeter fence would be erected near our homes, and it is not clear if that is still valid as well. It is also not clear if the buffer will be left as is or if it will be clear cut and then landscaped. Mr. Haight stated these are my concerns and I hope they can be addressed, thank you.

- Ms. Cinda Hensdale stated she lives at 53 Hidden Oaks drive, and she has the same concerns as her neighbors. Traffic is a huge concern especially for my elderly mother, she is not a particularly brave driver and very concerned about her experiences on the road, I want her to continue to be active. Ms. Hensdale thanked the Board.
- Ms. Tahoni Farah stated she is thankful for the 100' buffer but she also has traffic concerns with the U-turns and 15/501 is dangerous already.
- Ms. Beth Perry stated she appreciates the Board hearing our concerns and echo some of the concerns of her neighbors. We are thankful for the 100' buffer, but with the short amount of time to review we don't know what this buffer is going to look like and what is involved in having it part of the wastewater treatment and what that means to us. Traffic is a concern because we have people come down our little road already who is trying to turn around on 15/501, we feel that will only get worse as this development is constructed. Any more information on the traffic and buffer would be appreciated.

Board discussion:

- Chair Spoon asked if the applicant could explain more about the buffers as the public has asked for more details. Mr. Blake stated the buffers will be left untouched; we will not be doing anything to them except there is a clearing where we plan to plant native tree species to fill the buffer. As we move forward, we will maintain the buffer and that is why we have the drip system to help keep it healthy and lush. Ms. Lesley McAdams stated the large trees within the buffer will stay there, nothing will be touched. Vice-Chair Lucier commented that the buffers will not have any spray irrigation. Mr. Blake stated that is correct, we want the buffers to be walkable and there will only be drip irrigation underground.
- Chair Spoon asked about the grading plan and if it will necessitate retaining walls on any of the perimeter areas and what will be done with all of the rocks. Mr. Blake stated the largest rock we find will be our sign. The rocks will be broken down and ground up then used as part of the road bed. If we have more boulders they will be used as landscape features. Some of the dirt we dig up will be mixed with the trees and stumps that are ground up to make an engineered soil that will be used in the Duke Power easement.
- Chair Spoon stated in the presentation it was mentioned that some open space uses were going to be in place within the Duke Power easement and it was noticed there is a small parking lot and a transit stop, are these allowable within the easement and how does that process work? Mr. Blake stated we have an email from the Duke Power easement manager, and these are allowable uses within the easement. There are parameters we will have to follow, but these are allowable uses. We will only be using 6 acres of the 8 acres for spray irrigation and the parking area on the easement will be pervious, there is no reason to pave it.
- Vice-Chair Lucier stated on site specific condition #21 waiver 3 should have been corrected from the previous submission because that is the waiver about the reduction in the buffer to 50' around the community. Ms. Plummer stated she will fix it and remove that waiver. Vice-chair Lucier stated he shares the same concern about traffic as we heard from the public, there will need to be large trucks coming in and out of the development during construction purposes and once the development is finished. Is there anything NCDOT can do to make a larger turning radius at both locations by Vickers and Hidden Oaks so large trucks can make the U-turn? Mr. Blake stated if we needed that we would need to go to NCDOT, but it would only be temporary. Mr. Blake stated he has seen tractor trailers make that turn and maybe they go into Vickers Road is why it is easy to make that turn. We will have our traffic engineer do a radius study at both U-turn locations to see what we need, and we will create an exhibit showing that design. There was some discussion about the plans to turn 15/501 into a super street and when that will be

constructed. Mr. Blake stated the plan has already been funded and all projects along that area of 15/501 will need to comply.

- Mr. Arthur stated he drives this portion of 15/501 practically every day and there is a number of U-turns already, it is a mystery to me why they want people to make U-turns. Could we recommend against a development because we do not like what it is going to do to traffic when we have no control over the traffic? Mr. Arthur also asked about the transit spot and where it is located. Ms. McAdam stated there was a transit stop on 15/501, but it was recommended by NCDOT to move it within our development.
- Ms. Weakley stated in the wastewater treatment plan for the east track you have the stormwater pond included as drip irrigation. Mr. Blake stated this is a mistake, and the hashing should not be over the treatment pond. Ms. Weakley stated it is the same as the Koi pond as well. Mr. Blake stated they will be sure to get those corrected. Ms. Weakley said the stormwater plan in the Duke easement where the transit stop is located, it looks like there are a couple inlets that are not going to either stormwater pond but are discharging into the Duke easement which is also a spray area. This needs to be considered so we are not discharging stormwater to a spray area. Mr. Blake stated stormwater will not be discharged onto the Duke easement, this is something they will not let us do. The culvert that is located there now is to maintain the current flow. Mr. Blake stated this will be addressed as an exception and we will have an engineer work it all out.
- Ms. Weakley stated the existing entrance to Oak Island has an island of an Oak tree in the center, does this realignment cause that to go away and shift south? Are Oak Island residents aware of that change? Mr. Blake stated in the public documents it will read that if the road is brought up to public road standards than that is allowable, and everybody understands that. Ms. McAdams stated Oak Island drive is not a straight road back and it dips onto our parcel and that is where the shared easement agreement came from. Ms. Weakley asked if the entrance will be pushed south so it is all on your parcel. Mr. Blake stated that was a request from Planning, neither us nor the residents want to do that. We are not building over there at all, we will only have our treatment facility over there so I am not sure why that would be necessary. Ms. Plummer stated it is necessary because there was discussion about your legal right to access your property in a non-residential use and the most legal way to do that is have it realigned to have it where it is supposed to be. Mr. Sullivan stated the other issue that comes up is now we will be impacting the 100' perimeter buffer. Mr. Sullivan stated we have been asking for clarification on this because we have had concerns about the legal access to the property and what adjustment would need to be made on the perimeter buffer. Mr. Blake stated if it needs to be realigned there is plenty of room to move the perimeter buffer in.

Mr. Blake stated reading the documents it is not clear if the easement is supposed to be on the Herndon Farms property or if it shared. There was discussion about the legality of this shared Oak Island easement and options to use an alternative access easement to the parcel with the wastewater treatment plant. It was also discussed that the applicant would need to reach out to NCDOT for a commercial driveway access for the alternative easement if they were to go that direction. It was ultimately determined that Ms. Plummer would rewrite the condition that the applicant will require an approved access to the wastewater treatment plant has to be provided before any land disturbance activity can begin. Mr. Blake stated they will take care of this issue.

- Mr. Sullivan gave a timeline to the 15/501 super street project. He stated is a funded \$118 million NCDOT project to reduce conflict intersections from the US 64 Bypass in Pittsboro to Smith Level Road. Right-of-Way acquisition will begin in 2026 and construction will begin sometime after 2031.
- Ms. Siverson stated she is pleased with the new buffers and understands the sacrifices that were made with the redesign to address that. The natural state of those buffers are very nice with native trees and because of the changes she can support this project. Ms. Siverson stated she is still concerned about the traffic, but there is nothing we can do about that.

Motion made by Ms. Siverson to approve the consistency statement, **“The requested conditional district rezoning meets the intent and spirit of Plan Chatham by (a) being located within an area identified by the Board as acceptable for further development of compact communities and (b) has supported the goals and objectives of the Plan and the Compact Communities Ordinance.”** Second by Vice-Chair Lucier. Chair Spoon conducted a roll call vote, and this item was approved with a vote of 9-1, opposed by Mr. Fogleman.

Motion made by Ms. Siverson to approve this item with the modification of condition 21 waiver #3 to remove the request for a 50% reduction in the perimeter buffer except as allowed with the adjoining commercial property on Side E, Exhibit W.3.B, add a condition that NCDOT and the applicant will provide legal access to the wastewater treatment plant via a new connection to US 15-501 or legal access to the existing easement off Oak Island Road. If a realignment of Oak Island is needed based on legal documents, this shall be confirmed prior to any land disturbing activity, and lastly the stormwater runoff in the Duke Power easement will be addressed. Second by Vice-Chair Lucier. Chair Spoon conducted a roll call vote, and this item was approved with a vote 10-0, unanimously.

3. Request by M. Travis Blake on behalf of Herndon Farms One, LLC for subdivision **First Plat** review and approval of **Herndon Farms**, consisting of 154 lots on 97.86 acres, located off US 15-501 N and Vickers SR-1719 and parcels numbers 93852, 2752, 18750, 18897, 18896, and 18909.

Ms. Tyson stated the request is for First Plat review and recommendation of Herndon Farms, consisting of 154 lots (151 residential lots, 2 commercial lots, and 1 wastewater plant lot) on 97.86 acres, located off Vickers Road, S.R. 1719, and US Hwy 15-501. A vicinity map showing the property location is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval, or approval subject to modifications. As stated above, the Planning Board has two (2) meetings to act on the proposal.

Roadways: Koi Pond Court, Pearson Street (portion of the street), Annie Lane, Saprolite Drive, and Jolula Road are proposed to be built with 40-foot-wide public right-of-way and 27-foot-wide travel ways and Northern Lights Circle, Herndon Farm Drive, Tusen Gate, and Pearson Street (portion of the street) are proposed to be built with 50-foot-wide public right-of-way and 35-foot-wide travel ways. All roads are proposed to be state maintained.

This project fronts on US 15-501 North with the development footprint located on the east side of the highway and wastewater infrastructure on the west side. Planning staff clarified that southbound traffic on US 15-501 N will have to make a U-turn at the intersection of Briar Chapel Parkway/Vickers Road and then travel north to access the site. Similarly, someone who wants to travel south on US 15-501 after leaving the site will travel north and then make a U-turn to travel south. There was a proposal for a left turn on US 15-501 S crossing the median into the north access drive, but that was not supported by NCDOT. Additionally, a proposed access to the site from Vickers Road could not be accommodated because the site does not have legal access to the road. Please see attachment 16 for more detail about the turning movements.

Perimeter and Viewshed Buffers: Fifty-foot wide (50') viewshed buffer along US 15-501 North and one hundred-foot wide (100') perimeter buffer except along adjacent commercial properties.

Outparcel: Parcel 2752 and 93852 off Oak Island Road, one acre will be developed for the private wastewater treatment plant.

Amenities: The developer is proposing a dog park, pasture, recreation field, koi pond, community barn and community center/office. Chatham Transit will have a bus stop along Herndon Farm Drive located in the Duke Energy easement and parking will be available within the easement. Duke Energy email dated May 18, 2021 states street crossings, utility crossing, trail crossings, fence crossing, and paved parking areas are compatible within transmission power line easements with certain conditions.

Commercial: Two commercial parcels are proposed - a 3.05 acres is planned for congregant care facility and 2.09 acres for day care.

Historical: The applicant contacted Bev Wiggins, Chatham County Historical Association (CCHA) and there was email correspondence between February 8, 2021 – March 24, 2021. A structure on parcel 18897 was built in 1908 and CCHA requested photos of the interior and exterior. The developer provided photos which satisfied CCHA request.

Schools: No notification was provided the Chatham County Schools because the project is proposed to be an age restricted community.

Environmental Impact Assessment: Due to the number of lots, an Environmental Impact Assessment (EIA) was required to be submitted and peer reviewed. The EIA dated August 26, 2020 and September 18, 2020 was prepared by Environmental Contractors & Consultants, Inc. (ECAC) and peer reviewed by Johnson, Mirmiran & Thompson, Inc. (JMT).

Per the EIA, Section 5.3, the major feature crossing the east and west parcels is a 90 to 120-foot Duke Power easement which bisects the east portion of the project into two sections.

The developer engaged the North Carolina Natural Heritage Program (NCNHP) to query their database and provide a report. Justin Butler, with NCNHP provided a report dated October 15, 2021. The report included that “A query of the NCNHP database, indicates that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary.” Located within one-mile of the proposed project are Dry-Mesic Oak Hickory Forest, *Cambarus davidi*, Low Elevation Seep, Mesic Mixed Hardwood Forest, Piedmont/Mountain Semipermanent Impoundment, *Thermopsis milis*, Bennett Mountain and Herndon Creek ravine.

Community Meeting: A community meeting was held on March 7, 2019, at 9780 US 15-501 N, Chapel Hill. Items/issues discussed included whether the homes will be affordable, will there be rental to college students, will there be development on the west side of the project, what will be in the commercial sites, will neighbor’s drinking water be affected, will the wildlife be affected, will there be any parking decks, what is the cost of the HOA fees, what are the cost of the homes, etc.

Technical Review Committee: The TRC met virtually on September 15, 2021, to review the First Plat submittal. Travis Blake and Lesley McAdams were present. Items discussed were stormwater ponds missing from the wastewater treatment plant, riparian buffers missing from Exhibit J.1 and being shown as spray irrigation, a discussion between the Fire Marshal and developer about the widths of the roads, and if parking spaces are allowed within the Duke Energy utility easement.

Septic: Soils report provided by Soil & Environmental Consultants; P.A. Private wastewater treatment plant is proposed within the project on a separate 1-acre tract.

Water: Water will be public and provided by Chatham County Water

Road Name: The road names Herndon Farms Drive, Tusen Gate, Koi Pond Court, Sapolite Drive, Pearson Street, Northern Lights Circle, and Jolula Road have been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval. Per Emergency Operations, Annie Lane is a duplicate road name and developer will need to submit to Planning staff an approved road name replacement prior to Board of Commissioners meeting.

Development Schedule:

Three phases are proposed for the project. Per the Subdivision Regulations Section 5.2C(6), the first phase of phased subdivision must submit Construction Plans within two (2) years of approval of First Plat. The developer

has proposed Phase 1: 151 residential lots Final Plat by March 1, 2028; Phase 2: Daycare commercial lot Final Plat by September 1, 2025; Phase 3: Congregate Care Facility commercial lot Final Plat by June 1, 2027.

Water Features: Soil & Environmental Consultants, PA, submitted the Riparian Buffer Review Application along with a riparian buffer map, to Drew Blake, Senior Watershed Specialist for review. Mr. Blake completed an on-site riparian buffer review April 7, 2021, with Bob Zarzecki with Soil & Environmental Consultants, PA. Mr. James Lastinger with the U.S. Army Corps of Engineers visited the site on July 7, 2021. Mr. Blake issued a confirmation letter dated May 11, 2021, of his findings. The confirmation letter stated three (3) intermittent streams, one (1) perennial stream, and one (1) wetland were identified. The three (3) intermittent streams require 50-ft buffers, the one (1) perennial stream require 100-ft buffer, and the one (1) wetland require 50-ft buffers from all sides landward.

Stormwater and Erosion Control: Per the first plat, three stormwater ponds will be placed in open space. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval.

Site Visit: Site visits were scheduled September 21, 2021, and September 28, 2021, Planning Department staff and various Board members attended. Lesley McAdams was present to walk and discuss the property with staff and Board members. Areas viewed included an intermittent stream and location of lots. Questions raised during the site visit were operation of the private wastewater treatment plant and the width of the riparian buffer. Pictures of the site visit can be viewed on the Planning Department webpage at www.chathamcountync.gov/planning, Rezoning and Subdivision Cases, 2021.

The Planning Board reviewed the request during their November 2, 2021 meeting. The board voted to postpone discussion to the December 7, 2021 meeting because the zoning component of the proposal was postponed.

After the board meeting the developer submitted additional documents. Per the cover letter dated December 10, 2021, perimeter buffers were increased from 50' to 100' except along adjacent commercial properties, viewshed buffer is 50' wide along US 501 North, residential lots decreased from 161 to 151, and open space increased from 40.8% to 42.2%. The applicant requested an additional one-month delay in Planning Board review at the request of staff because there was insufficient time to review the supplemental information prior to the December meeting.

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. These properties are in an area of the county identified Compact Residential on the Future Land Use and Conservation Plan Map. The proposed project areas are identified as compact residential. The description for compact residential includes a mix of detached and attached residential units, community centers, amenities, recreational uses, schools, and churches, connected system of local and collector streets with access to surrounding development, and small pocket parks and gardens.

The proposed subdivision meets the adopted comprehensive plan. The developer also contacted the NC Natural Heritage Program to review their database for any rare species, important natural communities, natural areas, or conservation/managed areas within the project boundary and no rare species were identified in their records. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to identify future regulatory changes.

The Planning Board has up to two meetings to make a recommendation to the Board of Commissioners for approval or denial.

Ms. Tyson stated should the recommendation be for approval, the Planning Department recommends granting approval of the road names Herndon Farms Drive, Tusen Gate, Koi Pond Court, Saprolite Drive, Pearson Street, Northern Lights Drive, and Jolula Road granting approval of subdivision First Plat for **Herndon Farms** with the following conditions:

1. The following development schedule shall apply: Construction Plan submittal for Phase 1: 151 residential lots within 2 years of First Plat approval, Phase 1: 151 residential lots Final Plat by March 1, 2028; Phase 2: Daycare

commercial lot Final Plat by September 1, 2025; Phase 3: Congregate Care Facility commercial lot Final Plat by June 1, 2027.

2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
3. All riparian buffers and streams shall be labeled on the final plat.
4. Prior to Board of Commissioner approval, developer will shall provide Planning staff an approved road name from Emergency Operations to replace Annie Lane.
5. Final Plat shall show the approved Emergency Operations road name as Northern Lights Circle. Oak Island Road shall be realigned within the recorded 60-foot-wide easement. NCDOT shall review and approve the realignment. After the realignment, the previous area shall be seeded and put back to natural state.

Board discussion:

Motion made by Vice-Chair Lucier to approve this item with conditions identified by staff and that there be a condition #6 identical as the rezoning condition about Oak Island Drive easement access. Second by Mr. Arthur. Chair Spoon conducted a roll call vote, and this item was approved with a vote 10-0, unanimously.

PUBLIC HEARING:

4. Request by Mark Ashness, P.E. for on behalf of The Conservancy Real Estate Group, LLC for subdivision **First Plat** review and approval of **The Conservancy at Jordan Lake**, consisting of 1,524 lots on 1,262.9 acres, located off Old US Hwy 1, S.R. #1011 parcels #62390, 5774, 5775, 5780, 5233, 60441, 65275, 85343, 65274, 85344, 5558, 5238, 68379, 5570, 85342, 5504, 5211, 5569, 85341, 5519, 85340, 85346, 85347, 5551, 69379, 85339, 5545, 5559, 5502, 5568.

The request is for First Plat review and recommendation of The Conservancy at Jordan Lake, consisting of 1,524 lots (1,521 residential lots, 2 amenity lots, and 1 wastewater treatment plant) on 1262.9 acres, located off Old US Hwy 1, S.R. 1011. A vicinity map showing the property location, is included in the agenda packet. As previously stated, the Planning Board has two (2) meeting to act on the proposal.

Section 7.7 of the Subdivision Regulations, Conservation Subdivision – Alternative Standards for Development states in part “As an alternative to conventional layouts, Chatham County encourages the preservation of large, contiguous blocks of land...When a project voluntarily preserves Conservation Space in accordance with this Section, a project can increase the number of units that would be allowed on the overall property by ten (10) percent. Calculations of the density bonus shall be based on the applicable underlying land use regulations(s) dictating allowable development density.” Section 7.7 J. states in part “conservation subdivisions proposed for the purposes of sustaining existing on-site bona fide agricultural operations are entitled to a five (5) percent increase in permitted density (this in addition to the ten (10) percent density bonus)...” Please read the entire Section 7.7, Items A – N for a complete understanding of Conservation Subdivisions. Also, please refer to the Chatham County Conservation Subdivision Guidelines for Conservation Space Selection which is available on the Planning Department webpage under Ordinances and Regulations. A conservation subdivision requires that a minimum of 40% of the project area be retained as Conservation Space. A minimum of 80% of such Conservation Space shall be Natural Space and a maximum of 20% of the Conservation Space may be Open Space.

Density Calculations: The land required to be protected within a Conservation Subdivision under other regulatory provisions, i.e., riparian buffers and floodplain, is 47.2 acres. This amount (47.2 acres) was deducted from the total acreage of 1262.9 acres to arrive at the net land available consisting of 1,215.7 acres. Based on the net land area the lot yield would be 1,324 lots and with the 10% density bonus and the 5% agricultural bonus would increase to 1521 lots. The proposed project is 1521 lots.

Conservation Space: Of the total project area of 1,262.9 acres, 524 acres is required

to be in Conservation Space and the site plan indicates that 524 acres will be set aside. See the site plan for the breakdown and location of the Conservation Space. The developer allowed staff from the NC Natural Heritage Program to visit the proposed project prior to designing the subdivision layout. The area set aside for Conservation Space meets the requirement that 40% of the project area be retained as Conservation Space.

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

Open Space: A maximum of 20% of the Conservation Space may be Open Space, of the 524 acres designated as Conservation Space the site plan indicates this will be met. The ‘Guidelines’ state “Open space, as defined in the Subdivision Ordinance, allows amenities such as recreational uses and some non-intrusive common uses (e.g., when land application is not the preferred means of wastewater disposal, community septic systems are allowed in Open Space areas). Open space should be located as close to proposed development as practicable, taking into account considerations such as public safety and soil suitability.” See Section 7.7 (D), Items 1 – 7 for allowed uses in Open Space related to Conservation Subdivisions. All land disturbing activities associated with the Conservation Subdivision are subject to the full provisions of the Soil Erosion and Sedimentation Control Ordinance, regardless of the designated use or status of a given area.

Roadways: The roads are to be built with a 29-foot-wide travel way and 50-foot-wide public right-of-way, the parkway will be built with a 74-foot-wide travel way and 100-foot-wide public right-of-way, a total of 65,303 linear feet of public rights-of-way. The roads are to be state maintained. The entrance to the development is within approximately 1.2 miles of Old US 1 and US 1 interchange. Improvements at the entrance on Old US 1 and at the interchange are planned, link to TIA <https://www.chathamcountync.gov/home/showpublisheddocument/58351/637743993358700000> . An emergency access road is located off Partian Road and the 4,883 linear feet private road will be paved. The emergency access road will be siren activated and a knox box will be provided. There will be connections on some of the areas with cul-de-sacs to allow emergency access.

Dwelling Type: Single family dwellings, townhomes, and duplexes are proposed within the project. The duplex units will count as two dwelling units with one unit being located per lot on the site plan. One thousand (1,000) lots will be age-targeted and five hundred twenty-one (521) lots will be traditional.

Historical: The developer corresponded with Bev Wiggins and Sy Robbins with Chatham County Historical Association (CCHA). CCHA stated the Holt cemetery is near the proposed project and to place protective measures as needed. The Holt cemetery is one CCHA would like to document and requested access through the proposed project. CCHA asked that if any older structures, wells, walls, old roadbeds, foundations, etc. are found to please contact them.

A letter from North Carolina Department of Natural and Cultural Resources dated December 20, 2020, stated, “no archaeological sites have been previously recorded within the project area, the project area has not been systematically surveyed for archaeological resources. The project area contains numerous areas considered to have high probability for archaeological sites especially along Weaver Creek and nearby tributaries. Based on the topographic and hydrological setting, we expect the project area may contain intact, significant archaeological sites. Prior to the initiation of any ground disturbing activities within the project area, we recommend that a comprehensive archaeological survey be conducted by an experienced archaeologist.”

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

Environmental Impact Assessment: Due to the number of lots, an Environmental Impact Assessment (EIA) was required to be submitted and peer reviewed. The EIA dated September 27, 2021 was prepared Sage Ecological Services and peer reviewed by Johnson, Mirmiran & Thompson, Inc. (JMT). Per the EIA, majority of the area is loblolly pine that varies in age. A few stands exhibit shrubs and herbs, however most stands contain dense understories of greenbrier, muscadine grape, giant cane and a mix of hardwood species as sweet gum, red maple, tulip poplar, and black cherry. Bottomland hardwood forest community was present in two wetland areas along a perennial stream.

The developer engaged the NC Natural Heritage Program to visit the site and provide a survey report. Justin Robinson, Special Projects Botanist with NC Dept. of Natural and Cultural Resources visited the site and provided a report dated October 12, 2020 (Appendix C of the EIA). The report included that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Per the report, the

element occurrences documented within the project area are red-cockaded woodpecker and piedmont swamp forest. The natural area documented within the project area is Shaddox Creek Swamp. Managed areas documented within project area is B. Everett Jordan Dam and Lake. The element occurrences documented within one-mile radius are red-cockaded woodpecker, bald eagle, regal darter, waterbird colony, dry-mesic oak-hickory forest, dry oak-hickory forest, piedmont/coastal plain heath bluff, piedmont swamp forest and Virginia Quillwort. Natural areas within one-mile radius are New Hope Overlook Bluff and Slopes and Shaddox Creek Swamp. Managed areas documented within one-mile radius is B. Everett Jordan Dam and Lake. Managed areas documented within one-mile radius are Harris Game Land, Jordan Lake State Recreation Area, New Hope Creek Overlook Bluffs and Slopes and Registered Heritage Area.

In the Conservation Subdivision Guidelines for Conservation Space Selection two maps are required to be submitted, a Fragmentation Map and an On-site Inventory Map. The Fragmentation map illustrates the project site and all land within one mile of its boundaries and is designed to assist the applicant in deciding where Conservation Space should generally be located to create connections with existing Natural Space or allow future Natural Space connections on adjacent properties. The Onsite Inventory Map is used as the "primary decision-making tool for the applicant in selecting specific areas to include in Conservation Space, and the County in issuing approvals. Data required to generate this map should be available on the Chatham County GIS and from on-site investigations. This can include information on existing landcover, proposed natural space preservation locations and acreages, topography, locations of streams, wetland, floodplains, and required buffers, adjacent natural areas, and cultural and historic resources. The developer worked extensively with Rachael Thorn, Watershed Protection Director. Ms. Thorn provided a letter dated November 17, 2021 that included signed on-site inventory and fragmentation maps

Ownership / Management of Conservation Space: Section 7.7 (F) of the Subdivision Regulations requires that the applicant identify the current and intended future owners(s) of the Conservation Space and who will be responsible for maintaining the area / facilities. Per the Draft Conservation Management Plan the Natural Space and the Open Space will be maintained by the Homeowners Association. Section 7.7 (G) requires that a management plan for the Conservation Space be submitted to and approved by the County. A copy of the draft plan has been provided by the applicant. Per Section (G) "Upon initial approval of the management plan by the County, changes to the plan shall be allowed only when approved by the County Board of Commissioners." Section (H) requires that the Conservation Space shall be protected in perpetuity by a binding legal document that is recorded with the deed upon review and approval by the County. The applicant has provided a draft copy of the deed which will convey the Conservation Space to the third party (homeowners association) and has included a draft copy of the Declarations of Covenants and Restrictions. Prior to final plat recordation, the county attorney shall review and approve the form of the Management Plan, the Declaration of Covenants and Restrictions, and the deed for the Conservation Space.

Amenities: Two amenities are located within the project. Amenity 1 will be 6.5 acres and Amenity 2 will be 8.4 acres. Each neighborhood will their own amenity center. The amenities will include two pools with clubhouse/shelters, dog parks, tot lots, trails, frisbee golf, passive play lawns, active play lawns, pickle ball, tennis, outdoor kitchens/grilling, and food services.

Community Meeting: A second community meeting was held in-person October 18, 2021 at New Hill Community Center 3101 New Hill Holleman Road, New Hill NC, 27562 as well as virtually. Approximately sixteen people attended the meeting. Some concerns and/or comments were how the age-targeted housing will be enforced, concerns with the wastewater treatment system, will the age-targeted homes prices be reduced, stormwater concerns, is the 40% conservation area mandated, what is the percentage of lots adjacent to conservation/open space, personal firing range on Rush Road, spray irrigation concerns, why there is only one entrance, what will be in the agricultural area, who will maintain Rush Road, road widening at Old US 1, who will be building the homes, who will conduct the grading, concerns with the coyote population, why was the golf course taken out, who maintains the common area, concerns with weed killers and pesticides, beekeepers concerns with spray irrigation, and design standards.

Technical Review Committee: The TRC met virtually on December 15, 2021 to review the First Plat submittal and the applicant, Mark Ashness, was present. Mr. Ashness provided a brief overview of the proposed project. There will be a single primary parkway access with a median, no homes on the boulevard, and limited cross connections. The single access is located off Old US 1. The emergency access road will be paved with a siren activated gate and Knox box. Two separate amenities are proposed and 60% of open space is proposed within the project. The back portion of the project will be the age-targeted area. The majority of the property was in timber management and has been actively timbered. The NCNHP has visited the site and found the primary and secondary areas. A private wastewater treatment plant is proposed with spray fields and 12" piping for the public water. There was also discussion if more than 50% of the lots back up to open space.

Comments and items discussed included fire hydrants will need to be spaced every 500-feet on the public road and 1000-feet on the private road, cul-de-sac connections for emergency vehicles are supported, what type of amenities will be

provided, concerns with one 12" water line, if the park areas will be private or public, utilities needs to be located outside of the pavement for state maintained roadways, small traffic-calming circles aren't approved for NCDOT and traditional intersections are preferred, if the lot lines for each duplex represents one unit or two units, how many mail kiosks will be provided in the community and if the developer would be willing to donate land for a fire station.

The connecting trails for the cul-de-sacs will have the infrastructure to handle fire trucks and the cul-de-sac width will be 90'. Some areas within the project will be less than 500' for the hydrants. The amenities in the traditional area will be a clubhouse with pool and the amenities in the age-targeted area will have food service and the food service will be offered to the community. Blake Mills, Utilities Director stated there will need to be some flushing and a lot of maintenance with a 12" water line and if there's ever a brake in the line 1,000 residence would be without water and no fire prevention. Mr. Blake advised it would be best to discuss the proposed waterline connections and Mr. Ashness stated he would be open to a discussion. The parks are proposed to be private Mr. Ashness commented NCDOT has allowed and approved roundabouts all over the state and they will be pushing back unless NCDOT regulations have changed. The lot lines on the plat represent one duplex unit not two units. Approximately two mail kiosks may be proposed within the project. Moncure Fire Chief Shi asked if land can be donated for a fire station, Fire Marshal William Judson after the TRC meeting via email, stated it will be the interest of the Fire Department servicing the district, not necessarily an interest of the County.

Septic: A soils report was provided by Piedmont Environmental Associates, P.A. A private wastewater treatment plant is proposed within the development and will be located off the emergency access road. A letter dated September 16, 2021, from Aqua NC states "aqua will have the capacity to provide service to approximately 1350+ proposed units, amenities and affiliated properties to be located within The Conservancy at Jordan Lake development. This offer is contingent upon Aqua and the developer entering into Wastewater Utility System Agreement with mutually acceptable terms, permit approvals by the North Carolina Department of Environmental Quality, and the North Carolina Utility Commission's approval of this transaction. The structure of the Agreement would include the following: Developer to install a 360,000 gallon per day wastewater treatment plant in addition to the wastewater utility system infrastructure including spray fields with the appropriate capacity to serve all approved units, amenities and commercial properties based on Aqua's specifications and DEQ rule and regulations."

A site investigation has been conducted by Piedmont Environmental and Eagle Resources to identify areas suitable for spray irrigation application. The spray irrigation areas will be maintained landscaped areas, parks, agricultural use, or meadows. All irrigation within the project will be reclaimed.

Water: Water will be public and provided by Chatham County Water Department. The County has a 24-inch water line on Pea Ridge Road, the proposed project will create internal loops with 12-inch offsite extension from the existing 24-inch water line.

Road Name: The road names The Conservancy Parkway, Adelaide Circle, Ellerston Place, Crystals Downs Lane, Oakland Hills Avenue, Starmount Forest Drive, Lahinch Lane, Somerset Hills Court, Bakers Bay Lane, Ballyneal Drive, Ganton Circle, Carnoustie Court, Saint Andrews Loop, Rock Barn Circle, Sand Hill Court, Muirfield Circle, Kingsbarns Court, Kingston Heath, Pine Needles Lane, Melbourne Trail, Hope Valley Circle, Winged Foot Drive, Sunningdale Circle, Myers Park Trail, Kiawah Circle, Prairie Dunes, Riviera Place, Bandon Dunes Trail, Oakmont Drive, West Sussex Place, Sawgrass Pond Lane, Royal Birkdale Lane, Mid Pines Place, Swinley Forest Drive, Bethpage Circle, Valderrama Drive, Victoria Pines Drive, Pine Valley Lane, Woodhall Lane, Cabot Links, Friars Head Place, Shoreacres Drive, Winding Bay Drive, and Whistling Straits Way have been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval.

Water Features: Sean Clark with Sage Ecological Services, Inc. (Sage) submitted the Riparian Buffer Review Application and riparian buffer map, to Drew Blake, Senior Watershed Specialist for review. Mr. James Lastinger of the US Army Corps of Engineers completed an on-site determination on June 4, 2021, to verify wetlands. Mr. Blake and Mr. Clark with Sage Ecological Services, Inc. visited the site November 19, 2020. Mr. Blake's confirmation letter dated February 1, 2021, states eight (8) ephemeral stream segments, fourteen (14) intermittent stream segments, eight (8) perennial stream segments and fifty-eight (58) wetlands were identified. The eight (8) ephemeral stream require 30-ft buffers, fourteen (14) intermittent streams require 50-ft buffers, the eight (8) perennial streams require 100-ft buffers, and the fifty-eight (58) wetlands require 50-ft buffers from all sides landward.

Development Schedule:

Per the Subdivision Regulations Section 5.2C(6), the first phase of phased subdivision must submit Construction Plans within two (2) years of approval of First Plat. Four phases with sub-phases are proposed for the project. Phase 1: 322 lots; Phase 2: 348 lots; Phase 3: 437 lots and Phase 4: 414 lots. Phase 1 Construction Plans within two (2) years of approval of

First Plat and Final Plat by December 31, 2027; Phase 2: 348 lots Final Plat by December 31, 2030; Phase 3: 437 lots by December 31, 2032, and Phase 4: 414 lots December 2035.

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

Site Visit: Site visits were held on December 21 and 22, 2021 and Planning Department staff and various Board members attended. Mark Ashness, P.E., was present to walk the property with staff and Board members and discuss the project. Areas viewed included the proposed 12 acres of hardwoods noted by the NC Natural Heritage Program. Pictures of the site visit can be viewed on the Planning Department webpage at www.chathamcountync.gov/planning, Rezoning and Subdivision Cases, 2022. Mr. Ashness provided an overview of the site prior to walking the proposed project.

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

Ms. Tyson stated the Planning Department recommends granting approval of the road names The Conservancy Parkway, Adelaide Circle, Ellerston Place, Crystals Downs Lane, Oakland Hills Avenue, Starmount Forest Drive, Lahinch Lane, Somerset Hills Court, Bakers Bay Lane, Ballyneal Drive, Ganton Circle, Carnoustie Court, Saint Andrews Loop, Rock Barn Circle, Sand Hill Court, Muirfield Circle, Kingsbarns Court, Kingston Heath, Pine Needles Lane, Melbourne Trail, Hope Valley Circle, Winged Foot Drive, Sunningdale Circle, Myers Park Trail, Kiawah Circle, Prairie Dunes, Riviera Place, Bandon Dunes Trail, Oakmont Drive, West Sussex Place, Sawgrass Pond Lane, Royal Birkdale Lane, Mid Pines Place, Swinley Forest Drive, Bethpage Circle, Valderrama Drive, Victoria Pines Drive, Pine Valley Lane, Woodhall Lane, Cabot Links, Friars Head Place, Shoreacres Drive, Winding Bay Drive, and Whistling Straits Way and granting approval of subdivision First Plat for **The Conservancy at Jordan Lake Subdivision** with the following conditions:

1. The following development schedule shall apply: Construction Plan submittal for Phase 1: 322 lots within 2 years of First Plat approval with Final Plat by December 31, 2027, Phase 2: 348 lots Final Plat by December 31, 2030, Phase 3: 437 lots Final Plat by December 31, 2032 and Phase 4: 414 lots by December 31, 2035.
 2. Prior to final plat recordation, the county attorney shall review and approve the form of the Management Plan, the Declaration of Covenants and Restrictions, and the deed for the Conservation Space.
 3. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
 4. Final Plat shall provide the Emergency Operation approved road name Bakers Bay Lane.
- Mr. Mark Ashness stated this is a significant project located in an area that is rapidly changing. The Conservancy at Jordan Lake is a 1263 acres and we have a direct access to Old US 1 and a little over a mile away from the new US 1 interchange. Some of the Board members and staff were able to come to the site for a site visit and as you can see on this map, I have pulled up this project has been in timber management for a long time. Our client has assembled these parcels beginning in 2016 and has taken some time to assemble and virtually everything was in timber management, but there are some hardwood down at the bottom of the project and one specific area that is on high ground that was left in a hardwood stand near the middle of the project. Maybe one of the previous owners left that as a hunting area, because virtually everything else on this site has been used in a timber management capacity. Mr. Ashness also showed how the stormwater will drain where most of the project goes towards Shaddox Creek and only a small portion drains towards Jordan Lake.

Mr. Ashness explained that every lot on this map in red is adjacent to open space that is at least 50' in depth and some instances more than 100' in depth. The lot colored in purple are also adjacent to open space, but in some instances that can be as small as 40'. When you add those together that is about 75% of the project is adjacent to open space. Mr. Ashness showed the Board a map identifying the conservation space and explained that they are well over the 75% of the open space is contiguous. The Natural Heritage Program identified the stand of hardwoods as the only high-quality primary area, and we have left the area behind it as open space and to the US Army Corps land. This map showing the primary and secondary areas took several iterations and they worked in conjunction with Watershed Protection to come to a satisfactory conclusion. It was determined that it was important that our primary areas be adjacent to the US Army Corps property, so the entire length of the property adjacent to Corps land is in primary and as well as the hardwood stand of tree. There is 41% of the area as to what we refer to as "don't touch" conservation and the conservation guidelines calls for 32% "don't touch" and there is a provision where 8% can be amenities, park space, even spray areas that are allowed. What we elected to do on this project is put 41% into the "don't touch" category and in addition we added another 24% of additional open space that may be used for agriculture, amenity's locations, or could be just grass areas along the parkway. We will be providing 65% of open space with 41% in the "don't touch" category.

Mr. Ashness stated the parkway off of Old US 1 is a fully unloaded, divided median parkway with very limited cross connections so there is less traffic movement through the corridor and NCDOT has discussed a turn lane on Old US 1. In addition, we have provided an emergency access road for emergency vehicles that comes in from the back of the project. We have had discussions with the Fire Marshal and the Moncure Fire Department, and they are both in agreement with the access to the project and turnaround spacing. Mr. Ashness stated there will be different product types within the project such as townhomes, duplex homes, a lot of patio homes in the aged targeted areas, and also some traditional lots as well. This project and the different product types will allow for all types of families at different stages in their life to live in this neighborhood. Mr. Ashness stated there is a 16" public water line on Pea Ridge Road and they will tie into that and run a 12" pipe through the project and possibly tie into the existing water down Old US 1 to the interchange. We will work that out with the Utilities director during the construction phase.

Mr. Ashness stated at the neighborhood meeting they had a lot of feedback with concern about the density of the project that we are proposing even though it fits the allowance within a conservation subdivision of a project this size. We were willing to adjust some of the layout to address the adjoining property owners concerns and allowed for larger buffers. There was some concerns about the wastewater treatment site, the site is located away from any exterior property owners and also any interior property owners within the project. We will be using a membrane treatment facility that provides a better level of treatment. Mr. Ashness stated this area in Moncure is changing and there are some big employment generators just south of this location and more to come in the coming months. We are not seeking a rezoning, we are not seeking conditional uses, this project is fully compliant with your current ordinances, and we feel it will be an asset to this community as it grows. We are excited to see this project come to life.

- Mr. Nick Robinson stated this project has been in design and development for quite a long time, our first community meeting was held on June 3rd, we had another one on October 18th and as Mr. Ashness had mentioned we are not asking for any deviations or a rezoning we are just doing a by right conservation subdivision and the staff agrees all the boxes have been checked. There is just a slight amendment to the development schedule, with respect to each of the deadlines that it will say, "shall be submitted" before each of those dates.

PUBLIC INPUT:

- Mr. Payton Holland stated he appreciates that a large portion of that land within the development will left for conservation but a development of this size that brings 1521 homes on tenth acre lots into a rural community which is about 5 to 6 times more than the current number of homes between Pea Ridge Road,

Old US 1, and Bever Creek. That is increase the population of this area to over 400% and add 13,000 vehicle trips on the local roads daily. This does not strike me as a true conservation effort because it will have long lasting impacts on surrounding homeowners and communities. With the price of the homes within this development being over \$400,000 it will guarantee that current residents property taxes will increase, and we have seen that with north Chatham with property taxes increasing because of dense development and it is impacting their ability to pay those taxes and that will happen here. This will increase roadway congestion, safety issues, light pollution, erosion of our rural character, loss of quality farm land, and some water quality concerns.

Mr. Holland stated another concern that struck me is they said it meets the intended use under the county Land Use Plan because it is near an employment center, all of this project is taking place in what is called out as agriculture or rural area, so I just want ed to humbly ask tonight that the Planning Board to take a moment and place this project on hold and look at the current guidelines which may make this a great conservation development for a compact residential area, but there needs to be different conservation subdivisions and traditional subdivisions guidelines when there is development in agriculture and rural areas that truly protect the balance of population, homes, and natural space in our rural community. Growth is welcomed, but how and to what cost to current residents. In the county Comprehensive Plan that was done a few years ago our rural character was most selected as to the reason why people chose to live in Chatham County and the loss of that was their greatest concern. Once we allow our agriculture and rural land to be developed, we no longer have that character that makes us different, we just become another suburb of our surrounding cities and that will come at the expense to the residents that have been loyal to the county long before it had become a target for development. Most of us did not buy our land here to sell, we bought it to build our futures and build our families. My family has been here for six generations, and I hope my son can afford to build here some day when he wants too as well. Mr. Holland thanked the Planning Board.

- Mr. Scott Smith stated I own a 72-acre farm that abuts the proposed subdivision on its eastern border. I would like to address several concerns. I've previously spoken about some of these concerns at the former Shaddox Creek Subdivision zoning meeting, which is the predecessor subdivision to this same group. First, with respect to the Agenda Attachments on the Chatham County website, on the Adjoining Property Owners Map, FMR Investments LLC's name is listed over my property that is immediately adjacent to the proposed development. FMR Investments LLC is not, nor has ever been the owner of the property that their name is attached to on the map. I have owned it for over a decade. The map makes it appear that FMR is the adjoining property owner to their own subdivision, and that my land is outside of the buffer zone around the subdivision, which is factually misleading.

Second, I have two shooting ranges on my property, a 500-meter rifle range and a sub-grade pistol range. The backstop for my rifle range is approximately 500' east of the eastern property line of the proposed subdivision, and the entirety of my pistol range is approximately 550' east of the eastern property line. I am concerned about the potential for new owners to move into the subdivision and create problems for me due to the noise emissions from my ranges.

Third, along with my neighbors Roy and Anita Brooks, we have a private grass airstrip on our adjoining property. The approach and departure flight path is immediately above the proposed eastern most residences on the subdivision. In 2004, prior to undertaking any property improvements or flight operations I approached Chatham County Planning Department to request guidance about my intended use of my property as a private grass airstrip. On March 30, 2004 Planning Director Keith Meggison responded that Chatham County interpreted my proposed use of a portion of my property as a private grass airstrip to be an "permitted accessory use of my property". See attached letter from Director Meggison. I am concerned about the potential for new owners to move into the subdivision and create problems for me due to the noise emissions and flight operation from my airstrip.

The City of Apex has recently dealt with a similar situation regarding Deck Air Park located off of Highway 64 and a proposed subdivision planned for next door. Their solution was to require an "Avigation Notice" to be included in the deeds of the subdivision, acknowledging the presence of the airstrip. This seems like a reasonable request, and I propose that if the subdivision is to be approved in any configuration that a statement similar to the following will be included on all deeds / plats:"

AVIGATION NOTICE. Whispering Pines Farm (Hay Pasture Airstrip), an active airstrip preexisting to the subdivision and an approved use by Chatham County of the property, is located near this subdivision and the flight paths of aircraft landing, taking off, and flying nearby pass directly over this subdivision. The lots shown this plat will be subject to the impacts of the aviation uses that to, from, at and nearby Hay Pasture Airstrip for so long as that airstrip may continue to be used.

A similar notice can be incorporated into the deeds regarding the shooting ranges.

Whispering Pines Farm shooting ranges, allowed use of the property and preexisting to the subdivision, is located near this subdivision and the noise emissions from said shooting ranges will be heard on subdivision lots. The lots shown on this plat will be subject to the noise impacts of the firearms uses at the Whispering Pines Farm shooting ranges for so long as those ranges may continue to be used.

In addition to the deed / plat notices above, what would be ideal would be for the developer to make a slight adjustment to the proposed structure locations so as to not location residences immediately under the approach and departure lanes to the airstrip.

The developer is proposing to place the densest collection of homes on the eastern edge of the development and immediately under the flight path for the airstrip, as well as only 500' or so away from the shooting range berms. The narrowest slice of buffer zone is on the eastern side of the project – adjacent to my farm. It seems to me that a buffer is more warranted near a shooting range and airstrip than it is next to existing Corps of Engineering Game lands – which are already and will remain unoccupied. I'd like to request that the design be modified so as to remove this dense collection of homes from being close to the range as well as directly under the flight path, and to increase the width of the buffer zone along the eastern edge of the project adjacent to my land. I am also concerned regarding the potential for residents to trespass on my property, especially considering that there are both shooting as well as flight operations and would like to see the developer install a fence along our property line. My personal thanks to the Chatham County Staff and employees for all of their hard work on our behalf.

- Mr. Brad Ring stated his primary concerns are the private wastewater treatment plant and this project looks like they are just wanting to get this wastewater treatment plant approved. I am not opposed to development and freedom to use your land, but I am opposed to using you land that negatively impacts my property lifestyle and the health of others. Private wastewater treatment plants are under regulated, poorly operated, and have a dangerous track record in North Carolina. Examples such as Briar Chapel, Fearington Village with bad odors, sewage spills, contaminated drinking water, dying livestock. Carolina Meadows with 50 infractions in the last 5 years. As a resident with extensive knowledge, education, and experience in water quality I can assure you this system of wastewater treatment is dangerous under strict supervision and can carry dangerous pathogens. Why are they allowed to build outside of available infrastructure like county water and private county approved septic systems like the rest of us. If they are going to use their own wastewater treatment, why can't they centralize it within the project and spread the homes around it so the people that choose to live there can have the treatment plant rather than near us who did not choose to have it. Why do their plans have to affect our health, safety, property value, and quality of life for their profit. Why did our residents and county officials agreed to that, I do not understand. Mr. Ring also asked if the developer had fixed the issues with the parcel where the golf course was supposed to go. Mr. Ring's time had expired and was asked to submit written statements.
- Mr. David Kuzdrall stated this development plans a large area of housing in an area currently designated as agriculture in the Land Use Plan and suggests single family homes, but this project is suggesting compact residential, and this area is not located near a community center, and it is not suited for the

housing proposed. Neighboring properties have long established homes, businesses, and activities that are in accordance with Chatham county uses for an agricultural area. Creating a compact residential area will be disruptive and runs against the county's published documents. This specific location and the surrounding areas are not suitable to safely accommodate such a large number of homes. Regardless of the details of the traffic study that was conducted, in reality, there will be a significant increase of traffic on Old US 1 and Beaver Creek Road which will create additional safety concerns for cyclist, motorist, and all other stakeholders. While a conservation subdivision can be planned by simply dedicating a certain amount of natural and open space, that is not conservation, especially when you consider this project proposes the area with the highest density housing with the least robust barrier to the adjacent private property is directly in line with an existing airstrip and within 275 yards of an existing outdoor shooting range. There are no provisions or supporting application documents to create an avigation agreement, notify potential deed holders of avigation service, or overhead considerations, to install perimeter fencing, or the existence of a shooting range. The existing property owners have built homes, businesses, and created livelihoods based on the county's established regulatory authority and Land Use. The current application conflicts with current regulations for that area use, is not located near a community center, significantly will disturb existing property owners, and fails to address the safety concerns of locating high density housing directly in the path of an existing airstrip. It is our hope that the commission will note our concerns with the current application and place this project on hold so a future application can be submitted. The plan should be amended to follow the current Land Use Plan and guidelines and it should include consideration of the safety of existing adjacent property owners, the safety of future residents, and potential stakeholders.

- Ms. Shelly Ryder stated she appreciated the two community meetings that were held earlier this year. At both of these meeting the overwhelming sentiment was the number of homes and the density of this neighborhood. It is out of character and more than the infrastructure that this area can support for a neighborhood of this size. Old US 1 is basically a one lane road without a median, there is no public sewer, there is no grocery stores, drug stores, hospitals, and services that are important for a development of this size and for the age targeted residents. We would request that the developer reconsider this amount of density, although they are allowed to do so, we would like to see 1 acre per lot or perhaps a half-acre per lot. A lot size that is much more in line with what is in this area and what the current infrastructure can support. The wastewater treatment plant is of concern and if vendors such as Old North State or Envirolink the vendor that did Briar Chapel, there has been five years of environmental catastrophe with this vendor. What can the developer do to protect us from having that happen again? Over 15,000 gallons of raw sewage has made it to surface water in Briar Chapel alone. Ms. Ryder thanked the Planning Board.
- Mr. James Malone stated there is not a legend to the plat to designate what any of this open space will be used for, there is green areas, white, areas, lime areas, agricultural areas, but it doesn't say what the proposed actions that are going to happen here if it is going to be clear cut or wooded. The developer during his presentation used a lot of phrases like might be or open space, so I don't know how you can approve an initial plat like this when it is unknown to what is going to happen in these spaces. Mr. Malone thanked the Planning Board.
- Ms. Dana Kadwell stated she lives on the property adjacent to the large spray field. We do have a lot of concern about the wastewater treatment plant, there just has not been a lot of success with them in Chatham County where it has been regulated well. The general consensus is the people come in a build it, then leave it, and leave us with the mess to clean up. What is the county going to do to ensure this is not the case with this wastewater treatment plant. In both community meetings it was largely expressed that the number of homes was just egregious. We understand progress is coming and we are not naïve, but we have the opportunity to do this responsibly, in our opinion, as a community this is not responsible. We do not see how the infrastructure can last or how our neighborhood can thrive. We do not want to be Apex or Cary; we don't want to be Jordan Point and we don't want where there is 5 feet between homes, and you can latterly touch each home with both hands, and this is exactly what they are proposing.

Although they make a point that there is 50' behind it, there is not space between the homes. Something that everyone was on board with was having larger lot sizes and a development with 750 homes is still very large, it was a size we felt was much more doable. These are our biggest concern and thank you.

- Mr. Adam Cook stated he moved to this area 10 years ago on a large wooded lot and all the lots in this area were originally 10 acres. I have expected to have new neighbors one day the notion of having a neighborhood of over 1500 families goes far beyond those expectations. I was attracted to Chatham County in New Hill and repelled by Cary and Apex, the elbow room, and freedoms such as the established shooting range in my backyard and several of my neighbors' backyards, raising noisy fowls and roosters, enjoying the night sky with proper darkness, and gardening in minimal attire. As proposed, I will have two dozen new households directly adjacent north and west of me. As a competitive shooter I practice in the backyard shooting thousands and thousands of rounds per year and I do not want to stop such lawful activities that I have enjoyed for the past decade, nor do I want to be surrounded by frustrated neighbors that will undoubtedly band together and campaign against me for that. Speaking of frustrating, that is how I will feel every time someone's dog or child shows up on my property. I suggest some perimeter fencing be installed to prevent trespassing. I also have concerns on impacts to my well water with the on-site wastewater treatment plant spray fields, new lawns and landscapes maintained by people with piped in drinking water. I also do not know what to expect in the agricultural areas indicated on the plat map and a more detailed legend for the map would be better, so we know what we are looking at. Lastly, the morning traffic flow from Old US 1 to the four lane US 1 is going to make pulling out from our gravel surface drive more dangerous than it is now. Mr. Cook thanked the planning Board.
- Mr. Jonathan Bell stated he lives on 40 acres at the intersection of Old US 1 and the new US 1, and they are expecting an extra 14,000 car trips per day which will all enter onto Old US 1 via a single entrance and does not seem suitable for that volume. This could result in loss of land to accommodate extra lanes and signal lights and it is concerning that we have not been notified of those proposals. Why is there only a single access to this development and it seems using the emergency access as another access point would help keep the traffic manageable off of Old US 1? Can you anticipate when the changes to Old US 1 will be made? Had there been a study for water flow due to runoff into Shaddox Creek which runs across mine and several other properties. Mr. Bell thanked the Planning Board.
- Mr. Zach Hinnant stated he has a lot of the same concerns as the others who have spoken tonight. My wife and I moved from Apex 10 years ago because it is beautiful, and it is located in between Jordan and Harris lakes. We built our home, and we are raising our two children out here and enjoying doing it, but what everyone is struggling with is the infrastructure is not going to support a neighborhood like this. Everybody knows that growth is coming to this part of the county, but to do it to this level is pretty shocking. We have concern about the wastewater plant as well because it will be run by a private company that doesn't have a stake in the community and when a spill happens, we will not have the concern or care as if that person was a member of the community that could feel the impacts of the wastewater. We know there is development and job growth in this area, but to have a development with 1500 homes as our first neighborhood is a little wild to me. Mr. Hinnant thanked the Board.

Board discussion:

- Vice-Chair Lucier asked what will be in the agricultural areas and will there still be timber management? Mr. Ashness stated the identified agricultural areas will have some type of a cover crop and there will still be some timber management in the designated areas, but we will transition the timber to crops in the agricultural areas. The timber management will be in the open space, but not part of the 41% "don't touch" open space. Vice-Chair Lucier stated it looks like there will be some sewer pipes crossing the natural areas to get to the spray fields. Mr. Ashness showed on the plat where a gravity line would be located under a pedestrian crossing and a few other locations of utility lines on the plat. Vice-Chair Lucier mentioned that no utilities are allowed in the natural space. Mr. Robinson stated that is correct and the utility easement identified on the plat is not part of the natural space.

Vice-Chair Lucier stated the Conservation Ordinance requires more than 50% of lots must abut to open space. Mr. Ashness read the requirements from the Conservation Ordinance, "Open space shall be accessible to the largest possible number of lots within the development, to achieve this a majority of the lots should abut open space to provide residents direct views and access, safe and convenient pedestrian access to open space from all adjoining lots shall be provided except in the case of farm land and other resource areas vulnerable to human disturbance." Mr. Ashness stated the term used is open space and he showed the Board members a map with all the lots located in pink that abuts open space that are 50' or greater even up to 400' which calculates to 53%. The lots in purple abut to open space as well, but that is 40' of open space. Chair Spoon stated it was not intended to run small strips of open space in between the lots. Mr. Robinson stated the small strips can be ignored for the calculations and all the pink lots abut 50' or more which meets and exceeds the criteria. Ms. Weakley stated this map was not included in the packet and the map we have does not show those strips as being open space. Mr. Ashness stated he anticipated some questions about this so he drew this exhibit to make things clearer for the Board members and he will send it to Ms. Tyson as part of the packet.

- Chair Spoon stated the public had mentioned shooting ranges, airstrips, and a chipping mill that can be loud, what are you going to do to let people who buy property in this development are aware what they are moving into? Mr. Robinson stated in the contractual documents where land is being sold to either a developer or a lot purchaser will have disclosures about the uses that surround the property. Chair Spoon stated it seems like the disclosures could potentially not be disclosed by certain party's and it would be our Sheriff's department that would have to sort everything out. Mr. Robinson stated it is hard to see the size of this project when it is on a little map, but it is 1200 acres and everything on the project will be far from any shooting range. Also, the owner that is shooting has an obligation not to allow their ammunition to go on other people's property as well, that is a two-way street. The residents that spoke tonight will be mindful of that and from the developer standpoint it would be best to make sure those uses are disclosed.
- Ms. Siverson asked how would the agricultural component work and who would farm it? Mr. Ashness stated it is typical to use spray irrigation in crop areas and this would not be managed by the HOA but rather a contract farmer. Ms. Siverson also asked about the timber management and how will the periodic harvesting of timber within this community. Mr. Robinson stated there will be a timber management plan that applies to those areas that are reserved. Chair Spoon stated it looks like there is a 5% density bonus and two bonus income streams off of this property. Mr. Robinson stated the intent of the agricultural bonus was the perpetuation of existing agricultural uses in the conservation subdivision in keeping with the rural character and that is what the continuation of the timber management and forestry aspect is intended to do and that is how you qualify for the 5% bonus.
- Chair Spoon stated there is some timber management that is completely surrounded by natural areas, so how will that be access for harvesting without disturbing the natural areas? Mr. Ashness stated that is correct and he showed on the map where there would be utility easements and how that can be utilized to gain access for timber management. Ms. Weakley asked about access for timber areas 4, 5, and 7 on the other side of Weaver Creek. Mr. Ashness said he needs to walk out there and see, but there must be some kind of existing allowable access because it has been in timber management, and he will check on it. Ms. Weakley stated she had read in the EIA on a map called ultimate timber management areas plan exhibit G, that there are 7 timber management areas, 1 through 6 will be removed from timber management and allowed to go back to natural state, but area 7 would remain. Mr. Ashness stated it is possible that some of these larger areas could stay in timber management, the preliminary information we just got back from the hydrogeologist indicated some of the spray areas we may not need. Our client had indicated if there are any spray areas that are not needed the intent would to leave them in timber management. So, it is possible that there will be some retained timber management. Ms. Weakley stated she is a little confused to what is being proposed because now you are saying some of these areas may stay in timber management. Mr. Ashness stated they are currently in timber management and some of these areas would potentially stay in timber management based upon the final spray area needs.

Ms. Weakley said that all the timber management areas except for 7 are shown as conservation space and secondary natural area. The EIA made it clear that those six areas were going to be left alone and revert back to their natural state and would be part of the natural area that is proposed. What is being said and what was proposed is different and that raises red flags. Mr. Robinson stated the First Plat map shows where the natural areas will be located, and it shows what portions are going to be continued as timber management. There was some discussion as to what is allowed in natural areas and if timber management could be allowed. Mr. Ashness stated the ordinance states under agriculture, "permitted uses in the conservation space; existing ongoing bona fide agriculture, horticulture, silviculture providing that all applicable best management practices are used to minimize environmental impacts." Vice-Chair Lucier stated that is in the open space not the natural space. Mr. Robinson stated that is referred to the conservation space. There was some discussion and concern about access to the timber management. Mr. Robinson stated that is a fair point and we will work on what that will look like. There is access that exist now, but we will look further into it.

- Mr. Andrews stated he is concerned about long term ongoing development and would not want to see parcels get landlocked and would they consider some stub outs. Mr. Ashness stated that is a good question and a stub out in that area would be good.
- Mr. Sullivan stated the map will need to have some calculations redone before it is sent to Ms. Tyson, the open space is shown as unregulated open space between the lots and that needs to become open space under the conservation space umbrella so it is the same as exhibit 5.b. Mr. Ashness stated they will get that redone.
- Ms. Weakley stated there are smoke awareness buffers on Jordan Lake in this area, they burn the forest as part of their forest management, there is game land buffers as well. That is a concern of mine with a development this dense, we have had dense development similar to this along Jordan Lake where the Wildlife Resources Commission and North Carolina Forest Service is no longer able to offer game land or to burn forest in that area like they had in the past because of the conflicting dense adjacent development. Mr. Robinson stated you have to pick the prioritized land to conserve within a conservation subdivision like this and there is a prioritized schedule on what items to pick until the requirement is met and that process in this case has been thoroughly vetted through Ms. Rachael Thorn and Mr. Ashness until those prioritization schemes were met. Ms. Weakley stated how was the conservation space selected, we have the obvious upland hardwood forest, but we also have wildlife action plan habitats as priorities. The Natural Heritage Program sets a pretty high bar as to what they will consider a natural heritage resource and are willing to track. Wildlife action plans are important in their own right for conservation of species of greatest concern, the EIA consultant did some natural community delineation and identified some mesic mixed hardwood forest and is considered a natural community in the conservation guidelines as a primary natural area. It would be helpful if you could explain how your conservation space was selected.

Mr. Ashness stated the areas that Ms. Weakley mentioned are all secondary areas in the conservation guidelines and they are not prioritized, the primary areas are prioritized, and we went through several iterations of the plan with Ms. Rachael Thorn's department, and we have significant conservation area adjacent to the US Army Corps land, we have a significant Natural Heritage Program piece on the property in the center and we are accommodating the hunter safety zone. Mr. Ashness pulled up different layers to show the hunter safety area, burn awareness buffer, the prime farmland soils, and identified the steep slopes on the project. When all the parameters are overlaid, you can see a lot of the focus we are protecting is along the US Army Corps property. All of the secondary areas are equally weighted, and we selected some of the buffer bottoms, we are well over the 32% for the natural space and above all criteria for a conservation subdivision. Ms. Weakley stated the mesic mixed hardwoods identified in the EIA could be in the primary natural areas. Chair Spoon stated the property is mostly timber land that has recently been timbered and then there is that one piece of hardwoods in the middle.

Mr. Sean Clark stated the mesic mixed hardwood area they were referring to is in close proximity as to what Natural Heritage Program identified, the trees are not as big and that is why it is not included. Ms. Weakley stated the EIA shows some mesic mixed hardwoods along Pea Ridge Road, along Rush Road, and near the proposed entrance along Old US 1. Those are wildlife action plan upland systems that could be considered primary natural areas. Mr. Clark stated the vast majority of the project was looked at by Natural Heritage Program, but there was a couple parcels added later and a small hole in the middle they did not include in their survey. We looked at the remaining balance to what was not evaluated previously. Mr. Clark stated in the mesic mixed hardwood may not have been significant and had a lot of pine mixed in with it which is the case with most of this property. Mr. Ashness showed on the aerial that there is a lot of pine with very little hardwood mixed in and Mr. Clark concurred. Mr. Clark showed an area near the identified hardwoods by the Natural Heritage Program and said that was a better mix of hardwoods, but they are small trees. Ms. Weakley stated that is what is now shown as the amenity area.

- Mr. Arthur asked why is there only one road in and out, this is a lot of people, why couldn't another road be connected? Mr. Ashness stated it is one road in and out, but it is a divided parkway with no loaded driveways and very limited crossing. This layout meets NCDOT requirement, and they have not raised any concerns or issues and the emergency access was added for safety. Mr. Josh Reinke stated he performed the traffic impact analysis (TIA) and there will be two ingress lanes and two egress lanes on a median divided parkway. We are looking at having double left hand turn lanes to get into the site and two turn lanes coming out to make sure there is not any issues on the main line. To the resident concerned if the road improvements would impact their land, it looks like all road improvements and traffic signals will be able to be contained in the current Right-of-Way. Mr. Ashness stated they had a plan with an entrance on Pea Ridge Road, but they do not have frontal access, the US Army Corps has that land and when they did a study only 4% of the traffic was to use the Pea Ridge road access and there would have been a lot of impacts to the project to bring a road that far back into the project. We feel this is a good solution and it is a large parkway right into the heart of the project.
- Chair Spoon stated this is a big decision and big project, does the Board feel that we need a little more time to review and discuss or should we make a decision this evening? Vice-Chair Lucier stated we should not make a decision tonight; this is one of the largest developments ever in Chatham County. We have discussed a lot tonight and there are some things for the developer to think about and respond at the February meeting.

Motion made by Vice-Chair Lucier to table this item until the February 1, 2022 Planning Board meeting, second by Mr. Fogleman. Chair Spoon conducted a roll call vote, and this item was approved with a vote 10-0, unanimously.

VIII. NEW BUSINESS:

IX. BOARD MEMBERS ITEMS:

1. Update from the Planning Board liaisons.

- Vice-Chair Lucier stated he did not attend the Pittsboro Planning Board, but they had a minor agenda.
- Ms. Siverson stated there was not a meeting for the Siler City Planning Board of Agriculture Advisory Board.

- Ms. Weakley stated the Chatham Conservation Partnership steering committee met to discuss topics for the next year and the first meeting will be January 20th. Turtles will be a topic of one of the meetings and Triangle Conservancy is working on conservation plans and they would like to host a meeting as well.

2. UDO subcommittee discussion.
Chair Spoon asked if there were any Board members interested in forming a UDO subcommittee. Vice-Chair Lucier, Mr. Andrews, Mr. Frazier, and Chair Spoon would like to be part of the subcommittee.
3. Annual election of the Chair and Vice-Chair during the February meeting.

X. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

1. Minor Subdivision spreadsheet
2. UDO Update
 - Mr. Mullis gave a brief overview of the UDO process and there will be a report coming out in February.

XI. ADJOURNMENT:

There being no further business, the meeting adjourned at 10:27 p.m.

Signed: _____ / _____
Jon Spoon, Chair Date

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