

CHATHAM COUNTY PLANNING BOARD
MINUTES
July 8, 2008

The Chatham County Planning Board met in regular session on the above date in the auditorium of the Agriculture Extension Building in Pittsboro, North Carolina. A quorum was present to begin the meeting. The members present were as follows:

Present:

Sally Kost, Chair
Warren Glick, Vice-Chair
B.J. Copeland
Karl Ernst
Barbara Ford
Judy Harrelson
Jim Hinkley
David Klarmann
Peter Theye
Delcenia Turner

Absent:

Planning Department:

Keith Megginson, Planning Director
Jason Sullivan, Assistant Planning Director
Benjamin Howell, Planner
Lynn Richardson, Subdivision Administrator
Angela Birchett, Zoning Administrator
Kay Everage, Clerk to the Board

- I. CALL TO ORDER: Chair Kost called the meeting to order at 6:30 p.m.
- II. APPROVAL OF AGENDA: Mr. Theye made a motion; seconded by Mr. Hinkley to approve tonight's agenda as submitted. There was no discussion and the motion passed unanimously.
- III. CONSENT AGENDA: Mr. Ernst made a motion; seconded by Mr. Copeland to approve the consent agenda as submitted with revised **conditions** regarding "The Glens, Phase I" as noted below and as recommended by staff. There was no discussion and the motion passed unanimously. Chair Kost and Mr. Hinkley stated that they would point out a couple of minor typos in the minutes to the clerk following tonight's meeting.
- IV.
 - A. Minutes: Consideration of a request for approval of Planning Board minutes for June 3, 2008 meeting.
 - B. Final Plat Approval:
 1. Request by Polk-Sullivan, LLC for subdivision final plat approval of "The Glens, Phase I" (fka McBane Property), consisting of 9 lots on 15 acres, located off SR-1520, Old Graham Road, Hadley Township.

Two (2) Conditions:

 - 1.) The plat shall not be recorded until staff has received and approved the financial guarantee.

- 2.) The internal roadway serving Phase I shall be graded and graveled prior to the issuance of the first zoning determination permit / building permit.

There were no requests to speak regarding this application.

2. Request by Dan Sullivan for subdivision final plat approval of "Windfall Creek, Phase V" (fka Pennington, North), consisting of five (5) lots on 20 acres, located off S. R. 1716, Big Woods Road, New Hope Township.

There were no requests to speak regarding this application.

End Consent Agenda

- IV. PUBLIC INPUT SESSION: Fifteen-minute time of public input for issues **not on agenda**. Speakers limited to three minutes each.

There were no requests to speak at this time.

- V. SUBDIVISION REQUEST – Development Schedule Extension:

- A. Request by Nicolas P. Robinson, Attorney-at-Law on behalf of Harrison Pond, LLC, and the Norwoods and Feltons, for a one (1) year extension of the development schedule deadline for the Norwood/Felton Subdivision extending the deadline for preliminary plat submission from July 31, 2008 to July 31, 2009.

Ms. Richardson reviewed the agenda notes for this request. She stated that staff recommends approval of the extension as requested.

Nicolas Robinson, attorney, was present representing the developer and landowners. Mr. Robinson stated that this subdivision (approved July 2007) does not have an environmental impact assessment (EIA) requirement; that at original design all buffers were proposed in accordance with anticipated revised ordinance requirements; that it was the conclusion of the Planning Board at that time that an EIA was not needed; that the drought delayed the Corps of Engineers' wetlands review; that more time is needed to move the roads (taking into account the wetlands found and used as a planning tool) as well as other plans that would need to be re-engineered and resubmitted, i.e. water, sewer, roads; and that given the tract record and design of this project he asked that the Planning Board approve the one (1) year development schedule extension to accommodate needed changes.

Board discussion followed and Mr. Robinson addressed some of the specifics noted below:

- *Work done on site*

Mr. Robinson explained that there has been no work currently done on site.

- *Buffers*

Mr. Robinson stated that 100 ft. buffers are proposed along one side of the creek and that the developer does not own the other side of the creek. He used the large overview map to show how buffers were modified depending on the drainage areas of each wetland narrowing from 50 ft. to 30 ft. in one area.

- *Roadways*

Mr. Robinson stated that roadways would have to be reconfigured to accommodate the Corps of Engineers' findings regarding wetlands.

- *Input from Fred Royal, Director Environmental Resources*

Chair Kost asked for clarification that, when this request comes back to the Planning Board and Commissioners, whether Mr. Royal would be involved as part of the Development Team? Ms. Richardson explained that Mr. Royal does attend Development Team meetings but that he would not necessarily walk this land and do an on-site buffer review of the project like his involvement with the minor subdivision procedure.

- *Market conditions*

Mr. Robinson stated that he does not think that market conditions are driving this request for an extension; and that this request is independently necessary.

- *Steep Slopes – require an Environmental Impact Assessment [EIA]*

Mr. Hinkley recalled that this subdivision has extremely steep slopes. He stated that the percent of steep slopes must be very high in various sections of the subdivision; that there is much stream frontage on the property; and that he would suggest (if an extension is granted) that an Environmental Impact Assessment [EIA] be required and that the assessment is reviewed by Fred Royal.

Mr. Robinson stated that he recalled that the issue was handled at sketch design approval to the satisfaction of the Board with a unanimous vote; and that there was no need for an environmental impact assessment because of the way the development had been designed to account for the size of the lots where there are steep slopes.

- *Soils evaluations*

Mr. Robinson stated that soils have been evaluated but have not yet been permitted.

- *6 months extension vs. one (1) year*

Mr. Robinson referenced letter from the project engineer that stated:

“I would estimate that we will be able to complete engineering plans by the end of September after which we would submit for County and State permitting. Typically the permitting process takes another four (4) to six (6) months, so if all goes well we would likely receive all the required

permits by April of next year and then be prepared to submit preliminary plat at that time and still go through that process”.

There were no requests from the public to speak.

Motion to allow extension with an EIA conducted - failed

Mr. Hinkley made a motion to allow for a one (1) year extension of the existing development deadlines with a caveat that an Environmental Impact Assessment [EIA] be conducted within this time and used as a planning tool for the development of the project. Ms. Turner seconded the motion.

Discussion followed regarding:

- the inappropriateness to require an EIA at this point since the project was approved a year ago (with a unanimous vote), and
- drought conditions not allowing accurate delineation of streams and wetlands
- additional time needed for U.S. Army Corps of Engineers findings to be incorporated into the project design, i.e. roadways, water lines, lot design
- some larger lot sizes – approx. 4 acres/lot
- containing runoff - doesn't appear to be a problem

The motion failed 2-7-1 with Hinkley and Glick voting in favor of the motion; and Kost, Copeland, Ernst, Ford, Harrelson, Klarmann and Theye voting against; and Turner abstaining.

Motion to allow extension as requested - passed

Mr. Ernst made a motion; seconded by Mr. Copeland to grant approval of the request for a one (1) year extension of the existing development deadlines as requested and as recommended by staff. There was no further discussion and the motion passed 6-1-3 with Ernst, Copeland, Kost, Ford, Harrelson, and Klarmann voting in favor of the motion; and Hinkley voting against; and Glick, Theye and Turner abstaining.

VI. ZONING AND ORDINANCE AMENDMENTS - Item from May 19, 2008 Public Hearing and June 3, 2008 Planning Board Meeting:

- A. Request by Jerry Turner & Associates on behalf of HBP Properties, Inc. (Brantley Powell) for a revision to the conditional use permit for Polk Center, located off US 15-501 N, Baldwin Township, approved for a Conditional Use B-1 zoning district for a shopping center on October 16, 2006, to allow an extension of Condition No. 13 to extend a new expiration date of two years (October 16, 2010) to begin construction.

Ms. Birchett reviewed the agenda notes for this request. She stated that staff recommends approval of an extension of one (1) year to allow the developer more time to obtain necessary permits (as directed in the conditions outlining the original approval). Ms. Birchett noted that earlier today she, Ben Howell, Brantley Powell, Richard Adams and Travis Fluitt met with NCDOT representatives from their Engineering Office, Division Office, and Congestion

Management, and that plans are on-going. She used the large map to show proposed access and two (2) traffic lights.

Board discussion followed:

Two (2) proposed site plans

Richard Adams, Kimley-Horn and Associates, was present representing the applicant. Mr. Adams stated that his firm conducted the traffic study for this project. He used an aerial photograph illustrating the two proposed site plans and surrounding developments, i.e. Legend Oaks and Williams Corner. He noted that the two phase signals take substantially less green time off Hwy. 15-501 than the full movement type signal.

Septic systems

Jeff Vaughn, senior soil scientist with Agri Waste Technology [AWT], Raleigh, NC, was present representing the applicant. Mr. Vaughn stated that his firm has already obtained a permit from Chatham County for a 2995 gallon conventional system that would serve the southwest corner portion of the development, i.e. drug store, bank, office building, and possibly others but not entire project; and that there are useable soils on portions of the property to support individual septic systems.

Buffering and land topography

Glenda Toppe, with Jerry Turner & Associates, Inc. was present representing the applicant. Ms. Toppe addressed buffering and topography of the land. She stated that a 50 ft. buffer is planned along Hwy. 15-501; that a 20 ft. buffer runs along Polk's Landing Road; that a tree line is proposed along Polks Landing Way; that the back of the buildings would face Polks Landing; and that the entrances are in the back at the parking lot area.

Brantley Powell, applicant, stated that without road elevations and etc., no actual grading plans have currently been done.

Proposed design standards

The Board discussed the following:

- a) previously asking the applicant (at sketch design review) to consider incorporating some of the proposed design standards, i.e. 100 ft. buffers along Hwy. 15-501 (instead of 50 ft. buffers);
- b) applicant possibly willing to specify that plantings would be increased to make appropriate landscape blockage and that no grading of the land would occur beyond the required level to meet the road;
- c) not applicable to request a condition since the applicant has a valid permit at this point in the process; and
- d) traffic – between Lystra and Polks Landing Road entrance.

Ms. Toppe stated that the applicant could commit to providing additional plant material for adequate screening.

Mr. Powell stated that he was in agreement with additional landscaping but was concerned about that the uncertainty of the road grade.

Mr. Adams stated that three traffic lights are planned on Hwy. 15-501 to serve the area between Lystra Road and Polks Landing Road. He noted that the focus of NCDOT is to progress traffic better on Hwy. 15-501.

Motion to deny

Mr. Theye made a motion to deny the request. The motion died for lack of a second.

Motion to approve

Mr. Ernst made a motion; seconded by Mr. Hinkley to approve the request for an extension of **one** year as recommended by staff to allow the developer more time to obtain necessary permits as directed in the conditions outlining the original approval. There was no further discussion and the motion passed 8-1-1 with Ernst, Hinkley, Kost, Copeland, Ford, Harrelson, Klarmann, and Turner voting in favor of the motion; and Theye voting against; and Glick abstaining.

Note: The revised expiration date is October 17, 2009.

- B. Request by Nicolas Robinson on behalf of Baycorp Development, Inc. for an 18 month extension of their conditional use permit for property located near the corner of US 15-501 N and Mann's Chapel Road, Parcel No. 2641, Williams Township owned by Manns Chapel LLC.

Ms. Birchett reviewed the agenda notes for this request. She stated that staff recommends approval of a 15 month extension from the revised date by the Board of Commissioners with the condition that a building permit is issued and must remain valid for the project at all times or the conditional use permit automatically expires.

Nicolas Robinson, attorney, was present representing the applicant. Mr. Robinson stated that the developer is in negotiations with a North Carolina bank; that the difficulty is that the nearby Williams Corner development is in negotiations with the same bank; and that the developer is willing to move on to another use if the bank does not materialize. Mr. Robinson stated that, since there is already a conditional use district and a conditional use permit approved, he requests that the Board grant the extension to give the chance for a low impact use at the intersection.

Some specifics discussed were:

- a) time limits on conditional use permits,
- b) five (5) required findings, i.e. needed or desirable, and
- c) market conditions issue – should not have a bearing on Board decisions.

Motion to approve

Mr. Copeland made a motion; seconded by Mr. Klarmann that the extension request be approved with stipulation/s as recommended by staff as follows:

1. This permit shall expire in 15 months (January 17, 2010) from the latest approval date as approved by the Board of Commissioners unless a building permit is issued. There shall be valid building permits for the project at all times or the conditional use permit shall automatically expire.

Discussion followed regarding:

- other uses allowed on the property other than a bank - (See a list of said uses included in this application filed in Planning Department)
- safety, i.e. accidents that have occurred at this intersection
- sign in front of property

Some concerns of Mr. Hinkley were:

- promotes strip development
- adds to collision points of already busy, congested intersection
- current major corridor efforts not considered
- access, i.e. Manns Chapel Road and Hwy. 15-501
- severe issue that needs to be dealt with

Mr. Hinkley stated that he would hope that the Board votes down the above motion and allow for the conditional use permit to expire.

Ms. Birchett stated that the specific 15 months expiration date would be January 17, 2010, i.e. 18 months from July 17, 2008.

Mr. Ernst asked for clarification of the last sentence in tonight's agenda notes under heading "Discussion and Analysis" that states, "If the Board were to choose not to recommend approval of the extension and allow the permit to expire, legal advice is recommended". Mr. Megginson stated that we would end up with a situation where there is an approved district but no uses; that it would get complicated with the clarification of nodes; and that we could possibly face legal action.

The motion passed 8-2 with Copeland, Klarmann, Kost, Glick, Ernst, Ford, Harrelson, and Turner voting in favor of the motion; and Hinkley and Theye voting against.

Public Hearing Items: Mr. Megginson stated that items A. – H. are scheduled or July 21, 2008 public hearing at 6:00 p.m. in the District Courtroom of the Courthouse Annex Building in Pittsboro, NC. He noted that application material was distributed to Board members earlier tonight.

- A. A request by Richard Weston-Jones for a text amendment to the Chatham County Zoning Ordinance, Section 10, Item/s 10.1 RA-5; 10.2 RA-90; 10.3 RA-40 residential/agricultural lists of permitted uses specifically for "bed and breakfast inns" to add additional language to say

“an owner occupied and operated home Bed and Breakfast with no more than two rooms (units) for rent with a minimum lot area of one and one half (1.5) acres” be permitted. Also add to Section 14 Neighborhood Home Occupations (A) “owner-occupied and operated home Bed and Breakfasts with no more than two rooms (units) for rent with a minimum lot area of one and one half (1.5) acres.

- B. A request by William Jeffrey House for a text amendment to the Chatham County Zoning Ordinance, Section 10, Item 10.5.A B-1 Business List of Permitted Uses to add “public and private recreation camps and grounds” as a permitted used in the district.
- C. A request by William Jeffrey House to rezone Parcel No. 11257 consisting of approximately 10.35 acres, Haw River Township, located at 284 Moncure School Rd., from RA-40 Residential/Agricultural to CU-B1 Conditional Use Business.
- D. A request by William Jeffrey House for a Conditional Use B-1 Business permit for a public and private recreational camps and grounds and boat, motor home, camper, trailer, and recreational vehicle storage on approximately 10.35 acres, Haw River Township, located at 284 Moncure School Rd.
- E. A request by Doug & Cindy Carroll to rezone Parcel No. 5241 consisting of approximately 22.14 acres, Cape Fear Township, located at 2312 Pea Ridge Rd., from RA-40 Residential/Agricultural to CU-O & I Conditional Use Office & Institutional.
- F. A request by Doug and Cindy Carroll for a Conditional Use Office & Institutional permit for Inns including accessory eating and drinking and personal service, training and conference centers which include various events, and a contractor’s storage yard on approximately 22.14 acres located at 2312 Pea Ridge Rd., Cape Fear Township.
- G. A request by Jack Michenfelder for an amendment to the existing Conditional Use B-1 Permit for a nursery, garden center, retail shop, and landscaping business to allow the sale of Parcel No. 17707, New Hope Township, located at 10544 US 64 E, Apex, NC.
- H. A request by Scott Schultz and Diana Dodge for a Conditional Use Permit in an RA-40 Residential/Agricultural District on approximately 5.45 acres of a 16 acre tract, Hadley Township, located at 6545 NC 87 N, Pittsboro, NC, for a boarding kennel.

VII. OLD BUSINESS:

- A. Major Corridor Ordinance – Prepare to make motions to forward to the County Commissioners on 1) an amendment to the Zoning Ordinance and map to incorporate overlay zoning district standards, 2) amendments

to the Land Development Plan and adoption of a Map, and 3) a land use plan amendment process.

Members of the Major Corridor Ordinance Task Force present were: Sally Kost, Karl Ernst, and Barbara Ford. Paul Black, facilitator was out of town and unable to attend tonight's meeting.

Chair Kost noted the following outstanding issues from last month's meeting:

- 1) Stubbing out between developments for the connectivity issue
- 2) Establishing a Neighborhood Node at the County line (Pulling this area out of the Cole Park Community Node)
- 3) Implication for the Lee Moore Oil site.

She distributed to Board members additional recommendations which contained minor adjustments to the proposals, titled, "Major Corridor Recommendations, Sally Kost, July 8, 2008", i.e. one (1) sheet, front and back. A copy is filed in the Planning Department.

10.9 Chatham County Corridor Overlay Districts dated 6/4/2008 was discussed as follows:

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F. Access

Sidewalks

The Board discussed the safety and practicality of sidewalks to road connectivity.

Motion to revise proposed language - failed

➤ Mr. Copeland made a motion; seconded by Mr. Ernst to revise proposed language as follows (re: 1st sentence):
"unless impractical because of physical features" to "**when practical and desirable**", i.e. connecting will be encouraged and not required. There was much discussion among the Board. Mr. Copeland called the question to end the debate. That motion failed with a 5-5 tie vote with Copeland, Ernst, Kost, Klarmann and Turner voting in favor of the motion; and Glick, Ford, Harrelson, Hinkley and Theye voting against.

Discussion followed regarding interconnectivity off the major thoroughfare. Mr. Copeland withdrew his motion with no objection from the Board. Mr. Ernst suggested the following language: "All developments in the individual node will be interconnected"; and that this would mean that as it stands anything that goes in that node would have connectivity.

Motion to revise proposed language - passed

- Mr. Hinkley made a motion; to revise language as stated below with revisions noted in **bold, italic**, and ~~strikethrough~~.

“All developments in the **15-501 North** corridor (**Orange County line to Mount Gilead Church Road**) will be inter-connected for both vehicles and pedestrians. **All other developments in other corridors shall be inter-connected when practicable and desirable** unless impractical because of physical features.

Mr. Klarmann seconded the motion and the motion passed 8-2 with all Board members voting in favor of the motion except Mr. Ernst and Mr. Theye who voted against.

Allow five (5) minutes for discussion of each proposal

Mr. Copeland asked that the Board spend a maximum of five minutes discussing each proposed request tonight.

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1. Neighborhood Node Overlay District

Chair Kost offered a suggestion on creating a Neighborhood Node at the Orange County line. She stated that the previous concern was would this could open the area up for a very large development; that after discussing this with Paul Black she suggested that we do create a new Neighborhood Node, and that the size of buildings be limited to no more than 65,000 sq. ft.

Following Board discussion,

- Mr. Theye made a motion; seconded by Mr. Copeland, to leave language as proposed and **not** create a new Neighborhood Node). There was no discussion and the motion passed 6-3-1 with Theye, Copeland, Ernst, Hinkley, Glick, and Turner voting in favor of the motion; and Kost, Ford, and Harrelson voting against; and Klarmann abstaining.

Confusion of above motion

There was some misunderstanding among Board members regarding the above motion. Mr. Megginson used the large map to explain the various parcels in this particular area and what the impact of breaking out the new node, i.e. Diane Dodge's situation.

Motion to reconsider another vote

Mr. Glick made a motion; seconded by Mr. Hinkley to reconsider another vote on this issue. There was no discussion on the motion and the motion passed unanimously.

- Diane Dodge, 12330 US Hwy 15-501 N., Chapel Hill, NC
Using the large map, Ms. Dodge pointed out her land and the surrounding parcels, i.e. Lee Moore Development, UNC Park and Ride. She explained her position of being virtually landlocked by development.

Discussion followed. Mr. Sullivan stated that maximum square footage allowed in each node:

Neighborhood	=	160,000 sq. ft.
Community Node	=	320,000 sq. ft.

Mr. Megginson stated that the outcome of the pending Lee Moore Oil legal case would make a difference in Ms. Dodge's situation; and that the purpose of a node is to put commercial development in concentrated areas.

- Ms. Harrelson made a motion; seconded by Ms. Ford to create a new node (a Neighborhood Node which is limited to 160,000 sq. ft.). There was no further discussion. The motion passed 7-1-2 with Harrelson, Ford, Kost, Copeland, Ernst, Klarmann and Turner voting in favor of the motion; and Theye voting against; and Glick and Hinkley abstaining.

Recommendations by Chair Kost were reviewed (see hand-out referenced earlier tonight.)

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H. Building Design and Layout Standards

- Change the word "should" to "shall" in first sentence as follows:

"Building form and relation of buildings to public spaces ~~should~~ **shall** adhere to the Chatham County Major Corridor Design and Planting Guidelines."

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I. Landscaping and Buffering

- Change language in second sentence at top of page as follows:

"Additional information is included in the Chatham County Major Corridor Design and Planting Guidelines. These Guidelines should be incorporated wherever possible. The guidelines are available from the Planning Department."

Proposed Language:

"Additional information is included in the Chatham County Major Corridor Design and Planting Guidelines. These Guidelines **shall** be incorporated **into the site plan**. The guidelines are available from the Planning Department **and are included as an appendix to this ordinance.**"

How do we ensure that what is proposed is actually built?

Board members discussed the concern noted by Ms. Kost as follows:

***Should there be language in the ordinance that addresses if substantial changes are made to the design or layout of the proposed project, the changes must be reviewed by the Chatham County Planning Board and approved by the Chatham County Board of Commissioners.

Hold this issue for later discussion.

I. Landscaping and Buffering

#1. Permitted Uses within the Buffer Area

- Third paragraph – suggest that running utilities underground be mandatory not suggested.

Leave language as previously proposed.

J. Signs

#5. Prohibited Signs

- Include a #viii. “Banners” and add a time limit for no more than 30 days.

The following were discussed and changes proposed as noted:

Minor Suggestions:

1. The design guidelines, plant listings and all other supplemental materials should be attached to the ordinance as an appendix so that it is easily found by citizens. Pages 17, 18, 21, 24, 25, 28, 29.
2. **Page 22** – Reference to Section 10.9.8.3.2 should be deleted and replaced with the reference to the guidelines (and appendix if we agree to #1 above).
3. **Page 24** – first sentence under #2 – **Location of Buffers**. Second line. Change the word “fronts” to “borders.”
4. **Page 28** – first paragraph last line. Delete “Landscape Plan Development and Approval” since this wording is not within a completed sentence - or check this sentence for a possible deletion of some previous language.
5. **Page 29 under #6 – Certificate of Compliance**. Change “inspection official” to inspector and official’s to inspector’s
6. **Page 31 under #1. Signs Subject to Control**. Under Church, community or public building... delete reference to “lighted or unlighted.”

Major Corridor Ordinance Task Force: Other Recommendations

1. **First Line on last page (before the map)** - Change Highway 903 to 902.
2. **On same Page under #4**, delete “much” so that it reads: “conditional use process means more staff review than a by-right process.”
3. Renumber this section to reflect the deletion of #2 and organize all the other recommendations together.

Motion to forward Major Corridor recommendations to Commissioners

➤ Mr. Hinkley made a motion; seconded by Mr. Glick to forward the Major Corridor recommendations to the Board of County Commissioners for public hearing. There was no discussion on the motion and the motion passed 9-1 with all Board members present voting in favor of the motion except Mr. Ernst who voted against.

VIII. NEW BUSINESS:

A. Planning Director's Report

1. *Upcoming Meetings* - Mr. Megginson noted the following meetings:

<i>2008</i> <i>Meeting Dates</i>	<i>Type</i>	<i>Purpose</i>
<u>August 28</u> 6:30 P.M. CCCC	Special Planning Board Meeting	To address Subdivision and Zoning Changes
<u>September 30</u> 6:30 P.M. Agriculture Bldg.	Public Forum	Educate public about the changes to the Subdivision & Zoning Ordinances.
<u>October 20</u> 6:00 P.M. District Courtroom	Joint Public Hearing (P.H.) with BOC	Various changes relating to environmental Issues
<u>November 3</u> 9:00 A.M. Agriculture Bldg.	Joint Meeting [invited but do not have to attend] with BOC and ERB	To hear and discuss input received at Oct. 20 th P.H.
<u>November 3</u> 6:30 P.M. Agriculture Bldg.	Planning Board Meeting	Regular Monthly Meeting

Following discussion, Chair Kost noted that this is the schedule that the Commissioners adopted and the Planning Board would need to work with. She stated that the Subdivision Subcommittee is waiting on the draft from Paul Black.

Mr. Ernst left the meeting at this time.

B. Planning Board Members Items

1. *Lystra Gardens*

Mr. Theye stated that the meeting with S&EC was very well attended by the developers, some representatives of S&EC, Environmental Review Board as well as himself representing the Planning Board; that he was impressed with the capability and cooperation of S&EC representatives; and that it was a very good meeting.

2. *Legislation - Billboards*

Chair Kost stated that Commissioner Vanderbeck asked (after agendas had gone out last Monday) that changes be considered regarding what can be cleared as far as "line of sight" to billboards.

Benjamin Howell, Planner, stated that currently (clearing only in the DOT right-of-way), it is not in Statutes; that the Statutes allow NCDOT to write rules regarding clearing for billboard advertisement; that current rules and Statutes do not allow billboards within the DOT right-of-way (required to be 660 feet outside the right-of-way); and that new Statutes would require approximately twice the distance in length and depth outside the right-of-way. He noted that there are very few areas in Chatham County that would be affected.

Motion to oppose

Mr. Copeland made a motion; seconded by Ms. Turner to forward to the Board of Commissioners the Planning Board recommendation to oppose this additional extension of "line-of-sight" for billboards. There was no further discussion and the motion passed unanimously. (9 Board members – Mr. Ernst has left the meeting.)

3. Zoning Subcommittee

Mr. Hinkley stated that the Zoning Subcommittee is scheduled to meet on Thursday, July 17th from 9:30 A.M. – 11:30 in Room #125 of the Dunlap Building (Planning Department building); that Jason Sullivan has submitted the draft to Ms. Turner, Mr. Glick, and himself, as prepared by Paul Black; that after their review they would return the draft to Mr. Black to make requested changes; and that after that time the Zoning Subcommittee would submit final recommendations to the Planning Board.

4. Mr. Copeland - surgery

Mr. Copeland stated that he is scheduled for back surgery on July 29th and that he would not be attending the August Planning Board meeting.

5. Mr. Hinkley – special thanks

Mr. Hinkley gave a special thank you for the many cards and telephone calls he received following his recent surgery.

IX. ADJOURNMENT: There being no further business, the meeting adjourned at 9:20 p.m.

Sally Kost, Chair

Date

Attest: _____
Kay Everage, Clerk to the Board

Date