



Chatham County Planning Board Agenda Notes

Date: November 12, 2024

Agenda Item: VII-1

Attachment #: 2

- Subdivision**

 Special Use Permit

 Rezoning Request
 Other:

Subject:	Request Chad Abbott, P.E. on behalf of Seaforth Road, LLC for subdivision First Plat review of Deercrest at Seaforth , consisting of 24 lots on 110.48 acres, located off Seaforth (SR-1941) Road, parcel 62077.
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none"> 1. Major Subdivision Application 2. Preliminary plat titled "First Plat Deer Crest at Seaforth" dated September 27, 2024 revised October 21, 2024, and October 29, 2024 3. The following items may be reviewed on the website https://www.chathamcountync.gov/government/departments-programs-i-z/planning/rezonings-subdivision-cases/2024-items/deercrest-at-seaforth-first-plat 4. Topography Map 5. Soils Report dated August 5, 2021 6. Riparian Buffer Report dated October 17, 2022 7. Approved Road Names from Chatham County Emergency Operations Office dated September 24, 2024 8. Comments from Chatham County Historical Association 9. Email correspondence dated October 21, 2024 with Chatham County Schools 10. GED Corresponding Documents 11. General Environmental Documentation (GED), approval letter dated October 2, 2024 12. Environmental Health email dated October 22, 2024 13. US Army Corps Notification of Jurisdictional Determination 14. Copy of Community Meeting Report dated September 6, 2024 15. Adjacent Property Owners

Introduction & Background:

Zoning: R-5 & R-1

Water System: Private

Sewer System: Private on-site

Subject to 100-year flood: No special flood hazard area within the development.

General Information: The subdivision process is a four (4) step process: Concept Plan, First Plat, Construction Plan, and Final Plat. The applicant has completed the community meeting and the Concept Plan review. The minimum lot size requirement for the project is 3-acres with an overall average of 5-acres within the R-5 zoning and minimum of 40,000 sq. ft. within the R-1 zoning. The Planning Board has two (2) meetings in which to act on the proposal.

Discussion & Analysis:

The request is for First Plat review and recommendation of Deercree at Seaforth, consisting of 24 lots on 110.47 acres, located off Seaforth Road, S.R. 1941. 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.

Roadways: The road is to be built as a 20-foot-wide travel way with a 60-foot-wide public right-of-way.

Historical: The applicant received comments from the Chatham County Historical Association. CCHA recommended protecting the Wayman AME Church cemetery from site development activities.

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

General Environmental Documentation: The developer submitted the General Environmental Documentation, and a letter dated May 9, 2022, from North Carolina Department of Natural and Cultural Resources Natural Heritage Program to Chatham County Land & Water Resources Division for review. The letter states "A query of the NCNHP database, indicates that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Rare species and natural communities that have been documented within a one-mile radius of the property boundary. The proximity of these records suggests that these natural heritage elements may potentially be present in the project area if suitable habitat exists." Taylor Burton, Senior Watershed Specialist, reviewed the information submitted. Ms. Burton replied in a letter dated October 2, 2024, that the requirement has been met. Additional comments included any Allowable uses and Allowable with Mitigation uses in the protected riparian buffer will require a Buffer Authorization from Chatham County, all permits with wetland and stream impacts from NC Division of Water Resources and the US Army Corps of Engineers

will need to be obtained prior to receiving approval from Chatham County for a Grading Permit and Land Disturbing Permit.

Community Meeting: A community meeting was held on September 6, 2024, on the proposed site. Approximately ten people attended the meeting.

Items/issues discussed included the following:

- R-1 zoning -vs- R-5 zoning. **Response:** n/a
- Community well -vs- individual wells **Response:** n/a
- Residents like seeing the decrease in the number of lots. **Response:** n/a
- Drainage on East side of Seaforth Road. **Response:** n/a
- Where will access be? **Response:** n/a
- Repairs to Seaforth Road, construction traffic, construction noise, speed limit and safety. **Response:** n/a

Technical Review Committee: The TRC met October 23, 2024, to review the First Plat submittal. Mr. Chad Abbott, P.E. with C 3 Design & Engineering was present.

Discussion included:

- Street lighting will need a photometric plan with specifics on the light fixture.
- A separate permit will be needed for subdivision sign.
- Remove the septic soils located inside the riparian buffers.
- NCDOT will require sight triangles at all internal and external intersections. A driveway permit will be needed at construction plan submittal.
- CCHA asked if a buffer will be placed near the church cemetery on the adjacent property and Mr. Abbott stated they would be willing to keep the vegetation on the lot up to 25' and a note to be placed on a plat for the area not to be disturbed.
- Consider some pedestrian infrastructure on one side of the road.

Septic: A soils report and map were submitted to Carl Kivett, Chatham County Environmental Health Registered Environmental Health Specialist, for review. Mr. Kivett stated, "it looks like layouts will be needed for some of the lots depending on the proposed house locations and number of bedrooms."

Water: Individual wells for each lot.

Road Name: The road names Deer Crest Boulevard, Wild Goose Lane, and Stone Mountain Loop have been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval.

Water Features: Sage Ecological Services (S&EC) personnel completed a site visit in October 2022 and identified twenty-seven (27) surface waters within the review area that were potentially subject to riparian buffer. Cory Darnell with S&EC completed the on-site riparian buffer visit with Drew Blake, Asst. Director Watershed Protection Dept. on October 4, 2022, to verify the consultant's findings. A confirmation letter dated October 17, 2022, stated seven (7) ephemeral streams, seven (7) intermittent streams, two (2) perennial streams, five (5) potential wetlands. Seven (7) ephemeral streams that were identified by S& EC were removed as they did not have a well-defined channel or did not meet the 10-point

requirement for an 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, 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 all perennial streams. On-site determination expires five years from the date of the riparian buffer report. The Jurisdictional Determination has been submitted to the Army Corp of Engineers.

Stormwater and Erosion Control: There are six (6) proposed stormwater devices and 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 Visit: Site visits were scheduled for October 29, 2024, for Planning Department staff and various board members to attend. Chad Abbott was present to walk the property with staff. Pictures of the site visit can be viewed on the Planning Department webpage at <https://www.chathamcountync.gov/home/showpublisheddocument/70513/638658017147870000>.

Plan Chatham Evaluation:

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. This project is located in a conservation area of the county on the Future Land Use and Conservation Plan Map. The description for conservation is single family detached lots, attached units with overall very low density, some tourism related uses allowed, passive recreation areas, greenway trails, and variety of valuable natural resource areas. 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 rare species were identified in their records. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to identify future regulatory changes.

Recommendation:

The Planning Department recommends granting approval of the road names Deer Crest Boulevard, Wild Goose Lane, and Stone Mountain Loop granting approval of the First Plat for **Deer Crest at Seaforth** with the following conditions:

1. Approval of the First Plat shall be valid for a period of twenty-four (24) months following the date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners

2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.