



## Chatham County Planning Board Minutes February 7, 2023

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  
Clyde Frazier  
Tony Mayer  
Jamie Hager

Jon Spoon, Vice Chair  
Eric Andrews  
Mary Roodkowsky  
Norma Hernandez

### Absent

Allison Weakley

### Planning Department

Jason Sullivan, Director, Angela Plummer, Zoning Administrator, Kimberly Tyson, Subdivision Administrator, Dorian McLean, Zoning Official, and Dan Garrett, Clerk to the Planning Board.

#### I. CALL TO ORDER:

Chair Lucier called the meeting to order at 6:30 p.m. Chair Lucier took this time to introduce the three new Planning Board members.

#### II. DETERMINATION OF QUORUM:

Chair Lucier stated there was a quorum, 9 members present, Ms. Weakly was absent.

#### III. APPROVAL OF AGENDA:

Approval of the Agenda – Chair Lucier asked the board members if they were okay with the agenda and the consent item. Motion to approve by Ms. Siverson, second by Ms. Roodkowsky. The agenda was approved, 9-0, unanimously.

#### IV. APPROVAL OF THE MINUTES:

Consideration of the December 6, 2022, meeting minutes. Motion by Ms. Hager and second by Vice-Chair Spoon. The December 6, 2022, minutes were approved 6-0, Mr. Mayer, Ms. Hernandez, and Ms. Roodkowsky did not vote because they were not members during the December meeting.

#### V. PUBLIC INPUT SESSION:

There were no residents signed up to speak.

VI. CONSENT ITEM:

1. Request by Laurel Ridge Development, Inc. for subdivision **Final Plat Amendment** review and approval of **Estates at Laurel Ridge, Phases 1A and 1B Public Road converted to Private Road**, consisting of +/- 5,842 feet, located off Old Graham Road (SR-1520), Hadley Township.

Ms. Tyson stated the request is for Final Plat Amendment to revise the 60' public right-of-way of dedication of Brook Green Lane, Clear Springs Court, and Ridgeline Court to 60' private right-of-way. Public roadways cannot be turned over to NCDOT until a minimum occupancy is met within the Estates at Laurel Ridge and the applicant anticipates several years before the required minimum will be met. The applicant requests an amendment to the final plats of Phases 1A & 1B. The Technical Review Committee met January 18, 2023, to review the request. Staff reminded applicant a copy of the road maintenance policy will be required prior to recording final plat. The Planning Department recommends granting final plat amendment approval for "Final Plat Amendment Estates at Laurel Ridge Ph- 1A & 1B" with the following conditions:

1. Final plat shall provide the overall lot average.
2. A copy of the road maintenance policy shall be provided to planning staff prior to recordation of the final plat.

This item was approved 9-0 when the agenda was approved.

VII. ZONING ITEMS:

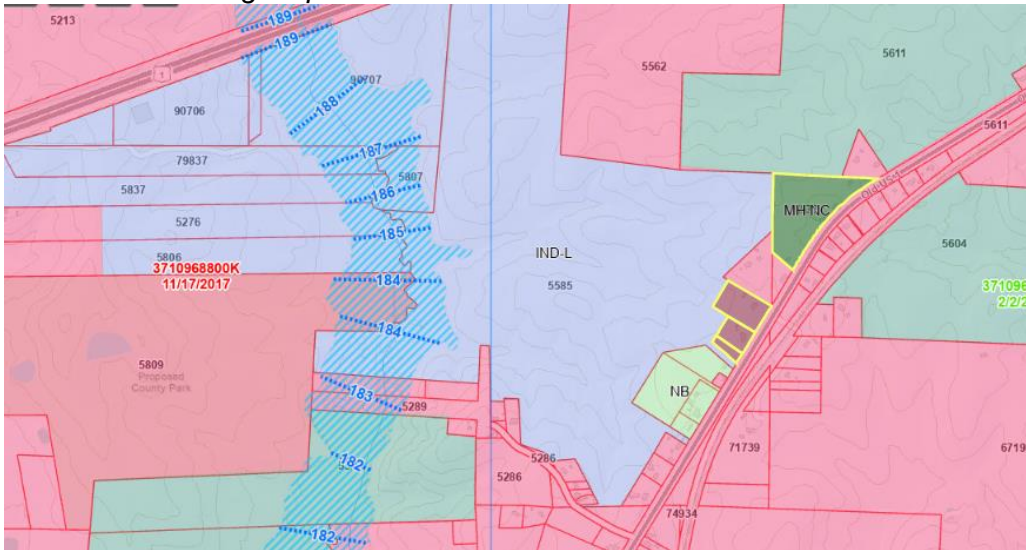
1. A legislative public hearing requested by Hardip Dhillon on Parcels 5336, 5584, 84340, and 5577 to rezone from R-1 Residential and MH-NC to General Use Neighborhood Business (NB) totaling approximately 15.25 acres, located on Old US 1, Cape Fear Township.

Ms. Plummer stated a legislative public hearing was held January 17, 2023. Planning staff presented as well as Tracy Rainer, attorney for the applicant. No comments from the public. With the announcement of an auto manufacturer coming to this area of the county and being adjacent to other properties that have recently received approvals for rezoning to light industrial, the applicant seeks opportunity to utilize property he has owned for many years for a designation that could compliment and support the community as well as bridging a gap between industrial and residential properties in the area. 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 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.** No errors in the Ordinance are being claimed. Removing a non-conforming situation from the Zoning map would be achieved.
2. **The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary.** With the recent industrial rezonings of the Moncure.

Mega site, TIP West and East, the Midpoint Logistics, and approvals of FedEx and VinFast, the applicant wishes to provide property for complementing small scale business, retail, or office. Rezoning to NB could bridge a gap between residential and industrial uses to help the commercial center to expand in the Moncure area. There are no public improvements required at this time, employment opportunities would increase, and the tax revenue will help diversify the dependence on residential taxes.

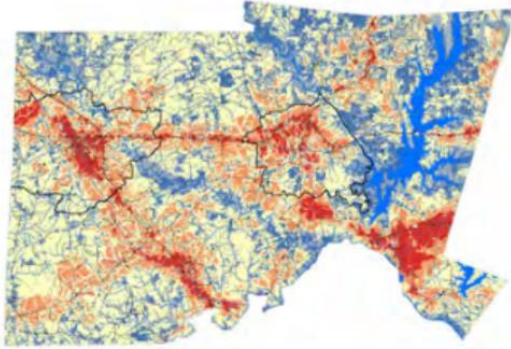
*Below is the zoning map of the area.*



3. **The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof.**
  - a. Chapter 2 – Issues and Opportunities - Even though the parcels are located within the Rural designation area of the Comp Plan, the surrounding area has and is being marketed as industrial and business development. These rezoning would lend to a different demographic of employment needed in order to support the other much larger development projects already approved or that will be locating here. This type of rezoning will help retail leakage going outside of the county.
  - b. Chapter 3 – Goals and Objectives – Pg 41-42 encourage diversifying the tax bases and providing employment opportunities especially based on the location, demands, and needs of the county residents. These parcel site between two Economic Center nodes of the Comp Plan, are located on a highway road, and wedged between industrially zoned properties.

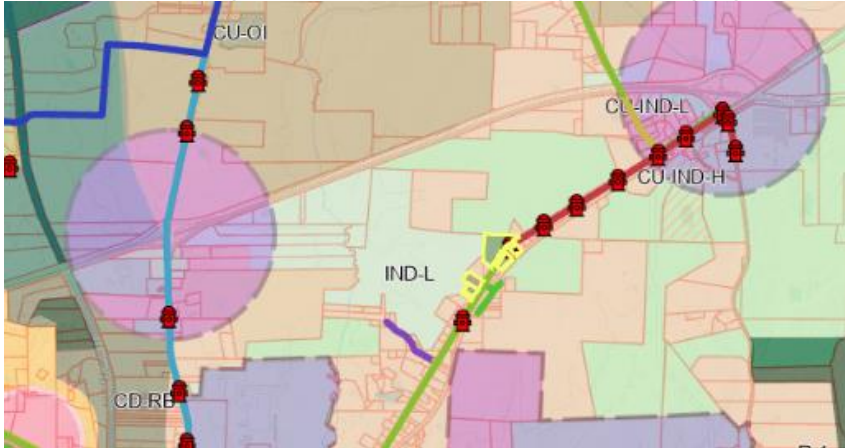
The Industrial Suitability map below found on page 21, shows this area as “high” for industrial/commercial uses.

### Industrial Suitability Map



- c. Chapter 4 – Economic Development-ED recommendation 02 aims to increase employment opportunities (p55). ED Policy 2 encourages growth in designated Employment Centers, towns, and other appropriate locations.

*Below is the Comprehensive Land Use map with the proposed rezoning areas highlighted:*



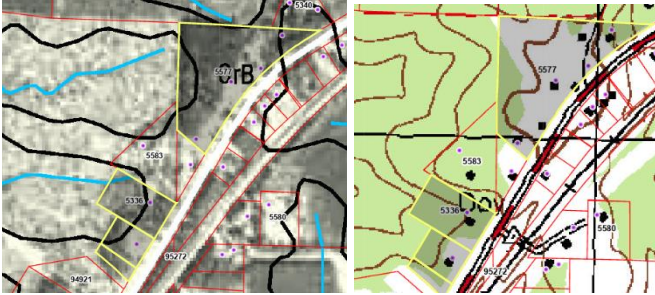
#### 4. Other factors/reasons for rezoning request.

- Traffic: no significant traffic impact anticipated by the proposed rezonings.
- Visual Impact & Screening: once an end user is identified, they will be required to develop a site plan that will be reviewed for consistency with the Zoning Ordinance and a review by other various departments.
- Lighting, noise, emergency services, and signage will all go through reviews and permitting once a site plan has been developed.

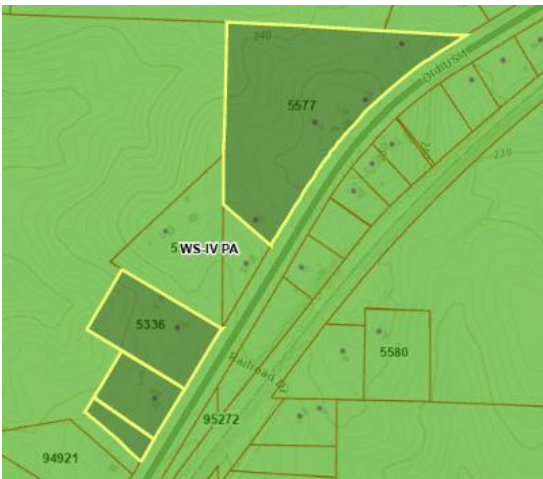
5. **All other information required on this application or as offered by the applicant in support of the request.**

- This site will be served by county water.
- Sanitary sewer will be designed and permitted by county and/or state agencies.
- Access will be directly from Old US 1
- Stormwater is planned to be managed on-site as required by the Chatham County Stormwater Ordinance and the NC Department of Environmental Quality (NCDEQ)

*Below are the NRCS and USGS maps that do show one area in the corner of Parcel 5336 that will require buffering.*



*Below is the Watershed map showing the properties within the WSIV-Protected Area watershed, NOT within the Jordan Buffer Rule area.*



Ms. Plummer stated 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.

If approval is recommended, the following Consistency statement has been provided for consideration:

- The rezoning of these parcels is consistent with the Comprehensive Plan by providing supportive rezonings to an industrial area, providing employment opportunities, and allowing a range of complimentary uses in proximity to the mega site per ED Strategy 3.4, p56.
- Nick Robinson introduced Tracy Ayotte as the representative to the applicant. Ms. Ayotte stated she is here to answer any questions the board may have about the rezoning.

## Board Discussion:

- Chair Lucier stated there are two parcels designated R1 with homes on the property between the proposed parcels for rezoning, will the applicant provide proper buffers and setbacks to the neighboring parcels? Ms. Ayotte stated during the site plan review they will comply with the regulated setbacks and buffer requirements. Ms. Plummer stated the regulations require a 50' front and 20' back and sides setback and a 20' vegetative buffer. Chair Lucier asked if the applicant would be willing to make the setbacks larger. Ms. Ayotte stated Mr. Dhillon has a good working relationship with his neighbors and will ensure that relationship stays well. Mr. Robinson stated the home on the R1 parcel is about 200' away from the property line. Right now we do know exactly what use will be utilized, but when the site plan is submitted it will go through staff approval and the Appearance Commission which is a board that is very concerned about buffers in place for the adjoining neighbors.
- Chair Lucier stated Because of His Grace just had some property rezoned Neighborhood Business in this area as well, will there be any coordination with them? Ms. Ayotte stated she does not have any knowledge of any coordination with Because of His Grace Ministries.
- Mr. Frazier asked for some clarification about the vegetation buffer, because he does not see where it is required in the zoning ordinance. Ms. Plummer stated there is a required 20' vegetation buffer and it is found in Section 12 of the ordinance. Mr. Robinson stated because there is R1 parcels, they will get more protection as it is rather than two parcels next to each other that are both Neighborhood Business.
- Chair Lucier asked what will happen to the mobile home park that is located on one of the parcels? Ms. Ayotte stated the applicant has been working with the tenants and they know their lease will terminate and will be required to find new housing.
- Mr. Mayer asked what kind of business will be going in on the parcels. Ms. Ayotte stated there is a list in the Zoning Ordinance of uses that are allowed in this designated rezoning designation such as, but not limited to grocery, retail, and small office uses.
- Vice-Chair Spoon stated this rezoning makes sense in this area as we know, and the applicant has a history of being a good neighbor so he will provide as much of a buffer as possible with the site plan and any lighting that may be required.

Motion made by Vice-Chair Spoon to approve the consistency statement, "The rezoning of these parcels is consistent with the Comprehensive Plan by providing supportive rezonings to an industrial area, providing employment opportunities, and allowing a range of complimentary uses in proximity to the mega site per ED Strategy 3.4, p56." Motion second by Mr. Andrews. The consistency statement was approved by a vote of 9-0, unanimously.

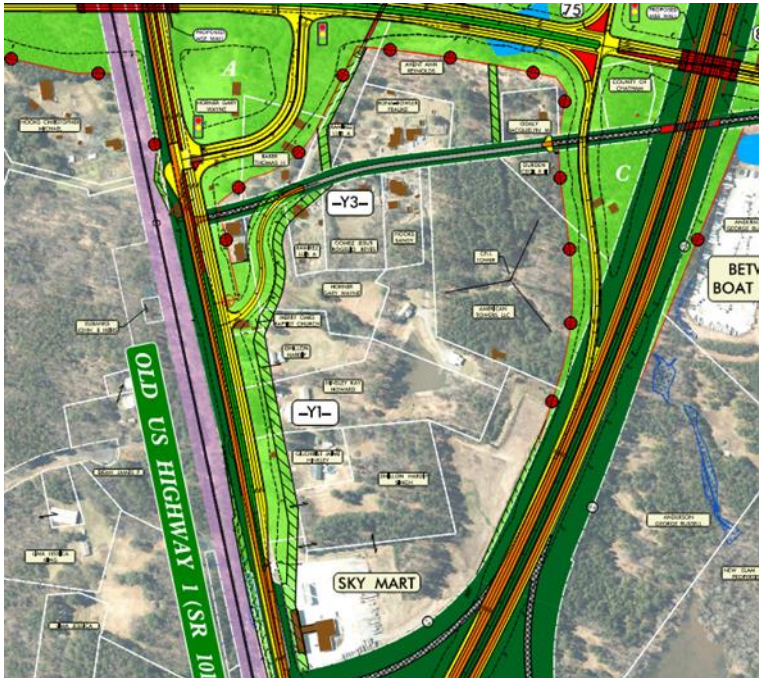
Motion made by Ms. Hager to approve the rezoning item, second by Mr. Andrews. This item passed with a vote of 9-0, unanimously.



2. A legislative public hearing requested by Hardip Dhillon on Parcels 5333, 5517, 5521, and 5520 to rezone from R-1 Residential and B-1 Business to General Use Neighborhood Business (NB) totaling approximately 16 acres, located on Old US 1, Cape Fear Township.

Ms. Plummer stated a legislative public hearing was held January 17, 2023. Planning staff presented as well as Tracy Rainer, attorney for the applicant. No comments from the public.

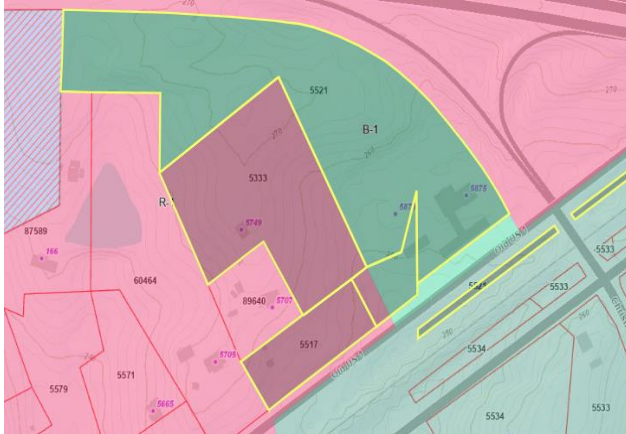
With the announcement of an auto manufacturer coming to this area of the county and being adjacent to other properties that have recently received approvals for rezoning to light industrial, the applicant seeks opportunity to utilize property he has owned for many years for a designation that could compliment and support the community as well as bridging a gap between industrial and residential properties in the area.



When considering a general use rezoning, all uses listed in Section 10.13 of the Chatham County Zoning Ordinance under the proposed zoning classification are permitted. However, due to site specific limitations such as wastewater capacity, access to public utilities, built upon area limits, etc., not all uses are feasible. The decision to approve a general use rezoning shall be determined by the following criteria.

**Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment.** No errors are being claimed with respect to this request. The B-1 Business zoning district is a historical zoning that was replaced with Neighborhood Business (NB), Community Business (CB), and Regional Business (RB) in 2008. This proposal will bring the properties into conformity with the existing zoning districts.

*Below is the zoning map of the area.*



**The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary.**

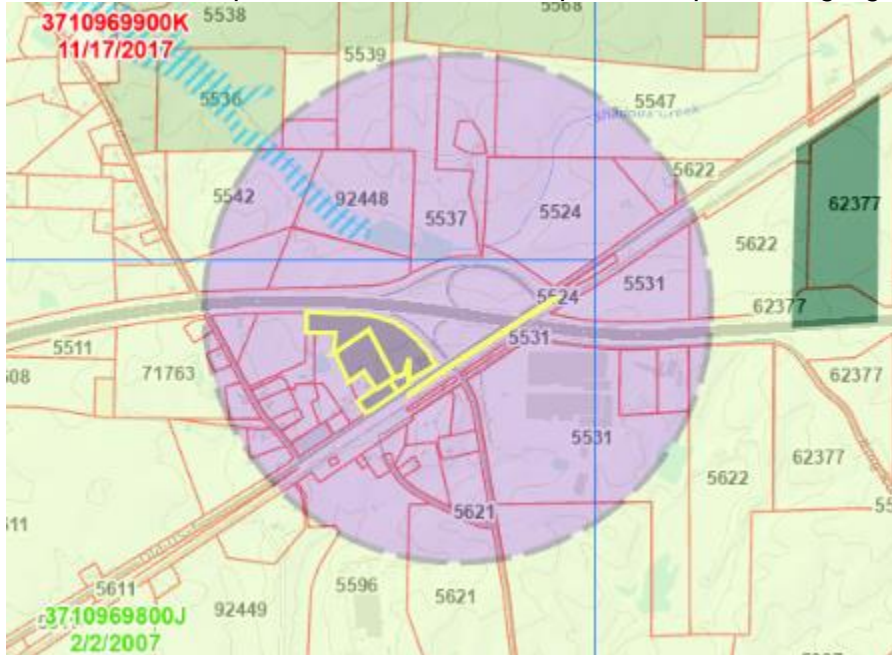
The applicant needs these parcels zoned for neighborhood business in order to reconfigure and reconstruct his business property, located on Parcels 5521 and 5520, to accommodate the potential right-of-way acquisition by NCDOT. This is existing sales revenue the county is already receiving, and the applicant would like to continue providing these services to the area. Employment opportunities will continue.

**The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof.** The parcels are located within an Employment Center node of the Plan.

- Chapter 2, pg. 16, encourages keeping retail leakage from going outside the county. This is an existing business that wishes to stay operating in the county.
- Chapter 3, pg. 40, encourages generating non-residential tax base and employment opportunities which the applicant's business is doing and wishes to continue doing.
- Pg 47 shows the area within the Employment Center node to include a mix of uses including retail, services, restaurants, etc.
- Chapter 4, pg. 54, is supported in the Economic Development recommendations to generate in-county jobs and reduce the dependence on residential tax base. ED strategies also support development of small-scale retail, services, and restaurants per Ed Policy 2, pg. 55.



*Below is the Comprehensive Land Use map with the parcels highlighted.*



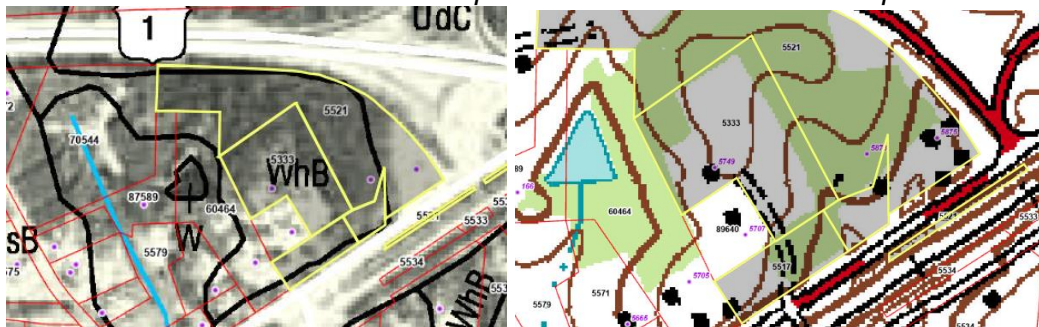
**Other factors/reasons for rezoning request.**

- No significant traffic impacts from this business are anticipated with the exception for anticipated NCDOT roadway reconfigurations.
- Development of a new site plan will require meeting all the zoning regulations regarding landscaping, signage, lighting, and parking that were not available when the original store was constructed. This should lend to a more appealing site.
- The properties are adjacent to a major four-lane highway.

**All other information required on this application or as offered by the applicant in support of the request.**

- County water will serve the property.
- Sanitary sewer will be designed and permitted by county or state regulatory departments.
- Storm water will comply with County and NCDEQ regulations.
- The site will continue to be accessed via Old US 1
- The property is located within the WSIV-Protected Area watershed where up to 36% of BUA is allowed. Any existing impervious surface that was present prior to 1994 when the regulation was adopted can also continue to be used in addition to the 36% allocation.

Below are the NRCS and USGS maps that show no water features present on the parcels.



Ms. Plummer stated 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.

If approval is recommended, the following Consistency statement has been provided for consideration:

- The rezoning of these parcels supports the Comprehensive Land Use Plan by providing supportive services in an industrially zoned area and will offer job opportunities.

Board Discussion:

- Vice-Chair Spoon stated this is roughly 16 acres, how much area is allowed to be built upon with the existing impervious surface? Ms. Plummer stated we do not have photos that go back as far as 1984, but we do have 1987, so the applicant will need to hire someone to figure out what was available in 1984, but I am sure not much changed between those 3 years. The applicant will be able to utilize the existing impervious surface plus 36% of the remaining acres.
- Chair Lucier stated this rezoning request is pretty straight forward, it is right in the middle of an employment center and is not suitable for residential use and NCDOT wants Mr. Dhillon to maintain his business. How much land is NCDOT going to take from that property? MS. Plummer stated the applicant has not been told yet. Chair Lucier stated there is a home to think about on this rezoning as well and we ask that Mr. Dhillon provides the best buffer to that resident as possible.
- Vice-Chair Spoon asked if the same access will be used and have connectivity to the rest of the property or will there be a new access road? Mr. Robinson stated that is hard to navigate at this point because of the unknown, but the applicant will work with NCDOT and comply if a new road is required or use of the existing access. Vice-Chair Spoon asked if any of the fuel tanks will be required to move during this process. Mr. Robinson stated no.

Motion made by Ms. Siverson to approve the consistency statement, “The rezoning of these parcels supports the Comprehensive Land Use Plan by providing supportive services in an industrially zoned area and will offer job opportunities.” Motion second by Vice-Chair Spoon. The consistency statement was approved by a vote of 9-0, unanimously.

Motion made by Vice-Chair Spoon to approve the rezoning item, second by Mr. Andrews. This item passed with a vote of 9-0, unanimously.

3. A quasi-judicial evidentiary public hearing for a Special Use Permit for Fitch Creations for a new Planned Residential Development on Parcel 95264, being 51.765 acres located off Big Hole Rd., for 43 lots, Williams Township.

Ms. Plummer stated a quasi-judicial public hearing was held January 17, 2023. Planning staff along with T. C. Morphis, attorney for the applicant, and Dan Sears, representative for the applicant, presented the request.

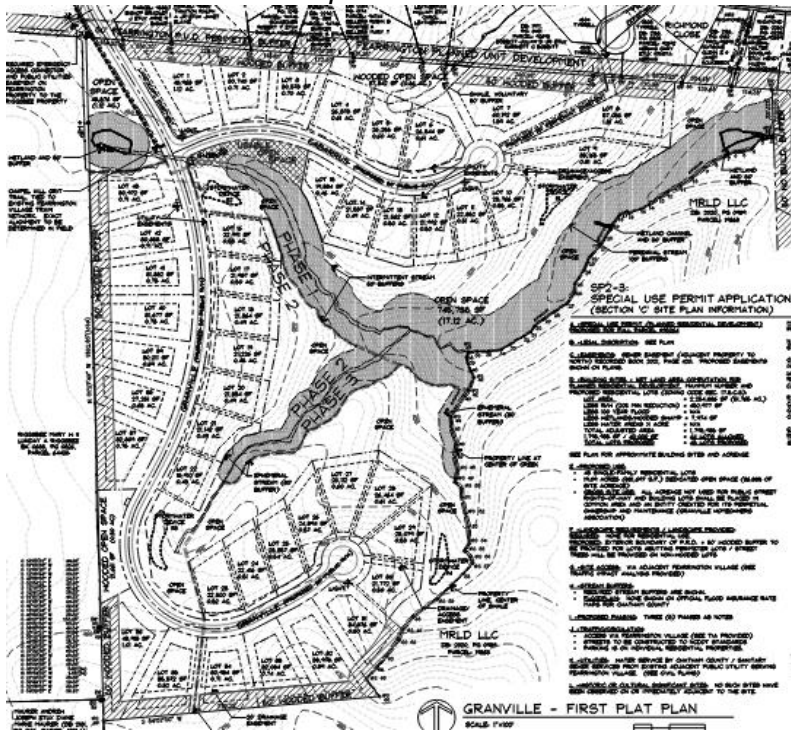
Also speaking was Rose Krasnow, president of the Fearington Village HOA. She stated they are not opposed to the development and have a great relationship with Fitch Creations. The concerns were:

- Wanting a gravel construction entrance through the pasture in order to keep truck traffic off the main roads coming through Fearington Village.
- Concern over the number of storm water ponds.
- Existing club house and other amenities are not large enough to handle more residents.
- Since a signal light is not possible at US 15-501 N & Weathersfield (which is the closest access to this new development), they would like one reviewed for the US 15-501 N and Mt. Gilead Church Road intersection.

Greg Fitch and Allen Keith both responded to the issue of the number of storm water ponds stating they were complying with the county ordinance, bio retention ponds would not be economical, and expenses to maintain should not be burdensome.

County staff met with the applicant's engineer on site on January 24, 2023. Per field review, it was determined that seven ponds were not required. The developer had planned to install 20-foot diversion ditches behind each lot to move stormwater to the ponds. It was explained the ponds were to control runoff from the roadways and the lots themselves would sheet flow. This in turn reduced the number of ponds required to four with a slight modification to the overall site plan. However, the same number of lots and provides for an additional 1.75 acres of wooded open space.

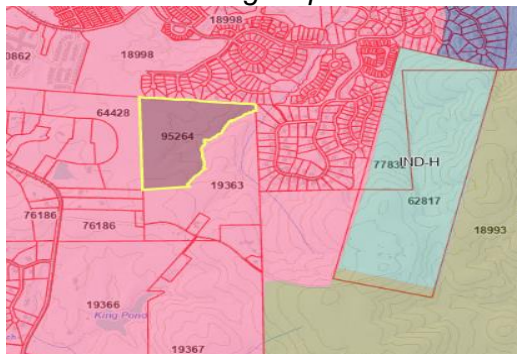
Below is the revised site plan.



When determining whether a Special Use Permit request should be approved as per Section 5 Conditional Zoning Districts, the following findings must be supported.

1. **The alleged error in the Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.** No error is being claimed in the Ordinance. Planned Residential Developments (PRDs) are permitted through the Special Use Permit process in R-1 Residential zoning districts.

Below is the zoning map of the area.

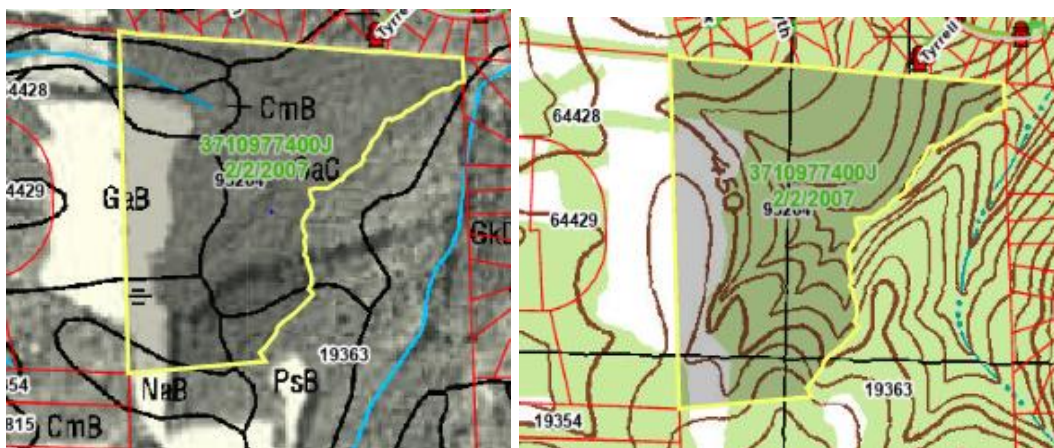


2. **The requested special use permit is either essential or desirable for the public convenience or welfare.**
  - a. Granville will set up its own sub-HOA association from the larger Ferrington Village (FV) HOA.



- b. In keeping with the aesthetics of FV, signage will continue in design appearance, only three streetlights are proposed at cul-de-sacs and intersection, and all other zoning requirements will be complied with.
  - c. The FV HOA will provide membership and access for the recreational offerings within the larger FV PUD.
  - d. With FV nearing full build-out, more land opportunity is requested to continue to serve those looking to located in or near FV.
3. **The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety, or welfare of the community.**
- a. Will give residents the opportunity to access existing FV amenities by walking and biking.
  - b. Will provide residents the opportunity to live in a rural setting designed in compliance with county requirements for stream corridor protection and additional preserved wildlife corridors.
  - c. Development will be constructed by the same developer as FV, Fitch Creations.
  - d. The lots will utilize the existing, privately held sewer treatment facility and connect to county water.
  - e. Will provide needed housing for the northeastern portion of the county near to supporting non-residential uses.
  - f. The parcel is located within the WSIV-Protected Area Watershed of the Jordan Lake Buffer Rule area. This allows up to 36% BUA for the project.

*Below are the NRCS/USGS maps that show a blueline stream on the northwestern corner of the property which requires maintaining a non-disturbed vegetative buffer.*



4. **The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.**
- a. Chapter 2, pg. 16- An increased higher income population along the US 15/501 corridor will continue to expand and support local retail, restaurants, and other businesses helping to reduce sales leakage outside the county
    - i. Pg 18- Rural character is being preserved by an extensive perimeter landscaped wooded buffer and protected open space
    - ii. Pg 21-Land Use Suitability- the Comp Plan identifies this area as high residential and high to medium suitability for commercial and medium too high for conservation
  - b. Chapter 3- by being a modest expansion of FV, it is not visible to the surrounding general public, a wooded buffer, open space with buffered streams, and the preservation of tree cover on proposed lots are keeping with the rural character and preservation of natural resources.
  - c. Chapter 4 Economic Development, ED Policy 4, pg. 56: additional housing for the area will increase demand for existing restaurants and service-based businesses.



d. Compact growth near existing developments promotes Policy 3, pg. 63 Land Use Goals and pg. 66 helps to preserve rural character.

5. **Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies, and regulations.**

- County water
- Private sewer treatment facility
- Access is through the existing FV development.
- Stormwater measures to be complied with the Chatham County Stormwater Ordinance
- Open space is being provided above the minimum required with 21.88% more.
- Recreation with a wooded park and a gazebo will be with a walking trail network that will connect the two developments.

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

The below conditions shall apply to any approval as follows:

**Site Specific Conditions**

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the site plan consistent with any modifications agreed upon. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. All subdivision requirements and regulations shall be followed and approved before any land disturbing activity can begin.
3. Clearing debris from this development must be taken to a permitted facility and may not use the area located within Ferrington Village for disposal.
4. A development permit shall be obtained and remain valid at all times within two years of the date of this approval or the site plan becomes null and void.

**Standard Site Conditions**

5. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
6. All required local, state, or federal permits (i.e., NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Watershed Protection, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.

**Standard Administrative Conditions:**

7. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
8. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
9. Non-Severability – If any of the above conditions is held to be invalid, this approval in its entirety shall be void.

10. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant’s property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.
- Mr. T.C. Morphis stated he is representing the Granville application and because this is a quasi-judicial request, he is here just to provide answers to any questions from the board.

Board Discussion:

- Chair Lucier stated there are some traffic concerns on Hwy 15/50 that was discussed at the public hearing, is the applicant seeking any relief from NCDOT because of the cumulative impact from all the growth in this area? Mr. Morphis stated a Traffic Impact Analysis has been completed and there were not enough trips to require any adjustments. Chair Lucier stated maybe there could be some pressure on NCDOT to place a traffic light at that intersection to make things safer. Mr. Morphis stated they can discuss with NCDOT about a traffic light. Mr. Sullivan stated the NCDOT project for Hwy 15/501 road improvements is scheduled from 2024 to 2033 with construction starting in 2029.
- Mr. Frazier stated it was stated at the public hearing that the existing clubhouse and other amenities are not large enough to handle any more residents, is there anything you can do to eliminate that problem? Mr. Greg Fitch stated there has been some discussion about this issue. We are running into issues with zoning and a site that is level enough for more amenities. It is mostly a logistical issue, but we are looking at expansion.
- Chair Lucier stated most of the common area seems to be within the stream buffers, there is obviously more common area than is required, is the walking trail and gazebo the only improvements to the open area that is called for in the ordinance? Mr. Robb Harrison showed the board all the stream buffers, additional buffers, and the voluntary 50’ perimeter buffer. Mr. Harrison also showed how the trail will be navigated and connect to the village center. Chair Lucier stated they did a nice job with this plan design with the roads and avoiding streams and wetland features.
- Ms. Roodkowsky stated the P.U.D. is not fully built out yet, how many more homes will be left until full build out? Mr. Sears stated the full number of lots is 1602 and there is about 100 more lots to be created. There was some discussion as to how many homes still need to be built and there is about 184 total homes that still need to be constructed.
- Vice-Chair Spoon stated this is a good design with a good amount of open space. This is a long time trusted member of the community that knows what they are doing with home construction.

Motion made by Vice-Chair Spoon to approve the item, second by Ms. Siverson. This item passed with a vote of 9-0, unanimously.

VIII. SUBDIVISION ITEM:

1. Request by Dan Sears, P.L.A. on behalf of Fitch Creations, Inc. for subdivision **First Plat** review and approval of **Granville**, consisting of 43 lots on 51.76 acres, located off Millcroft (SR-1817)., parcel 95264.

Ms. Tyson stated the request is for First Plat review and recommendation of Granville, consisting of 43 lots on 51.76 acres, off Millcroft, SR-1700 and Seaforth Road SR-1817, parcel number 95264. A vicinity map showing the property location, is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval, or approval subject to modifications. As stated above the Planning Board has two (2) meeting to act on the proposal.

**Roadways:** Granville and Cabarrus are proposed to be built with a 20-foot-wide travel way and a 50-foot-wide public right-of-way and is to be state maintained

**Historical:** The applicant contacted Sy Robbins and Bev Wiggins, Chatham County Historical Association (CCHA), on March 18, 2022 via email correspondence. CCHA completed research on the parcel, the research was dated back to the 1700s (Email correspondence and research link <https://www.chathamcountync.gov/home/showpublisheddocument/62503/638091120233030000> ).

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

**General Environmental Documentation:** The developer submitted the General Environmental Documentation and a letter dated April 2, 2022, from North Carolina Department of Natural and Cultural Resources Natural Heritage Program to Chatham County Land & Water Resources Division for review. The letter states “A query of the NCNHP database, indicates that there are no records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Please note that although there may be no documentation of natural heritage elements within the project boundary, it does not imply or confirm their absence; the area may not have been surveyed.”

Drew Blake, Watershed Protection Asst. Director, reviewed the information submitted. Mr. Blake replied in a letter dated June 17, 2022 that the requirement has been met. Additional comments included any Allowable uses and Allowable with Mitigation uses in the protected riparian buffer will require a Buffer Authorization from Chatham County, all permits with wetland and stream impacts from NC Division of Water Resources and the US Army Corps of Engineers will need to be obtained prior to receiving approval from Chatham County for a Grading Permit and Land Disturbing Permit. GED approval letter can be viewed online <https://www.chathamcountync.gov/home/showpublisheddocument/62493/638091113141570000>

**Community Meeting:** A community meeting was held on June 28, 2022 at Ferrington Village Center Barn, 2000 Ferrington Village Ctr., Pittsboro. Approximately ninety-nine (99) people attended the meeting. Items/issues discussed included:

- Capacity of Ferrington Village wastewater treatment plant (WWTP)?
- Increase in traffic.
- Any plans for properties south of Granville?
- Will there be connection to or expansion to Big Hole Road?
- Construction traffic through Ferrington.
- Funding for maintenance of common areas and stormwater ponds
- Impacts to Bush Creek.
- Construction timeline.
- Extension of Millcroft and impact on the pastures, cows, and plans

- Will the open space trail be connected to Fearington?
- Will there be public open space?
- If Granville neighborhood would pay into Fearington HOA?

As a result of the community meeting the proposed pedestrian trail connecting to Fearington Village amenities will begin at the intersection of proposed Granville and Cabarrus and extend north to connect to Millcroft trail. Granville will be part of the Fearington HOA as the master association and a new HOA sub-association will be created to manage the community's open space and stormwater ponds. Community meeting report can be viewed online <https://www.chathamcountync.gov/home/showpublisheddocument/62507/638091124164370000>

**Technical Review Committee:** The TRC met virtually January 18, 2023 to review the First Plat submittal. Robb Harrison, PLA, Alan Keith, P.E., and Dan Sears, PLA were present representing the applicant. Items discussed included:

- Width of public right-of-way
- Will there be street lighting?
- Will there be a separate subdivision sign?
- Lot numbers needs to be consecutive.

**Septic: Mr. Alan Keith, P.E. provided a letter dated December 14, 2022 stating that the Fearington WWTP has capacity to serve Granville Subdivision. The sewer collection mains for Granville will discharge into Fearington mains on Tyrell. Letter may be viewed online** <https://www.chathamcountync.gov/home/showpublisheddocument/62511/638091149106800000>

**Water:** County water will serve the project. Water Dept. has reviewed the utility plan and had the following comments, please note some comments are directed to Construction Plan submittal and not for First Plat submittal.

1. On the overall view, the meter box symbol is very small and hard to find, as is the fire hydrant symbol.
2. We want the waterline to be 5' from the right-of-way and dimensions listed on the plans. (5' offset)
3. In the plan profile view, can you show the ditch profile? We want to ensure there is 3' of cover over the waterline. The ditch appears to be located very close to the waterlines.
4. We would like to see a copy of the road cross sections details for this project.
5. Please label all fire hydrants with symbol and gate valve symbol; also please spell out that it is a fire hydrant with valve. We want this gate valve to stand out, so we can show this in our GIS system.
6. We would ask that all storm drain crossings tried to be mitigated with the waterline going above the storm drain. The waterline should have 3' minimum cover, but not to exceed 5'. In most of the cases I saw, you should be able to put the waterline over top of the storm drain. We are okay with the waterline going under the storm drain at P-1, but want to ensure that there is 18" of separation between storm and water.
7. For the waterline on Granville, we ask that the Fire hydrant assembly be before the bubble of the cul-de-sac.
8. There is a small extension located on Granville between lots 31 and 32. Could you move the fire hydrant just North of this closer to this intersection? Also, the reducer where it goes from 8" to 6"- could you put this reducer after this fire hydrant. Putting reducers at intersections sometimes becomes complicated for us and putting it at the fire hydrant seems to the most logical place to find this in the field if a repair is needed.
9. We would like to have gate valves every 1000' next to the fire hydrants on the main line.
10. For the small extension on Granville south of 4632 Halifax, we ask that you put the fire hydrant on the mainline that goes down Granville instead of on the extension to the South. Also, if there is ever a road put

here, this hydrant will be in the turning radius for traffic, so if you could move this to the East 10', this should mitigate possible damage from vehicles.

11. For the fire hydrant at the entrance onto Granville, please move this East a little, to get out of the turning radius of vehicles to avoid being damaged. This could be moved 10' to the East and accomplish this goal.

12. There is a gate valve symbol shown just East of the intersection of Cabarrus and Granville. I understand this is probably for the different phases, but we would rather this valve not be here and a plug be put in place for Phase 1 and remove it for Phase 2.

13. Please include pictures of Chatham County's specs with the submission, as to ensure that during construction, the contractor is aware of what our specs are.

14. We will need a copy of the fire flow analysis for review here.

15. I got an application for a fire flow test for this, but on the fire flow application, it was listed that the required flow was 500 GPM at 20psi. This required flow should be what NFPA standards refer to and I am not sure that 500 GPM will achieve this minimum flow.

16. The last comment that I have is that we would like an air relief valve installed between stations 1600 and 1700 at the high point. This should be installed inside of a manhole to our specifications.

**Road Name:** The road names Granville and Cabarrus have been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval.

<https://www.chathamcountync.gov/home/showpublisheddocument/62499/638091117147430000>

**Open Space:** Usable area .51 acres and 7.29 acres of natural open space.

**Water Features:** Steven Ball with Soil & Environmental Consultants, PA (S&EC), submitted the Riparian Buffer Review Application along with a riparian buffer map, to Drew Blake, Asst. Director Watershed Protection Dept. for review. Mr. Blake and a staff member of S&EC completed an on-site riparian buffer review on March 28, 2022, to verify the consultant's findings. Mr. James Lastinger with the U.S. Army Corps of Engineers visited the site, May 5, 2022, and provided the Notification of Jurisdictional Determination on May 5, 2022. Mr. Blake issued a report of his findings dated April 18, 2022, confirming three (3) ephemeral streams, two (2) intermittent streams, one (1) perennial stream, and two (2) potential wetlands were identified. The one ephemeral stream requires 30- ft buffers, three (3) intermittent streams require 50-ft buffers, the three (3) perennial streams require 100-ft buffers, and the nine (9) wetlands require 50-ft buffers from all sides landward. Riparian buffer report

<https://www.chathamcountync.gov/home/showpublisheddocument/62491/638091111830400000> and

Notification of Jurisdictional Determination

<https://www.chathamcountync.gov/home/showpublisheddocument/62495/638091113986730000>

**Stormwater and Erosion Control:** The original layout submitted with the First Plan application indicated seven stormwater devices, but that has been reduced to four. During the site visit, staff and the applicant discussed the number of stormwater devices. The applicant drafted the original layout to collect stormwater runoff from the roads and lots, which is not required by the county's regulations. The change to the plan reduces the amount of land disturbance by removing the diversion ditches on the rear of the lots. The four stormwater devices are proposed and will be placed in open space. The stormwater device #1 is located between Lots 9 and 10, stormwater device # 2 located by Lot 16, stormwater device #3 is located by Lot 22 and stormwater device # 4 is located behind Lots 29 & 30. 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.

#### **Development Schedule:**

Phase One: Final Plat submittal June 30, 2027



Phase Two: Final Plat submittal December 31, 2029

Phase Three: Final Plat submittal December 31, 2031

**Site Visit:** Site visits were scheduled for January 23, 2023 and January 24, 2023. Pictures of the site visit may be viewed on the Planning Department webpage at [www.chathamcountync.gov/planning](http://www.chathamcountync.gov/planning), Rezoning and Subdivision Cases, 2023.

**Plan Chatham Evaluation:**

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. These properties are in an area of the county identified as Conservation on the Future Land Use and Conservation Plan Map. The description for conservation includes single family detached lots, low density development, tourism related uses are allowed, passive recreation areas, greenway trails, and variety of valuable natural resource areas.

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

Ms. Tyson stated the Planning Department recommends granting approval of the road names Granville and Cabarrus granting approval of subdivision First Plat for **Granville** with the following conditions:

1. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
2. Final Plat shall provide consecutive lot numbers.
3. Development Schedule: Phase One: Final Plat submittal June 30, 2027; Phase Two: Final Plat submittal December 31, 2029; Phase Three: Final Plat submittal December 31, 2031

**Board Discussion:**

- Mr. Fitch stated we are pleased with the outcome of this design and the reduction of the stormwater ponds as per the ordinance was nice.

Motion made by Vice-Chair Spoon to approve the subdivision item, second by Ms. Siverson. This item passed with a vote of 9-0, unanimously.

IX. NEW BUSINESS:

No new business

X. BOARD MEMBERS ITEMS:

1. Update from the Planning Board liaisons.

- Chair Lucier thanked Ms. Siverson and Ms. Hager for attending one more meeting and their many years of service.
- Chair Lucier stated he was unable to attend the Pittsboro Planning Board meeting.
- Ms. Siverson stated she did not attend the Siler City Planning Board meeting or the Agricultural Advisory meeting, but maybe one of the new members would fulfill the vacancy and be a liaison.
- Vice-Chair Spoon gave an update on the Planning Board UDO subcommittee. We have our next meeting tentatively set for February 16 if we get the material to review in time, we may need to push the meeting out one week.

2. Discuss and decide the January Planning Board meeting location.

XI. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

1. Minor Subdivision spreadsheet

2. Unified Development Ordinance Update

- The March 6<sup>th</sup> BOC meeting will have a UDO presentation from the consultants, and we plan on having them at our March 7<sup>th</sup> Planning Board meeting to provide their presentation.

3. Moncure Site Area Update

- We are working on organizing community meetings and there will be one on March 21<sup>st</sup> held at the Moncure School.

XII. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:02 p.m.

Signed: \_\_\_\_\_ / \_\_\_\_\_

George Lucier, Chair

Date

Attest: \_\_\_\_\_ / \_\_\_\_\_

Dan Garrett, Clerk to the Board

Date