

CHATHAM COUNTY PLANNING BOARD
MINUTES
April 7, 2009

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

Present:

Jim Hinkley, Chair
B. J. Copeland
Karl Ernst
Barbara Ford
Judy Harrelson
Timothy Keim
David Klarmann
Delcenia Turner

Absent

Warren Glick, Vice-Chair
James Elza
Susan Levy

Planning Department:

Keith Megginson, Planning Director
Angela Birchett, Zoning Administrator
Lynn Richardson, Subdivision Administrator
Kay Everage, Clerk to the Board

Other

Commissioner Sally Kost, BOC Liaison to the Board
Tom Glendinning, Parliamentarian to the Board

- I. CALL TO ORDER: Chair Hinkley called the meeting to order at 6:30 P.M. The clerk declared that there was a quorum (6 of 11 members). The clerk stated that Susan Levy and James Elza would not be attending tonight's meeting; that Ms. Levy had another commitment; and that Mr. Elza was at home recovering from surgery. She noted that Mr. Keim would be arriving late.
- II. APPROVAL OF AGENDA: Ms. Ford made a motion; seconded by Mr. Ernst to approve the agenda as submitted. There was no discussion and the motion passed unanimously. (6)
- III. CONSENT AGENDA: Mr. Copeland made a motion; seconded by Mr. Klarmann to approve the consent agenda as submitted (consisting only of the March 3, 2009 Planning Board minutes). There was no discussion and the motion passed unanimously. (6)
 - A. Minutes: Consideration of a request for approval of the March 3, 2009 Planning Board minutes.

End Consent Agenda

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

Simon Lobdell, Moncure, NC

Mr. Lobdell stated that he recently opened a business in Chatham County [Chatham Environmental Consulting]; that he wanted to introduce himself to the Planning Board; that he is looking forward to getting to know more about how the Board works; that he is trained as an environmental engineer and would be submitting for his engineering board certification here within the month; that he expects to be working with the Planning Board as he serves his client's needs; that he would volunteer his services to the Board if needed; that he is interested in learning more about various Boards within Chatham County; and that he is considering serving on the Planning Board or the Environmental Review Board.

Chair Hinkley suggested that Mr. Lobdell contact the Planning staff regarding Planning Board policies and procedures. Mr. Copeland noted that our website is a good source of information.

Member Judy Harrelson arrived at this time. [6:38 P.M.]

- V. ZONING AND ORDINANCE AMENDMENTS:

Item from March 16, 2009 Public Hearing:

- A. Request by Contentnea Creek Development Co. for an amendment to the conditional use permit for Cooper Subdivision on a revision to Condition No. 4 and Condition No. 10 on property located at 739 Hatley Road, Parcel No. 17357; 82822; 82823, on approximately 130 acres, New Hope Township.

Ms. Birchett reviewed the agenda notes for this request. She stated that staff recommends approval of the revised wording to conditions #4 and #10 (of the original conditional use permit approved October 16, 2006) as follows:

4. Public rights-of-way shall be established and dedicated by the time of final plat approval for future public street access and utility connections to adjacent property to the west currently owned by Chatham Land & Timber.
10. Site Plan. The site shall be developed substantially in accordance with the plans revised and dated 3/18/09.

No adjacent landowners spoke.

Jonna Birtcher, developer was present.

Significant Natural Heritage Area

Chair Hinkley asked if any information had been received about the Significant Natural Heritage Area designated by the State that covers much of Phase III. Ms. Birchett stated that a review was done in 2006 and issues were addressed in the original approval at that time. Note: See Jennifer Burdette's comments below.

Karen Kemerait, Attorney, 1117 Hillsboro St., Raleigh, NC 27603 was present representing the applicant. Ms. Kemerait provided a brief history about the request. She stated that no opposition was voiced at the recent public hearing; that

adjacent property owner Reginald Wright (Lot#4, Parcel #79891) spoke in favor of the request and the work that Contentnea Creek has done for the subdivision; that this request is for a revision to the conditional use permit regarding stipulations of conditions 4 (regarding roads to adjacent land), and 10 (regarding site plan changes); that the reason for this request is because the subdivision has been redesigned, as a result of the Environmental Impact Assessment (EIA), and is now a more environmentally sensitive subdivision plan with a reduction of 20 lots; that this request is necessary in order to go forward with current designs; and that later tonight the preliminary plats (revision for Phase I and preliminary plats for Phases II and III) would be reviewed.

Some specifics discussed by Board members were:

- inventory of natural areas and wildlife habitats
- clearing of lots especially close to water sources
- Wildlife Resources Commission [WRC] – cluster homes outside Heritage areas (is this possible with septic fields and large open space)
- suggest that a representative of the ERB or WRC attend Planning Board meetings regarding issues such as this
- proposed culverts for shared driveway (lots 27 and 28)
- possibly eliminating lots 27 and 28
- location of house on lot 20 of Phase 3
- ERB documentation – on website

Jennifer Burdette, Environmental Specialist, Burdette Land Consulting, Inc. was present representing the applicant. Ms. Burdette stated that in the Environmental Assessment (EA) process, this area was reviewed again and there were no significant changes to the Significant Natural Heritage Area [SNHA]; that there has been substantial timbering on properties to the north, east and west of the Heritage site leaving little of the original areas (as shown on current maps); that the Environmental Review Board (ERB), along with Chris Hopper, Biologist for Robert J Goldstein & Associates conducted a peer review and felt that the buffers in place along creeks and streams were sufficient to protect existing plant and wildlife; that, for future protection, private covenants would restrict any uses or destruction of those buffers; and that said covenants would only allow for a 30 foot radius, if needed, to be cleared for a home site.

John Harris, P.E., engineer for the project stated that a 36-inch culvert would be used in lieu of the 15 inch minimum requirement; that the pipe would actually be buried to allow for better flow in case of flooding from Parker's Creek; that lots 27 and 28 would probably *not* be prime sellable lots; and that these two lots would remain in reserve until build out (and there is a need for them) or possibly be combined with the adjacent properties.

Motion for approval

Mr. Klarmann made a motion; seconded by Ms. Harrelson that this revision request be approved as submitted and as recommended by staff (includes Phases I, II, and III preliminary). Discussion followed. Mr. Ernst reiterated concern that the WRC or ERB be represented at Planning Board meetings to address issues that become more critical. The motion passed unanimously. (7)

Conditions #4 and #10 read as follows:

4. Public rights-of-way shall be established and dedicated by the time of final plat approval for future public street access and utility connections to adjacent property to the west currently owned by Chatham Land & Timber.

10. Site Plan. The site shall be developed substantially in accordance with the plans revised and dated 3/18/09.

Item for April 27, 2009 Public Hearing:

B. Public Hearing requests to rezone business/industrial properties made non-conforming upon adoption of RA-40 (R-1) zoning located within 1500 feet of US 421; US 64; US 15-501 South/NC 87 South; Moncure-Pittsboro Road; and the NC 87 North/Old Graham Road/Mt. Olive Church Road area that were previously unzoned.

Mr. Megginson stated that information packets were distributed to Board members earlier tonight; that page 50 (RS Ultralight Air Park, 2124 Lutterloh Rd.) should be deleted from the packet at this time since it is to be revised; that owners of this parcel are not requesting that the zoning be changed but to leave as non-conforming use within the residential area; and that the public hearing is scheduled for Monday, April 27, 2009 at 6:00 P.M. in the Superior Courtroom in Pittsboro, NC.

Commissioners' Work Session April 6, 2009:

C. Jason Sullivan stated that during the January 26 work session the Commissioners requested staff to follow-up on the remaining items that were unresolved; that three (3) issues required additional information; and that two (2) more have been added for further discussion by the Board. A brief description of these issues is as follows:

- **3M** (fronting on NC 87/US 15-501 South) – The County Attorney did not find any problem with using the R-1 zoned portion of the property for a road to serve the existing mining operation; that 3M did not express any objection to leaving the property fronting on Moncure-Pittsboro Road as R-1; and that no further action is needed.
- **Schultz Ultralight Air Park** – this item (page 50) has been removed from the packet; that Mr. Schultz requested the Board not take any action on his property until he could give it further consideration; that Mr. Schultz was given additional time to further consider his options; that he has not contacted staff with a decision; that the Commissioners recommend that this item be removed from the rezoning packet; and that the property would remain R-1 non-conforming status.
- **Elois Restaurant** – the landowner had originally stated that they did not want their property rezoned but has now changed their mind and are requesting that a portion of the land be rezoned.
- **American Self Storage** (Highway 64 West between Pittsboro and Siler City) The property owner has requested that the Commissioners reconsider rezoning only a portion of the property and consider rezoning the entire parcel.

- **Ferrell Gas/Foushee property** (Old Graham Road) – Mr. Foushee requests that the adjoining 7 acre tract (to this 10 acre tract) also be rezoned; that the Commissioners originally requested rezoning only 3 acres that fronts the highway; that the Commissioners have resolved to send the 10 acre tract (that Ferrell Gas is currently located) to public hearing; and that the adjoining 7 acres is not to be included.

Mr. Sullivan stated that the hearing would include 13 separate public hearing items; that 467 letters would be mailed later this week; and that zoning signs would be posted next week.

VI. PRELIMINARY PLAT APPROVAL:

- A. Request by Dan Sullivan on behalf of Contentnea Creek Development Co. for a revision to the approved preliminary plat for Phase I of “Cooper Country Estates” [formerly Cooper Subdivision]; a revision to the development schedule for Phase I; and preliminary plat approval for Phases II and III, consisting of 43 lots (total Phases I, II, III) on 130.48 acres, located off SR-1714, Hatley Road, New Hope Township.

Member Tim Keim arrived at this time [7:31 P.M.]

Ms. Richardson stated that, since the Board made favorable recommendation on the zoning portion of the application, this subdivision request could move forward. She reviewed the agenda notes for the two (2) part request consisting of, 1.) development schedule revision for Phase I (16 lots), and 2.) Preliminary plat approval for Phase II (13 Lots) and Phase III (14 lots). She noted that all three phases would be due for Board consideration simultaneously (18 months from the date of approval) and that the adjacent development of Parker Springs **would not** delay the progress of this subdivision.

No adjacent landowners spoke.

Karen Kemerait, attorney representing the developer stated that the EIA prepared included the entire property; and that several positive changes to the design were: 1.) lots reduced from 63 to 43, 2.) five stream crossings including the proposed roadway crossing of Parker’s Creek were eliminated, 3.) new buffer rules voluntarily implemented on ephemerals and wetlands found on the property, and 4) impervious surface coverage was reduced.

Board discussion followed. There was some concern about the Significant Natural Heritage Area [SNHA] and why the recommendations were not complied with that were received from Jacquelyn Wallace, Urban Wildlife Biologist, NC Wildlife Resources Commission, during the 2007 preliminary plat review of Phase I, i.e., “Phases II and III of this subdivision will overlap a state designated Significant Natural Heritage Area, the Big Woods Road upland Forest”. Lot layout was discussed.

Jennifer Burdette, environmental specialist addressed the above concerns. She stated that, since recommendations were made in 2007, the developer had an EIA

prepared (and peer reviewed by the ERB and Robert J. Goldstein and Associates, Inc.). Ms. Burdette summarized comments received from the peer review as follows:

Robert J. Goldstein and Associates, Inc.

- agree with consultants regarding several issues, including stream calls and the integrity of local portion of the Big Woods SNHA
- logging has recently impacted lots on northwest, north, northeast, and east
- this property is largely isolated from the SNHA

Peer Review

- virtually all adjacent lots are impacted by forest clearing (including northwest, north, northeast and east properties), and
- this property is virtually isolated from the Big Woods SNHA by adjacent uses.

Ms. Burdette concluded that it was her opinion that the SNHA had been properly addressed (based on above comments, design changes, and recent logging of adjacent properties).

John Harris, P.E., project engineer stated that six (6) different roadway layouts on this property have been made and reviewed on-site; that home sites were identified on each of the 43 lots; and that it was then decided how a road should go through an individual property.

Motion for approval

Ms. Harrelson made a motion; seconded by Mr. Keim to grant approval of the request as submitted as follows:

1. proposed road names *Cooper Country Lane, Billowing Way, Restless Wind Way, Mariah Lane, and Newcastle Court* and,
2. a revision to the previously approved preliminary plat for Phase I of Cooper Country Estates, and
3. a revision to the development schedule for Phase I to allow the final plat submittal for Phase I to be 18 months from preliminary plat approval; and
4. preliminary plat approval for Phases II and III, consisting of 43 lots (total Phases I, II, III) on 130.48 acres.

There was no further discussion and the motion for approval passed unanimously. (7)
Note: Member Delcena Turner was out of the room during this vote.

VII. EXTENSION OF PRELIMINARY PLAT EXPIRATION:

A. Request by Nicolas P. Robinson, Attorney-at-Law for a three (3) year extension of the development schedule for Phase 1B of the Laurel Ridge Subdivision extending the final plat deadline from December 31, 2009 to December 31, 2012.

Ms. Richardson reviewed the agenda notes for this request and gave a summation of the development's history. She used the overview map to give the Board a broader prospective of this development and "The Bluffs" subdivision (scheduled for review next

on tonight's agenda) showing the creek in between. She stated that the extension request is based on the uncertainty as to the timing of the various issues being resolved, i.e. negotiations with the developer of "The Parks at Meadowview" and the public wastewater utility (Aqua) regarding construction of the balance of the spray facilities needed to service the entire Chapel Ridge complex of neighborhoods. Ms. Richardson noted that staff recommends granting a three-year extension of the development schedule to allow the final plat for "The Estates at Laurel Ridge" to be extended from December 31, 2009 to December 31, 2012.

Nicolas P. Robinson, attorney, was present representing the developer.

Mr. Robinson stated that the problem *is not* that there is not enough wastewater treatment capacity at the Chapel Ridge wastewater treatment plant or spray irrigation facilities in the ground at this time to service the lots; that the problem *is* that the utility (Aqua) that is to own and service all spray irrigation systems (and the wastewater treatment plant) is obligated to own, service, and facilitate all of the facilities that relate to the approved lots in the entire complex of subdivisions in this area, i.e., 2000 lots; that until Aqua knows that all of the spray irrigation facilities that ultimately have to be installed for the 2000 lots (by the Parks at Meadowview) they are unwilling to accept the wastewater collection system and pump station at this time; that there are on-going negotiations that could end in litigation; and that this is the reason for this extension request.

Letter from developer's attorney

Mr. Robinson provided the Planning Board a copy of a letter dated April 7, 2009 from Samuel T. Oliver, Jr. attorney for the developers, Community Properties Inc. and Roanoke Investments, LLC. A copy of the letter is filed in the Planning Department. Some abridged language from this letter is noted as follows:

"The developers, along with third-party developers are parties to various agreements providing for the installation, conveyance and operation of the water and wastewater utility systems serving The Parks at Meadowview, Chapel Ridge and surrounding developments in Chatham County"..... "The developers of Laurel Ridge and The Bluffs are working cooperatively with the third party to cure the default; however, appropriate legal remedies are simultaneously in process. The issues resulting from the contract default of the third party developer are complex and will require considerable time to resolve."

The Board discussed various issues with Aqua and concerns regarding environmental review of the property and the economic situation. Mr. Robinson addressed these issues briefly.

Adjacent Landowners

- Alice Yeaman, 633 Rock Rest Road, Pittsboro, NC. Some concerns voiced were:
 - her concerns apply to "The Bluffs" and "Laurel Ridge"
 - EIA not done on "The Bluffs"
 - rare plants / trees, Carolina Ladle Crawfish, and 4-toed salamander found in this area
 - property includes a wetlands
 - mud from this project ends up in Dry Creek

- ERB should review before recommendation by the Planning Board
 - conform to new regulations (if extension granted), i.e. environmental and sedimentation
 - comply with Jordan Reservoir Nutrient Management Rules (now pending but should be approved later this Summer)
- Thomas Marriott, 633 Rock Rest Road, Pittsboro, NC
 Mr. Marriott stated that his concerns also apply to “The Bluffs” and Laurel Ridge”; that the lots in question are part of a 117 lot development stretching from Dry Creek to the southern bank of the Haw River; that previous to plat approval for “The Bluffs” (in 2006) an attempt was made to mandate an EIA [Environmental Impact Assessment] and to have approval delayed until the new Board of County Commissioners came into office; and that the developers successfully opposed this and received approval for “The Bluffs”. Mr. Marriott asked that the Planning Board deny this extension request. He noted that things have changed at the State level i.e., the Jordan Reservoir Nutrient Management Rules; that by approving the request for extension would be contradicting the position that the County Commissioners are working hard to establish; and that this development is on the Haw River and Dry Creek and that storm water considerations are critical and obvious. Mr. Marriott asked that the Board reject this proposal but stated that if the Board accepts the request that it be done on the condition that the developer incorporate the new rules adopted by Chatham County, i.e., pending Jordan Reservoir Nutrient Management Rules. He questioned the financial condition of Aqua.
- Jerry Markatos, 800 Rock Rest Road, Pittsboro, NC – some concerns noted:
 - sewerage
 - endangered species
 - reject the extension of decisions made under very devious situations
 - buffers
 - erosion plans
 - recharging of ground water
 - shortcuts taken in the process

Two specifics noted were:

1. Environmental Review Board to review the request and apply current standards i.e. carries out an environmental impact study, nutrient controls applied to Jordan Lake.
2. Reject the requests

Some general concerns of the Board were discussed as follows:

- development initially approved under old regulations
- staff noted that if there are concerns that Fred Royal, Director, Environmental Resources would visit property
- permit approval time limitations are for certain reasons
- suggest an ERB examination before voting on this request
- impact on endangered species
- Haw River already deeply impaired
- EIA needed

- bring under preview of new regulations

Mr. Robinson (at the request of Ms. Ford) used the overview map to show the areas of Laurel Ridge and The Bluffs.

Motion

Mr. Klarmann made a motion to grant the extension request for Phase 1B of the Laurel Ridge Subdivision, to extend the final plat deadline from December 31, 2009 to December, 2012, on the condition that the developer do a Environmental Assessment and comply with all new ordinances that have been enacted in Chatham County. Mr. Copeland seconded the motion. Discussion followed.

Motion amended

Mr. Ernst made a motion; seconded by Mr. Klarmann that the conditions be changed to state: "Prior to final plat approval the developer shall complete an Environmental Assessment [EA]; and that the EA shall be reviewed by Chatham County Environmental Review Board [ERB] for consideration by this Board at the time final plat is submitted".

Motion withdrawn

Mr. Klarmann withdrew his motion.

Motion

Mr. Klarmann made a motion to require the developers to do an EA to be reviewed by the ERB that would then be reviewed by this Planning Board; and that if the developer complies, to allow the three-year extension for Laurel Ridge. The motion was seconded by Ms. Harrelson. Mr. Ernst made a "point of order" that the motion be restated by the Chair. Discussion followed regarding the possibility that the ERB raises questions and asks for an Environmental Impact Statement [EIS]. After conferring with the Parliamentarian, Chair Hinkley stated that the Mr. Ernst's "point of order" takes precedence, and therefore, the motion was restated by the Chair as follows:

"That an Environmental Assessment (EA) is required and reviewed by the Environmental Review Board (ERB) and then brought before the Planning Board; and to allow for a three-year extension".

Amendment to motion

Mr. Keim made a motion; seconded by Ms. Turner to amend the motion to add, "If the ERB recommends an EIS the developer must comply. Chair Hinkley restated the motion to amend as follows: "that if the ERB recommends an EIS the developer must comply. There was no further discussion and the amendment to the motion passed 6-2-0 with all Board members present voting in favor of the motion for amendment; except Mr. Copeland and Mr. Klarmann who voted against.

Motion with amendment - passed

Chair Hinkley restated the motion (with amendment) as follows:

"Require the developer to perform an Environmental Assessment (EA) to be reviewed by the Environmental Review Board (ERB); and then brought before the Planning Board; and to allow a three-year extension (of the final plat for The Estates

at Laurel Ridge to be extended from December 31, 2009 to December 31, 2012); and if the ERB recommends an Environmental Impact Statement (EIS) the developer must comply”.

The motion passed 7-1-0 with all Board members present voting in favor of the motion (with amendment); except Mr. Copeland who voted against.

Mr. Ernst stated that he had a 6:00 A.M. road trip in the morning and would be leaving the meeting.

Member Karl Ernst left the meeting at this time [9:11 P.M.].

B. Request by Nicolas P. Robinson, Attorney-at-Law for a three (3) year extension of the development schedule for Phase 1B of The Bluffs Subdivision extending the final plat deadline from December 31, 2009 to December 31, 2012.

Adjacent landowners

Please see the following landowner’s comments in the above discussion of Laurel Ridge Subdivision.

- Alice Yeaman
- Thomas Marriott, and
- Jerry Markatos.

Some specific concerns of these landowners were:

- much of the smaller size natural vegetation along the river had been removed by the developer
- recommend an EIA performed on the entire Bluffs project
- would like the project to be subject to the Jordan Lake Reservoir Nutrient Management rules that are to be adopted this Summer, and
- oppose the three-year extension request.

Attorney’s comments

Please refer to the previously reviewed subdivision (Laurel Ridge) for comments by Nick Robinson, attorney for the developer of “The Bluffs”.

Board discussion

Mr. Klarmann questioned the legality of discussing The Bluffs in its entirety since this proposal represents only a portion (Phase 1B) of the development. Mr. Megginson noted that no other requests have been made for other phases. As an alternative to these issues, Mr. Copeland suggested that if the Board denied the request for a three-year extension and instructed the applicants to come back to the Board with a new proposal it might include issues discussed tonight, i.e., layout, Environmental Assessment, protection of lake and creek resources.

Motion to deny

Mr. Copeland made a motion to deny the request for a three-year extension of The Bluffs Subdivision, Phase 1B and to instruct the developer to bring a new proposal back to the Planning Board (including issues discussed) that would enable them to continue with the development with an Environmental Assessment, protection of the water resources (such as the Haw River, Jordan Lake, and Dry Creek) and responsibly

develop the project. Mr. Keim seconded the motion. Discussion followed. Ms. Turner voiced concern that a denial be based on something that the Board objects to. Chair Hinkley restated the motion, "to deny the three-year extension and to require the developers to come back to the Planning Board with a proposal to enable the development to continue". Mr. Klarmann reiterated that this request refers only to Phase 1B (and not the entire project). Ms. Harrelson noted that the other two phases do not expire for at least another two years. The motion for denial passed 6-1-0 with all Board members present voting in favor of the motion; except Ms. Turner who voted against.

C. Request by Wade Barber for an eighteen (18) month extension for Henderson Place Subdivision extending the final plat deadline from April 20, 2010 to October 20, 2011.

Ms. Richardson reviewed the agenda notes. She stated that per the applicant, the extension request is due to a delay beyond the applicant's control since the gravity sewer line to serve Henderson Place is not yet available and may not be available until sometime in 2011.

Mr. Hinkley clarified that the reason for the request is that this development is being held up by "The Knolls" and not developing. Ms. Richardson stated that according with Mr. Barber and Mr. R.B. Fitch, this is correct.

Wade Barber, applicant, was present.

Board discussion followed. Ms. Turner recalled that, at preliminary plat approval of Henderson Place Mr. Barber went over and above the recommendations of the Board. It was noted that Fred Royal with Chatham County Environmental Resources visited the site and submitted favorable comments.

Motion to approve

Ms. Turner made a motion; seconded by Mr. Klarmann to grant an eighteen (18) month extension for "Henderson Place Subdivision" extending the final plat deadline from April 20, 2010 to October 20, 2011, as submitted and as recommended by the Planning staff.

Discussion followed. Ms. Harrelson stated that the Board needs to be clear about this request, i.e., not steep property, no issues with mud in creeks, and no neighbors with questions.

Mr. Barber stated that an EA was done voluntarily; that there were negotiations at two sub-committee meetings and with the ERB; that there were delays on completion of various parts of the EA, i.e. right season of the year for completion; that stream set backs were done voluntarily; and that the applicant has voluntarily complied with new regulations.

The motion for approval passed unanimously. (7)

VIII. OLD BUSINESS:
No items were presented.

IX. NEW BUSINESS:

A. Presentation by Commissioner Sally Kost on Chatham County land use and transportation goals

Land Use Goals

Commissioner Kost stated that the overall goal of the Commissioners is that our land use decisions are based on our Land Conservation and Development Plan; that it is on the Commissioner's agenda to update the Plan; that some reasons for the update are:

- land use decisions have been made over the past four years that are inconsistent with the Plan,
- changes have recently been made to the Zoning Ordinance, i.e. neighborhood business, different types of zoning classifications
- Economic Development Strategic Plan, i.e. Jordan Lake, ecotourism (building on recreation – looking at nodes)
- Conservation Subdivisions
- Solid Waste, and
- Land Use Plan Map

Commissioner Kost cited that the County would be hiring a Sustainable Communities Director that would be a reorganization of County Government incorporating many of the departments under this one umbrella; and that this hiring process is currently on-going; that applications have been received and would be reviewed by a committee.

She noted the following upcoming meetings:

- rezoning of the major corridors (public hearing April 27 Superior Courtroom 6:00 P.M.)
- Chatham Conservative Voice (Forum April 16 Superior Courtroom 7:00 P.M. - she is to speak in support of major corridor planning efforts)

Transportation Goals

Commissioner Kost stated that Chatham County is divided into two areas, rural transportation and the metropolitan area; that the Commissioners have stated that transportation planning needs to move up in the priority because it is a major infrastructure need; that there is an approved planner position but has been frozen as part of the budget cuts; that hopefully this position will be filled within the next year; that the Commissioners (before she was elected to serve on the Board) established their preference to have a Transportation Advisory Board that should be happening within the next 12-14 months; and that specifics need to be worked out as to how this position would work in relationship with the Planning Board because transportation is part of their planning.

Joint Cary - Chatham Land Use Plan

Commissioner Kost stated that an exact date has not yet been set but that the Commissioners would be meeting with Cary next month (in May).

Lighting Ordinance

Commissioner Kost stated that new lighting standards are forth-coming; and that these standards could possibly require an amendment of our Lighting Ordinance.

B. Recognition of Commissioner Kost

Ms. Turner stated that the Planning Board did not properly say its good-byes to Commissioner Kost during her last meeting as Planning Board Chair in December 2008.

Ms. Turner shared a story of the attempt to order a “tiny portable heater” for Commissioner Kost’s “little yellow car” only to be told that the heater would not be available in time for this recognition.

Commissioner Kost was presented a unique gift - “back-packs” for her three dogs. She also received cards signed by the Planning Board and Planning staff. Commissioner Kost thanked the Board and stated that she was going camping over the weekend and would put the backpacks to use.

C. Planning Director’s Report

1. *May Planning Board Meeting – Dunlap Building Classroom*

Mr. Megginson reminded the Board that next month’s meeting would be held in the Dunlap Building Classroom.

D. Planning Board Members Items

Chair Hinkley asked for updates on the following:

1. *Lystra Gardens / Lystra Subdivision*

Mr. Megginson stated that there has been no change – they do not have any approval.

2. *West Fall*

Mr. Klarmann stated that BB&T bought back the property and that the note on the property is 8 million dollars. Mr. Megginson stated that unless there has been an upset bid the bank would own it; that if there has the upset bid would have to be evaluated (is it truly greater than what the bank gave for the property); that Chatham County still holds a financial guarantee to cover cost improvements that remain to be done; that at some point this subdivision would probably be back on the agenda (with new developers); and that there has been plan approval.

X. ADJOURNMENT: There being no further business, Mr. Klarmann made a motion; seconded by Ms. Harrelson to adjourn tonight’s meeting. There was no discussion and the motion passed unanimously. The meeting adjourned at 9:50 P.M.

James R. Hinkley, Chair

Date

Attest: _____
Kay Everage, Clerk to the Board

Date