



Chatham County Planning Board Minutes May 3, 2022

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

Present

George Lucier, Chair	Allison Weakley
Caroline Siverson	Bill Arthur
Brittany Harrison	Jamie Hager
Alex West	Eric Andrews

Absent

Jon Spoon, Vice-Chair
Clyde Frazier
James Fogleman

Planning Department

Jason Sullivan, Director, Kim Tyson, Subdivision Administrator, Chance Mullis Planner II, Brandon Dawson, Planner I, Vance McNeese, Zoning Official, and Dan Garrett, Clerk to the Planning Board.

I. CALL TO ORDER:

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

II. VIRTUAL MEETING GUIDELINES:

III. DETERMINATION OF QUORUM:

Chair Lucier stated there is a quorum, 8 members present.

IV. APPROVAL OF AGENDA:

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

V. APPROVAL OF THE MINUTES:

Consideration of the April 5, 2022 Planning Board minutes, motion made by Mr. Arthur to approve the minutes, second by Mr. Andrews. The April 5, 2022 minutes were approved 8-0, unanimously.

VI. PUBLIC INPUT SESSION:

- Ms. Patricia Johnson stated she is the treasurer of the Monterrane HOA, and they received a letter from the developers of Summit Terrace for a community meeting. This board will receive plans for this subdivision on Mt. Gilead Church Road and will be right up the road from us. We have had some issues with water quality in the past years and especially water pressure issues. We are located at the end of the water line and the last subdivision that receives water in this area. We do not want too many residents on this water line, and we would like for this board to take into consideration these issues when it comes before you. We are planning to go to the community meeting tomorrow night and will find out as much information as possible during that meeting. Ms. Johnson stated she wanted to be pro-active and make the board aware of this subdivision and the water issues in this area before a subdivision is approved.

- Chair Lucier stated that subdivision application has not come to the Planning Board yet and the first step is to attend the community meeting and you should go and express your concerns. The Planning Board members receive all of those comments from the public at that community meeting and we take them into consideration. Ms. Johnson thanked the Planning Board for their time.

VII. SUBDIVISION ITEM:

1. Request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision Sketch Plan Revision and Preliminary Plat review and approval of **Ferrington P. U. D., Section X, Area "M" – North Richmond and Millcroft Completion**, consisting of 5 lots on 3.628 acres, located off SR-1813 East Camden, SR-1817 Millcroft, and SR-1812 Weathersfield parcel #18998.

Ms. Tyson stated the request before the Board is for sketch plan revision and preliminary plat review and approval of Phase 1 Section X, Area "M" North Richmond, consisting of 5 lots on 3.628 acres and Phase 2 of Millcroft public right-of-way. Millcroft is currently complete in Area "M." Phase 2 Millcroft right-of-way will be constructed up to Weathersfield.

County water is available and will be utilized. The Water Main Extension Permit and the Authorization to Construct, dated February 25, 2022 issued by NC Department of Environmental Quality (NCDEQ), Division of Water Resources have been provided. Sewer service is provided by the Ferrington private wastewater treatment plant. Alan Keith, P.E., Diehl & Phillips, P. A. has provided a letter dated March 30, 2022 stating, "The Ferrington WWTP currently has capacity to serve Section X, Area "M" and Millcroft Realignment at Ferrington (1,250 gallons per day)." The Wastewater Collection System Extension Permit, issued by the NCDEQ, Division of Water Resources, dated March 4, 2022 has been provided.

The main roadway, Millcroft, was completed during the completion of Montgomery and Forsyth in Area "D." Road constructed of Millcroft in Phase 1; Area "M" is completed. Phase 2 Millcroft right-of-way will be constructed from Halifax in Area "D" up to Weathersfield. Millcroft is proposed to be public and state-maintained road. The revised Road Plan Approval for Section X, Area D, dated February 21, 2019 issued by NC Department of Transportation may be viewed on Planning Department website. The road name Montgomery and Millcroft have been approved by the Chatham County Emergency Operations Office as acceptable to submit for approval by the Board of County Commissioners. Ferrington is not subject to the Chatham County Stormwater Ordinance.

Ferrington is subject to the 1994 Watershed Ordinance which requires a 50-foot riparian buffer along perennial and intermittent waters not within 2500 feet of rivers. An approval letter dated March 16, 2022 by Mr. Justin Hasenfus, Watershed Protection Specialist with Chatham County stated the soil erosion and sedimentation control plans are accepted. There are open space areas located in the back portion and side areas of the lots in Area "M."

The TRC reviewed the request on April 13, 2019. Discussion included how many submittals for the application, if the utility plan had been submitted, and to add the lot setback to the final plat. Other county staff were present and there were no issues noted.

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 villages on the Future Land Use and Conservation Plan Map. The description for villages includes retail, restaurants, services and offices, light industrial uses, residential with smaller lot size, public/open space, small parks, walking paths, and greenways. 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 Staff recommends granting approval of the Sketch Plan revision and approval of Preliminary Plat as submitted with the following conditions:

1. The final plat shall provide setbacks.
2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
3. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal.

Board Discussion:

- Chair Lucier asked what is different between this sketch plan and the previous one? Mr. Sears stated the original plan had 8 total lots and now that has been reduced to 5 total lots which are larger in size because the market is reflecting larger lots.

Motion made by Ms. Siverson to approve this item, second by Mr. West. Chair Lucier conducted a roll call vote, and the item was approved with a vote of 7-0, unanimously. Mr. Arthur recused himself from this vote because he has been drafting a book about Fearington Village and did not want any conflict of interest.

2. Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision Sketch Plan Revision review and approval of **Fearington P. U. D., Section X, – Granville R.O.W.**, located off SR-1813 East Camden, SR-1817 Millcroft, and SR-1807 Weathersfield parcel #18998.

Ms. Tyson stated the request before the Board is for sketch plan revision review and approval of Section X, Granville R.O.W., the emergency access and utilities extensions, and required easement to Riggsbee's property. An existing 20-foot-wide easement south of Fearington P.U.D. is proposed to be increased to a 50-foot-wide state-maintained road, to allow a future street extension to property recently acquired by Fitch Creations', and to allow emergency access and a utility extension easement to Riggsbee's property if requested.

County water is available and will be utilized. The Water Main Extension Permit and the Authorization to Construct, dated February 25, 2022 issued by NC Department of Environmental Quality (NCDEQ), Division of Water Resources have been provided. Sewer service is provided by the Fearington private wastewater treatment plant. Alan Keith, P.E., Diehl & Phillips, P. A. has provided a letter dated March 30, 2022 stating, "The Fearington WWTP currently has capacity to serve Section X, Area "M" and Millcroft Realignment at Fearington (1,250 gallons per day)." The Wastewater Collection System Extension Permit, issued by the NCDEQ, Division of Water Resources, dated March 4, 2022 has been provided.

The proposed future street, Granville, will be constructed up to parcel 95264 a property owned by Fitch Creations, Inc and an ingress/egress easement will be provided to parcel 64428 a property owned by Mary W. and Lunday A. Riggsbee. Granville is proposed to be a 50-foot-wide state-maintain road. The road name Granville has been approved by the Chatham County Emergency Operations Office as acceptable to submit for approval by the Board of County Commissioners. Fearington is not subject to the Chatham County Stormwater Ordinance. Fearington is subject to the 1994 Watershed Ordinance which requires a 50-foot riparian buffer along perennial and intermittent waters not within 2500 feet of rivers. An approval letter dated March 16, 2022 by Mr. Justin Hasenfus, Watershed Protection Specialist with Chatham County stated the soil erosion and sedimentation control plans are accepted.

The TRC reviewed the request on April 13, 2019. Discussion included how many submittals for the application, if the utility plan had been submitted, and to add the lot setback to the final plat. Other county staff were present and there were no issues noted.

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The Planning Staff recommends granting approval of the road name Granville and approval of Sketch Plan revision as submitted with the following conditions:

1. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
2. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal.

Board Discussion:

- Chair Lucier asked if the Riggsbee parcel extends to Mt. Gilead Church Road? Ms. Tyson stated this parcel is landlocked, but the Riggsbee family do have adjoining parcels with access and this 20' easement access is part of a 1999 condition.
- Ms. Hager asked for clarification of this item, is this just to extend the road and create an easement? Chair Lucier stated yes, it to the road extension and to honor the 1999 20' easement condition.

Motion made by Ms. Siverson to approve this item, second by Ms. Hager. Chair Lucier conducted a roll call vote, and the item was approved with a vote of 7-0, unanimously. Mr. Arthur recused himself from this vote because he has been drafting a book about Farrington Village and did not want any conflict of interest.

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 meeting because he went to the BOC meeting. If the BOC continues to meet on the first Monday of the month, we may need to look for a different Pittsboro liaison.
- Ms. Siverson stated the Siler City Planning Board agenda had nothing to report and the Agriculture Advisory Board focused on the UDO Audit Report comments, and they are concerned about farmland preservation.
- Ms. Weakley stated the Chatham Conservation Partnership will have a meeting on July 21st from 9-11:30 AM and the Chatham County, Pittsboro, and Siler City Planning departments will be the guest speakers.

2. Discuss resuming in-person meetings.

- Chair Lucier stated Covid cases seem to be on the rise so the June 7th meeting will be remote.

3. ERAC Conservation Subdivision Comments

- Chair Lucier stated the ERAC has provided comments for the Conservation Subdivision and asked Mr. Sullivan to distribute them to the other Planning Board members. The UDO subcommittee will be looking at these comments and discussing them.
- Chair Lucier stated the Chair of the ERAC sought approval from the BOC to form a working group to work on tree protection and provisions that would be incorporated into the UDO. This group will be composed of four different advisory boards, the ERAC, Planning Board, Climate Change, and the Grand Trees of Chatham, each board will volunteer two members to be apart of this working group. Chair Lucier asked the board members to think about it and let him know if they are interested in being

involved in this working group. Ms. Weakley stated the Chatham Conservation Partnership has worked with Duke University to develop information on developing a tree ordinance and can be used as a model. This is located on the Chatham Conservation Partnership website.

X. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

1. Minor Subdivision spreadsheet
2. Moncure Area Changes
 - Mr. Sullivan stated the Moncure area will have big changes and the UDO consultants are aware of the growth and are working on a scope of work.
3. Goldston Growth
 - Mr. Sullivan stated there has been a lot of requests for annexation into Goldston and this area will have a lot of growth as well. There is a subdivision application right now that will double the size of Goldston.
4. Wastewater Study Commission
 - Mr. Sullivan stated there will be a presentation to the BOC on May 16th.
5. Unified Development Ordinance Update
 - Mr. Mullis stated he has complied all of the Audit Report comments and provided them to the consultants. The consultants are working with those comments and working on the Annotated Outline.

XI. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:26 p.m.

Signed: _____ / _____
George Lucier, Chair Date

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