



## Chatham County Planning Board Minutes May 2, 2023

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

### Present

George Lucier, Chair  
Clyde Frazier  
Tony Mayer  
Kent Jones  
Mary Roodkowsky

Jon Spoon, Vice Chair  
Shelley Colbert  
Amanda Roberson  
Eric Andrews  
Norma Hernandez  
Elizabeth Haddix

### Absent

### Planning Department

Jason Sullivan, Director, Kim Tyson, Subdivision Administrator, 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 new Planning Board member.

#### II. DETERMINATION OF QUORUM:

Chair Lucier stated there was a quorum, all 11 members present.

#### III. APPROVAL OF AGENDA:

Approval of the Agenda – Chair Lucier asked the board members if they were okay with moving the election of the officers to the end of the agenda. That was agreed upon by the members. Motion to approve the agenda by Ms. Robertson, second by Mr. Mayer. The agenda was approved, 11-0, unanimously.

#### IV. APPROVAL OF THE MINUTES:

Consideration of the March 7, 2023, meeting minutes. One minor edit was discussed. Motion by Vice-Chair Spoon to approve the March 7, 2023 minutes and second by Ms. Robertson. The March 7, 2023, minutes were approved 11-0, unanimously.

#### V. PUBLIC INPUT SESSION:

There were no residents signed up to speak.

## VI. SUBDIVISION ITEMS:

1. Request by Ashton Smith, P.E. on behalf of Gilberto Lopez-Ponce for subdivision First Plat review and approval of Eden Parcels, consisting of 11 lots on 14.87 acres, located off US 15-501 N (SR-15), parcel 2949 in Baldwin Township.

Ms. Tyson stated the request is for First Plat review and recommendation of Eden Parcels, consisting of 11 lots on 14.87 acres, located off US 15-501 N, S.R. 15. A vicinity map showing the property location is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval, or approval subject to modifications. As stated above, the Planning Board has two (2) meetings to act on the proposal. The road is to be built as a 20-foot-wide travel way with a 60-foot-wide public right-of-way and is to be state maintained. Parcel 2934 has a driveway encroachment on Lot 1 and the developer is working with the landowner to correct the encroachment. The telecommunication notes that are shown within the 20' wide travel way will be relocated and the driveway for parcel 2932 will continue to access US 15-501. The existing travel way, known as Lanes Legacy meanders along the project boundary and the area that is within the project boundaries will revert to a natural vegetated state. Access to parcels 74715 and 78531 will connect to the new Lanes Legacy public road.

The applicant contacted Sy Robbins and Bev Wiggins, Chatham County Historical Association (CCHA). Mr. Robbins provided an email to the developer's team and county staff after the October 12, 2022 Technical Review Committee meeting. Mr. Robbins stated "There are no known cemeteries located on or near the parcel, but there is still the possibility of graves being located on the site: a thorough title search is needed to assess this possibility. Also, the proximity of Wilkerson Creek increases the likelihood of finding Native American artifacts. The applicant is encouraged to follow the CCHA's checklist." Notification of the proposed development was provided to the Chatham County School System. Chris Blice, Chatham County Schools Assistant Superintendent for Operations corresponded by email dated November 5, 2022. Mr. Blice suggested considering where school buses will pick up students. The school cannot travel on private roads and in this case the stop would likely be on US 15-501.

The developer submitted the General Environmental Documentation and a letter dated July 13, 2021, 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, based on the project area mapped with your request, 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 or near the project boundary, it does not imply or confirm their absence; the area may not have been surveyed. The results of this query should not be substituted for field surveys where suitable habitat exists." Taylor Burton, Watershed Specialist, reviewed and approved the information submitted.

A community meeting was held on October 5, 2022, at Chatham Homes Realty, 490 West Street, Pittsboro, NC. Approximately seven people attended the meeting. Items/issues discussed included how changes to the road and removal of easement would affect the adjacent landowners, keeping the name of the existing road, timelines, and types of sewer service for the lots. The TRC met April 12, 2023, to review the revised First Plat submittal. The representative Mr. Ashton Smith, P.E. and Luke Shealy were present. Discussion included what size water line will be proposed and Mr. Shealy stated 6-inch. Currently there is an 8-inch supply line and Water Dept. staff explained that a valve will be needed to transition to a 6-inch line. A fire flow test will be needed and provide the Water Dept. with utility plans. A stormwater plan is being reviewed by Watershed Protection Dept and currently no ponds are proposed because the developer is requesting to use the 10% Rule in the County Stormwater Ordinance. This request is being considered by the Watershed Protection Dept. No street lighting, subdivision sign, or trails are being proposed. There is an encroachment of neighboring property driveway to the west. The existing gravel driveway that is partially within the 60' wide public right-of-way will need to revert to a natural vegetated state. The telecommunication structure is to be relocated but the light pole will stay in place. The developer will need to provide staff proof of the easement abandonment for the existing Lanes Legacy.

A soils report and map were submitted to James Tiger, Chatham County Environmental Health Supervisor II, for review. Mr. Tiger stated, "assuming the site and soil suitability area provided based on site and soil conditions for each property, the proposal appears adequate." County water is proposed. The road names Olive Lane and Eden Parcels Way has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners

for approval. The subdivision will maintain the existing road named Lanes Legacy. A mail kiosk is proposed to be located near Lot 7.

Emma Radford with Kimley-Horn submitted the Riparian Buffer review application along with a riparian buffer map to Drew Blake, Asst. Director Watershed Protection Dept., and Phillip Cox Watershed Specialist for review. Drew Blake, Phillip Cox, Emma Radford, and Caroline Vinter completed an on-site riparian buffer review on February 7, 2023 to verify the consultant's findings. On February 10, 2023 Drew Blake issued a confirmation letter of the findings. The February 10, 2023 confirmation letter stated one (1) intermittent stream, five (5) potential wetlands, one (1) ephemeral stream, and two (2) perennial streams. A 30-ft buffer from top of bank landward on both sides of the feature for all ephemeral streams, a 50-ft buffer will be required beginning at the flagged boundary and proceeding landward on all wetlands, a 50-ft buffer from top of bank landward on both sides of the feature for all intermittent streams and a 100-ft buffer from top of bank landward on both sides of the feature for the perennial stream. The Jurisdictional Determination (JD) request has been submitted to the Army Corp of Engineers and is currently being processed. The JD will be required at construction plan submittal.

The project is proposing to use the 10% Rule which is included in the County Stormwater Ordinance. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval. Site visits were scheduled for April 17, 2023, and April 20, 2023 for Planning Department staff and various board members to attend. Ashton Smith and Luke Shealy were present to walk the property with staff and Board members and discuss the project. Pictures of the site visit can be viewed on the Planning Department webpage.

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 located in an area of the county identified as Rural on the Future Land Use and Conservation Plan Map. The description for rural includes low-density, single-family homes on large lots, agriculture, home-based & small-scale businesses, regional greenway trails, and conservation easements. The proposed conventional 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 none 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 Olive Lane and Eden Parcels Way and granting approval of the First Plat for **Eden Parcels** 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 existing travel way currently known as Lanes Legacy which crosses the project shall revert to a natural vegetated state once the new road is constructed.
- Mr. Ashton Smith representing Eden Parcels stated he is here to answer any questions from the Planning Board.

#### Board Discussion:

- Mr. Frazier asked for some clarification of the 10% Rule. Mr. Sullivan stated the 10% Rule is calculated by an engineer and reviewed and regulated by the Watershed Protection department, but it has something to do with the entire evaluation and calculations of all the built upon areas and the entire drainage areas, sub-drainage, and the streams.
- Mr. Andrews asked for clarification about the statement made by Mr. Blice. "Mr. Blice suggested, considering where school buses will pick up students, the school cannot travel on private roads and in this case the stop would likely be on US Hwy 15-501." Ms. Tyson stated Chatham County school buses do not go down private roads, however, this will be a public Right-of-Way. There was some discussion

about whether Mr. Blice with Chatham schools was mistaken and thought that Lanes Legacy would remain a private road. Mr. Jones asked if there were streetlights proposed. Ms. Tyson stated there are no streetlights proposed at this time. Mr. Jones stated there is some concern with young children near 15-501 early in the morning waiting on a school bus in the dark. There was some board discussion about this being a dangerous stop along Hwy 15-501.

- Chair Lucier confirmed all the lots have on-site septic systems. Mr. Smith stated that is correct. Chair Lucier also confirmed there will only be one stream crossing on the project located on lot 9. Mr. Smith stated that is correct and it is an intermittent stream with 50' buffer on each side. Chair Lucier asked why is the name of the road Lanes Legacy and not Legacy Lane? Mr. Smith stated the road was already named Lanes Legacy and they are keeping it the same. Chair Lucier confirmed that the public Right-of-Way Lanes Legacy will serve the two homes beside the development. Mr. Smith stated that is correct. Chair Lucier also asked if Mr. Smith knew anything about the adjoining parcel that has a lot of clearing on it. Mr. Smith stated he did not know any plans or development for that parcel.
- Ms. Colbert stated the soils report states on page 2, "The major soil types on this property are Wedowee sandy loam, and Pittsboro-Iredell complex. The Chatham County Soil Survey indicates that moderate to severe limitations exist for septic systems installed in these soil types." Ms. Colbert stated with this project having proposed septic systems, how will you be dealing with that especially if the soils will not support the septic systems you have for the First Plat? Mr. Smith stated we hired a soil scientist to evaluate the area first. Once we get further into the project, we will hire another soil scientist to identify the best soil for septic on each lot, and we would not place the septic in any areas with drainage issues. There are several septic designs that could be used to alleviate any lots with issues.
- Ms. Roodkowsky asked about the current gravel road that weaves in and out of the future Right-of-Way which will revert back to a vegetative state. Will remediation be necessary and if so, has that been worked out? Mr. Smith stated with the gravel areas not being used it will naturally fill in over a couple of years. Mr. Mayer stated what if the gravel is so compacted that vegetation will not grow? Mr. Smith stated they would till the gravel to loosen it.
- Mr. Mayer stated on the plat the stream crossing is not perpendicular, but rather diagonal. With the crossing being diagonal it will impact the stream more and asked to make the stream crossing as perpendicular as possible for less impact. Mr. Mayer stated he is also concerned about the bus stop being located on Hwy 15-501.
- Ms. Robertson asked if the developer has had any conversations or feedback with the residents that currently use the existing road, especially Mr. Daniel Paxson, who has a circular drive coming off of the gravel road. Mr. Smith stated yes, they have been having conversations with the neighbors and we will be providing stub outs off the Right-of-Way for them to have access.
- Mr. Frazier stated there was some discussion within some email correspondence about if any septic could be within the stream buffer, what is the plan there? Mr. Smith stated no, there will not be any septic within a stream buffer. Chair Lucier stated septic could be near the ephemeral stream and that has a 30' buffer but cannot go within the buffer. Mr. Sullivan stated that was correct.
- Mr. Daniel Paxson, an adjoining property owner stated he owns the first two lots on the right side of the project, but only occupies the second home. He stated there were some conversations at the beginning stages of the project about the Right-of-Way staying on the applicant's property and not using any of my property at all. Right now, only two cars travel on that gravel road, once this is completed up to 30 cars will be on the road. Mr. Paxson stated he would like to revisit that topic and discuss it in more detail with the engineer and developer to move the road all on their property. The pavement of the proposed street will only be 35' away from the front door of my house. Mr. Paxson also stated this road will be a public road and maintained by NCDOT, it would not remain private.

- Ms. Haddix stated the plat does say that the Lanes Legacy Road will be a public road and share the same concern as Mr. Jones with children getting on the bus on Hwy 15-501. Chair Lucier stated it seems that the bus should turn a little of the way into the development so the kids would not need to be on Hwy 15-501. Ms. Hernandez stated she used to work for the school system and buses have to go down public roads, if it is a private road, they have to provide service, not house to house, but at least at a meeting point. Chair Lucier asked if the County has any jurisdiction over the bus stops. Mr. Sullivan stated the County does not have any control over that, it is only through the school system. Mr. Andrews stated he feels we do have jurisdiction as a Planning Board for the safety of our constituents.
- Chair Lucier said some clarification about this bus stop from Mr. Blice would be appropriate at this time. There was some more board discussion about the concern of having children waiting for a school bus along Hwy 15-501 in the mornings. Chair Lucier asked the board how they feel about receiving some clarification on this topic and wait on this item until the June meeting. Mr. Sullivan stated staff will reach out to Mr. Blice and relay the Planning Boards concern in this matter.
- Mr. Mayer asked if the concern is that the bus would not be able to turn around to leave the development. Ms. Haddix stated there is a cul-de-sac in the development. Mr. Sullivan stated the subdivision regulations require enough room for emergency vehicles and the Fire Marshal makes sure that is in compliance, so a school bus would be able to turn within a cul-de-sac.
- Chair Lucier asked again if we should table this item for clarification. Some board members expressed their input on waiting until the June meeting for more clarification on this matter. Ms. Colbert asked, for example, what if Mr. Blice responds with, they cannot drive down Lanes Legacy, what then? Chair Lucier stated he has a sense that there is some miscommunication or misinformation from the school system. Ms. Hernandez is right; school buses are required to drive down public roads to pick up children and Mr. Blice may have been looking at Lanes Legacy as the existing private road. Ms. Colbert understands, but what if Mr. Blice flat out says no, would that really have influence if this board would recommend approval or not? Chair Lucier stated we would have to make that decision if that is the case. It would be good to wait for clarification and as Mr. Andrews stated it is part of our responsibility as the Planning Board for the safety of the public.
- Mr. Mayer stated there currently are bus stops up and down Hwy 15-501, we have all been behind them. Chair Lucier stated yes, but if it can be avoided, we should try. If there is a residence right on Hwy 15-501 that is unavoidable, but in this case, children would be walking all the way from the back of the development and then standing there in the dark. It is a hazard, and it could be prevented.

Motion made by Ms. Haddix to table this item until the June Planning Board meeting to receive more information and clarification from the Chatham County school system regarding the school bus if it would or would not pull into Lanes Legacy for a bus stop, second by Ms. Roodkowsky. This item was tabled with a vote of 9-2, opposed by Ms. Colbert and Mr. Mayer.

2. Request by Adam Freeman, P.E. on behalf of 501 Prairie View, LLC for subdivision First Plat review and approval of Valiant Reserve, consisting of 19 lots on 23.064 acres, located off Lystra Road (SR-1721), parcel 18892 and 65382 in Williams Township.

Ms. Tyson stated the request is for First Plat review and recommendation of Valiant Reserve, consisting of 19 lots on 23.064 acres, located off Lystra Road, S.R. 1721. A vicinity map showing the property location is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval, or approval subject to modifications. As stated above, the Planning Board has two (2) meetings to

act on the proposal. The road is to be built as a 20-foot-wide travel way with a 60-foot-wide public right-of-way and is to be state maintained. The applicant contacted Sy Robbins, Kelly Gomez, and Bev Wiggins, Chatham County Historical Association (CCHA). CCHA requested a 30' wide buffer be placed around the Luke Riggsbee Cemetery that is located on Lot 1. The developer will place the cemetery in open space with a 30' buffer and the cemetery will be fenced. CCHA has planned to meet with the developer and confirm the cemetery location and condition.

Notification of the proposed development was provided to the Chatham County School System. Chris Blice, Chatham County Schools Assistant Superintendent for Operations corresponded by email dated March 13, 2023. Mr. Blice commented that the school buses are unable to enter the development and the bus stop will be on Lystra Road. The developer submitted the General Environmental Documentation and a letter dated February 7, 2023, 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, based on the project area mapped with your request, 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 or near the project boundary, it does not imply or confirm their absence; the area may not have been surveyed. The results of this query should not be substituted for field surveys where suitable habitat exists." Rachael Thorn, Watershed Protection Director, reviewed and approved the information submitted.

A community meeting was held on February 1, 2023 at Bradshaw, Robinson, Slawter, and Rainer LLP, 128 Hillsboro St., Pittsboro, NC 27312. Approximately eight people attended the meeting. Items/issues discussed included tree clearing, soil testing, who is the developer, traffic impact, sizes of homes, public or private road, what are the plans for the remaining property, size lots, will the lots be mass graded, any connection to Williams Corner, prices of the homes, and will there be trail/road connection to adjacent property. No changes were made to the proposal after the community meeting. The TRC met April 12, 2023, to review the First Plat submittal. The applicant/developer was not present. Discussion included will there be street lighting and staff asked for a photometric plan and application for street lighting and subdivision sign. The Watershed Protection Dept. commented that the developer needs to make sure there is enough area for grading a stormwater pond and that grading is outside of the riparian buffer. NCDOT asked for street lighting plans to be submitted and mail kiosk to be 100' from the entrance. A soils report and map were submitted to Carl Kivett, Chatham County Environmental Health, REHS, LSS, Chatham County Environmental Health, for review. Mr. Kivett stated that the soils report and first plat appear to meet the requirements at this time based on the proposed plat. Water is Chatham County Water Dept.

The road name Valiant Reserve Drive has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval. A mail kiosk is proposed to be located near Lot 18. Chris Huysman of Wetlands & Waters, Inc, submitted the Riparian Buffer Review Application along with a riparian buffer map, dated October 21, 2019, to Drew Blake, Asst. Director Watershed Protection for review. Mr. Blake completed an on-site riparian buffer review on November 5, 2019, to verify the consultant's findings. Streams SF6, SF7, and SF8 were determined to not meet the requirements of an ephemeral stream. Wetland boundaries were previously confirmed by Andy Williams with U.S. Army Corps of Engineers. Mr. Blake issued a confirmation letter of his findings. The November 12, 2019, confirmation letter stated seven (7) intermittent streams, three (3) perennial streams, fourteen (14) wetlands and one (1) pond. A 50-ft buffer will be required beginning at the flagged boundary and proceeding landward on all wetlands, a 50-ft buffer from top of bank landward on both sides of the feature for all intermittent streams and a 100-ft buffer from top of bank landward on both sides of the feature for the perennial stream. It is to be noted not all features will be within the proposed project because this is a portion of a larger parcel.

One stormwater device is proposed and will be placed between Lots 10 and 11 within the subdivision. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval. Site visits were scheduled for April 26, 2023 for Planning Department staff and various Board members to attend. Pictures of the site visit can be viewed on the Planning Department webpage.

Ms. Tyson stated the Planning Department recommends granting approval of the road Valiant Reserve Drive and granting approval of the First Plat for **Valiant Reserve** 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.

- Mr. Nick Robinson, the lawyer representing the applicant, introduced himself to the new Planning Board members. Mr. Robertson stated Ms. Tyson had done a great job reviewing the project and as you can tell from the recommendation from the Planning staff, this subdivision is fully compliant with all of the boxes that need to be checked to require approval. This project has conducted the community meeting and has gone through the Technical Review Committee with all the different departments that have to review this subdivision. This subdivision is in good shape, and we respectfully request your recommendation for approval.
- Ms. Jill Downen, an adjoining property owner of the proposed project stated she has lived in Chatham County since 2013 and is a professor at UNC Chapel Hill. Ms. Downen stated she had missed the February community meeting and wanted to know if we could hear some of the answers to the concerns that were raised. This is part of the Williams Corner project, how does developing these two parcels fit into their overall plans? Why are the two parcels being placed together and separated from the Williams Corner parcels? What is the long-range plan for this project? Ms. Downen also stated that Lystra Rd is a very busy road as well and is concerned for the children and the bus stop for this neighborhood. The parcel on the top of this proposed plan is beautiful and has a beautiful creek, it looks like that parcel will not be developed and that is a good thing. Ms. Downen thanked the Planning Board for their time.
- Chair Lucier stated he is interested to hear about the remaining acreage as well, because most of it will be undevelopable because of Cub Creek and the steep slopes on it. Mr. Robinson pulled up the image of the two parcels for the board to see and explained that the project will be using just a small sliver of the upper parcel, we had to include that parcel and all the adjoining property owners had to be notified. There will be no impact to the top parcel and if this project is approved, we will do a recombination with the used portion of the top parcel and the remainder of it will stay as it is.
- Chair Lucier confirmed that this is not part of the existing conditional use permit (CUP) for Williams Corner, is that correct? Mr. Robinson stated correct, no it is not. Williams Corner is an approved CUP with commercial and some residential areas which were approved back in 2006 but has not been constructed yet. Mr. Robinson showed the Planning Board the other parcels that make up Williams Corner. Chair Lucier asked if this project and Williams Corner are the same owner. Mr. Robinson stated yes, it is the same owner.
- Vice-Chair Spoon asked for some clarification, it was said that the remaining portion of these parcels will remain as is, but for how long? Mr. Robinson stated that is an open question, but the problem with the upper parcel is you would have to cross Cub Creek with that very steep slope, it would be incredibly expensive, and to prove it to be worthwhile is still a question. Chair Lucier stated he could not see how the upper parcel could be developed with Cub Creek, the steep slope, and the other water features. Mr. Robinson stated even if anything could be done regarding that parcel, it would be required to come to the Planning Board for review.
- Chair Lucier stated two cemeteries have been noted, one off-site and the other is on-site near lot one. It is understood that this cemetery will be maintained by the HOA. Is there a plan for fencing around it and an identifying sign? Mr. Robinson stated yes, this cemetery is located in open space and not part of lot 1. This cemetery is identified by just some boulders, there are not any headstones with markings or identifications, however, the applicant has agreed to place a fence around the cemetery even though it is not required. It will be maintained by the HOA, and it will be made clear to the owner of lot 1 that their lot does not have any stake in it. Mr. Andrews asked if any heirs or relatives had visited the cemetery recently and if so, there would be a gate. Mr. Robinson stated there have not been any visitors to the cemetery, but the applicant will provide a gate for access to anyone who wishes to visit.
- Ms. Colbert stated there are stream buffers located on several lots towards the back of the project, what is the developer going to do to ensure the lot owners will not encroach into those buffers? Mr. Robinson stated there will be restrictive covenants that will address the buffers and the recorded plat

will also have that information on it. Ms. Colbert asked if they would provide explicit disclosures to the purchasers of those lots? Mr. Robinson stated there is no reason they would not provide documents to them. Mr. Frazier stated during the site visit it looked like the buffers were already surveyed and identified with ribbons.

- Ms. Robertson stated she is also concerned about Mr. Blice comments within the notes and an adjacent property owner expressed some concerns. Even though this is also a public road, Mr. Blice commented that school buses are not able to enter the development and the bus stop will be located on Lystra Road. Having the school say they will not go up that road even though it is public, it is confusing because this is two projects in a row where this was stated by Mr. Blice. Chair Lucier stated that does not make sense, everything he knows about school policy, it does not seem right. Ms. Robertson stated Lystra is a busy road, we should follow up with the school system on this as well. Mr. Andrews stated based on the first subdivision we reviewed and whether or not Mr. Blice does not know the difference between a private or a public road, it is clear that he does know, and he has made a statement they are not going to enter into this public road. Mr. Andrews stated he would like clarification whether the buses have to go up a public road, if they do then it has to, but if it does not, we should know why.
- Ms. Haddix stated it seems like there is a mistake here and we just delayed the previous project with good reason because we have concerns about it, but what is the impact of having that mistake on the record? If it is a mistake and it can be corrected, will this be allowed to move forward or not? Chair Lucier stated Mr. Sullivan is going to check with the schools about the last item so we will have that information. Ms. Haddix asked to confirm that if we were to recommend approval with this mistake on record, would that have any impact if the buses could go up the road? Chair Lucier stated no, if we recommend approval even with this statement about the school bus and it is determined that the school bus can go up the public road, it will, our approval has no impact on that. Ms. Haddix stated that is important because we do not want to cause unnecessary delays.
- Vice-Chair Spoon stated in the past we have approvals with certain stipulations and conditions that said explicitly provided that this is taken care of, then we approve. Chair Lucier stated other than that comment it is a good application and it should not be delayed. Ms. Haddix stated maybe we should not have delayed the other project as well. Chair Lucier stated that was a four-lane road and Lystra is just a two-lane road. There is a big difference between a four-lane and a two-lane regarding school buses, so I would be inclined to move forward with this project. Vice-Chair Spoon stated we also have a consent agenda on our Board, so if we delayed something where we are all in agreement, but there is one issue that comes up, if that issue is resolved then it can be placed on the consent agenda for the next meeting and can be approved right at the beginning of the meeting. That is an option, but agree it is not good to hold things up for one issue that may be an oversight from somewhere in the county government.
- Mr. Robinson stated the applicant follows the regulations by checking with the school system, but the school system has their own policy whatever that might be, beyond that, it is out of the applicant's control. Mr. Robinson stated his preference would be what Chair Lucier suggested is that hopefully you recommend approval of this project and before we get to the June 20<sup>th</sup> Board of Commissioners meeting staff, will have spoken to Chatham County schools and cleared up any confusion. Mr. Adam Freeman, an engineer with McKim & Creed stated during the construction process, if for some reason the school system says they cannot pull into the public road, if necessary, we can provide a pull off beside the road for the school bus. Chair Lucier asked Mr. Sullivan if it would be possible to make that pull off a condition if the bus cannot go down the public road? Mr. Sullivan stated he is hesitant to go down that path because when NCDOT does their road plan approvals they override our regulations and requests. We have tried this before and NCDOT has become very strict on their road plan approvals.
- Mr. Sullivan stated he did look at the Chatham County school system website and it does include, "place bus stops no more than .2 of a mile apart unless a safety hazard exists. Buses are routed on State maintained roads only, buses are generally prohibited from traveling into cul-de-sacs." Mr.



Sullivan stated staff will follow up on that, but it leads me to believe if the subdivision has a one way in and one way out, they are not going to take the bus down the road. That would also make sense with the previous subdivision request as well. Ms. Robertson stated the reason she pointed that out is because it is the second item tonight with the same comments and just wanted clarification. Personally, I would be in favor of recommending approval for this item.

- Mr. Mayer stated on the site visit he spotted a large patch of invasive plants near the old agricultural site and was hoping you will inform the builder or developer about it and see if they can manage it or eradicate it completely, it is a serious invasive plant. Mr. Robinson stated he has made a note of it. Mr. Mayer also stated the back retention pond is on a pretty steep slope, is that unusual and how is that constructed on such a steep slope? Mr. Freeman stated the approach of the road will be graded so it will not be too steep coming into the pond. There will be enough room to construct a berm and a retaining wall if needed.
- Ms. Haddix stated she was looking at the soils survey map on the GIS conservation viewer and noticed a lot of rivers and streams towards the back and the soils survey map noted that there may be some stream drainage issues and all draining to Cub Creek. If there are not any issues then it is okay, I was just pointing it out. Mr. Robinson stated part of the process is before the First Plat stage Chatham County Watershed Protection staff surveys the site and delineates the streams and wetlands to identify what size buffers are required and of course the applicant and developer will comply with those requirements in accordance the subdivision ordinance.
- Ms. Jill Downen asked for some clarification that the top parcel once the sliver is recombined, the remaining part of the parcel will be rezoned and developed or added to the other parcels? Mr. Robinson stated no, it will not change anything at all, the parcel will remain R1 residential zoning district. Chair Lucier stated it is called recombination and it happens quite frequently and it does not change the zoning.

Motion made by Ms. Robertson to approve this item, second by Mr. Andrews. This item was approved with a vote of 11-0, unanimously.

3. Request by Mark Ashness, P.E. on behalf of The Conservancy Real Estate Group, LLC for subdivision First Plat review and approval of The Estates at Finley Farms, consisting of 45 lots on 105 acres, located off Old US 1 (SR-1011), parcel 5545 in Cape Fear Township.

Ms. Tyson stated the request is for First Plat review and recommendation of The Estates at Finley Farm formerly The Conservancy at Jordan Lake Subdivision, consisting of 45 lots on 105 acres, located off Old US 1, S.R. 1011. A vicinity map showing the property location is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval, or approval subject to modifications. As stated above, the Planning Board has two (2) meetings to act on the proposal.

Background: The Board of Commissioners approved the First Plat for The Conservancy at Jordan Lake Subdivision on February 17, 2020. The project was approved for 47 lots on 105 acres with public water. After the First Plat was approved, the developer determined that the cost to extend county water to the site was cost prohibitive. The length of the off-site water line to the project is over 7,150 linear feet. The developer submitted another First Plat using individual wells instead of county water and the Board of Commissioners approved it on June 15, 2020. The project was approved for 45 lots on 105 acres with private well and septic. A third First Plat was prepared for a larger development on this property plus additional area and the Board of Commissioners approved a conservation subdivision for The Conservancy at Jordan Lake Subdivision on March 21, 2022. The project was approved for 1,524 lots on 1,262.9 acres with private wastewater treatment plant and public water.

Per the summary provided in the packets, the current proposal of 45 lots is identical to the First Plat subdivision application approved in June of 2020. Since the conservation subdivision was approved, several economic development projects have been announced in the County, including Vinfast which is near this subdivision. Additionally, the County is currently preparing a small area plan in the Moncure area in response to the Vinfast announcement and The City of Sanford is extending utilities into the area. The developer would like to wait for the small area plan update before moving forward with the remainder of the conservation subdivision but is requesting approval for a smaller development in the interim. The proposed road is to be built as 20-foot-wide travel way with a 60-foot-wide public right-of-way and is to be state maintained.

The applicant contacted Sy Robbins and Bev Wiggins with Chatham County Historical Association. CCHA found no record of any known cemeteries or structures of historic/architectural significance. Notification of the proposed development was provided to the Chatham County School System. Randy Drumheller, Chatham County Schools Director of Maintenance and Construction corresponded by email dated March 15, 2023. The developer submitted the General Environmental Documentation and a letter dated February 7, 2023, 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, based on the project area mapped with your request, 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 or near the project boundary, it does not imply or confirm their absence; the area may not have been surveyed. The results of this query should not be substituted for field surveys where suitable habitat exists." Taylor Burton, Watershed Specialist, reviewed and approved the information submitted.

A community meeting was held on March 6, 2023 at New Hill Community Center, 3101 New Hill Holleman Rd, New Hill. Approximately four people attended the meeting. Items/issues discussed included whether the project will have individual wells and septic, construction timing, any additional entrances, the plans for the remaining acreage, and why are not the plans to continue with the conservation subdivision. The TRC met April 12, 2023, to review the revised First Plat submittal. The applicant/developer was present. Discussion included Watershed Protection commenting that the land disturbance permit has expired but is allowing the permits to be renewed because of COVID legislation. NCDOT representatives asked if a new Traffic Impact Analysis (TIA) will be completed with this project. Clay Matthews with CE Group explained this project is stand alone and does not require a TIA.

A soils report and map were submitted to Thomas Boyce, Chatham County Environmental Health, LSS, REHS, Chatham County Environmental Health, for review. Mr. Boyce stated that the report and map were adequate for a First Plat review. Water is Private well. The road name Finley Farm Way, Twisted Branch Lane, and Rustic Pine Lane have been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval. A mail kiosk is proposed to be located near Lot 1. Kevin Murphrey of Environmental Services, Inc. (ESI), submitted the Riparian Buffer Review Application and a riparian buffer map, dated June 2019 to Drew Blake, Asst. Director Watershed Director for review. Mr. Blake and Mr. Murphrey completed an on-site riparian buffer review on August 12, 2019 to verify the consultant's findings. On October 8, 2019 Mr. Andy Williams of the US Army Corps of Engineers completed a site visit with ESI staff member. Streams SXC, SXF, and SXG were upgraded from ephemeral to intermittent streams. On October 16, 2019 Mr. Blake issued a confirmation letter of his findings. The October 16, 2019 confirmation letter stated six (6) intermittent streams were found, seven (7) wetlands, and one (1) perennial stream. A 50-ft buffer will be required beginning at the flagged boundary and proceeding landward on all wetlands, a 50-ft buffer from top of bank landward on both sides of the feature for all intermittent streams and a 100-ft buffer from top of bank landward on both sides of the feature for the perennial stream. The Corp of Engineers Notification of Jurisdictional Determination was signed by Andrew Williamson February 11, 2020.

Three stormwater devices are proposed and will be placed by Lots 1, 34, 28 & 29 in the subdivision. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval. Site visits were scheduled for April 18 and April 25 for Planning Department staff and various Board members to attend. Clay Matthews was present to walk the property with staff and Board members and discuss the project. Pictures of the site visit can be viewed on the Planning Department webpage.

Ms. Tyson stated the Planning Department recommends granting approval of the road names Finley Farm Way, Twisted Branch Lane and Rustic Pine Lane and granting approval of the subdivision First Plat for **The Estates at Finley Farm 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.
- Mr. Clay Matthews with CE Group stated this plan is the exact plan as the second First Plat submittal with individual wells and septic systems. After the VinFast announcement and the County working on the Small Area Plan, the applicant wanted to wait and see the results of that plan before moving forward with the other parcels, but in the meantime would like to move forward with this development. Chair Lucier stated in the last submittal for Conservancy at Jordan Lake with the 1500 lots there was concern about the private air strip and shooting range on the adjoining property, this will not be an issue for this parcel, correct? Mr. Matthews stated that is correct, it is not adjoining this parcel. Chair Lucier also pointed out a possible wetland crossing for lot 1. Mr. Matthews stated it is not going to impact the wetlands. Mr. Sullivan reminded Chair Lucier that there was a break in the wetlands, and they believe it was created with an old logging road. Chair Lucier stated the only open space is on stormwater ponds which is about 6 acres, is that correct? Mr. Matthews stated that is correct.
  - Vice-Chair Spoon confirmed that if this First Plat is approved, the previously approved conservation subdivision First Plat with the 1500 lots is then eliminated and void. Ms. Tyson stated yes, that is correct.
  - Ms. Colbert stated this second version plan which was approved in June of 2020, wasn't this the catalyst for the Well Subcommittee? Chair Lucier stated this was one of the projects that lead to it, but not the only one. Ms. Colbert stated this parcel will have 45 lots and each with individual wells, should we be concerned? Chair Lucier stated the well subcommittee had geologists and other professionals looking at our county but did not produce any real conclusion or firm recommendation, just be as careful as you can. Mr. Sullivan stated the well subcommittee had experts all across the entire spectrum, which was very beneficial, but the conclusion is our county is highly variable. We looked at a lot of data and found one well could have 80 gallons per minute and the well right next to it could only be getting under a gallon per minute, only 50 feet apart from each other. Planning staff had an intern who compiled all the well depths on each parcel in the county and placed it on a spreadsheet. A Planning staff member is working with GIS and Environmental Health to create a tool with real well data. Mr. Sullivan stated this project has large lots and there should not be any concern for well water. Ms. Colbert stated the reason they went back to the individual well plan is because of the expense to bring the public water to this parcel, is that right? Mr. Matthews stated yes, it was an exponential cost to bring the water line to the parcel. Ms. Colbert asked what the cost amount was. Mr. Matthews stated he did not know the number off the top of his head.
  - Mr. Jones asked, did we have wells going dry near Hwy 751 several years back? Chair Lucier stated it has been a problem in Chatham County, it is not clear if it is because of development or not or just how variable the water table is in the county. For example, my well gets 140 gallons a minute, but if you go a half mile up the road, they have to drill down 600 feet and get a gallon a minute. Mr. Andrews stated with a 600 foot well, there is an incredible amount of reserve for supply.
  - Mr. Mayer stated he was reading the minutes from the meeting where this project was approved and there was a conversation about endangered species being sited in this area and asked if the developers had contacted the US Wildlife Service for guidance on that subject and wondered if that was followed up. Mr. Matthews stated they will check into that, but we completed a new General Environmental Documentation on February 7<sup>th</sup> and contacted the Natural Heritage Program. Ms. Roodkowsky stated on page three of the current staff notes say, "a query of the NCNHP database, based on the project area mapped with request, indicates that there are no records of rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary." Mr. Mayer stated the Natural Heritage surveys just plants, is that correct? Mr.

Sullivan stated the Natural Heritage Program also covers birds, moths, butterflies, and other small animals.

Motion made by Vice-Chair Spoon to approve this item, second by Mr. Mayer. This item was approved with a vote of 11-0, unanimously.

## VII. ELECTION OF OFFICERS:

### 1. Election of the Planning Board Chair and Vice-Chair.

- Mr. Sullivan stated he has opened the nominations for Chair of the Planning Board. Mr. Spoon nominated Mr. George Lucier for Chairman of the Planning Board, he has served in that capacity many years, and this would be his second consecutive year and as he has said his final term in that roll. He has been a good leader for a long time and understands the issues we are facing in Chatham County. There were no other nominations for Chairman at this time. Mr. Sullivan put it to a vote and Mr. Lucier was voted to be Chairman with a vote of 11-0, unanimously.
- Chair Lucier thanked the Planning Board members and stated he will continue to hold open and transparent meetings to the best of his ability.
- Chair Lucier opened the election for Vice-Chair and nominated Mr. Jon Spoon for Vice-Chair of the Planning Board. Ms. Robertson nominated Ms. Colbert for the Vice-Chair position and stated the conversation we had as a Board over e-mail would provide some additional training to other members of the Board with diversity and working alongside Mr. Lucier would be beneficial. There were no other nominations for Vice-Chair of the Planning Board.
- Ms. Haddix asked if this vote was for one more year in the position. Chair Lucier stated we delayed the election this year, we normally hold the elections in February, but this year we had such a transition to the Planning Board members we did not want you to vote at your very first meeting. Chair Lucier stated he will finish his term as Chair and then continue as a Planning Board member as long as the Commissioners continues to appoint him but is not planning on Chair or the Vice-Chair position.
- Ms. Roodkowsky stated Ms. Colbert had made some very good points about inclusion and diversity and the fact that a lot of us have experience doing other things. At the same time, I recognize that there are seven of us as new Planning Board members, some of us it is the first meeting, some of us it is the second meeting, and every committee is different, some of us have run small meetings, international meetings, corporate meetings, but every committee is different with all the things going on within it, and the remaining 8 months it would be wise for us to keep Mr. Spoon as the Vice-Chair. Nothing against diversity or Ms. Colbert, most of us are probably overqualified to assist in running the meeting, but that is not the point, the point is more learning what the issues are, learning about the history, and see how the people who have been on the Board for a while work. Again, I am all for diversity, but each meeting I am learning how other people approach the issues and I know I have a few things I need to pick up before I can do anything in leadership. It would be wise, as the majority of us are new, to stick with the leadership for the next 8 months until February.
- Ms. Colbert stated the point she brought this up to begin with is twofold. We have a situation where a lot of people are new to the Board, but not necessarily new to the kinds of issues this Board will need to take a look at. Also, it is important for us to look forward and how do we transition people to assume these rolls successfully if we don't give them an opportunity to do, rather than simply observe. Mr. Lucier and Mr. Spoon are well qualified in what they do and that

is not my point. My concern is that we have to be a little broader when we go out and say we are going to have an election and to solicit ahead of it and provide something with a little more inclusion. It tends to strike some of us, and it certainly did me, in the way it excluded people. We need to do a better job making sure we invite people who may feel comfortable in the leadership rolls. It would have been better received if there was an opportunity for people who might have been interested in the Vice-Chair position to essentially throw their hat in the ring rather than the way it was presented.

- Ms. Colbert also stated this idea that you need to know everything, which is actually an advisory role, I do not think anyone should be discouraged from taking chances to assume leadership positions. To the extent that people can be dissuaded because they think this is just the way it is done, we needed to have that conversation. If you choose to elect me, I would be happy to serve in that capacity and I would also be happy to see Mr. Spoon continue, but I want to have that discussion about how we make sure that everybody is included going forward. Because I mentioned that we need to be doing things a little differently, that is why I would be willing to be in the Vice-Chair role. I would be happy to serve in that position and do not believe I would have any problems mastering that position in a relatively short period of time. It is an opportunity to rotate people in a succession planning, regardless of what happens tonight, we need to look at February of 2024.
- Chair Lucier stated Mr. Spoon and myself had talked about this several months ago about the Chair and Vice-Chair positions and told him then that this will be my last time in leadership because I believe in succession planning and believe in everything Ms. Colbert has said. It was our thought that since everyone was so new that we would do that in this coming February and not at this election. Ms. Colbert stated that is my argument for serving as Vice-Chair, because I would be thrilled to serve by your side and learn from you and next year, I will not have that opportunity. Chair Lucier stated he is not planning to leave the Board.
- Mr. Andrews stated as someone who is losing their rookie status on the Board, I came in with a certain amount of knowledge and I was unbelievably humbled by the amount of information these two gentleman as Chair and Vice-Chair are digesting and preparing before the meeting, I agree with the diversity statement and we do need to encourage people to go into those leadership roles, but it is not a bad thing over the next several months to catch up. I was absolutely overwhelmed, and I can tell you by experience that both the Chair and Vice-Chair are incredibly well prepared and it has been inspiring for me because I came in the first couple meetings not having done my homework and now, I do my homework. There is a lot of responsibility here and the way the Board works with the Planning department does take a few months to learn what we should and should not discuss, or what our role is, and our jurisdiction as a Planning Board. I personally will be supporting Mr. Spoon, no offence to anyone else, I believe in diversity, and I encourage other people to step into this role, but for the next few months it is not a bad thing to observe.
- Mr. Spoon stated he appreciates the concerns that have been brought up and glad we have people that are comfortable in their voice already to bring those topics up. I hope it wasn't taken as dismissive when I said experience would be better, personally I thought this plan would give new members a little peace of mind that they would not have to jump into a leadership role right away, but I would trust any of you to learn what you need to learn such as Robert's Rule and run through an agenda. There is a lot more to know about this Board, such as the regulatory layout, which is local rules and how the interact with State rules, you learn the difference between running a quasi-judicial process and a legislative process, the experienced members have seen traditional subdivisions, conservation subdivisions and applications under our Compact Communities Ordinance that operates differently, we know general use and conditional use rezoning and when to use a consistency statement with our recommendations. It

is things like that which take time to participate in, I served 2 or 3 years before stepping into a leadership position and like Mr. Andrews said, it took me two years before I would be comfortable in that position. I appreciate that there are very intelligent people who are ready for that, but I would like to continue in this role. You will also start to learn the different applicants and engineers who come before this Board over and over again and how to interact with them, questions to ask, where they are willing to give concessions when they really are working for the best interest of Chatham County. Until February 2024, I hope we will still have that same institutional knowledge on this Board that we have right now, and we will have some more experience from the new members, and we will have at least one, maybe two open leadership positions in February 2024 and we will look forward to that. I would like to serve as Vice-chair for another 8 or 9 months and I will leave it up to the Board to decide how they feel about that.

- Mr. Frazier stated it is clear to me the very best way to prepare for a leadership position on this Board is to serve for a year or so.
- Mr. Jones asked if the Chair and the Vice-Chair were the only leadership roles within the Planning Board. Mr. Spoon stated we have sub committees which has a Chair position. Chair Lucier stated we currently have the UDO subcommittee and in the past, we had the well subcommittee, when we went through the Land Use Plan, we had a committee for that as well which dives into more detail. There is always something cropping up and who knows what will happen with the Moncure Small Area Plan and our involvement in that as well. There will be more sub committees, no doubt about it.
- Mr. Spoon stated we also have the liaison roles for Siler City, Pittsboro, Conservation Partnership, and Agricultural Advisory Board. Historically we have had a member serve as liaison for these boards, it is not necessarily a leadership position, but you become our ears for that organization and report back to us to make sure we are all informed on what is happening around us so we can work together. That has been important in the past, we have these nodes of development in Chatham County and if we are not doing things in concert, it can be detrimental. We need to know what is going on with these other groups as well.
- Ms. Haddix stated she agrees with Ms. Roodkowsky statements and appreciates Mr. Spoon giving the Board that primer on the expertise that is required, and I have no doubt that Ms. Colbert would have that expertise eventually, or maybe you already do, I do not know anyone yet. I am glad we could talk about it because a lot of the way we use experience or expertise are buzz words for, we just want to keep the status quo, so I appreciate the information you gave us.
- Ms. Robertson stated she would still vote for Ms. Colbert. Ms. Colbert stated my background is regulatory compliance not at the county level, but at the Internal Revenue Service for close to 30 years. I was also a subject matter expert for various issues concerning land use as well as property rights across the United States. I also managed a nationwide program that encompasses 3000 jurisdictions across the United States for property and rights in property. I am reasonably confident that I am capable, I have lived in Chatham since 2014 and have attended a lot of these meetings over the last 8 years, so I have observed quite a bit and I am a quick study. The reason I brought it up is not so much that I have this burning desire to do it, but I would be glad to do it, and I would accept your vote, because we need to have those kinds of discussions. As we talk about moving forward as a Board especially with so many new people, I would like for us all to be a lot more mindful about how we present things like experience and qualifications, we should consider viewpoints of other people and how they would potentially interpret that because my take on it is we got a vote of confidence from commissioners who appointed us to this Board. The kinds of experience that we bring is not simply technical, although it is important, I agree, but we have other things that we need to be thinking about

when we look at these issues that are not purely technical and how they impact our communities, and I would like all of us to be thinking about that going forward.

Chair Lucier stated he will conduct the vote for Vice-Chair. The vote was conducted for Mr. Spoon, and it was 8-2 for Mr. Spoon to be Vice-Chair, opposed by Ms. Colbert and Ms. Robertson. Mr. Mayer abstained. The vote was conducted for Ms. Colbert, and it was 2-8, the yay vote was Ms. Colbert and Ms. Robertson. Mr. Mayer abstained.

- Chair Lucier stated he appreciates Ms. Colbert's comments, and this discussion is an important one to have and appropriate with so many new Board members. Ms. Colbert stated congratulations to you both and I look forward to working with you both. Open discussion will make us a better Board and serve our community better.

VIII. NEW BUSINESS:

IX. BOARD MEMBERS ITEMS:

1. Update from the Planning Board liaisons.

- Ms. Robertson stated she had been to the Pittsboro Planning Board meeting, which was only about 15 minutes. It was their first in person meeting since the pandemic began. They made some text amendments to their UDO which was approved. I also had the opportunity to meet the new Planning director who has previous work in Angier and Selma. I also met the new Town manager who recently bought a house in Chatham Park. Ms. Robertson stated she did invite them to have a liaison with our Planning Board and Eric Braun is interested in doing that. Chair Lucier suggested we at least send him our meeting agenda. Mr. Garrett stated he will add Mr. Braun to the Planning Board e-mail list.
- Chair Lucier stated Ms. Caroline Siverson was our Siler City liaison and asked if anyone would be interested in serving in that capacity. Ms. Colbert stated it would be difficult to completely commit to that responsibility alone, but if someone would be interested in partnering with me, we could share the responsibility. Ms. Hernandez stated she could partner with Ms. Colbert to be the Siler City Planning liaison.
- There was a short discussion about maybe having a liaison for the Goldston Planning Board.
- Vice-Chair Spoon stated the Planning Board UDO subcommittee does not have any new material from the consultants to review at this point. I have been working on pulling together other subject matter experts for a concept of a land trust and a density credit balancing system. I have been reaching out to directors of land trusts and our next meeting will be more of an informational meeting with some leaders that are executing models that are already working. The next meeting has not been scheduled yet, but I will let you know a few weeks ahead of time and our meetings are all virtual, which normally lasts about an hour to an hour and a half.

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

- The Board discussed and agreed the June meeting will be held in person at the Agriculture and Conference Center.

X. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

1. Minor Subdivision spreadsheet
2. Unified Development Ordinance Update
  - Mr. Sullivan stated we are continuing to work with the consultants on the UDO. Mr. Mullis, the UDO project manager, and I will be giving an update to the Affordable Housing Committee as well as the Environmental Review Advisory Committee, which also serves as the Watershed Protection Board at their next meetings.
3. Moncure Site Area Update
  - Mr. Sullivan stated we held our second meeting in Moncure, and this was more of a listening meeting and gave the residents in the area an opportunity to express their concerns and comments. Questions we were not able to address will be added to a FAQ and distributed. Our next meeting in Moncure is scheduled for May 24<sup>th</sup>.
  - Vice-Chair Spoon asked what the thinking was behind the "let's just keep it like it is" as one of the options. That is a lot of money to come to the conclusion we were completely prepared for what is going to happen in Moncure. I think people could get confused and assume that Moncure is going to stay the way it is right now, and that is not the way it is going to be. Mr. Sullivan stated there are existing areas with the zoning that are going to work and consistent with the Land Use Plan. Vice-Chair Spoon stated, being clear with the citizens, under no circumstance is Moncure going to stay like it is or go back the way it was 10 years ago.
4. Goldston Update
  - Mr. Sullivan stated there is a subdivision called Goldston Fields Phase II and a possible annexation which will be discussed at the next Goldston Planning Board meeting.
  - Mr. Andrews asked if a property owner volunteers to be annexed into Goldston the County has no jurisdiction even if it could be detrimental? Mr. Sullivan stated that is correct, the county has no jurisdiction, it is a State Statute.
5. Transportation Update
  - Mr. Sullivan stated the county is part of two regional transportation organizations, Triangle Area Rural Planning Organization and the other is Durham Chapel Hill Carrboro Metropolitan Planning Organization. We are required to be a part of these organizations so the county will receive funds for our roads. Every 10 years the urbanized area boundaries are updated throughout the country. Last month we discussed with the commissioners about entertaining the idea of partnering with Capital Area Metropolitan Planning Organization. During the next BOC meeting they will vote to be part of this third organization.

XI. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:06 p.m.

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

George Lucier, Chair

Date



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

Dan Garrett, Clerk to the Board

Date