



Chatham County Planning Board Minutes October 3, 2023

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

Present

Tony Mayer
Mary Roodkowsky
Clyde Frazier
Elizabeth Haddix

Jon Spoon, Vice Chair
Shelley Colbert
Amanda Roberson
Eric Andrews

Absent

George Lucier, Chair
Norma Hernandez
Kent Jones

Planning Department

Jason Sullivan, Director, Kim Tyson, Subdivision Administrator, Hunter Glenn, Planner II, and Dan Garrett, Clerk to the Planning Board.

I. CALL TO ORDER:

Vice-Chair Spoon called the meeting to order at 6:30 p.m.

II. DETERMINATION OF QUORUM:

Vice-Chair Spoon stated there was a quorum, 8 members were present, Chair Lucier, Ms. Hernandez, and Mr. Jones were absent.

III. APPROVAL OF AGENDA:

Approval of the Agenda – Vice-Chair Spoon stated there was going to be some adjustment to the agenda. The Zoning Text Amendment item currently on consent will be removed and the subdivision item, Conservancy at Jordan Lake will also be removed and moved to the November 7th agenda. Vice-Chair Spoon asked the board members if they were okay the consent items on the agenda and the other agenda items. Ms. Colbert asked that the Subdivision Text Amendment item be placed on the regular agenda. Motion made by Ms. Roodkowsky, seconded by Ms. Robertson. The agenda was approved, 8-0, unanimously.

IV. APPROVAL OF THE MINUTES:

Consideration of the September 5, 2023 meeting minutes. Minor edits were noted. Motion by Ms. Robertson to approve the September 5, 2023 minutes and seconded by Mr. Mayer. The September 5, 2023 minutes were approved 7-0, Mr. Frazier did not vote because he was absent for the September meeting.

V. PUBLIC INPUT SESSION:

There were no public speakers signed up to speak at this time.

VI. CONSENT ITEMS:

1. Request by Warren Mitchell, P.E. on behalf of Griffith Capital, LLC for subdivision Modification review and approval of Pyewacket, consisting of 92 lots on 128.39 acres, located off Jones Ferry Road (SR-1942), parcel 90267 in Baldwin Township.
2. A quasi-judicial request by the Chatham County Parks and Recreation Department for a Special Use Permit for new county-owned park on Parcel 5809, located at 994 Pea Ridge Rd, Cape Fear Township.

These items were approved on the consent agenda with a vote of 8-0, unanimously.

VII. SUBDIVISION ITEMS:

1. A legislative request by the Chatham County Board of Commissioners to consider amendments to the Chatham County Subdivision Regulations; amend Sections 4 Types of Subdivisions; 5.2 Major Subdivisions; and 5.3 Minor Subdivisions.

Mr. Glenn said the proposed changes to the subdivision approval process are in line with neighboring communities, but also anticipate the longer development timetables that will occur in the future. It is also important to remember and consider that development in Chatham County is subject to restrictions that other jurisdictions may not face. There are many nuances of development in Chatham that create longer timetables for engineering firms and state regulatory agencies. For instance, approving a private wastewater plant or extensive off-site septic can take longer than a regular well and septic subdivision.

Orange County approves concept plans for two years before the first plat is submitted and then 1 year between first plat and final. However, during the time between first plat and final plat, the approval can be extended administratively as long as there are no substantial changes to the site. If it is a phased subdivision, then extensions have to be approved by the BOC. Wake County gives a two-year approval between first plat and construction plan, and then the project must be finished within 7 years. A first plat in Lee County is valid for two years but becomes void if the developer does not get final plat approval during that time. However, if it is a phased subdivision, the two-year clock starts for each phase.

The Board of Commissioners held a public hearing for this item at its September 18th meeting. The commissioners asked about how long developments are approved for in other jurisdictions. Staff said they would look into it and proceeded to study the ordinances of surrounding jurisdictions. Prior to the Planning Board meeting, Staff recommended Major Subdivisions of more than 50 lots have first plat approval extended to four years. The current approvals are for one and two years. Planning staff suggested doubling the time frame to two and four years after considering all the extension requests received for major subdivisions.

Jon Spoon, Vice Chair of the Planning Board, after reviewing the notes, asked why the approval period for Major Subdivisions of 50 lots or more was extended to four years. He suggested that a three-year approval period between first plat and construction plan was more appropriate and would still be a significant increase for developers. This would give developers an additional year to work through the permitting challenges. Planning staff understood the concerns of Mr. Spoon and changed the redline document and notes to align with his request.

Mr. Glenn asked the board to discuss the request and provide a recommendation on the text amendment to the Board of Commissioners.

Board Discussion:

- Ms. Colbert asked how many applications will be impacted from this text amendment change? Ms. Tyson said there is about 10 to 15 applications that may come to the Planning Board for First Plat extensions if this text amendment is not revised. Ms. Robertson asked why the 50 lots or more subdivision has a 3-year timeframe and not 4 years? Vice-Chair Spoon said he felt that the 4 years extension was a long-time window, and the applicant can be working with their own team to accomplish what needs to be done within a 3-year timeframe. Also, a lot can change in 4 years, and we do not want to see projects get approved and then sold to a different group who may not be keen on the promises that were made at the beginning. Vice-Chair Spoon said he and Chair Lucier did have a conversation about the time limits and Chair Lucier is in agreement with the 3-year extension. If this is still too short as we move forward, we can address it in the future. Ms. Haddix asked if we looked at other jurisdictions for comparison. Mr. Glenn said yes, we looked at all surrounding counties and jurisdictions, the average is about 3 years.
- Ms. Roodkowsky asked if any applications required a second extension? Mr. Sullivan stated the subdivision projects are not allowed to come back for a second extension.

Motion made by Ms. Robertson to approve this item, second by Ms. Haddix. There was a vote, and the item was approved 8-0, unanimously.

2. Request by Jeff Foster, P.E. on behalf of Zadell Development, LLC for subdivision First Plat public hearing, review, and approval of Anfield Estates, consisting of 11 lots on 24.7 acres, located off Beaver Creek Road (SR-1008), parcel 5491 in Cape Fear Township.

Ms. Tyson stated the request is for First Plat review and recommendation of Anfield Estates, consisting of 11 lots on 24.7 acres, located off Beaver Creek, S.R. 1008. 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, Chatham County Historical Association (CCHA). Mr. Robbins provided an email dated July 14, 2023, stating there are a number of houses along Beaver Creek Road that are of significant historical/architecture interest; do not believe this project will negatively affect these. Keep an eye out for unmarked gravesites, old foundations, etc. and contact CCHA. The applicant is encouraged to follow the CCHA's guidance document checklist. Notification of the proposed development was provided to the Chatham County School System. Randy Drumheller, Chatham County Schools Director of Maintenance was contacted by email dated July 11, 2023.

The developer submitted the General Environmental Documentation and a letter dated July 11, 2023, from North Carolina Department of Natural and Cultural Resources Natural Heritage Program (NCNHP) to Chatham County Land & Water Resources Division for review. The letter states "A query of the NCNHP database, indicates that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. The proximity of these records suggest that these natural heritage elements may potentially be present in the project area if suitable habitat exists." NCNHP recommends contacting the US Fish and Wildlife Services (USFWS) for guidance. Taylor Burton, Watershed Specialist, reviewed and approved the information submitted.

A community meeting was held on July 26, 2023, at Chatham County Library, Pittsboro, NC. Approximately six people attended the meeting. Items/issues discussed included will fiber be brought to the area, effect on the water table, will the power be underground, who will build the shared driveway, any street lighting, can lots be recombined, and will there be a feature at the entrance. The TRC met September 13, 2023, to review the First Plat submittal. The representatives Mr. Jeff Foster P.E., Clay Matthews, P.E., and Kyler Zadell were present. Discussion included if the applicant has received anything from US Army Corps on the wetlands, location of the mail kiosk, and Environmental Health stated most of the septic systems will require NCDEQ approval.

A soils report and map were submitted to James Tiger, Chatham County Environmental Health Supervisor II, for review. Mr. Tiger stated, "We cannot comment the available space for configuration for state permitted systems. Planning will have to rely on your experience and expertise for the proposed subdivision." Individual wells. The road names Anfield Road has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval. Rhiannon Graham with Terracon Consultants, Inc submitted the Riparian Buffer review application along with a riparian buffer map to Drew Blake, Asst. Director Watershed Protection Dept. Drew Blake and Rhiannon Graham completed an on-site riparian buffer review on July 17, 2023, to verify the consultant's findings. The consultant previously visited the site October 31, 2022, and identified one (1) ephemeral stream. On February 10, 2023, Drew Blake Asst. Director Watershed Protection Dept. and Taylor Burton, Senior Watershed Specialist issued a confirmation letter of the findings. The July 24, 2023, confirmation letter stated two (2) intermittent streams, three (3) potential wetlands, and one (1) ephemeral stream. 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, and a 50-ft buffer from top of bank landward on both sides of the feature for all intermittent streams. 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.

There is one proposed stormwater device. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department during the permitting process. 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 September 19, 2023, and September 20, 2023, for Planning Department staff and various board members to attend. Clay Matthews and Kyler Zadell were present to walk the property with staff and Board members and discuss the project.

Ms. Tyson said the Planning Department recommends granting approval of the road names Anfield Road and granting approval of the First Plat for **Anfield Estates** 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. Final Plat shall provide the location of the mail kiosk.
- Mr. Mayer asked what species are on the endangered list. Ms. Tyson stated there are a couple birds and trees. Ms. Robertson asked if they had reached out to the US Army Corps or US Fish and Wildlife yet. Ms. Tyson said not yet, it is too early in the process to reach out to them now. Once they start to have construction is when that process takes place. It is recommended to talk to US Fish and Wildlife, but it is not required. Mr. Andrews said it looks like six of these lots will be served by public roads and five of the lots will be served by private roads, have emergency services looked at this and are they okay with the layout? Ms. Tyson said yes, the Fire Marshal office has reviewed this plat and lots 7,8, and 9 will have a shared driveway with a "T" at the end for a turnaround and there is also a bump out at the halfway area within the driveway. This will also require to be drafted by an engineer. Mr. Andrews asked if lots 4 and 5 will have a shared driveway as well. Ms. Tyson said yes, it is a possibility for that to be shared as well. Ms. Robertson asked if the applicant had provided responses to the public concerns at the community meeting. Ms. Tyson said yes, it is located on the Anfield Estates webpage under supplementary documents.
 - Mr. Clay Matthews with the CE Group and the representative for Anfield Estates gave a brief overview of the project and said this is an 11 lot by right conventional subdivision with no water feature impacts. There will be three lots with a shared driveway and lots 4 and 5 could have a shared driveway, but right now there is adequate space for two separate driveways. The Natural Heritage Program comment can be a little misleading, there have not been any elements noted within the project area. Ms. Haddix said there had been an element within 1 mile of the project. Mr. Matthews said yes, but it is not on the project area, but could be within 1 mile of the project. Ms. Robertson said if there is an element within 1 mile of the project it is recommended to call US Fish and Wildlife to have the project area evaluated and that is important.

Public Input:

- Mr. Rick Burch at 5116 Beaver Creek Road said he lives next door to the project on 10 acres and the average size lot in my neighborhood is about 4 acres. We do have Redheaded Woodpeckers in the area, and I have pictures of them on my phone and we also have Bald Eagles. My main concern is some water features that are not shown on the CE Group map. Mr. Burch showed the Planning Board on the plat where there is an abandon railroad track and there is a NCDOT pipe that crosses under Beaver Creek Road flowing water from the north side of Beaver Creek Road to an area near the railroad track that has a cutout to allow the water to flow and into the wetlands. My concern is where lot 1 is proposed, if they were to level that area, it will cause the water to back up and then it would collect onto my property. The second water feature I am concerned about is near the three lots with the shared driveway. There is a steep ravine and part of that ravine is on my property, if they were to fill in the ravine and pave over it, they would create a small pond. I did mention this at the community meeting and the CE Group said they would work on rectifying those concerns, but I have no assurances other than, we will not allow that to happen. I live in a subdivision called Jordan Lake Farms and we have covenants which require a 50-foot perimeter buffer, and the proposed driveway is coming right next to my property line, and I have concern if they clear that area, they will inadvertently damage roots of trees on my property and possibly kill some of the trees. I do not like the proposed driveway because it stretches for most of my property line, and I would like some assurances that there will be some kind of tree buffer so they will not go right to the property line. I spoke to Mr. Zadell and asked if they have plans to have a covenants to require a buffer and he said it is in discussion, but not promised.
- Mr. Matthews stated whenever we do any subdivision or project of any kind when there is off-site water that flows onto our site, we either accept it and incorporate it into our stormwater plan or divert it back to where it was naturally supposed to flow. Either way, we cannot inundate upstream properties with water that came onto our property. Our goal is to treat and keep the flow of water the same as it has always been. As for lot 1 and the water feature concern, we are not going in and clearing out the lots, we will be focused on platting the lots as they currently are minus the easement. Mr. Matthews said he has walked near the ravine, and it is steep, but it is not a water feature however, there is definitely water flowing and during our construction plan is when that area would be designed to make sure no water is pooled creating a small pond. We are required by stormwater and erosion control regulations to have plans in place to keep things like that from happening.
- Mr. Mayer asked if it was possible to move the shared driveway over just a little bit so it is away from the property line? Mr. Matthews said the edge of the easement is at least 30 feet away from the property line, but the location of this shared driveway is not set in stone, it can definitely be shifted to create a bigger buffer at the property line. Ms. Tyson said it can be shifted all the way up to Final Plat. Lot 7 has limited soils for septic, but if the soils are good throughout the lot, we can adjust. Vice-Chair Spoon asked if we could make a condition to leave a buffer along the perimeter to the best extent as possible as a vegetative state. Mr. Sullivan stated this is a by right subdivision and the board can suggest it, but the applicant has the flexibility to agree or not. Mr. Matthew said there are a lot of mature trees along the property boundary, and we do not want to cause any tree root damage, so we will look into shifting the easement. Ms. Haddix has concerns that they will clear cut all the trees to construct the easement and will it be paved or gravel? Mr. Matthews said clearing will be very limited because it does not need to be built to NCDOT standards and it needs to be constructed to all weather, which means paved or gravel. Ms. Robertson said lot 7 seems to be creating some undue burden; have you considered eliminating the lot or reconfiguring the plan? Mr. Matthews stated this is the First Plat and we have not created the construction plans yet, there could be some less constraints on the lot as we move on where we can make some adjustments. What you see now is our intent, but we can move it.
- Vice-Chair Spoon asked if there will be a HOA or a shared maintenance agreement? Mr. Matthews said there will not be a HOA for the public roads because they will be maintained by NCDOT, the HOA will be responsible for the shared driveway easement for lots 7,8, and 9 and lots 4 and 5 if they choose to make that a shared driveway. Mr. Mayer asked what can we do to encourage lots 4 and 5 to have a shared driveway? Mr. Matthews said we can add a driveway easement at a later date. Ms. Tyson said a driveway easement can be added and that happens a lot in projects as they move forward.
- Vice-Chair Spoon asked what is the reasoning behind why this is going to be a state inspected septic system verses septic systems inspected through our Environmental Health department. Mr. Matthews said it is because of soil quality issues and it is a different type of system the county will not regulate. Ms. Colbert asked what

exactly is a subsurface drip systems septic and why is it so close to the stream buffers? Mr. Matthews stated a subsurface drip system is a standard state septic system and what you see on the plat are all the soils that are available for a repair field, but we do not have the full septic system design yet, it is a separate process, and the septic field could be further from the buffer in reality, however, this is allowed by the county standards. The county standards are some of the stringent in the state and far out regulate than the state requirements.

- Ms. Robertson said she is concerned about the layout of this project, it seems forced to try and get as many lots in as possible, it is not well organized. Vice-Chair Spoon stated it is not a perfect design and would like to see the private road moved as far away from the adjoining property as possible. This project is by right and is allowed by our subdivision regulations, staff have provided a recommendation for approval because they believe that the development has achieved all the requirements, and we need to trust the state that the state septic system will be maintained and inspected correctly.
- Mr. Mayer stated there is something that needs to be worked out on this project and it will not get worked out tonight. I think we should table this item so the applicant can work on a few things and discuss it at our November meeting. Vice-Chair Spoon said that is okay for us to do, but we need to supply the applicant a list of our concerns so next month they come back with answers and changes to the plan. Vice-Chair Spoon said we would like for the applicant to look into a shared driveway for lots 4 and 5, move the shared driveway for lots 7,8, and 9 as far over as possible, a notation for the pipe that will need to run under the easement near the "T", locate the mail kiosk, address the drainage pipe running under Beaver Creek, and reach out to US Fish and Wildlife to see if they can take a survey of the project.
- Ms. Colbert asked what the buffers would look like if they were regulated by the state. Mr. Sullivan stated the county buffers are much larger than the state requires, some water features would not have any buffers at all if it were the state regulations.

Motion made by Ms. Robertson to table this item until the November 7, 2023 meeting, seconded by Mr. Mayer. There was a vote, and the item was tabled 7-2, opposed by Mr. Frazier and Mr. Andrews.

3. Request by Landon Lovelace, P.E. on behalf of Oak Crest Commercial, LLC for subdivision First Plat public hearing, review, and approval of Jordan Retreat, consisting of 33 lots on 52.17 acres, located off Jordan Dam Road (SR-1970), parcel 11433 in Haw River Township.

Ms. Tyson said the request is for First Plat review and recommendation of Jordan Retreat, consisting of 33 lots on 52.17 acres, located off Jordan Dam Road, S.R. 1970. There is a cabin on the property and one of the 33 lots will be reserved for the existing cabin. As previously stated, the Planning Board has two (2) meetings to act on the proposal. The land required to be protected within a Conservation Subdivision under other regulatory provisions, i.e., riparian buffers and floodplain, is 15.58 acres and 13.22 acres of riparian buffers. This amount (15.58 acres) was deducted from the total acreage of 52.17 acres to arrive at the net land available consisting of 36.59 acres. Based on the net land area the lot yield would be 56 lots and without adding the 10% density bonus. The proposed project is 33 lots.

Of the total project area of 52.17 acres with 38.95 acres outside of the riparian buffers, 15.58 acres are required to be in Conservation Space and the site plan indicates that 21.84 acres will be set aside. See the site plan for the breakdown and location of the Conservation Space. The developer allowed staff from the NC Natural Heritage Program to visit the proposed project prior to designing the subdivision layout. The area set aside for Conservation Space meets the requirement that 40% of the project area be retained as Conservation Space. 80% of the Conservation Space is required to be Natural Space. The Conservation Space Guidelines states "Natural space is unimproved land in its naturally occurring state, or preserved to regenerate to its naturally occurring state, unaltered by human activity, and preserved to maintain or improve the natural, scenic, ecological, cultural, hydrological, or geological values of an area." The site plan indicates this requirement will be met.

A maximum of 20% of the Conservation Space may be Open Space, of the 38.95 acres designated as Conservation Space the site plan indicates this will be met. The 'Guidelines' state "Open space, as defined in the Subdivision

Ordinance, allows amenities such as recreational uses and some non-intrusive common uses (e.g., when land application is not the preferred means of wastewater disposal, community septic systems are allowed in Open Space areas). Open space should be located as close to proposed development as practicable, taking into account considerations such as public safety and soil suitability.”

Conservation calculation prior to amending the regulations would allow the riparian buffers to be included in the overall calculations of the project. With this project 52.17 acres 40% of the conservation space would be 20.87 acres and all riparian buffers could have been included in the 20.87 acres. Under the current regulations riparian buffers will need to be subtracted from the overall acres. With this project there are 13.22 acres of riparian buffers that would be subtracted from 52.17 acres leaving 38.95 acres for the project; 40% of 39.15 acres is 15.58 acres of conservation plus the 13.22 acres of riparian buffers. The roads are to be built with a 20-foot-wide travel way and 60-foot-wide private right-of-way, a total of .43 miles of private right-of-way. The roads are to be privately maintained. The entrance to the development is on the US Army Corp of Engineer property. An email correspondence dated August 1, 2023, from Shannon C. Maness, Chief Ranger states, “Our Operations Project Manager will be sending a letter to document this action for future inquiries. Also just be advised that any proposed utilities, (i.e., electric, phone, cable, water, etc.) will need their own separate easement across public land, to be coordinated through our office.”

The developer corresponded with Sy Robbins with Chatham County Historical Association (CCHA). CCHA stated they looked over the reports and maps and have no comments or concerns. They request to keep a sharp lookout for burial sites and artifacts during construction activities. Notification of the proposed development was provided to the Chatham County School System.

The developer submitted the General Environmental Documentation and a letter dated May 12, 2021, from North Carolina Department of Natural and Cultural Resources Natural Heritage Program (NCNHP) 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. Per the NCNHP letter it states, “rare species and natural communities that have been documented within a one-mile radius of the property. The proximity of these records suggests that these natural heritage elements may potentially be present in the project area if suitable habitat exists.” Some of the element occurrences documented within one-mile radius are Checkered White, Drey-Mesic Oak Hickory Forest, bog spicebush, buttercup phacelia, etc. NCNHP recommends contacting the US Fish and Wildlife Services (USFWS) for guidance. Taylor Burton, Watershed Specialist, reviewed and approved the information submitted.

A community meeting was held in-person October 4, 2022, at Sprott Youth Center in Moncure. Approximately twenty-five people attended the meeting. The TRC met virtually on September 13, 2023, to review the First Plat submittal and the applicant Landon Lovelace and developer Nate Byelick, were present. Mr. Lovelace provided a brief overview of the proposed project. Stating initially the plan was to create a recreational area for short visits to enjoy Jordan Lake, with the concerns from adjacent property owners they refocused and decided to develop a conservation subdivision.

A soils report and map by Piedmont Environmental Associates, P.A. was submitted to James Tiger, R.E.H.S. Chatham County Environmental Health On-Site Wastewater Supervisor. Mr. Tiger stated that a review by Environmental Health is not required since the project will be using an EOP private option permit. Water will be public and provided by Chatham County Water Department. The road names Jordan Retreat Court and Poe’s Ridge Court have been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval.

There are trails and access road to the cabin lot within the 50’ perimeter buffer and within the project most of the trails will remain. Parcel 93052 owned by Jonathan and Jessica Byelick has ownership to the center of the proposed 60’ wide private right-of-way. When the final plat is approved, the portion of parcel 93052 that lays within the 60’ wide private right-of-way will become part of the private right-of-way for the approved subdivision.

Kim Hamlin with Sage Ecological Services, Inc. (Sage) submitted the Riparian Buffer Review Application and riparian buffer map, to Drew Blake, Watershed Protection Asst. Director and Phillips Cox, Senior Watershed Specialist for review. Sage Ecological Services previously visited the site and found the following three (3) potential ephemeral segments, three (3) potential intermittent segments, and fifteen (15) potential wetlands on the property. Mr. Blake and Mr. Cox visited the site December 16, 2022. Mr. Blake’s confirmation letter dated January 23, 2023, states two (2) ephemeral stream segments, four (4) intermittent stream segments, and 15 (15) wetlands were identified. The two (2) ephemeral streams

require 30-ft buffers, four (4) intermittent streams require 50-ft buffers, and the fifteen (15) wetlands require 50-ft buffers from all sides landward. Mr. Christopher Hopper with the US Army Corps of Engineers provided an email dated February 3, 2023, that stated on November 28, 2022, and January 3, 2023, received information requesting the Wilmington District, Regulatory Division review and concur with the boundaries of an aquatic resource delineation. The email states, “the aquatic resources delineation has been verified by the Corps to be sufficiently accurate and reliable representation of the location and extent for aquatic resources within the identified review area.” Permits shall be provided at construction plan submittal. One stormwater device is proposed. 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 held on September 18 and September 20, 2023 and Planning Department staff and various Board members attended. Landon Lovelace, P.E., was present to walk the property with staff and Board members and discuss the project.

Ms. Tyson stated the Planning Department recommends granting approval of the road names Jordan Retreat Court and Poe’s Ridge Court and granting approval of subdivision First Plat for **Jordan Retreat** with the following conditions:

1. Prior to final plat recordation, the county attorney shall review and approve the form of the Management Plan, the Declaration of Covenants and Restrictions, and the deed for the Conservation Space.
 2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
 3. Developer shall provide Planning Dept. staff a copy of the private road agreement per Section 7.2(D)2
- Mr. Landon Lovelace the representative and engineer for Jordan Retreat gave a brief overview of the project and said the property abuts USACE Land and Poe’s Ridge Boat Ramp, the Hermitage, Forest Lake Estates, and Chatham Oaks. Originally the project was going to be a nice RV campground with recreational activities, however there was a lot of public concern for that project. We considered a conventional subdivision which would place lots throughout this entire property, but we ultimately chose to go with the Conservation subdivision. This is the first conservation subdivision to come through with the new regulations where the buffers are not allowed in the calculations for open space. This Conservation Subdivision is intended to compliment the rural and natural character of the area, by preserving over 80% of the natural areas on site, while also providing much needed housing to this growing area. The development is planned as an intimate and higher-end enclave and will have a Homeowner’s Association. Plan Chatham designates this land as “Conservation” on the Future Land Use and Conservation Map and it borders the “Parks and Protected Lands” uses. We have also gone above and beyond what the First Plat requires and the work we have completed so far is; On-site Inventory and Fragmentation Maps, NCNHP Review, Chatham County Historical Association Review, Road Name Approval, Coordination for Driveway with USACE, Stream and Wetland Delineation and Concurrence, Geotechnical Exploration, Septic Soils Analysis, Septic System Design, Grading/Drainage/Stormwater Management Design, and previously Mentioned Community Meetings.
 - Mr. Lovelace stated some of the development features are 50’ buffers around entire parcel, 100’ buffer along western side, many areas have much more distance from adjacent parcels, conservation, natural, and open space all in excess of what is required, density less than 60% of what is allowable, we could have up to 56 lots. Paved roads, 20’ with ditch section in 60’ private Right-of-Ways, extensive network of existing walking trails, county water will be provided with existing 16” waterline in Jordan Dam Road, there will be a community septic system, stormwater management practices with reduced development footprint, vegetated swales, and wet detention basin. A lot of input and many questions have been received throughout the process and the project strategy and plan development has morphed by taking these questions and considerations into account. Mr. David Barcal and I are here to answer any questions and concerns.

Public Input:

- Ms. Anne Stomp has lived at 565 East River Road in the Hermitage subdivision for 27 years which is adjacent to this property. To understand all of the opposition from the property owners from Heritage and Forest Lakes subdivisions you need to understand the history and the topography of the site. The property is flat at the top, but then it falls off into a very steep ravine and most of the adjacent property owners live down in that bowl which is a very sensitive area with lakes and ponds. All the stormwaters will run down off that property into the adjacent property owners' ponds and then into the Haw River. The trails that were mentioned are just old logging roads. There are 30 homes in this area all with conventional septic systems and within the first year I lived in my house I had to upgrade the septic system because when the ground was so saturated it failed, so I have some real concerns about the community septic system. At the community meeting we were told we would not see the leech fields for the septic because they will all be covered with trees. Trees in a leech field do not work, if water can come out of those pipes' roots can enter them. It also looks like the septic fields are located in the natural area which is not allowed by the conservation subdivision ordinance. The report generated by Piedmont Environmental says that this report does not address systems receiving more than 3000 gallons per day of flow, with 32 units they are going to have over 15,000 gallons per day so that report is null and void. There is considerable stormwater runoff from that property with just regular thunderstorms and we do not believe the proposed stormwater ponds are sufficient enough to capture all of the stormwater and that will cause damage to our private roads. Also, this project is not keeping with the established neighborhoods, this is a highly recreational area with a lot of outdoor activities to do. The increase of traffic is not compatible with the neighborhood. The Dam is one of the best places in the county for star gazing and bird watching and there will be light pollution from that very dense subdivision which will compromise those activities. We also have Bald Eagles that come down and when you place that much density it will be detrimental to wildlife. We also need to be mindful that this property is located within the evacuation zone for Shearon Harris nuclear powerplant and adding evacuation of 33 units all on the same road, if there is an accident it will be a recipe for disaster.
- Ms. Eleanor Hawkins has lived at 297 Hermitage Lane for 26 years and echoes what Ms. Stomp had said. As we know the storms are getting worse and there is some great risk for the existing neighborhoods and the Haw River. Also, this whole area is a treasure of wildlife and natural resources, which is greatly appreciated by the county. Lastly, in the new Plan Moncure this parcel is shown as agricultural.
- Mr. Travis Hebner lives at 670 East River Road and is very close to the Haw River. My primary concern is I have little kids that like to fish, swim, and kayak and the people who live near Jordan Lake has done a lot to make sure the lake stays clean, and I want to make sure the septic systems and the stormwater runoff is not going to impact Jordan Lake. I want to make sure we are taking a hard look at that and make sure we are protecting the lake.
- Mr. Owen Durso said he is the son of Ms. Amy Durso and said we are adjacent property owners of proposed subdivision "Jordan Retreat." Resident of the Hermitage neighborhood in Moncure for 27 years. Underfoot Engineering has submitted several proposals for the development of parcel 11433 for community review. These include an RV Park/Campground with 147 spaces: a PRD (R-1) subdivision with 41 units and a conservation subdivision with 33 units. Speaking as an adjacent property owner, the proposed subdivision is not consistent with the existing residential development, the open space/conservation land management of bordering State and Federal properties nor the Chatham County Comprehensive Plan of 2017 and the Small Area Plan for Moncure, that I believe has already been approved by this Planning Board. I request that the developer and this planning board work to balance future projects with environmental protection, in this area that has historically been wooded, low density residential, while upholding the Chatham's Comprehensive Plan of 2017, as the transition is made to the Small Area Plan for Moncure. The main impact that I request the Planning Board carefully consider and examine is Storm water runoff and lack of storm control measures in the submitted plans. Given the topology of parcel 11433 and the high levels of erosion that will ensue from the bulldozing and soil moving necessary to create a high-density subdivision, the health of the adjacent ponds (that are cared for by Hermitage and Forest Lake Estates) and surrounding wetlands are at great risk of likely becoming silt retention ponds. Dirt will enter and damage the streams that feed these ponds. These ponds drain into the Haw river. The likely damage to the ponds will be inconsistent with aquatic and plant life and potentially negatively impact the Haw River, a drinking water supply.
- Mr. Durso also said while Chatham County's streams and wetlands have already been seriously compromised by the Vinfast site, Vinfast is unfortunately under the state's jurisdiction and no action is being

taken on this company's violation of the clear water act. I am asking the Planning Board of Chatham county to study the proposed sedimentation and erosion control plans as well as soil reports and septic proposals, because our neighborhood ponds, wetlands and potentially, the Haw River will be harmfully impacted please carefully. In addition, I wish to raise the Planning Board's awareness of concerns related to ecological impacts on wildlife and bird populations. This proposed conservation subdivision will divide land into smaller lots, in this case, lot sizes less than 10,000 sq ft with units of 2400-3200 sq ft, for development while setting aside certain areas for conservation. This results in the fragmentation of habitat, which negatively impacts wildlife by disrupting the movement and migration patterns of bird species, making it more challenging for them to find resources and establish breeding territories. Current adjacent neighborhoods, the Hermitage, consist of 16, 10-acre wooded lots and Forest Lake Estates, 15, 3-10 acre lots. These low density, forested neighborhoods have allowed bird species and other wildlife to flourish. The creation of high-density subdivisions can create an interface or edge between developed and conserved areas, known as an edge effect. Edge effects can cause changes in microclimates, increased predation, and higher vulnerability to invasive species, which can disrupt ecological processes and harm biodiversity. This edge effect is already evident on my property with the presence of Japanese Stilt grass and Autumn Olive, both invasive plants that have migrated into my forest as a result of woodland clearing on parcel 11433. This subdivision will require clearing of natural vegetation and the removal of trees, shrubs, and grasslands. This destruction of habitat will directly impact wildlife and bird populations by removing their nesting sites, food sources, and shelter. High-density subdivisions can attract pests such as feral cats, dogs, and rodents which are not native to the area. These introduced predators can have a significant negative impact on local wildlife and bird populations by preying on them or competing for resources. With increased human population density comes an associated increase in pollution, noise pollution, light pollution, water contamination, and the use of chemical pesticides and fertilizers. These pollutants can harm or kill wildlife and birds, either directly or indirectly through the contamination of their food sources.

- Mr. Rick McHenry 499 Forest Lake Estates I live on the last of 3 ponds (Forest Lake) that reside below the proposed Jordan Retreat. I would like to draw attention to the topography of the area bounded by Jordan Dam Rd, Moncure School Rd, and US RT1. The area forms a bowl which drains into the Forest Lake area and ponds. The elevation of the Jordan Retreat parcel changes roughly 100 feet from Jordan Dam Rd to Forest Lake Estates in a little over 5000 feet. The parcel has ravines and gullies which channel water to the first of 3 ponds. The pictures in various documents supplied by the applicant actually show the steepness of the sight. Forest Lake Estates and one home in our community are pictured (background) in these documents. With 'Plan Moncure' and the growth residents know is coming, things will change. In that process what exists should be preserved, not threatened. The buffers and setbacks here meet minimum requirements but are not adequate. Water flowing into the riparian buffers most assuredly will not meet diffuse flow standard requirements. The addition of impervious surfaces (roofs, driveways, roads) with steep gradients surrounding the proposed structures will speed runoff, silt, and environmental contaminants downhill. A project such as this, on a special parcel, needs special scrutiny in regard to its hydrology and topography.

The communities of Forest Lake Estates and the Hermitage have a triple threat in regard to future development. Jordan Retreat is the first of three large parcels that surround us. Parcels 11267 & 11560 pose the same challenges with topography and hydrology. To examine this area and realize what will happen with future development is the goal/purpose of a 'Plan Moncure' and the UDO. Responsible, well-planned development that protects what is there while blending in the new. Blending enhances and does not threaten a plan. The three ponds that are in our communities have abundant aquatic life. River otters, Blue herons, green herons, cormorants, and wood ducks to name a few transit our ponds. Bald Eagles and Osprey fish our ponds. The Haw River borders our land. Our goal as a community for 30 years has been to protect and preserve these assets. We now need your help. To actually start the process, to protect as well as plan Moncure. To ensure proper SCMs are in place to protect this environment as Moncure grows. Bio retention basins, adequate retention ponds, including any and all methods to regulate diffuse flow into buffers and protect lower elevation sites from contaminants. Before I lived here, I lived beside the Northeast Park in this county during its construction. I watched as Chatham county took special care to preserve and protect a small farm pond there. A huge bio retention cell, a large retention pond, and spreader retention strips were all employed there to protect a small natural resource. We need the same protections; we cannot safeguard these resources alone any longer. Growth is coming. We understand, but we need your help.

Mr. McHenry stated in regard to the documents provided to the Planning Board, the Piedmont Environmental report is for 3000 gallons per day and the setbacks recommended are for the measurement, we are looking at something much more significant than that. Also, in the sign on-site and fragmentation maps at the bottom there is a site map that has different storm control measures listed on it and shows only two septic fields whereas the latest configuration has three fields. We are going through all of this information, and we need it to be accurate. The Haw River Assembly has provide comments and suggestions as well as the state is being appealed to look at the stream designations on the property and look at flow rates that would be calculated by the rainfall into the buffers.

- Mr. Nelson Smith asked what year was Chatham county established. It was established in 1771 and in all that time nobody thought this piece of ground was worthy of development.

Board Discussion:

- Mr. Mayer said the largest concern seems to be sediment runoff. This is a steep area and construction will create sediment and it will wash down to the adjacent properties, so what are we doing about that? Mr. Lovelace stated there are water features through this site that are all buffered, and we do have stormwater management controls shown on the plat. When you are talking about stormwater treatment there are two things you need to address, water quality and water quantity. To accommodate both of those we have a wet retention basin, and the water flows down the ditch which is better than curb and gutter because it allows the water to drain into the ground as it flows to the basin. The wet retention basin is the best tool for water quality and water quantity. Mr. Lovelace went into great detail how they will treat stormwater and erosion control for this project. We have met and exceeded Chatham County's minimum requirements which are the 1-, 2-, 10-, and 25-year storm events, this pond will hold a 100-year storm event. The Haw River Keepers had some suggestions, and we are willing to put a double row of silt fencing because that has proven to be beneficial. When we are actively doing the construction, we will have more retention ponds than just this one pond, but at the First Plat we do not have our erosion control plan in place, that is part of the construction plan phase.
- Ms. Haddix said she went to the site visit, and it is a beautiful piece of property, and a lot of work has gone into this project and if you are going to develop this property it looks like you are doing it the best way possible with the conservation subdivision. However, it sounds like there are some comments and concerns from the neighbors, which have not been resolved. I have not seen the Haw River Assembly correspondence and I am glad to hear you are willing to incorporate some of their suggestions into this project but is there more room to discuss these concerns? Mr. Lovelace stated he has responses to all of the concerns from the public and would be happy to go over them now. Ms. Roodkowsky said she likes that is as environmentally as sound as possible and it was mentioned that this pond can treat a 100-year storm, but is a 100-year storm still the same as it was? I have lived here for 10 years, and we have already had two 100-year storms. Mr. Lovelace said that is a valid question and he was just at a stormwater convention, and this is a topic of discussion, but we are not only meeting the county regulations, but exceeding them.
- Vice-Chair Spoon asked if Mr. Lovelace could address some of the concerns, he had heard from the adjacent property owners. Mr. Lovelace said there are a lot of trails that are old timber roads, but they are still trails and it is really nice to walk on them. As for the Piedmont Environmental report, they went out and did some boring to look at the soil's suitability and their comment about 3000 gallons per day not applicable was probably a standard notation in their report. Mr. David Barcal will go into greater detail about the septic system after my comments. Mr. Lovelace said he had heard neighbors do not feel that the treatment ponds are not big enough, I understand and appreciate your concerns, but I am a professional engineer, and I can assure you these ponds are designed for this site and exceeds the regulations. As for the increased traffic, Jordan Dam Road currently has 850 trips per day, based on this development there will be an additional 32 trips per day. Concerning the light pollution comment, we are subject to the Chatham County light regulations and this development is in a concentrated area with 80% open and natural space with trees so I do not feel there will be any impact to the night sky with light pollution. Mr. Lovelace mentioned the comment about this being a compact development, a conservation subdivision is a compact development, which is what we are trying to achieve, density in one centralized area with 80% of the project untouched. The Moncure Small Area Plan has designated all of the areas just south of this project as compact residential districts. As for the emergency

evacuation plan, I am not a first responder so I cannot speak to that, but I hear and understand your concerns.

- Mr. Lovelace stated Ms. Hawkins had concerns about a storm catastrophe and wildlife. We discussed earlier how the industry is on top of the changes in storms and how Chatham County is leading the jurisdictions in more restricted regulations for stormwater treatment. The wildlife will be protected to most with this conservation subdivision, which is why this subdivision makes the most sense. Mr. Lovelace addressed Mr. Hebner concerns about the quality of Jordan Lake. My kids and I enjoy fishing and swim in Jordan Lake as well and that is why we are going above and beyond to protect it with our erosion control and stormwater treatment plans.
- Mr. David Barcal an engineer for the community septic system said this is an ideal system because it does not have any moving parts except the pump which takes the water to small pipes that are 6" below the surface and preserves large trees with very little disturbance. We actually want to keep the trees in place because they will absorb water that drips out of the pipes. The county Environmental Health department will conduct inspections and the system will be operated by a private utility. There are required water samples and a number of inspections of the system per year. Mr. Mayer asked if this is a county system or a state system. Mr. Barcal said it is a county system with an engineered option. The liability of the design is on us, so it is our livelihood, and we will make sure it operates the best way possible. Mr. Frazier asked what happens in the drain fields, what is removed? Mr. Barcal stated we will remove underbrush and maybe some small trees, but the pipes are flexible and will be trenched down 6' at 2 feet apart. We try to keep the field as natural as possible. There are also root guards on the pipes to keep root out of the pipes. This type of system has been used for over 20 years and is a proven system.
- Vice-Chair Spoon said he is sensitive to the neighbors' concerns, and they live in a beautiful natural area of Chatham County, and I would want to protect that as fiercely as possible as well. I feel that this application has gone above and beyond the standards they were asked for, it is the first conservation subdivision application since we took out the ability to count the riparian buffers, so this is truly focused on conservation rather than making the most amount of money possible. The applicant could have had over 50 lots, but they chose only 33 lots with one stream crossing, and they are not coming anywhere close to an adjoining neighbor's property line. Our county is under a tremendous amount of development pressure, especially in the Moncure area, and while I understand the concerns of the neighbors, this is the best type of development for this property, and I would be in favor of supporting this going forward.
- Ms. Robertson said she agrees with Vice-Chair Spoon and was really impressed by the packet of material for this project, it is of my understanding of a sustainable design, tight development of the homes and then leaving a lot of land left in its natural state and feel that the applicant has done an exceptional job putting this packet together and coming up with a design fitting within those parameters. I would encourage the applicant to look at the comments and suggestions from the Haw River Keepers because you seem accommodating and want to do your best to meet the concerns and needs of the residents here today. Vice-Chair Spoon said if the applicant is willing to commit as a condition to the double row of silt fencing it will be very beneficial.
- Ms. Colbert asked what is the county's mechanism for enforcement of the conservation management plan if the HOA does not adhere to it? Ms. Tyson stated that is enforced by the HOA and not something that is policed by the Planning department. Mr. Sullivan stated there is an enforcement mechanism within our subdivision regulations and if there is an incident, we have remediation requirements to bring natural areas back to their natural state. Ms. Colbert said there was some concern about light pollution, and I can sympathize with them. I live in Briar Chapel which is a dense community and when you concentrate development in smaller spaces you also concentrate the lighting. It is not fair to say lighting will not be an issue, because I believe it will be an issue. Also, the total possible number of lots is just a hypothetical number, we do not know if the soil could even support that amount of homes. We can only look at what we have been presented and I feel this could have been designed better. Ms. Robertson asked what examples do you have to make this design better? Ms. Colbert said my concerns are the same as the adjacent property owners such as the topography and whether or not we are using the right standards and we are placing a lot of development in a small area and there will be repercussions from that.

Motion made by Mr. Mayer to approve this item, second by Ms. Robertson. There was a vote, and this item was approved 7-1, opposed by Ms. Colbert.

VIII. ZONING ITEMS:

1. A legislative request by Drafting and Design Services on behalf of Darryl Knight dba Knight Landscaping Supply to rezone Parcel 9808, located at 14959 US 421 S, Gulf Township, from R-1 Residential to Conditional District Regional Business for a landscaping supply, grading, and outdoor storage to include boat and RVs business.

Mr. Sullivan stated a legislative public hearing was held September 18, 2023. Planning staff presented the request. Michael Blakely spoke representing the applicant.

When determining whether a rezoning request should be approved under Section 5 Conditional Zoning Districts, the following findings must be supported.

1. **The alleged error in the Ordinance, if any, 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.** The applicant is not claiming any errors in the Ordinance pertaining to this request.
2. **The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of public health, safety, and general welfare.** The applicant is proposing a dual use site to provide varying services to the Goldston and Lee County area residents stating with the new growth, HOA rules, and the adopted Land Use Plan map, makes this a good location for the business.

Similar uses are approximately 25 miles with one mini-outdoor storage facility approximately 8.5 miles away from this proposed site.

The property fronts on US 421 and has access to water from the Goldston-Gulf Sanitary District. A review of a commercial driveway permit will be completed with the NC Department of Transportation.

3. **The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.**
 - The parcel is located with a Village Center node of the Land Use Plan where a mix of uses is encouraged (pg. 14) (pg. 40 Goals).
 - This area has been designated for future growth per the Future Land Use and Conservation Plan map.
 - The Town of Goldston has approved a new subdivision and other commercial uses with more on the horizon that this business can serve.
4. **The requested amendment is either essential or desirable for the public convenience or welfare.**
 - The property fronts on US 421 S, a four-lane divided median highway and the daily vehicle trip general for this property is approximately 15 vehicles per day which will produce a minimal impact on traffic.
 - The Chatham County Appearance Commission reviewed the proposed site plan on June 28, 2023, and think the site will be developed with keeping rural character through landscaping and buffering.
 - The applicant held a community meeting on July 26, 2023. Three neighbors attended and had questions about visual impacts, property values, and general overall development timeline. No changes were recommended from this meeting.
 - All other aspects such as lighting, noise, and signage will comply with the requirements of the Zoning Ordinance.

5. All other circumstances, factors, and reason which the applicant offers in support of the proposed amendment.

- Although public water is available, the property will be served by a septic system on-site. Both will require approximately 500 gpd.
- The Watershed Protection Ordinance allows for up to 36% built upon area (50% with an approved SNIA) and the applicant states 74% will be kept undeveloped.

Mr. Sullivan said the Planning Board has up to three meetings in which to make a recommendation of approval or denial to the Board of Commissioners. Should you recommend approval, a consistency statement is provided below.

- The development is consistent with the Comprehensive Land Use Plan by being located within a Village Center node where non-residential development has been encouraged.

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 revised site plan. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. A building 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

3. 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.
4. All required local, state, or federal permits (i.e., NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, 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:

5. 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.
6. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
7. Non-Severability – If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
8. 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.

Board Discussion:

- Ms. Robertson asked if the RV storage area will be paved. Mr. Sullivan stated the RV storage area will be gravel. Mr. Mitch King, the project engineer stated the front area where the small building is located will be paved, but where the parking stalls are located will be gravel.
- Vice-Chair Spoon stated people will be pulling out onto Hwy 421 and asked if there will be a left turn option. Mr. King stated yes, people will be pulling out onto Hwy 421, and it is only a right turn in and out. We are not proposing any road improvements for this area. Vice-Chair Spoon asked what the potential plans are for turning Hwy 421 into an interstate. Mr. Sullivan stated they question came up during the

public hearing and Hwy 421 has been designated as the future I-685 corridor, but there has been no planning on that so far. Mr. King said they have reached out to NCDOT, and they said it is years out, maybe 5 plus years.

- Vice-Chair Spoon confirmed that there will not be any RV hookups within the storage area, it is strictly for storage, and will there be a security gate? Mr. King stated we will have a security gate with a keypad for entrance. Mr. Knight stated we will also have 24-hour surveillance cameras as well.
- Ms. Colbert asked if there will be retail at the front of this project. Mr. King said yes, the small building will be for retail. The sales will be landscaping materials such as mulch, piping, and gravel.

Motion made by Ms. Roodkowsky to approve the consistency statement, "The development is consistent with the Comprehensive Land Use Plan by being located within a Village Center node where non-residential development has been encouraged," second by Mr. Andrews. There was a vote, and the consistency statement was approved 8-0, unanimously.

Motion made by Ms. Robertson to approve this item, second by Ms. Colbert. There was a vote, and the item was approved 8-0, unanimously.

IX. NEW BUSINESS:

X. BOARD MEMBERS ITEMS:

1. Update from the Planning Board liaisons.

- Ms. Robertson stated she was not able to attend the Pittsboro Planning Board meeting.
- Ms. Colbert and Ms. Hernandez were not able to attend the Siler City meeting.
- Vice-Chair Spoon stated the UDO subcommittee met on September 28th and had a good discussion on chapter 4 subchapters 4.4, 4.5, and 4.6. The next UDO subcommittee meeting will be held on Tuesday October 24th.

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

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

XI. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

1. Minor Subdivision spreadsheet
2. Planning Board packet material.
 - There were discussions about what the Planning Board members would like to receive in their packet it was agreed to have the staff notes, application, maps, and community comments if available. All other documentation will be available on the Chatham County Planning website.

3. Unified Development Ordinance Update.
The UDO draft has been moving forward and there will be more to review soon.

XII. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:30 p.m.

Signed: _____ / _____
Jon Spoon, Vice-Chair Date

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