



## Chatham County Planning Board Minutes July 5, 2022

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

### Present

George Lucier, Chair  
Caroline Siverson  
Brittany Harrison  
Alex West  
Clyde Frazier  
James Fogleman

### Absent

Jon Spoon, Vice Chair  
Allison Weakley  
Bill Arthur  
Jamie Hager  
Eric Andrews

### Planning Department

Jason Sullivan, Director, Angie Plummer, Zoning Administrator, Chance Mullis Planner II, 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:

Mr. Sullivan read the virtual meeting guidelines.

#### III. DETERMINATION OF QUORUM:

Chair Lucier stated there is a quorum, 11 members present.

#### IV. APPROVAL OF AGENDA:

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

#### V. APPROVAL OF THE MINUTES:

Consideration of the May 3, 2022 and June 7, 2022 meeting minutes. Motion made by Mr. Fogleman, second by Mr. Arthur to approve both the May 3<sup>rd</sup> and June 7<sup>th</sup> meeting minutes. Chair Lucier conducted a roll call vote, and the May 3, 2022 minutes were approved 10-0, (Mr. Frazier did not attend this meeting) and the June 7, 2022 minutes approved 11-0.

#### VI. PUBLIC INPUT SESSION:

There were no residents signed up to speak.

## VII. ZONING & SUBDIVISION ITEMS:

1. A legislative public hearing for a request by the Chatham County Board of Commissioners for a legislative General Use rezoning on Parcel 5368 being 66.5 acres located off the Moncure Flatwoods Rd, a portion of Parcel 85332 being approximately 200 acres located at 1315 Moncure Pittsboro Rd, and a portion of Parcel 5601 being approximately 47 acres located off Christian Chapel Church Rd, totaling approximately 313.5 acres, from R-1 Residential and Conditional Use Heavy Industrial to Industrial Heavy, Cape Fear Township.

Ms. Plummer stated when considering a general use rezoning, all uses listed in Section 10.13 of the Chatham County Zoning Ordinance listed under the proposed zoning classification are permitted. However, due to possible limiting situations such as wastewater capacity, access to public utilities, impervious surface limits, etc., not all uses are feasible. The application summary was prepared by Kent Jones, attorney/partner with the Bradley Law Firm. The decision to approve a general use rezoning shall be determined by the following criteria.

1. **Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment.** The applicant is not claiming any error in the ordinance. **It is planning staff opinion this finding has been satisfied.**
2. **The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary.** In the continuation of creating a major employment opportunity for the county, these parcels are needed to facilitate the development of future industrial uses. Due to wetlands and other buffer requirements around many areas of the Mega site, these additional lands are needed to provide the necessary construction of a proposed automobile manufacturing facility and related uses. The development of the Mega site and subsequent heavy industrial areas adjacent to or adjoining the Mega site, will promote the local economy by providing jobs, sales tax revenue, infrastructure, and increased property values for the tax base.

There are no required services or public improvements needed by the county. NCDOT along with RK & K, are developing some roadway improvements to modify several areas in and around the Mega site to create better truck and general traffic flow and access points. This is also noted in the Comp Plan, Pg 67, Strategy 6.4, to work with NCDOT to manage accesses along these major corridors to provide the necessary and best access points for incoming business and industry.

The county has been promoting the Mega site and attempting to land some industry for several years and now that a couple of opportunities have been put into action, such as the under-construction FedEx distribution terminal, this will increase those opportunities to entice more industry. **It is planning staff opinion this finding has been satisfied.**

3. **The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof. You must note specifics from the plan/s giving reference to page number and section.** Two of the parcels, 85332 and 5368, are both located within the Employment Center node of the Comp Plan which is part of the Mega site boundary guide area. Parcel 5601 is located within the Rural node but adjacent to the Mega site Employment Center node. Since the node area is not hard fast boundary line the Comp Plan map would continue to be valid as is.

Page 41, Ch 3, Goals and Objectives No.4 calls for diversifying the tax base and to generate more high quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity, and reduce

out-commuting. A proposed project for this area plans to bring approximately 7,500 jobs. A new subdivision has been approved in the Moncure area off Old US 1 that will provide 1500 new single-family dwellings. Existing businesses in the Moncure area will benefit from more dollars being spent in those establishments and promote more retail and personal services that could potentially locate there.

Page 47, Ch 3, Land Use Descriptions, expressly calls out the Moncure Mega site under the Employment Center node areas.

Page 53, Ch 4, Economic Development, states that the county's history has been built on agricultural and manufacturing uses. Manufacturing employment has dropped from just over 5,000 jobs in 2002 down to just over 2,000 in 2014. Several goals are supported under Economic Development with the expected development of the Mega site and surrounding area.

Page 104, Ch 4, Recommendations and Strategies for Natural Resources. Under Recommendation No 1, the site will incorporate landscape designs and storm water controls that ensure the long-term quality of water resources as stated in Policy 1. Required review and permitting will be controlled by either the county Watershed Protection Department or the state NCDEQ offices. **It is planning staff opinion this finding has been satisfied.**

4. **List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment.** As stated earlier, plans are already being created and reviewed by NCDOT and the county to develop modified road accesses and mitigate traffic flows that will be created with the development of the Mega site.

Landscaping, lighting, parking, and signage will all be compliant with the requirements of the Chatham County Zoning Ordinance and as reviewed and approved by the various county departments.

With industrial uses, noise will be generated from the sites but will also comply with the Chatham County Noise Ordinance. Should any noise exceed the maximum allowances per the Ordinance, a review and request for modification shall be sought before conducting those operations. The noise ordinance is administered and enforced by the Chatham County Sheriff's Office.

With most industrial uses, there will be chemicals and materials associated with the production of products. Proper posting, MSDS sheets and permitting requirements will be followed. Emergency services will be available to service the site. **It is planning staff opinion this finding has been satisfied.**

5. **All other information required on this application or as offered by the applicant in support of the request.** The project site will connect the county water system. There are current lines along Old US 1, Moncure Flatwoods Rd., Corinth Rd, and Pea Ridge Rd.

The wastewater system will be via connection to the Regional Airport Sewer Extension project from the City of Sanford sewer network. This project is currently under construction.

Currently, there is a permit in place allowing the discharge of up to 244,000 gallons of treated water into the Haw River with a wastewater treatment facility located on the northeastern portion of the site. Impact statements will be obtained for water and sewer prior to operations.

Stormwater management will be controlled in accordance with the County's Watershed Protection Ordinance. Projects will minimize built-upon surface area, direct stormwater away from surface waters, establish a minimum one hundred (100) foot vegetated setback on both sides of perennial streams as measured from the

top of the stream bank [FH1] and incorporate Best Management Practices to minimize water quality impact. **It is planning staff opinion this finding has been satisfied.**

**Commissioner Hales wanted to know if a conditional district rezoning was an option. Planning staff stated it's always an option but not for the proposed project at hand due to the time frame the Board is working with in consideration of the coming VinFast project.**

**Based on all five standards being supported, it is planning staff opinion the request should be approved.**

Ms. Plummer said the Planning Board has up to three meetings in which to make a recommendation to approve or deny the request to the Board of Commissioners. It is also requested the Board provide a consistency statement to support the recommendation.

- Mr. Kent Jones is a lawyer representing VinFast stated they are the proposed end user for the Megasite and the need for this rezoning is to add additional land for the Megasite because of certain site challenges that currently exist with the wetlands, watershed, and other features on that area. Adding this rezoned area will provide the end user some flexibility on how to orientate buildings in order to meet buffer requirements and other Land Use requirements.
- Ms. Casey Mann stated she and Mr. Brown are not against VinFast or electric vehicles or progress and economic development we are simply asking for this one area of family land to be protected by buffers and to make sure that the Gulf Creek is protected. We would like to keep these parcels green with clean water and prevent some of the sound created by the Megasite. We are asking for additional buffers around the property – both natural and otherwise – to protect the ecosystem of the land and reduce the sound that the applicants note will result from the development. In addition, we are asking for water protections for Gulf Creek, which flows through the property directly to the Cape Fear, to ensure the water quality is not harmful to the environment. We humbly ask that you consider not only the money the investment may be able to offer, but the people who are and have been living here for generations and want to have the same rights to enjoy their land as anyone else in Chatham County. We ask that you consider adding conditions to the above re-zoning request.

Chair Lucier asked where their parcel is located in conjunction with the proposed parcels for rezoning. Ms. Plummer pulled up the GIS map and located the property that Ms. Mann had been discussing and there was minor discussion about the General Shale and Duke Energy parcels nearby. Ms. Mann thanked the Planning Board for their time.

Board discussion:

- Chair Lucier stated the General Shale parcel is already zoned Conditional Use Heavy Industry for mining and the Duke Energy parcel is currently zoning R-1. With the rezoning to General Use Heavy Industry will the mining use stop? Ms. Plummer stated yes, the mining use would not be allowed anymore on the northern part of the parcel, but they would still hold rights to continue operations on the southern portion they are retaining.
- Vice-Chair Spoon stated this rezoning was brought forward by the Board of Commissioners to expedite this process for the proposed user, is that correct? Ms. Plummer stated yes, the commissioners took the initiative based on the economic viability of the project. Vice-Chair Spoon stated we are an advisory board, but the commissioners are inclined to approve this either way. Chair Lucier stated that is a safe statement.

- Ms. Weakley stated there were public input during the public hearing, what were their concerns? Ms. Plummer stated it was Ms. Mann and Mr. Brown who spoke tonight. Ms. Weakley said that Mr. Jones stated that the need to add these additional parcels was due to site challenges such as streams and wetlands elsewhere, but looking at the online conservation viewer, it looks like there are a lot of streams on these parcels. So how is adding these parcels that also have streams and wetland issues going to help the site plans on other parcels. Mr. Jones stated as a lawyer he is not a site development professional with the knowledge and technicality with designing a plan, but it is the challenges that all of these parcels have with wetlands and other topographic features. Adding some additional land allows us to use additional buffers and position the buildings in a different way to have the least amount of impact on the wetlands. We are working with local, State, and federal agencies to minimize or eliminate impacts on wetland areas and on existing streams.

Chair Lucier stated it seems that VinFast is just trying to get additional buildable acres even though those parcels have wetlands and streams. It is my understanding that under the General Use Heavy Industrial they will have to adhere to our current stream buffer regulations. Mr. Sullivan stated they will not be subject to our current rules because there is not a subdivision involved so it will be the pre-2008 regulations.

- Ms. Weakley stated that raises concerns and her next question is, on the staff notes under finding 5 is states; “All other information required on this application or as offered by the applicant in support of the request.” And “Projects will minimize built-upon surface area, direct stormwater away from surface waters, establish a minimum one hundred (100) foot vegetated setback on both sides of perennial streams as measured from the top of the stream bank and incorporate Best Management Practices to minimize water quality impact.” It does not say anything about current buffer regulations or watershed protection ordinances, and it is a big concern because we are adding additional parcels with site challenges for other parcels that also have streams and wetlands, and yet we are not able to require current buffers. Mr. Sullivan stated these parcels will fall outside of the Moncure Megasite boundary on the watershed protection map which has the 10/70 rule, but these perennial streams will require the 100-foot vegetated setback per the State regulations. Ms. Weakley stated that is great for perennial streams, but there is nothing for intermittent, ephemeral streams or wetlands. Gulf Creek is impaired for water quality standards and has been for some time. Also parcel 5601 is currently R-1 and only the small portion will be rezoned, but on the Future Land Use map it is designated as rural and to the east it is conservation area and the Harris Game Lands.
- Ms. Hager asked if we could place conditions so they would be required to bring the buffers to current standards? Ms. Plummer stated because it is a General Use rezoning, we cannot add any conditions and they are required to follow State regulations. There was some discussion about what uses were allowed in a General Use or Special Use Permit. Ms. Weakley stated she is concerned about scope creep especially parcel 5601.
- Vice-Chair Spoon stated he understands and is sensitive to the concerns raised by Ms. Weakley and Ms. Mann, but we do have an unbalanced tax base and we have been relying on residential development which does not pay for the services it requires. Part of our Comprehensive Plan is developing heavy industry in large sites that will help balance out our tax base and this is a step that needs to happen in order to move forward.

Motion made by Vice-Chair Spoon to approve the consistency statement, “In an effort to facilitate the Moncure Mega site and in pursuit of evolving economic development in a way that will diversify the tax base for Chatham County and provide for the future services required in this community, the proposed rezoning is consistent with the Comprehensive Plan of Chatham County.” Seconded by Mr. Arthur. Chair Lucier conducted a roll call vote and the consistency statement passed 8-3, opposed by Ms. Weakley, Ms. Hager, and Mr. Fogleman.

- Ms. Weakley stated that the Comprehensive Land Use Plan also has a recommendation to maintain and improve water quality. If only perennial streams are buffered and nothing else, then we are not improving or maintaining.

Motion made by Mr. Arthur to approve this item, seconded by Mr. West. Chair Lucier conducted a roll call vote and the item passed 8-3, opposed by Ms. Weakley, Ms. Hager, and Mr. Fogleman.

2. Request by Ben Mayo, P.E. of Withers Ravenel on behalf of Windjam Development (RBV 1525, LLC) for Subdivision **First Plat** review and approval of **Flatiron Forest**, consisting of 29 lots on 42.124 acres, located off Hamlets Chapel Rd (S.R. 1525), Parcels 2037 and 2014.

Mr. Glenn stated the request is for First Plat review and recommendation of Flatiron Forest Subdivision consisting of 29 lots on 42.12 acres, located off of Hamlets Chapel Road (S.R. 1525). A vicinity map showing the property location (attachment #2) is included in the agenda packet. The parcel ID is 2037. 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.

Flatiron Forest Drive and Copley Court are proposed to be built with 20-foot-wide travel way and a 60-foot-wide right-of-way and is to be state maintained. There has not been any communication with the Chatham County Historical Association associated with this project. Sy Robbins informed the applicant that they would want to be informed if any old foundations or other significant structures are encountered during development.

Notification of the proposed development was provided to the Chatham County School System. Chris Blice Chatham County Schools Assistant Superintendent for operations said they had no concerns with the development as proposed. This property has been used for timbering in the past and is currently in Agricultural/Present Use tax status.

Withers Ravenel completed the GED for this project on behalf of the applicant and that information was submitted to Watershed Protection for review. The site has three streams, one ephemeral subject to a 30' buffer; one perennial subject to 100' buffer; and one intermittent subject to a 50' buffer. There are six delineated wetlands on the property subject to 50' buffers. This site is comprised of undeveloped woodlands and has historically been timbered. The dominant vegetation across the site is pine forest. The canopy is comprised of predominantly loblolly pine, a sparse understory of red maple, sweet gum, and American holly.

A community meeting was held on May 10<sup>th</sup>, 2022, at 50 Windfall Creek Dr. Chapel Hill, NC. Approximately 12 people attended. The following comments and questions were discussed:

- Can proposed lighting be kept minimal?
- Adjacent homeowners would like a dedicated landscape buffer.
- Will the HOA established for this development be able to enforce standards on adjacent homeowners?
- Homeowners off Buck Branch Road concerned about these homes being able to access Buck Branch Road
- Will utilities be stubbed to adjacent properties?

- Will water be made available to 624 Hamlets Chapel Road?
- Concerns about runoff on Hamlets Chapel Road
- Concerns about runoff during construction – homeowners wanted to confirm tree protection and silt fence will be installed prior to land disturbance
- When will proposed culvert crossings be sized?
- What are the proposed stormwater control measures?
- What are the impervious surface requirements for this development?
- Concerns over this development meeting required zoning standards for minimum lot square footage
- When will homeowners be able to see building envelope locations on each lot?
- When is the First Plat being submitted?
- Will fencing be installed as part of this development?
- What is the price range for houses being built as part of this development?
- Will there be a traffic signal installed at entrance? Concerns about traffic on Hamlets Chapel.
- Will residents of this development be okay with adjacent homeowners' pets?
- Have soils been tested for septic feasibility?
- A homeowner requested the “Coming Soon” sign posted on the property be moved as to not be directly across from their home and that the “For Sale” sign be removed.

The TRC met to review this project at their June 15<sup>th</sup> meeting. Planning staff informed the applicant that the minimum size for all the lots needed to be at least 40,000 square feet. The plat would need to be revised to show those changes and that has been done. Watershed staff said the plat was showing suitable soils within the buffer, which will need to be removed and that has been done. Also, staff raised concerns about lots 1,9, and 10 if they will have enough buildable areas with the septic area and buffers being show on those lots. Staff asked about the stormwater control measure (SCM) in front of lot 16 and if it was an easement or an open lot. Both SCMs would have their own open lot spaces. Watershed staff recommended extra care be taken in construction of the SCM because it was so close to a buffer.

There was some discussion if the applicant can make these changes before the July 5<sup>th</sup> Planning Board deadline. The new application and revised plats were provided to staff and have been included in the packets for the meeting.

According to Environmental Health septic field layouts will be needed for 1,2,6,7,11,16,22,28, &29 depending on the number of suitable soils that will be available once the house sites are located. Central Carolina Soil Consulting, PLLC submitted a soil/site evaluation to the applicant on December 11<sup>th</sup>, 2021. The report is attachment 7.

The site is served by a 10” county waterline on Hamlets Chapel Rd. The applicant has proposed four road names for the roads within the development and those names have been submitted to Emergency Operations. The plat is showing Flatiron Forest Dr and Copley court to be used for the road names within the subdivision. The site has three streams, one ephemeral subject to a 30’ buffer; one perennial subject to 100’ buffer; and one intermittent subject to a 50’ buffer. There are six delineated wetlands on the property subject to 50’ buffers. There are two SCMs proposed for the site. One device is located between lots 15 and 17 and in front of lot 16. The other device is located between lots 19 and 20 right next to the road right-of-way. 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.

June 23<sup>rd</sup> at 5:30 and June 24<sup>th</sup> 9:00. At the time of preparing the notes for Planning Board packets staff has not visited the site. Pictures of the site visit can be viewed on the Planning Department webpage at [www.chathamcountync.gov/planning](http://www.chathamcountync.gov/planning), Rezoning and Subdivision Cases, 2022.

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. The entirety of this project is located within the rural designation on the future land use and conservation 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. 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.

Mr. Glenn said the Planning Department recommends granting approval of the road names Flatiron Forest Dr and Copley Court and granting approval of subdivision First Plat for **Flatiron Forest Subdivision** 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.
- Ms. Jennifer Scott stated she is representing RBV 1525, LLC and Windjam Development. The staff review was very thorough, and this is a straightforward subdivision plan. We have revised the plan to address the TRC and community meeting concerns and we believe all of the concerns have been addressed. This subdivision consists of large lots and there will be minimal impact with 29 lots on 42 acres.

Board discussion:

- Mr. Eric Andrews recused himself from any discussion and votes on this item.
- Vice-Chair Spoon asked for clarification to make sure the roads will not be connecting to Buck Branch Road as it is a concern from the neighbors. He also asked what is being proposed for street lighting? Ms. Smith stated Buck Branch Road is a private road and they will not be connecting to it, and they also discussed the street lighting, and it was decided to not have that because of the community comments.
- Chair Lucier stating this property is currently in use for silviculture and does there need to be a waiting period before construction. Ms. Smith stated yes, it is a large tract of timber management that spreads to both sides of the road and only one side will be developed. As far as the waiting period, the tax office will go back and collect three years on the back taxes of the market rate rather than a present use rate.
- Chair Lucier stated the TRC had a concern about the buildable area on lots 1, 9, and 10, was that resolved? Ms. Smith stated Central Carolina Soils is conducting our site evaluations on that and we believe that will measure out okay as we move forward in the process. Mr. Ben Mayo stated these are large lots with a lot of room to work and we will make sure we are careful.



- Ms. Weakley stated if you read the report by Central Carolina Soil Consulting, it is not a glowing report for soils on this site and under their future subdivision considerations section they say that several factors should be considered before final subdivision plans for this property. There is some concern because per the report there are 9 lots that might have difficult soils for septic. If this subdivision is approved for First Plat and soils are looked at more closely, if there needs to be considerable changes, does this item go through the process again or is it an administrative decision of Planning staff for the lot layout? Mr. Sullivan stated the soil scientist work is limited before the construction plan because of land disturbance restrictions. If they have to reconfigure lots a little bit, we will do that administratively, normally there is just some minor lot line adjustments. Ms. Smith stated there is also options for low-flow septic issues as well. There are innovative systems today for unsuitable soils.
- Ms. Weakley stated the wetland between lots 9 and 10 drains down to the wetland on lot 17, and in between them is a stormwater control measure. There is no channel to call it a stream, but is it possible to avoid impacts to the upper wetland by a realignment of the road? Mr. Mayo stated there is a lot of wetlands on this property and we are limiting the impact the best we can. There was some short discussion about possible road adjustments. Ms. Weakly asked if there will be a culvert at the wetland crossing. Mr. Mayo stated yes.
- Ms. Hager asked if there was any off-site septic. Chair Lucier stated this plan does not have any off-site septic.

Motion made by Ms. Siverson to approve this item, seconded by Vice-Chair Spoon. Chair Lucier conducted a roll call vote and the item passed 9-1, opposed by Mr. Fogleman and Mr. Andrews abstained.

3. Request by True Homes for **Sketch Plan Revision** review and approval of **Parks at Meadowview** consisting of 788 lots on 948.3 acres, located of Old Graham Rd (S.R. 1520) and NC 87.

Mr. Sullivan stated the sketch plan for the “Meadowview” was originally approved on May 16, 2005 as a Planned Unit Development (PUD) consisting of 715 lots on 793 acres. On March 20, 2006, the PUD sketch plan was amended to reduce the number of lots from 715 to 600, to have all roadways be private, redesign the lot layout, and change the name to “The Parks at Meadowview”. On May 15, 2006, the PUD sketch plan was revised to add approximately 155 acres and increase the number of dwelling units to 739. The last subdivision activity in the development was February 2014 when the Board of Commissioners approved one lot for a wastewater pump station.

The Parks as Meadowview is approved as PUD under the pre-2008 Subdivision Regulations and there is no special use permit. PUDs require a special use permit; however, zoning was not adopted in this area until November 2007. If this request is approved the PUD will remain vested under the pre-2008 Subdivision Regulations.

The request before the board is a revision to the sketch plan approval for Phases 2-4 only and include:

- Increasing the number of dwelling units from 739 to 788 dwelling units (a 49-unit increase). Phase 2-4 will increase from 404 to 453 dwelling units.
- Revising the development footprint to a smaller area.
- Revising the development schedule to December 31, 2023 for preliminary plat submittal of Phase 2 and submittal of final plats for phases 2 through 4 by December 31, 2028.

Phase 1 was previously platted, and the county holds two financial guarantees to cover the completion of improvements in those phases. Phase 5 is held by a separate entity and no changes are proposed for that phase. As noted in the introduction, the request is being submitted as an amendment to the current approval in

order for the project to remain vested under the pre-2008 Subdivision Regulations. At the time this development was approved this area was unzoned, so a conditional/special use permit was not required.

The request includes a reconfiguration of the remaining lots from the current approval and increase in the number of lots by 49 dwelling units. The currently approved layout (see attachment #4) shows 404 dwelling units in phases 2 through 4 with those phases spanning both sides of The Parks Drive. There is one additional road connection to Park Meadows Drive which is a publicly dedicated road. Parks Meadow Drive connects to NC 87 and the roundabout connecting Chapel Ridge and The Parks at Meadowview. Parks Meadow Drive terminates at the roundabout and all the roads within Chapel Ridge are privately maintained. The proposed amendment increases the dwelling unit count but reduces the development footprint. All the lots for phases 2 – 4 are proposed to be located west of The Parks Drive and include a mix of single-family homes and townhomes (see attachment #3).

Attachment #2 is a narrative provided by the applicant and includes a breakdown of the dwelling unit calculation. As previously noted, The Parks at Meadowview is approved as a PUD under the pre-2008 Subdivision Regulations. Section 8.3 of the regulations outline the requirements for a PUD and includes that a minimum of 15% of the development be set aside as open space. The total acreage for The Parks at Meadowview is 948.3 acres with 111.2 acres in right-of-way, floodplain, streams, and wetlands resulting in a net of 837.1 acres. The maximum number of dwelling units for a PUD under this scenario is 911.6 dwelling units and the request is to increase the count to 788 dwelling units.

The request includes an extension to the development schedule to include submittal of the preliminary plat for phase 2 by December 31, 2023 and submittal of all final plats for phases 2-4 by December 31, 2028. The current development schedule would have expired on December 31, 2021 but falls under a third permit extension under covid legislation adopted by the Legislature. House Bill 196 / Senate Bill 172 (now Session Law 2021-3) pushes the expiration of qualifying development approvals out to 150 days from the date the executive order establishing the COVID-related state of emergency is rescinded. More information about permit extensions under covid related legislation is found here - <https://canons.sog.unc.edu/2020/10/extension-extended-general-assembly-expands-development-permit-extension/> . Section 8.1 of the per-2008 Subdivision Regulations includes that “the time limit on the validity of sketch and preliminary approval may be extended by the Board of Commissioners for Planned Unit Developments.”

The PUD standards include that a minimum of 15% of the development be set aside as open space. This request increases the open space from 583 to 603 acres, a total of 63% of the development which exceeds the minimum requirement.

Each phase of the development is subject to the sedimentation and erosion control standards in effect when each phase is permitted for construction. The county did not have a stormwater ordinance in effect when The Parks at Meadowview was originally approved, and this would continue to apply if this request is approved. However, the applicant has committed to “provide wet ponds (meeting the current Chatham County stormwater standards) for any development associated with Phases 2-4 and the central amenity.” Mr. Sullivan stated there has been discussions with the County Attorney about the authority in enforcing voluntary buffers and it is his understanding that if there is a recommendation for approval with specific conditions added to the approval the county staff will be able to enforce both regulations.

The current approval for The Parks at Meadowview is subject to the pre-2008 riparian buffer standards which will still be in effect if this request is approved. However, the applicant has committed to meeting the current riparian buffer standards, in addition to the pre-2008 standard, whichever is greater. Soil & Environmental Consultants, PA has delineated the water features for this project using the currently adopted riparian buffer

standards and those calls are under review by Watershed Protection staff (see attachment #6). Like the stormwater commitment, it is not clear if county staff will have enforcement authority under the currently adopted riparian buffer standards since this a voluntary commitment by the developer

The Parks at Meadowview was approved with private roads and some of those were constructed as part of Phase 1 and the county holds financial guarantees for their final construction. Additionally, the homeowner's association has activated the gates on The Parks Drive. The new site plan and application proposes that the roads within phases 2-4 be public and connect to Parks Meadow Drive which is also public. The internal connection to The Parks Drive which is shown on the current site plan will be removed and there will be no interconnection between phase 1 and phases 2-4. A shared amenity is proposed that will provide access to residents who live in phases with both public and private roads.

The application includes a Traffic Impact Analysis prepared by Ramey Kemp Associates (see attachment #5). The report includes in Section 4, Site Trip Generation and Distribution, that phases 2-4 "will generate approximately 3,943 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily volume, it is anticipated that 294 trips (72 entering and 219 exiting) will occur during the weekday AM peak hour and 397 trips (250 entering and 147 exiting) will occur during the weekday PM peak hour." The trip distribution is anticipated to be "10% to/from the north via Old Graham Road, 5% to/from the north via NC 87, 30% to/from the south via Old Graham Road, and 55% to/from the south via NC 87."

At the time these notes were written, planning staff had received numerous written comments from residents of Chapel Ridge with concerns primarily about traffic pattern changes between the currently approved plan and the new proposal. Comments focused on the disconnection between phase 2-4 and the gated section of The Parks at Meadowview, two access points on Parks Meadow Drive, and increased traffic on the privately maintained Chapel Ridge Drive. It is possible that Chapel Ridge Drive could also be gated resulting in all of the traffic from phases 2-4 having to access NC 87.

Mr. Sullivan said it is planning staff opinion the proposed layout meets the requirements of the pre-2008 Subdivision Regulations. Planning staff does not provide an opinion on the request to extend the development schedule because there are no criteria for evaluation.

#### Public Input:

- Mr. Ed Bell stated he is the president of the Chapel Ridge Community HOA and is representing the entire board. Chapel Ridge is comprised of 848 lots and about half of them are fully occupied right now with over 100 homes currently being built. As what the traffic study has shown there will be about 40% new traffic traveling through our private roads. The board is extremely disappointed the True Homes is shifting all their traffic through our private roads when they have the means and availability to have that traffic go through their phase 1 of the Parks at Meadowview. Over the past three years Chapel Ridge has spent over 1.1 million dollars in paving and we still have \$300,000 left in the next year or two. A reserve study conducted in 2020 identified the potential of 3.5 to 4 million dollars to rebuild all of the roads in Chapel Ridge. Even though we plan from 2026 to 2040 with a reserve to account for those costs, by having this increase in traffic we will have this huge investment having to be done a whole lot sooner. To reduce some of the traffic we have looked at some of the angles on how to address this. There are three different areas we would have to install gates which will cost about \$500,000 to install and electronically control those gates. We are also looking at \$50,000 to \$150,000 in costs to install mechanisms on the roads to keep traffic at a slow speed and deter traffic, again on our own private roads. The request of the Chapel Ridge Community Association that the approval for Phases 2 -4 mandate the use of the existing road in the Parks Phase 1.

- Mr. Dick Schuler stated good evening and thank you for recognizing me. The residents of Chapel Ridge submitted a petition with 465 signatures. Let me explain one item in that petition. Other speakers will cover additional items. Parks Dr, a private road in The Parks at Meadowview, connects Park Meadow Dr, a state road off NC 87, and Old Graham Rd. We ask in our petition for the residents of the new development to be able to use Parks Dr as access to Old Graham Road. That is what was originally approved several years ago as all roads in The Parks at Meadowview were interconnected per the original plan. The current residents of Parks Dr and the developer apparently have agreed to submit a revision for approval that denies access from the new area to Parks Dr resulting in that traffic using Chapel Ridge Dr to access Old Graham Rd. Why does it make sense for the Parks HOA to deny use of their private road for access to Old Graham Rd but decide it's ok to use Chapel Ridge private roads for that access? They will say that they have located the new homes near NC 87 and that is the intended road to be used but the traffic analysis doesn't support that. It is obvious that the shortest route to Chapel Hill is by way of Old Graham Road. The Parks, including this new phase, is one HOA with a plan to share amenities. Why can't they share access to Old Graham Rd by way of Parks Dr as originally intended?

Our primary concern with the requested revision to The Parks at Meadowview Phase 2-4 is the projected increase in traffic on Chapel Ridge Dr. Chapel Ridge did a traffic study in 2020 because of safety concerns and speeding on Chapel Ridge Dr. that showed 500 cars per day used that road, 85% of which exceeded 40 mph in a 25mph zone. We added speed tables to mitigate the issue. The traffic analysis submitted as part of this revision estimates an additional 1500 vehicles per day would transit Chapel Ridge Dr. That road is a private road maintained by our association and is not a local road as described in the traffic analysis submitted. Safety is our prime concern but the increased wear and tear on the road will cause significant financial impact to our reserves. Chapel Ridge can certainly find ways with speed bumps or gates to protect our roads and safeguard the safety of our residents by making Chapel Ridge Dr the least desirable way to access Old Graham Rd, but why should we have to spend those dollars just because a neighbor wants to revise a plan that has been in place for years to reduce traffic on their roads?

- Ms. Cheryl Markiewicz stated it's very disturbing to hear of the proposed revision to the originally approved plan for The Parks at Meadowview. The original Parks layout provides a community feel in a county setting with wooded lots and green space that people move to Chatham County to experience. That's why we moved here. The proposed revised plan now divides that well-planned community by eliminating Phases 2-4 to Old Graham Road via the Park Drive. We ask that consideration be given to requiring a construction access road to handle the heavy equipment needed for development and construction of this new plan. This would keep trucks, trailers, and other work vehicles off Chapel Ridge Drive. It would also eliminate the debris that falls off construction vehicles. Also, the wear on the traffic circles that are not wide enough to handle larger vehicles. In addition, access from Park Meadow Drive onto NC 87 is already dangerous. It's tough to make the left turn to go south especially at high peak times. As the traffic increases thru the development and construction phases along with the future build out of the community, we are requesting a traffic light be installed.
- Mr. Phil Royal stated thank you for recognizing me to speak. I will be addressing effluent water concerns by Chapel Ridge residents. Residents of Chapel Ridge are concerned with the two "Permitted spray areas" labelled in the Sketch Plan which abut Autumn Chase (refer to the upper left/Northwest portion of the Sketch Plan). Effluent (reclaimed) water is "smelly" water and we're concerned that spraying so close in proximity to Autumn Chase homes will fill the air with foul odors that could negatively impact Autumn Chase residents' lifestyle and home values. Referring to these same two "Permitted spray areas" in the Sketch and Diagram 1; Do they include only the 3 existing permitted fields labelled PHSA-4, PHSA-16, PHSA-17 of the Permit #WQ0022870 and no additional spray fields are required in this area? Are these existing permitted fields not currently being used? If not, then is the

Developer indicating that these spray fields will become operational for this new development in The Parks? We request that any new spray fields or existing non-operational fields necessary for this development be located away from Chapel Ridge homes, such as the large open spaces of The Parks. For instance, the large open space located in the center of The Parks Sketch Plan should provide ample buffer from new and existing homes in The Parks and have little to no impact. In early 2021 two aerators were installed in the effluent storage pond in Aqua NC's Wastewater Treatment facility to keep the effluent storage pond properly oxygenated and to mitigate most of the foul odors when spray fields are operated throughout Chapel Ridge, The Parks, and Laurel Ridge. These two aerators handle the effluent at the current rate of effluent water production, storage, and spraying. It's unlikely that they will be able to handle the additional effluent water loads of the future Parks development, hence additional aerators will need to be installed in the effluent storage pond. Cost of this installation should be paid for by The Parks Developer and not by existing Aqua NC customers. These residents have already paid wastewater improvement charges to pay for the 2 existing aerators.

- Mr. Adam Sessions stated he lives in Parks at Meadowview, and we are excited about getting a pool and also in the new revision plan we will be getting a walking trail and two designated open spaces. Currently we do not have enough homes in this development to support any amenities which has been our major concern, we pay \$390 a quarter in dues. Our community is made up of mostly younger families, so we are looking forward to the amenities. Most of the residents will use the exit onto Hwy 87 because it is a lot faster to get to Chapel Hill and Pittsboro that direction. Our street is also a private road and that is why we have a gate, but we still have issues with people speeding though community and the gate was also installed to curb some of the traffic going through as well. This is our third builder for this project and if we lose this builder, it will go back to the original plan where traffic goes around two round-a-bouts.
- Mr. Sean Bartlow stated he is also a resident at the Parks at Meadowview, and they have a community of 90 homes and that is not enough to support amenities. We are a young community with children who do not have a pool to go to in the summer at it would be appreciated as well as the open space to play games with the young kids. I understand the concern of the Chapel Ridge residents related to traffic because we have people going 45 mph through our road because one of our gates is broken at the moment. Overall, we are looking forward to having more residents in our community and a more diversified community as well so we can have homes of all sizes and even the town homes so we can support the corporations that are looking at Chatham County. I hope you consider approving this plan.
- Mr. David Wirth stated I want to first congratulate this Board on its successes in bringing new business and development into Chatham County. It is a remarkable accomplishment. I speak to you as today as a resident of Chapel Ridge to strongly encourage the rejection of True Homes' requests for Plat Sketch Revision and Schedule Extension. I've been in the construction industry for the last 20 years and am a strong proponent of growth. Well managed growth. Given the current and future demand for housing in Chatham County, I don't think that anyone here is opposed to the development of the remaining Parks phases. We just ask that it be done in a responsible manner with as little negative impacts to the surrounding communities as possible. For reasons that you will later hear, this Sketch Revision is far from being responsible. Additionally, this request for schedule extension allows for a 20 plus year old review process to remain in place on a development concept that was submitted in June of this year and has received very little oversight and review.

According to County Records, the current owners purchased this property in October of 2021. If not for COVID related legislation, the current PUD would have expired less than two months after that purchase. This requested extension was in no way caused by the recent pandemic or any other hardship, it is a means to extend an approval process that was started over 17 years ago in order to sidestep current regulations. Specifically, the Community protections provided by the Special Use Permitting process. Yes, promises have been made to abide by selected current regulations, but these promises are just that, promises. They in no way guarantee outcomes, are highly selective, and are

potentially unenforceable. Additionally, they do nothing to address the significant, negative Community impacts that these proposed changes would bring. The developer should either abide by the current PUD that was in place at the time of purchase or permit the new development design through current regulations. The County has made great strides in its management of growth over the past couple of decades. One must only look to neighboring communities for a laundry list of lessons learned and multiple examples of would not be allowed to take place today. Allow your staff the time required to thoroughly review the proposed changes under the current regulatory process. Please allow them to do their jobs and take into consideration the impacts to surrounding communities and to the County as a whole. If we're going to stick to a 20-year-old processes, then stick to the 20-year-old, approved, plan. Please don't allow a completely new plan to be reviewed through an old, and outdated, process. Chatham County was a different place 20 years ago and will be an equally different place 20 years from now. Please do not allow for current development, intended to address future needs, to be driven by rules from decades ago.

- Mr. Jim Kurz stated he is a resident of the Parks and if it is considered to have the traffic to go through Parks drive, we are not able to accommodate that volume of traffic due to damage of the road which necessitated us to put the gates up. When I look at this map it is clear to me that almost everyone will be using the Hwy 87 entrance and exit. It is also important to pay attention for wastewater and to the soils in this area it is clay and very impervious to water.
- Mr. James Crawford stated he has lived in the Parks of Meadowview for 7 years and has seen several different plans for the property and finally we have a builder who isn't just sitting on the property waiting for the value to go up, but actually wants to build it out. The president of the Chapel Ridge HOA mentioned their 2020 traffic review identifying speeding traffic. We conducted our own 2 years prior which initiated the gates at our own expense. The cost of repairing the roads in Chapel Ridge is not because of the residents in Parks at Meadowview traffic, there is no reason for any of us to go through there. It is construction trucks and their own residents. It should not fall on the Parks for the reason they need to make those repairs. This project will be a nice to finish for our community and for Chatham County, it has been two decades, lets get this finished. The traffic will flow to Hwy 87 and not through the Chapel Ridge community.
- Ms. Karen Styres stated she lives in Chapel Ridge and appreciates the input from the Parks and would like to see this get built out. I do not understand why you don't want connectivity of your roads with your own community, but instead completely separating the older section to the new dense phases? Also, if the majority of the traffic will flow to Hwy 87 and the traffic impact on other exits will be low, then why not let them use your private road rather than our private roads? How is that far to us at Chapel Ridge.
- Ms. Barbara Arcand stated she is a resident of Chapel Ridge and has lived there for 3 years. When the Parks Drive was built it was a massive infrastructure build and was meant to handle the 879 homes a full buildout. Chapel Ridge was not designed to take on all of the traffic from the Parks. All the residents in Chapel Ridge have a pass code for access through the gate and it should be considered for the Parks residents as a whole as well. Ms. Arcand stated the Harris tract with 170 acres and was planned for about 160 homes is no longer a consideration for this development and the location of the density which is not anywhere near the Harris tract will create a lot of traffic changes here and nobody can say they are not going to come down Chapel Ridge Drive.
- Mr. George Dark stated he lives on Old Hwy 87 and in recent years with the new homes being built the traffic has increased tremendously, but the street has not been upgraded or widened to accommodate. People are hitting the mailboxes and driving into the ditches. We also need speed enforcement to help slow the traffic down or else there will be a bad accident. Also, why wasn't water offered to the residents on Old Hwy 87 when the water was brought in for the development? Chair Lucier stated he does not know why they were not offered to tap into the water when it was brought to that area. That is Pittsboro water, not county water. Chair Lucier thanked Mr. Dark for his comments.

- Mr. Stephen Jones stated he is a 3-year resident of the Parks at Meadowview and a member of our Homeowners Committee which takes place of an HOA because we do not have enough members for an HOA at this point. Prior to us placing the gates all of the traffic on the road was in excess of 40 plus mph and 90% of that was headed to Chapel Ridge so it became a necessity. I am fully in support of the plan by True Homes and the amenities that are planned will be a benefit to many of the families in the neighborhood. True Homes has been open and transparent to us and listen to our concerns as we are excited to complete this development. We are also excited for more affordable home as I have adult children who will be looking to purchase a home in the near future. I hope the board will take this into consideration and give True Homes the thumbs up so we can have a complete neighborhood.
- Mr. Lanza stated he lives in Chapel Ridge, and we are excited to see this neighborhood completed and the pool for the families. However, we are wanting to keep our neighborhood as what we bought into, and our road is a private road for the residents of Chapel Ridge, and we need to explore the options with the developers to keep it that way.
- Ms. Jenna Miller stated she understands the concern for increased traffic for the residents at Chapel Ridge. The reason my husband and I moved into the Parks is because of the gate. We moved from Raleigh where we had a lot of traffic, so we were excited to move into a low traffic and quiet area of the Parks at Meadowview. We are excited for the new community and new residents, we want to be connected to them, but we want to keep our traffic light. Chapel Ridge can put a gate on their roads if that is what they want to do to reduce traffic.
- Ms. Nicole Whitman stated she lives at the Parks at Meadowview and has not traveled through the Chapel Ridge neighborhood. I hate to see this has turned into a us verse them situation, but it looks like that what it has panned out to be. I am excited for the new growth in this area of Chatham County and welcome the amenities for my growing family. I am also in support of mixed-use development as Chapel Ridge and Briar chapel both are mixed use development, and I am in full support of Chapel Ridge to building a gate if they so choose.
- Mr. Michael Birch on behalf of the applicant True Homes stated his team is also on the meeting and thanked Mr. Sullivan and the Planning staff for all of their help over the past many months to get the project to this point. Our request includes an increase in the number of dwelling units by a total of 49 within Phases 2-4. That will increase the overall unit total to 788 units which is still well within the max of 911 units. Our development also reduces the footprint of the project to just the west side in a higher density area. Our revision also includes an updates schedule of development for Phase 2-4 with appropriate time to file required documentation and plats.

True Homes is only going to be involved with the Phases 2-4 and not with the current building in Phase 1 or the Harris tract for Phase 5. Some of the benefits of this revised sketch plan specifically compared to the current entitlement, we have limited disturbance, we moved the development away from the steep slopes and environmentally sensitive area with wetlands and streams of the property and to a more suitable area for development. This revision gets our overall impervious surface below 20% and it also increases an additional 65 acres of open space which is 63% of the project. The applicant has voluntarily committed to complying with the more stringent post-2008 buffer and stormwater requirements and the County Attorney noted we can offer that, and the county can enforce that. This development also offers more compact single family home lots, compact townhome lots, which provide a more obtainable home option than the larger home on larger lot option. We have worked with the HOA and residents in the existing Parks neighborhood and more recently we have engaged with the Chapel Ridge HOA and heard their concerns about traffic and the spray fields. We believe those two items can be addressed with conversations, we have another meeting with Chapel Ridge HOA to

discuss these issues and we look forward to continuing these conversations and encouraged we will find some alignment on those issues.

- Mr. Mark Ashness stated the TIA report was provided and the NCDOT had reviewed that and sent their affirmation of the findings. For utilities, the wastewater plant that has been constructed to handle 500,000 gallons per day and the storage ponds are also at that capacity. Aqua stated the average flow to the Chapel Ridge treatment is 50,000 gallons per day and the spray fields within Chapel Ridge can support 300,000 gallons per day and the Parks at Meadowview spray fields are sized for 200,000 gallons per day. Because the flow is significantly lower than permitted rates there is no reason, we can't extend the separation along the project area a little further to address any spray field concerns. There is a 500,000-gallon water tank located on Old Graham Road to supply the Chapel Ridge, Parks at Meadowview projects, and some select project along Old Graham Road.

Mr. Ashness stated Mr. Drew Blake with Watershed Protection and preformed a stream delineation which is less than what was based back when this was originally approved, but we are keeping the buffers as they were delineated originally. We are also adding an additional 8 stormwater ponds so it will meet the county's current standards. We are also putting in buffers that exceed the current county requirements.

#### Board discussion:

- Chair Lucier stated Mr. Ashness had provided the capacity for the wastewater treatment plant at 500,000 gallon per day and of course Chapel Ridge and Parks at Meadowview use it, but what other developments use that plant? Mr. Ashness stated there is about 1800 to 2000 units total using that treatment plant per day with an average flow of 100 gallons per house flow rate. Chair Lucier asked if they have had any issues like Briar Chapel? Mr. Ashness stated not of which he is aware.
- Chair Lucier stated it is great that they have the voluntary stormwater controls and the post-2008 stream buffer requirements they are adding in, but we need to make sure that is enforceable. It sounds like it probably is enforceable with what Mr. Sullivan stated from the County Attorney, but we should write that into the conditions to make sure it is enforced. Mr. Ashness stated the language is in the application, but if it needs to be added we are happy to do that. Chair Lucier stated he knows that area fairly well and it is hard to believe that 60% - 40% split from Hwy 87 and Old Graham Road. Hwy 87 connects to the 84 bypass and then to 15-501 for Pittsboro or Chapel Hill. Mr. Ty Parham stated he helped with the Traffic Impact Analysis and coordinated with NCDOT with the scope and the 40% heading east is based off of traffic patterns and different surrounding land uses we believe people would be going to and from.
- Vice-Chair Spoon stated he was reading the TIA this afternoon and was wondering why townhomes have so many fewer trips per day than single family homes? It seems townhomes would have the same trips as a single-family home except for townhomes located within walking distance of a town. Mr. Parham stated it is based off of studies conducted all throughout the country on different site similar to what we have here. There is also provided equations we are to use to produce the appropriate data based off the density we have. Vice-Chair Spoon stated that data may be skewed by townhomes located within walking distance of a town where necessities could be purchased without driving to them. Mr. Birch also stated this data is conducted during peak traffic hours and the demographic such as age and occupation who lives in a townhome may not be traveling at the peak hours as the demographic who lives in a single-family home.
- Ms. Siverson asked because this revision is so different and the scale of it is large, why didn't it trigger a requirement to go through the process as a post-2008 subdivision? Mr. Sullivan stated it has vested rights which allows them to come back under the pre-2008 standards and request the modification as



well as request the extension. Ms. Siverson in regard to the roads, wasn't it the developments choice to keep their roads private and maintain them their selves rather than turn them over to NCDOT for public roads? Mr. Sullivan stated that is correct and years ago when Lynn Richardson was in the department, she was working with Chapel Ridge residents to turn over the roads to the NCDOT, but the roads did not meet the requirements and it would have taken some extensive modifications. You can convert the ownership of the roads, but it doesn't always work out because they can be cost prohibitive.

- Ms. Siverson stated she was on the Planning Board back when the original plans of Chapel Ridge and the Parks came through and it was my understanding at that time that Parks at Meadowview would be using the amenities at Chapel Ridge and that is why it is designed the way it is with the traffic circle at the clubhouse and amenity area, did that deal fall through, why is it not the way it was intended? Mr. Ashness stated the Parks at Meadowview had its own amenity and it was probably going to be one of the most expensive amenities that never was built.
- Vice-Chair Spoon stated under this current plan the Parks at Meadowview would have access to the amenities without sharing any of the traffic burden, is that correct? Mr. Ashness stated that is correct, there would be access from Phase 1 and Phases 2-5. We will also incorporate walking trails for connectivity. There would also need to have emergency vehicle access.
- Mr. Arthur stated it looks like we just have a bad road network, we might end up with dueling gated communities. It is easy to understand that the residents on both private roads do not want traffic increased on their private road and it is not clear how to produce a solution for that. We can direct everyone out to Hwy 87 but is that the best way to get to Chapel Hill or Pittsboro. Chair Lucier stated this was an issue back when it was approved, they did not have access to Hwy 87 and the Planning Board insisted they have access to Hwy 87 which they did because Old Graham Road could not handle that traffic. It was discussed tonight by a resident to place a traffic light at that intersection and that is a good idea because it could cause some safety concerns the way Hwy 87 is constructed over the hill and around the corner. Ms. Siverson stated she drove through the neighborhood tonight out to Old Graham Road to see what it was like because it had been a while and it takes a long time to wind through there because of speed bumps and I am not sure I would choose to go that way unless I just wanted to take a nice slow scenic drive to Chapel Hill. It would be much better to go down Hwy 87 to Hwy 54 then to 15-501 up to Chapel Hill. Chair Lucier stated that was his point about the 60% - 40% breakdown because it just didn't seem quite right. Vice-Chair Spoon stated that would add 12 minutes to the drive.
- Ms. Hager asked about the conditions we need to add to this recommendation. Chair Lucier stated we need to codify the conditions about the voluntary stormwater controls and post-2008 stream buffer regulations and the streams from pre-2008. That needs to be added to the language so the county can always enforce those agreements. Mr. Arthur stated maybe they can place a sign at the traffic circle about thru traffic is prohibited as an inhibitor in addition to the speed bumps and winding roads. Chair Lucier stated that is not a bad idea, it would not stop it, but it would decrease it. Chair Lucier asked the developer if there was consideration to make Parks Drive a through road and not gated out to Old Hwy 87? It was mentioned a couple times tonight by residents of Chapel Ridge. Vice-Chair Spoon stated you could give just the people in the neighborhood gate access to use that road and not everyone like golfers trying to go through.

Mr. Jon Ward with True Homes stated we have met extensively with the Parks at Meadowview residents, and during the community meetings it was discussed many times and different options with connectivity or separation and there is overwhelming support in keeping these phases separate. It is similar to Governors Club and Governors Village; we are trying to provide the same product. We have met with the Chapel Ridge HOA recently to discuss options and we believe hearing the comments tonight makes everything clear and they are addressable. We spoke with their HOA president last week and we both feel that we can come to a resolution. With as much time that has been invested into this project, we want to do what is best for everyone and move forward with the best approach.

- Vice-Chair Spoon asked if they could come to a solution within the next month that would make everybody happy? Mr. Ward stated yes, we have a meeting scheduled with the Chapel Ridge HOA on July 14<sup>th</sup> and I believe we can achieve a resolution on the traffic and wastewater spray field issues.
- Chair Lucier stated it sounds like the best approach would be to table this item so the County Attorney can draft some language for the conditions and give the developers a chance to resolve some of the traffic issues.
- Ms. Weakley stated on the staff notes there is mention of the development schedule and there is a third permit extension under Covid legislation stating 150 days from the date of the Executive Order being rescinded. What date is that? Mr. Sullivan stated we do not know at this time. When the Governor rescinds the Executive Order the 150-day timeline will begin.
- Ms. Weakley stated in theory she is in favor of reducing the footprint and more open space and away from steep slopes, but what is the change in impervious surface? Mr. Ashness stated the original impervious surface was 24% and now it is less than 20%, it could even be as low as 18%. Ms. Weakley stated when she looked at the arial photos of the project there are a lot of existing ponds that are not shown on the plan, especially in the open space near Phase 1, but also in the area for Phases 2-4. Can you explain what those ponds are? Mr. Ashness stated the original ponds that were approved back in 2006 are voluntary structures and for a lot of instances they were used for sediment control and have not been switched. Most of the bonded number of monies is for the conversion of those ponds in Phase 1. The other ponds in the Phases 2-4 area will be expanded into larger wet ponds under the new regulations. Ms. Weakley she is very glad to hear the stormwater treatment will be at or above current regulations.
- Ms. Weakley stated there had been some comments about the spray irrigation fields, the DEQ permit which is valid from April 2019 to the end of February 2025 and there is a map that shows low and high saturation areas which are already permitted areas, so how is a change in the footprint going to alter the existing spray fields if at all? There are permitted spray fields in what is now being proposed open space. Maybe next month a new exhibit could be provided to show how the spray fields will be laid out. Mr. Ashness stated there is an area on the far east that is open space, and we are not going to use that area at all, so we can provide a new exhibit showing the current areas for spray.
- Ms. Weakley stated the lift stations are close to either stormwater ponds or headwater area of a stream, with all the problems we have had at Briar Chapel maybe some secondary controls in those areas could be beneficial. Mr. Ashness stated on the eastern side is in a safe location, but we can look at the life station on the western side and move it further away from the buffers edge. Ms. Weakley asked if there might be anything they can do for secondary containment just in case there is an issue? Mr. Ashness said yes, they can look into a secondary containment area.
- Chair Lucier stated if the Board agrees, we should make a motion to table this item until our August meeting so we can get information on the items we discussed regarding formalizing the conditions for enforcement of the buffers and stormwater controls, the issues Ms. Weakley had just mentioned, and if there is any positive outcome to the traffic concerns.

Motion made by Vice-Chair Spoon to table this item to the August 2,2022 Planning Board meeting, seconded by Mr. Fogleman. Chair Lucier conducted a roll call vote, and the item was tabled by a vote of 11-0, unanimously.

- Chair Lucier asked the applicant team if they are clear on the concerns of the Planning Board for the August meeting. Mr. Birch said yes, they understand.

VIII. NEW BUSINESS:

IX. BOARD MEMBERS ITEMS:

1. Update from the Planning Board liaisons.

- Chair Lucier stated the Pittsboro Planning Board meeting will be held next Monday. Tree Protection meeting will be held tomorrow night, so we will report back to you on that meeting.
- Ms. Siverson stated the Siler City Planning Board agenda had a development for 147 single family homes and 67 townhomes located on 99 acres. The Agriculture Advisory Board agenda had voluntary agricultural districts discussions.
- 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 asked how the Board members feel about remote meeting or in-person meetings and it was agreed to stay remote for the time being.

X. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

1. Minor Subdivision spreadsheet
2. Unified Development Ordinance Update

- Mr. Mullis gave a brief overview of the status of the UDO and stated the consultants are close to completing the Annotated Outline and once that is finalized, he will provide a copy to the Planning Board.
- Vice-Chair Spoon stated there will be a UDO subcommittee meeting on July 20<sup>th</sup> at 12pm and would like the members to let him know if they know of any community members that would like to be ex officio members of the committee so he can vet them. Also, review the June 6<sup>th</sup> Commissioner meeting where the consultants provided a presentation to the BOC and the next steps. Lastly, review the Annotated Outline once that is released because we will be discussing that during the meeting.

XI. ADJOURNMENT:

There being no further business, the meeting adjourned at 10:03 p.m.

Signed: \_\_\_\_\_ / \_\_\_\_\_  
George Lucier, Chair Date

Attest: \_\_\_\_\_ / \_\_\_\_\_  
Dan Garrett, Clerk to the Board Date