

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
AUGUST 12, 2002
7:00 P.M.

Mayor Nancy R. May called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Nancy R. May, Commissioner Max G. Cotten, Burnice Griffin, Jr., Chris Walker and Clinton E. Bryan, Jr. Commissioner Gene T. Brooks was absent.

DISPOSITION OF MINUTES

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve the minutes of the July 22, 2002 meeting. Vote Aye-4 Nay-0

CITIZENS MATTERS

NONE

MAY FARMS – PHASE 2 AND 3

Mayor May stated we have received a request from George Phelps to extend the Preliminary Plat for Phase 2 and 3 of May Farm Subdivision.

Manager Montgomery provided the following information for the Board's consideration:

Agenda Item # 1 : Request from Mr. George Phelps, Partner GPG Development, to extend the Preliminary Plat for May Farm Phases 2 & 3.

- 1) Letter from Town Manager/Zoning Administrator written in response to Mr. Phelps initial request to extend the time period of validity for May Farm;
- 2) Letter from Mr. Phelps requesting extension of the Preliminary Plat as required in our Subdivision Ordinance.
- 3) Response from Mr. Hugh Gilleece, Engineering Consultant for GPG, regarding minimum lot size and related impervious surface;
- 4) The Agreement approved by the Commissioners and GPG Development as referenced in Mr. Phelps' letter.
- 5) Copy of Section 6.5.2(a) of the Subdivision Ordinance and a copy of the Amended Subdivision Ordinance Section 7.1(D).

Please consider the following:

1. The Preliminary Plat for May Farm has expired. The Zoning Administrators letter of July 8, 2002 to Mr. Phelps provides citations from our Ordinances that relate to this particular situation. I was very fortunate to have input from Mr. Messick at a meeting

held on Friday July 12th, 2002 as requested by Mr. Phelps and his development team " to further clarify their position.

2. Mr. Phelps believes that there is ample area for useable recreation as required in Section 6.5 (2) and that previous Board action will support his position. The area required as "Open Space" to meet the WSIV -P A cluster subdivision requirements was used in the approved preliminary plat as also meeting the area requirements of Section 6.5.2 which is 0.033 of area to be dedicated for recreation or a total of 6.5 acres for the 197 lots plated. In my letter to Mr. Phelps I question whether or not the areas designated for recreation meet the "usability" criteria as prescribed by the Ordinance.

3. Section 7.1. (D) of the Subdivision Ordinance will require the developer to install "reclaimed water distribution lines". The Reclaimed or Reuse Water Project is a reality with preliminary engineering being completed this month and depending on State approval of the engineering drawings construction will take place late in 2002 or early in 2003.

Summary

1) GPG would as a condition of the extension of the Preliminary Plat for Phase 2 & 3 establish a right-of-way at design grade for the Reclaimed Water Line but would not assure installation of distribution lines in Phase 2 & 3 nor assist in the cost of the transmission main.

2) GPG requests that the Town not take action on an existing performance bond to install sidewalks as required in Phase I for a least another year.

3) Zoning Administrator recommends that the Planning Board be able to review the Preliminary Plat to insure consistency with the Land Use Plan 2000-2020 and with current Ordinances.

Commissioner Cotten stated the preliminary plat expired sometime last year. He would like to see the recreation area not just on the back lots.

Mayor May stated kids ride their bicycles on the sidewalks and the pool is a large area.

Commissioner Walker asked if the plans were not reviewed in the initial approval.

Hugh Gilleece stated they agreed to work with the Town to locate reclaimed water distribution lines on the right-of-way of their property. (see letter)

Commissioner Cotten stated he would like for it to go to the Planning Board for recommendation.

Mayor May stated we still have a moratorium in effect and that would be like starting out from scratch again.

Attorney Messick stated he deemed the letter from Mr. Phelps as an extension request.

Motion made by Commissioner Cotten seconded by Commissioner Walker to renew the preliminary plat for Phase Two and Three subject to conditions being spelled out in an

amendment to the agreement we currently have with May Farms, within thirty days and that the Town Attorney and Mr. Phelps Attorney prepare the conditions.

Vote Aye-4 Nay-0

PRELIMINARY ENGINEERING REPORT
WATER SYSTEM IMPROVEMENTS
NORTH PITTSBORO AREA

Mr. Jay Johnston and Mr. Michael Koonce were present to go over the report.

Motion made by Commissioner Bryan seconded by Commissioner Walker to instruct the Town Manager to pursue outside funding for Scenario 1B.

Vote Aye-4 Nay-0

A COPY OF THE PRELIMINARY ENGINEERING REPORT WATER SYSTEM IMPROVEMENTS – NORTH PITTSBORO AREA IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 378-426

CHATHAM FOREST PHASE VII – INSPECTION FEES

Manager Montgomery is requesting that Chatham Forest Phase 7 & 8 provide funds to secure inspections services for Phase 7 & 8 of Chatham Forest.

The Planning Board and the Developers of Chatham Forest have been waiting for the Homeowners Association to approve a pedestrian conveyance system for the subdivision. The Planning Board has determined that prior to any recommendations for an amended preliminary plat Homeowners approved pedestrian system is submitted.

In the interim, engineering plans associated with the requested amendment to the preliminary plat have been submitted for review and consideration. Mr. Jay Johnston has reviewed the submitted plans and provided the developer with the changes necessary to meet Town water, wastewater and stormwater specifications. No construction activities can take place with engineering plans having been approved by the Town.

The Voller's, Developers of Chatham Forest, have indicated that they would like to benefit from the current dry weather to install the wastewater collection lines, curb and gutter and set the stone for streets needed for Phase 7 & 8. This request is well founded and he would agree that once the engineering plans are approved to construct the improvements during dry weather is in everyone, especially current residents of Chatham Forest, best interest.

Therefore, Manager Montgomery is requesting permission to allocated the funds necessary for inspections and plan review for Phase 7 & 8. Please note that prior to final plat approval for these phases that all fees will be paid, including Capital Recovery and Inspection services.

Mr. Voller stated concerning the walkway in the greenspace area they would do whatever the Planning Board tells them to do.

Commissioner Bryan stated he would like what is out there straightened out before we approve sometime else. There are 14 items of concern.

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve the Agreement with Hydrostructures PA to provide construction inspection services for Phase VII of Chatham Forest subject to pre-payment of fees.

Vote Aye-4 Nay-0

A COPY OF THE AGREEMENT WITH HYDROSTRUCTURES IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 427-429

SIDEWALK PROJECT

Motion made by Commissioner Cotten seconded by Commissioner Walker to approve the Resolution instructing the Town Manager to proceed with obtaining bids for the Project and to establish a Project Budget for that purpose.

Vote Aye-4 Nay-0

A RESOLUTION TO SOLICIT BIDS FOR ENHANCEMENT GRANT IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 430

RULES AND PROCEDURES FOR OPERATION OF MEETING

Commissioner Cotten stated he would like for the Board to look of the proposed rules and procedures before the Public Hearing.

Motion made by Commissioner Cotten seconded by Commissioner Walker to schedule a public hearing for August 26, 2002 at 7:00 p.m. for the purpose of Amending the Town of Pittsboro Code of Ordinances.

Vote Aye-4 Nay-0

ORDINANCE TO AMEND TRAFFIC ORDINANCES ON STREETS AND ROADWAYS IN THE TOWN OF PITTSBORO STREET SYSTEM

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve the amendments to the Traffic Ordinances of the Town of Pittsboro.

Commissioner Cotten stated the only change is on Chatham Street.

Commissioner Walker stated this does not address the parking issue downtown, would the Board be willing to amend the ordinance once a solution is found?, he is not in favor

of some of the stop signs – there appears to be an excessive number of stop signs on some streets – example: within 8 tenths of a mile there are 7 stop signs.

Commissioner Walker said police visibility would help.

Vote Aye-3 Bryan/Griffin/Cotten
Nay-1 Walker

AN ORDINANCE TO AMEND THE TRAFFIC ORDINANCES ON STREETS AND ROADWAYS IN THE TOWN OF PITTSBORO STREET SYSTEM IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 15-18

ORDINANCE TO CREATE A BOND RETIREMENT FUND

Motion made by Commissioner Bryan seconded by Commissioner Walker to approve an Ordinance to create a Bond Retirement Fund.

Vote Aye-4 Nay-0

PITTSBORO CHRISTIAN VILLAGE

Motion made by Commissioner Cotten seconded by Commissioner Bryan to withdraw the Local Bill introduced by Rep. Hackney from the 2002 Legislative Session and to have the same bill introduced in the 2003 Session.

Vote Aye-4 Nay-0

SURPLUS PROPERTY

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve a Resolution declaring Public Property Surplus.

Vote Aye-4 Nay-0

A RESOLUTION TO DECLARE A PERSONAL PROPERTY SURPLUS AND AUTHORIZE TOWN MANAGER TO DISPOSE OF IN ACCORDANCE WITH NORTH CAROLINA GENERAL STATUTE 160A-270 IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 432

COMMISSIONER CONCERNS

Commissioner Walker stated he had received a letter from Sandi Brady requesting that the lines be painted at the fork of Old Graham and US 87.

Motion made by Commissioner Walker seconded by Commissioner Griffin to authorize the Town Manager to write a letter to NCDOT requesting that the lines be repainted.

Vote Aye-4 Nay-0

Motion made by Commissioner Cotten seconded by Commissioner Bryan to adjourn.

Vote Aye-4 Nay-0

Mayor

ATTEST:

Clerk