

Commissioner Brooks stated he lives about two football fields from them and he has noticed the smell only a few times.

Clinton Taylor also stated he would like for the Habitat Homes to be more dispersed and not a large number of them in his neighborhood.

Planner Monroe stated the Affordable Housing Task Force intend on having a mixture of home types.

Commissioner Brooks asked Planner Monroe to send a letter to Mr. Taylor stating that.

OLD BUSINESS

SOLID WASTE FEE

Update on response from Chatham County regarding solid waste fees.

Interim Manager Misenheimer stated the letter from Chatham County regarding solid waste fees was for information purposes.

Commissioner Cotten stated he has submitted his resignation from the Solid Waste Advisory Board effective July 1, 2006.

Mayor Voller stated he was very disappointed with the county's decision. He is concerned that people will start back dumping illegally. He asked that when we prepare the letter to residents make sure to add to the letter that the fee is optional.

Interim Manager Misenheimer stated the town currently picks up large stuff.

A COPY OF THE COUNTY'S RESPONSE TO OUR LETTER IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 101-102

NEW BUSINESS

US 64 – NC49 CORRIDOR STUDY

David Wasserman, NCDOT Planning Branch, will present details of the scope of study of Phase 2A of the US64-NC49 corridor Study.

Mr. David Wasserman made a presentation to the board.

There was a discussion about a possible financial contribution from the Town of Pittsboro.

US 64-NC 49 CORRIDOR STUDY – PROPOSED PHASE 21 SCOPE OF STUDY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 67-89

**MAIN STREET STATION – PHASE 2
COMMERCIAL SITE PLAN REVIEW**

Consider the Main Street Station Phase 2 commercial site plan review. Mr. Heath Williamson is developing the commercial site which used to be Pittsboro Ice and Fuel.

Planner Monroe stated the Town of Pittsboro has approved a minor subdivision and the Planning Board reviewed the Agreement for Purchase of one lot by Jeffrey Tsipis. The Planning Board found that there were no changes proposed by this application. The previously viewed master plan for the development remains in place.

Planner Monroe stated the Planning Board reviewed the site plan and recommended approval with the condition that the Planner not release a building permit until the Agreement to Purchase had been recorded with the County and, further, that the applicant understands that this approval does not authorize him to proceed with Phase 3 until the previously approved conditions have been satisfied.

Mayor Voller stated he noticed there are rail road ties where the parking lot is planned to be. He wanted to make sure that the proper tampering is done to prevent damage to parking lot.

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve subject to the Planning Board recommendation that the Planner not release a building permit until the Agreement to Purchase had been recorded with the County and, further, that the applicant understands that this approval does not authorize him to proceed with Phase 3 until the previously approved conditions have been satisfied.

Vote Aye-5 Nay-0

The Board asked that Attorney Jennifer Andrews relay Mayor Voller's concern regarding the railroad ties to her client. She stated she would.

REZONING REQUEST – VAN FINCH

Consider a request from Mr. Van Finch to rezone his property at 46 NC Hwy 87N from R-12 to C-2.

Planner Monroe stated the Planning Board reviewed this application to rezone a .33 acre parcel located at 46 NC Hwy 87N from R-12 to C-2. There was considerable discussion about the potential affects a rezoning could have. It was concluded that based on the existence of adjacent business and the volume of traffic on Hwy 87, the property did not represent a desirable residential nature. The Board voted to recommend approval of the request and to advise the Commissioners that the application is consistent with the town's Land Use Plan. In keeping with new state legislation, the Board adopted a Resolution of Recommendation of the application. If the Commissioners decide to approve this application it will be necessary to approve the state of the reasonableness of the application because of the size of the land involved.

Mayor Voller asked Mr. Finch what was the reason for the request.

Mr. Finch stated he has not advertised the property. It has not worked well as a residential property, the tenants always complained about the traffic and noise. The neighbors he spoke with did not have a problem with the rezoning.

Motion made by Commissioner Walker seconded by Commissioner Bryan to approve the statement of reasonableness: "The subject parcel is located in an area that is adjacent to C-2 zoned property. The application, as presented, is not inconsistent with the Land Use Plan. The proposed rezoning is reasonable considering the size of the tract, the potential impact to the surrounding community and the relationship between the uses permitted in the zoning district proposed with those permitted in the existing zoning district."

Vote Aye-5 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Bryan to adopt the Planning Board Resolution of Recommendation.

Vote Aye-5 Nay-0

**PLANNING BOARD RESOLUTION OF RECOMMENDATION IS RECORDED
IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 90**

MORATORIUM

Consider an ordinance establishing a Moratorium on the review and approval of major subdivisions and non-residential development in the Town of Pittsboro and its Extra-Territorial Area.

Planner Monroe stated the Planning Board discussed the Moratorium proposed at length. There was considerable discussion about the comments made during the Public Hearing regarding creation of a Downtown Development District. After thoroughly considering the proposed Moratorium, the Board voted to recommend that the Commissioners approve the Moratorium.

Commissioner Cotten would like to see a text change made to eliminate non-residential development from the moratorium.

The Board was concerned about where the additional sewer allocation would come from.

The Board agreed they would like to see Mr. Carr be able to start his restaurant project.

Motion made by Commissioner Brooks seconded by Commissioner Walker to approve An Ordinance Establishing A Moratorium on the Approval of Major Subdivisions and Non-Residential Development of Land in the Town of Pittsboro and its Extraterritorial Area.

Commissioner Walker stated he has concerns with Article VIII where it states “No application for major subdivision or non-residential development site plan approval subject hereto shall be accepted, considered, or acted upon by the Town of Pittsboro within the time period specified in this ordinance.” He stated we are trying to get a projection of what our needs are – how can we, if we are not accepting site plans.

Planner Monroe stated to prepare a site plan is costly and most developers will not go through that expense knowing there is no sewer available.

Commissioner Brooks stated if we see an opportunity where we can possibly provide more sewer allocation we can rescind the moratorium.

Planner Monroe stated he is going to be meeting with COG about developing data to help us find out how much capacity we will need in 2030.

Commissioner Baldwin stated maybe we could receive plans for planning purposes.

Planner Monroe stated the Planning Board will be having a Special Meeting on April 25 to discuss some of these issues.

Commissioner Walker wants us to keep an open mind as to what we will need in the future. He feels we are currently playing catch up.

Commissioner Cotten would like for restaurants to be constructed within town.

Vote Aye-5 Nay-0

AN ORDINANCE ESTABLISHING A MORATORIUM ON THE APPROVAL OF MAJOR SUBDIVISIONS AND NON-RESIDENTIAL DEVELOPMENT OF LAND IN THE TOWN OF PITTSBORO AND ITS EXTRATERRITORIAL AREA IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 6-11

MORATORIUM ADDENDUM

Consider addendum to moratorium to consider creation of Downtown Development District.

Planner Monroe stated Mayor Voller had requested that he prepare the following addendum to the moratorium.

A Downtown Development District is hereby created. This District is created to promote the public interest in a vital central business district. Knowing that the economic stability of this District is critical to conserving the value of land throughout the town and preserving the quality of life in Pittsboro, potential non-residential projects requiring up to five thousand (5000) gallons of wastewater capacity per day can be accepted for review and approved by the town.

The boundaries for this District shall be as follows:

- The frontage properties on the east and west side of Hillsboro Street from, and including Chatham Mill and the Village Motel south to the Courthouse Circle;
- The frontage properties on the north and south side of East Street from the Courthouse Circle to J. A. Farrell Street.

Attorney Messick stated the board could not take action on this item tonight. There will have to be another public hearing held.

Mayor Voller recommended that it be sent to the Planning Board for recommendation.

Commissioner Brooks stated we can't discriminate – there have been others besides Mr. Carr that have wanted to start a restaurant and have backed off because of our wastewater capacity. He wants downtown to be viable, he just don't know what we can do to treat everyone the same.

Commissioner Baldwin stated she does not see how we can give them 5,000 gallons when we don't have it.

Commissioner Cotten stated he would have liked for the amendment to have been in the moratorium.

Motion made by Commissioner Cotten seconded by Commissioner Walker to refer to the Planning Board for recommendation.

Commissioner Baldwin stated possibly they can come up with other options; maybe we can renegotiate capacity reserved for other developments.

Commissioner Walker stated if we could find a way he would be for it. The sewer plant has exceeded its capacity – double plus within a 24 hour time period.

Commissioner Brooks suggested staff get in touch with other entities to see how they have solved this problem.

Vote Aye-5 Nay-0

REUSE

Consider proposal to conduct preliminary soil/site evaluation as required for feasibility of reuse water spray irrigation septic system.

Interim Manager Misenheimer stated this is required as a part of our contract with Toll Brothers.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to approve the Contract with Soil & Environmental Consultants, PA to conduct a preliminary soil/site evaluation on approximately 659 acres in the vicinity of Eubanks Road, Hwy 64 Bypass and the Haw River in Chatham County, NC for feasibility of reuse quality water spray irrigation septic system.

Commissioner Cotten doesn't see how long it will take. He does not think it will pass. He feels we should cancel the contract. He voted against the contract initially.

Commissioner Baldwin asked approximately how long it would take.

Interim Manager Misenheimer stated he would have to check on that.

Vote Aye-4 Brooks/Bryan/Baldwin/Walker
Nay-1 Cotten

AN AGREEMENT WITH SOIL & ENVIRONMENTAL CONSULTANTS, PA IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 91-95

WASTEWATER TREATMENT PLANT EXPANSION

Consider authorization to proceed with acquiring property survey and appraisal for land required for Wastewater Treatment Plant expansion.

Planner Monroe stated we need to get an appraisal and boundary survey done on the 10 acres around the current town property.

Commissioner Cotten asked if anyone has talked with the State about this. He wanted to know where the discharge is going.

Planner Monroe stated through land application.

Commissioner Cotten asked who is going to build the line.

Planner Monroe stated Toll Brothers. Commissioner Cotten stated with the money they are going to pay us.

Commissioner Brooks stated he agrees with Commissioner Cotten, but we have to do something.

Motion made by Commissioner Bryan seconded by Commissioner Walker to authorize staff to proceed with acquiring property survey and appraisal for land required for Wastewater Treatment Plant expansion.

Vote Aye-4 Brooks/Bryan/Baldwin/Walker
Nay-1 Cotten

NO PARKING

Creation of a “No Parking” zone at the deceleration lane on Thompson Street into Chatham Forest.

Motion made by Commissioner Brooks seconded by Commissioner Bryan to create a “no parking” zone at the deceleration lane on Thompson Street into Chatham Forest.

Vote Aye-5 Nay-0

LITTER SWEEP

Proclamation in support of “Spring 2006 Litter Sweep” roadside cleanup for dates April 17-30, 2006 sponsored by NC Department of Transportation and Governor Easley. (Lake park cleanup efforts-day to be announced)

Interim Manager Misenheimer stated Earth Day is April 22 and that is the date scheduled for Lake Park cleanup.

Motion made by Commissioner Brooks seconded by Commissioner Walker to support the “Spring 2006 Litter Sweep” roadside cleanup for dates April 17-30, 2006 sponsored by NC Department of Transportation and Governor Easley.

Vote Aye-5 Nay-0

A COPY OF THE PROCLAMATION OF GOVENOR EASLEY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 96

CLYDE FEST – 2006

Recognition of Clyde Fest scheduled for April 29th, 2006 – Chatham Arts Council with Glenda McDaniels, Executive Director.

Ms. Dee Reid and Ms. Glenda McDaniels were present.

Ms. Reid said Mr. Jones would like to present the town with one of his critters to be displayed in town. The Town of Pittsboro is the first local government to receive a piece of Mr. Jones' work for display.

Commissioner Brooks made a motion to accept the gift from Mr. Jones and to direct the Parks and Recreation Advisory Committee to decide where it should be placed.

Vote Aye-5 Nay-0

A COPY OF THE LETTER AND PROCLAMATION FOR CYLDEFEST IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 97-98

WATER QUALITY

Update inspection report concerning Wastewater Treatment Plant's NC Division of Water Quality letter.

Interim Manager Misenheimer stated this letter is for the Board's information. It is a copy of the letter DWQ sent Ms. Marsman on January 25, 2006.

A COPY OF THE LETTER IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 99-100

COMMISSIONER CONCERNS

FYI

- Invitation to Second Congressional District's Bio-Fuels Summit which will be held Wednesday, April 12 at the Exploris Museum in Raleigh, NC.
- Chatham County Affordable Housing Partnership celebration – Friday, June 2, 2006
- Progress Energy survey request letter

CLOSED SESSION

Motion made by Commissioner Brooks seconded by Commissioner Walker to go into closed session pursuant to NC General Statute 143-318.11(A) (3), (4), and (5) to consult

with attorney regarding contractual obligations and matters relating to negotiating terms of contract.

Vote Aye-5 Nay-0

Motion made by Commissioner Brooks seconded by Commissioner Walker to go out of closed session.

Vote Aye-5 Nay-0

ADJOURNMENT

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

Vote Aye-5 Nay-0

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, Town Clerk