

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, APRIL 14, 2014
7:00 PM

Mayor Bill Terry called the meeting to order and asked for a moment of silence.

PLEDGE OF ALLEGIANCE

Commissioner Farrell led the Pledge of Allegiance.

ATTENDANCE

Members present: Mayor Bill Terry, Mayor Pro Tem Pamela Baldwin, Commissioners Jay Farrell, Michael Fiocco, Bett Wilson Foley and Beth Turner.

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr., Planner Stuart Bass, Engineer Fred Royal, Chief of Police Percy Crutchfield and Parks Planner Paul Horne.

CONSENT AGENDA

Commissioner Fiocco asked that item #3 be removed from the consent agenda to old business #3 for discussion. Motion made by Commissioner Fiocco seconded by Commissioner Turner approving the consent agenda and to remove #3 and place it as old business #3 for discussion. The Consent Agenda contains the following items:

1. Approve minutes of the March 24, 2014 regular meeting.
2. Approve minutes of the March 31, 2014 special meeting.
3. Set Public Hearing to review a request to rezone property located at 175 East Salisbury Street (REZ-2014-01). (Removed to old business #3 for discussion.)
4. Authorize the Town Manager to execute Service Agreement with Summit Design and Engineering for NC 87 Sidewalk/Curb/Gutter Design, Engineering and Certification Work.
5. Approve Budget Amendment for Façade Grant Program.
6. Approve Budget Amendment for purchase of new computers that currently have the Windows XP operating system within the Administration Department.

Vote Aye-5 Nay-0

REGULAR MEETING AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the regular meeting agenda and submitted adding a closed session to the end of the meeting.

Vote Aye-5 Nay-0

Citizens Matters

Peter Theye – 1065 Boothe Hill Road – asked the Town Board to consider using new county ordinances that were created to protect the land and water. (Attached to minutes)

Amanda Robertson read a letter into the record from Elaine Chiosso the Haw Riverkeeper (who could not be here tonight) asking the board to consider joining other cities in the Triangle who are calling upon the NC General Assembly to stop delaying the Jordan Lake Rules, and reinstate the original 2009 Jordan Lake Reservoir Nutrient Management Strategy. (Attached to minutes)

Sonny Keisler – 3006 River Forks Rd. asked the Board to create a Unified Development Ordinance (UDO). (Attached to minutes)

OLD BUSINESS

CHATHAM COUNTY AGRICULTURAL CIVIC CENTER (SP-2014-02) (STUART BASS)

Planner Bass stated this property was rezoned last year in anticipation of this project. The proposed use is permitted by right in this zoning district.

He said they are proposing to construct a 33,358 square foot building for use as county administrative offices and an event center.

Planner Bass said the Planning Board recommended approval subject to final submission of a Stormwater Permit Application, and subsequent review and authorization by the Town Engineer.

There was discussion on whether approval was time sensitive. Mr. Harry Mitchell (Hobbs Architect) said they need to go to bid within the next couple of weeks so they would like approval tonight.

Commissioner Fiocco said it is not unusual that a site plan is approved without all the documents prepared so he doesn't think this is out of the ordinary at all.

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the SUP for Chatham County Agricultural Civic Center.

Vote Aye-5 Nay-0

CHATHAM PARK PLANNED DEVELOPMENT DISTRICT MASTER PLAN

Bryan Gruesbeck stated he, Mr. Bass, Mr. Royal, Craig Lewis, Philip Culpepper, Tim Smith and Bubba Rawl met to go over the questions identified at the last meeting.

He said after that discussion, the Applicant is willing to resubmit a modified Master Plan. They will also consider any additional recommendations.

Answers to the questions are attached to the minutes.

After discussion the board agreed in principle that the developer will make revisions and get the Master Plan back to the Town not later than the close of business on April 28, 2014. At which time the Planner will make plans available to the Planning Board with them taking action at their May 5, 2014 meeting. The Board will receive that report on May 12, 2014 and have a public hearing on that date (if the courthouse is available).

REQUEST TO REZONE PROPERTY LOCATED AT 175 EAST SALISBURY STREET

Commissioner Fiocco said the Planning Board did recommend approval of this request on the past Monday night. However, there was not a separate statement as to the rezonings consistency or inconsistency with the land use plan. He said we have been advised by council that it is a required step in the process.

Commissioner Fiocco said he would like to establish a method by which the planning board will be notified and be part of the process that every rezoning they make a recommendation on they are reminded that they have to make this their first step.

He said it may be as simple as having prepared resolutions in the agenda packets they receive for and against. So that the chair and members can see they have to make a choice.

He doesn't want us to have rezonings that can be challenged.

Attorney Messick said he would recommend that they send it back to the Planning Board on May 5, 2014 and set the Public Hearing for sometime after that.

Manager Gruesbeck said we should let Mr. Bass decide how to make sure this is followed with each rezoning request we receive.

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to set the Public Hearing for May 26, 2014 on the request to rezone property located at 175 East Salisbury Street.

Vote Aye-5 Nay-0

NEW BUSINESS

None

CAPITAL PROJECTS REPORT

MANAGER'S UPDATE ON CAPITAL PROJECTS

Manager Gruesbeck said Jordan Lake Partnership discussions are moving forward. He said there is a draft resolution in the packet for tonight.

Engineer Fred Royal said at the last JLP meeting a draft resolution was provided by Triangle J and all the Managers decided to have a joint resolution drafted. So they will have a joint resolution in addition to the one in the FYI items tonight.

WWTP Generator Replacement Project is in the processing of being finished.

WTP Generator Installation – will be taking place soon.

WWTP Inflow and Infiltration Issues during the last heavy rain events they found areas they thought should be examined. One of the areas is on Salisbury Street near St. Bart's.

NC 87 Sidewalk Project – approved tonight to let Summit begin work.

East Street Sidewalk Extension – there are three parcels where the right-of-way is 100 ft instead of 150. NCDOT is looking into that.

Finance Officer Replacement – gave an outline of time line to get position filled. He said that he and Mandy's staff have been dividing up duties and that Alice is authorized as a withdrawal signatory.

Mayor Updates – asked about planning vacancy. He was advised that it has been advertised as well as one for an ETJ alternate. The deadline for applications is April 30, 2014.

- EDC
- RPO
- Solid Waste
- Fairground Association
- PBA/Downtown

COMMISSIONER CONCERNS

Commissioner Fiocco said that he spoke with Jim Vernon and that Patrick Bradshaw will deliver the gift deed to Mr. Messick tomorrow. He asked Planner Horne if the design of the pocket park had been submitted to him. Planner Horne said yes.

Commissioner Baldwin said she placed the Triangle J report before them tonight. Also, the Fairgrounds will be featuring "The Big Time Party Band" on Friday, April 25, 2014 and she would ask all that can to come out and support it.

CLOSED SESSION

Motion made by Commissioner Fiocco seconded by Commissioner Farrell to go into closed session pursuant to GS 143-318.11(a)(3) to consult with an attorney regarding litigation.

Vote Aye-5 Nay-0

Motion to go out of closed session made by Commissioner Farrell seconded by Commissioner Fiocco.

Vote Aye-5 Nay-0

ADJOURNMENT

Motion made by Commissioner Turner seconded by Commissioner Foley to adjourn at 9:45 p.m.

Vote Aye-5 Nay-0

William G. Terry, Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk

April 14, 2014, Comments to Pittsboro Town Board

Good Evening, my name is Peter Theye. I live at 1065 Boothe Hill Road. I appreciate the opportunity speak to you tonight even though I live outside of Pittsboro.

Over the past fifteen years or so out of county developers have sucked profits out of the county leaving us with bills to pay for schools, solid waste removal, and police/fire protection. These bills come due on the backs of exiting citizens, not the new ones, because the needed infrastructure has to be in place before the^{n^ek} folks arrive. Briar Chapel donated land for two schools, but that donated land came at an inflated land value and I am sure they even made money giving the land away.

During the development heyday, in the early 2000's, I remember the long stream of developers, their lawyers, and their consultants promising to follow all the state rules and regulations to protect the land and water ...the problem for Chatham with that was that enforcement was nonexistent. And the developers knew it. DNER was underfunded , understaffed, and overworked. DENR was unable to do it's job then, just like it is today. Back then, it literally took weeks for the single Land Quality or Water Quality inspector to respond to concerns. And many times they were so late they could not confirm violations had occurred. The Chatham County Planning Department was so understaffed that they were forced to "trust" the developers and their consultants. And the consultants knew who was buttering their bread. These developers negatively affected so many citizens, that in 2008, with hundreds of

hours of citizen involvement, new county ordinances were created to protect the land and water. And a permitting process was developed that give the county school system more input, up front, before developments were approved.

I am wondering if the Bojangles' construction site, across from Norwood High School, bothered any one on the board? Did you notice the illegal mining of fill dirt for the site, or the inadequate sedimentation and erosion controls, or the mud on 15-501? Pittsboro and it's ETJ needs the same rules that the county has to protect the land and water. And ALL developers must to be held to that same standard. It is ridicules for any member on this board to think that developers will just do the right thing. Bojangles' couldn't even with their little project.

I am also wondering why anyone on the board would want to lower the bar developers have to clear in the approval process. What out of county developer has ever shown that they were here to do anything, but make money? None of you fully understand the perils of development. How could you? You do not have the time or the skill set that is required. You need more staff and capable consultants to support them to do properly.

Thanks again for opportunity to speak and thank you for your service to Pittsboro. l

April 13, 2014

Dear Mayor Terry and members of the Pittsboro Board of Commissioners:

You have probably seen the media coverage of the Haw River being named one of “America’s Most Endangered Rivers” by the national organization, American Rivers. This is not a designation to be proud of, but it does offer us an important opportunity to use this national and state spotlight to bring about change. (The factsheet is attached)

The Haw River made the list due to ongoing pollution in the millions of gallons of wastewater effluent and polluted stormwater runoff that run down the river each day from the Triad region to the Triangle - and into Jordan Lake. This amount has grown with the large increase in population in our area. The Haw River watershed cannot be cleaned up unless polluted runoff and wastewater overflows are reduced. The Jordan Lake rules passed in 2009 are based on state law that protects drinking water supply reservoirs and the federal Clean Water Act.

Unfortunately, the cleanup has never been given a chance to succeed. Since 2010, The NC General Assembly has passed laws delaying and weakening the cleanup plan. In 2013 they suspended the rules in order to carry out an experiment that would put 36 huge SolarBee “mixers” into the Jordan Lake Reservoir in an attempt to treat the symptoms of pollution, too much algae, instead of the cause.

Aging infrastructure in our cities has made the pollution much worse, such as the 3.5 million gallon raw sewage spill from Burlington into the Haw earlier this year. All of this ends up in the river and then Jordan Lake, which is the source of drinking water for hundreds of thousands of Triangle residents, and a recreation resource for a million more people each year. Pittsboro’s source of drinking water is the Haw River itself, and we know the river is a great attraction for area residents who enjoy it for paddling, hiking and fishing. We need to feel confident that the Haw River and Jordan Lake are not endangering people whose source of drinking water this is, or for those who use these waters for recreation.

Pittsboro is in a unique position right now to ensure that these waters are not further degraded. The Jordan Lake Rules were created almost a decade ago using monitoring and modeling based on the knowledge we had of sources of pollution. No one was anticipating a city-size new development that could bring in 55,000 more people on the western side of Jordan Lake. No matter what promises and plans a developer makes, the removal of forest cover for impervious surface will impact these already impaired waters.

Some have called these vast forested lands the “lungs and kidneys of the Triangle” due to the filtering of our air and water that they provide. Wise conservation of a significant part of this forest, and the most ecologically sensitive areas, should be put into place on the front end of the planning process. Doing so would be of tremendous value to our air and water, and to the current and future residents of Pittsboro – and the Triangle region.

This “Most Endangered Rivers” listing for the Haw River is a call to remove pollutants at their source, not just send it downstream. The Town of Pittsboro may wish to join other cities in the Triangle (read the Apex resolution, attached) who are calling upon the North Carolina General Assembly to stop delaying the rules, get back on track, and reinstate the original 2009 Jordan Lake Reservoir Nutrient Management Strategy.

Thank you for your consideration of these comments. I am happy to discuss this with you at your convenience.

Best wishes,

Elaine Chiosso
Haw Riverkeeper



Photo: Haw River Assembly

#9: Haw River

North Carolina

Threat: Polluted runoff

At Risk: Clean water and public health

The River

The Haw River flows 110 miles from its headwaters in the north-central Piedmont region of North Carolina to the Cape Fear River just below Jordan Lake Reservoir. The river and its watershed provide drinking water to nearly one million people living in and around the cities of Greensboro, Burlington, Chapel Hill, Cary, and Durham. This 1700 square mile watershed is home to a variety of fish and wildlife, including blue heron, bald eagle, beaver, deer, otter, largemouth and smallmouth bass, bowfin, crappie, carp, and bluegill. The Haw also contains important habitat for the endangered Cape Fear shiner and an assortment of rare freshwater mussel species.

Local residents appreciate the Haw for its outdoor recreational opportunities, including hiking, paddling, swimming, fishing, picnicking, as well as the solitude and quiet the river offers. The Haw River is the most popular whitewater paddling river in the North Carolina Piedmont Region, and Jordan Lake (a 14,000 acre reservoir) provides recreation for about 1 million visitors a year for boating, swimming, camping, and fishing.

Summary

The Haw River is an important resource for more than a million people providing drinking water and recreation in central North Carolina. Unfortunately, rollbacks of rules designed to address water pollution threaten the health of local residents and fish and wildlife. The North Carolina legislature must act to clean up this important river in order to protect the water supply and a key recreational resource for major cities in North Carolina.



American Rivers
Rivers Connect Us®

2014 America's Most Endangered Rivers®

www.americanrivers.org

1101 14th Street NW, Suite 1400, Washington, DC 20005

(202) 347-7550

The Threat

The Haw River has been the victim of death by a million cuts. Millions of gallons of wastewater and polluted runoff (i.e., rainwater that picks up pollution as it flows over roads and parking lots) have washed into the Haw. Population growth since the 1960s has overwhelmed the systems put in place to protect clean water. Aging pipes and infrastructure have resulted in raw sewage spills of millions more gallons, including the 3.5 million gallon spill in Burlington this year. This pollution, containing excess nitrogen and phosphorous, has caused large algal blooms in Jordan Lake, a major drinking water reservoir, which impacts the health of people and fish.

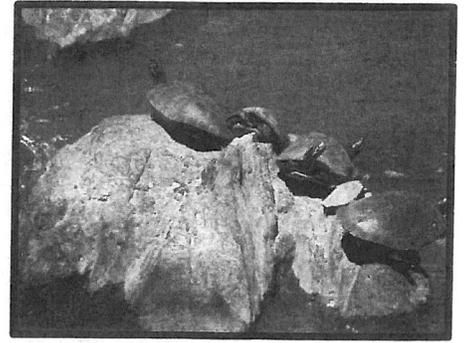


Photo: bobistraveling

North Carolina was required to develop a cleanup plan by the U.S. Environmental Protection Agency (EPA) under the Clean Water Act to address the pollution problem in the Haw. This cleanup plan developed by the state in 2009—commonly known as the Jordan Lake Rules—requires communities to upgrade their wastewater systems to today's standards, limit or eliminate new sources of polluted runoff, and reduce polluted runoff from existing development over a long and reasonable timetable.

Unfortunately, the cleanup of the Haw River has never been given a chance to succeed. The NC General Assembly has passed laws delaying and weakening the cleanup plan causing the clean water problems to worsen for communities across the watershed. Most recently, an effort by developers and some municipalities within the upper watershed has resulted in the stalling of the cleanup plan in order to carry out an unjustified experiment that would put 36 huge "mixers" into the Jordan Lake Reservoir in an attempt to avoid treatment of the causes of pollution. These mixers will be a potential hazard to boaters and wildlife that come in contact with them. This experimental strategy is only a cosmetic fix doing nothing to remove the pollutants from the water and ignores the scientific data underpinning the cleanup plan developed in 2009. Worse, it means that the polluted water would just be passed on down the river into the Cape Fear for downstream communities to deal with.

In addition, the NC General Assembly has appointed a committee to review the cleanup rules for the Haw River watershed. The committee is predominately made up of legislators that represent the communities and constituencies that are contributing pollution to the river, instead of those that would benefit from a restored river system. That committee is expected to report back to the General Assembly with a recommendation on how to move forward in May 2014.



Algae accumulation from water pollution
Photo: Haw River Assembly

What Must Be Done

The Haw River watershed cannot be cleaned up unless polluted runoff and wastewater overflows are reduced. The existing cleanup rules are based on state law that protects drinking water supply reservoirs and the federal requirement under the Clean Water Act to address water pollution. Policies must be restored that will remove pollutants at their source by better managing runoff, reducing nitrogen and phosphorus in wastewater, and upgrading infrastructure. The goal of the cleanup plan is to reduce pollution, not just send it downstream. The North Carolina General Assembly must stop delaying the rules and clean up the Haw River by implementing the original 2009 Jordan Lake Reservoir Nutrient Management Strategy.

For More Information:

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How You Can Help

- Go to www.americanrivers.org/Haw and TAKE ACTION!
- Retweet from @americanrivers on Twitter and use the hashtag #MER2014
- Share Haw River posts on our [Facebook](#) page and share our posts on yours
- Keep talking about the Haw River to decision-makers and with your friends!

RESOLUTION NO. 14-0304-07
A RESOLUTION BY THE TOWN OF APEX
IN SUPPORT OF IMPLEMENTATION OF THE JORDAN LAKE RESERVOIR
NUTRIENT STRATEGY RULES

WHEREAS, the Jordan Lake Reservoir is a popular recreation destination for over 1 million visitors each year, including residents of Apex; and

WHEREAS, the Jordan Lake Reservoir is the drinking water source for 300,000 people in North Carolina, including the citizens of Apex, as well as citizens in other towns and cities in the Triangle region; and

WHEREAS, the State of North Carolina first directed local governments to reduce nitrogen in waters that flow to the Jordan Lake Reservoir in 1997 under the Clean Water Responsibility Act; and

WHEREAS, the Upper New Hope Arm of Jordan Lake was placed on the Environmental Protection Agency (EPA) list of impaired waters under Section 303(d) of the Clean Water Act in 2002, and the Lower New Hope Arm and Haw River Arm were listed in 2006 due to excessive nutrients from point and non-point sources; and

WHEREAS, the North Carolina Division of Water Quality (DWQ) established a federally mandated Total Maximum Daily Load (TMDL) for Jordan Lake in 2007 that assigns reduction targets for both total nitrogen and total phosphorus to address the chlorophyll-*a* impairment, and the EPA approved the TMDL on September 20, 2007; and

WHEREAS, DWQ developed the Jordan Lake Reservoir Nutrient Strategy rules to codify the reduction goals set by the 2007 TMDL through a lengthy stakeholder process, and whereas the rules were approved by the General Assembly in 2009, following compromises for greater flexibility and delays in implementation for local governments; and

WHEREAS, the North Carolina General Assembly ("NCGA") has chipped away at the timeline for implementing the Jordan Lake Rules in each legislative session since 2009, including: Session Law 2009-216, which allows wastewater dischargers with a permitted flow of greater than 100,000 gallons per day to meet the nitrogen requirements by 2016 rather than 2014; Session Law 2011-394, which provides an additional two-year delay for existing dischargers authorized to begin "construction, installation, or alteration of the treatment works" for the purposes of compliance; and two session laws in 2012 that together delay by two years the timeline for local adoption of new development standards, even though roughly half the jurisdictions in the watershed, including Apex, had already adopted new development ordinances; and

WHEREAS, each of the delays implemented by the legislature since the 2009 passage of the Jordan Lake Rules violates the TMDL and results in further degradation of water quality in Jordan Lake; and

WHEREAS, the Jordan Lake Reservoir Nutrient Strategy rules were suspended by the NC General Assembly in 2013 in order to carry out an experiment using SolarBee water aerators with little basis in science to attempt to reduce algae in the lake but not the underlying pollution; and

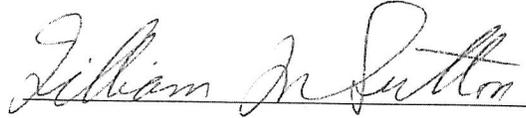
WHEREAS, the Jordan Lake Reservoir Nutrient Strategy rules are based on sound scientific monitoring and modeling to apportion decreases in the nutrient load from all point and non-point sources in the Jordan Lake watershed in order to improve water quality; and

WHEREAS, the Jordan Lake Reservoir cannot meet water quality standards unless nutrient loads from all current and future sources are reduced, including those from wastewater, and from stormwater from existing and new development; and

WHEREAS, the threat to the water quality in the Jordan Lake Reservoir and the drinking water supply of Apex and other drinking water users, as well as recreations users will continue until all sections of the Jordan Lake Reservoir Nutrient Strategy Rules are implemented;

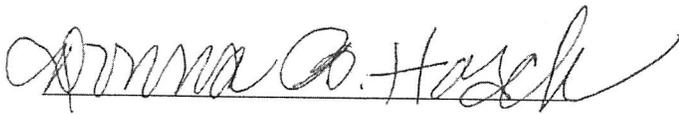
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF APEX that the State of North Carolina must carry out its responsibilities to immediately implement the Jordan Lake Reservoir Nutrient Strategy rules in their entirety in order to protect the public health and welfare of the citizens of Apex and other residents of North Carolina.

Adopted, this the 4th day of March 2014

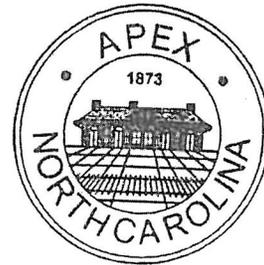


William M. Sutton, Mayor

ATTEST:



Donna B. Hosch, CMC, NCCMC, Town Clerk





"The Peak of Good Living"

Office of the Mayor
William "Bill" M. Sutton

TOWN OF APEX NORTH CAROLINA

March 11, 2014

Representative Deborah K. Ross
House District 34
NC General Assembly
16 W Jones Street
Raleigh, NC 27601

Dear Representative Ross:

It is my hope this letter finds you to be well. Please be aware that on Tuesday March 4th, 2014, the Apex Town Council passed the enclosed resolution regarding the need for the immediate implementation of the Jordan Lake Reservoir Nutrient Strategy Rules. Jordan Lake has been impaired for many years. Local Governments were originally directed to reduce nitrogen in the Jordan Lake as early as 1997 under the Clean Water Responsibility Act. Two sections of Jordan Lake were listed as impaired in 2002 due to excessive nutrients from point and non-point sources and another section was so designated in 2007. Also in 2007, the NCDWQ established federally mandated Total Maximum Daily Load (TMDL) limits. This mandate established reduction targets for both total nitrogen and total phosphorus to address the chlorophyll-a (algae) impairment. After a lengthy stakeholder process, these rules were adopted by the General Assembly in 2009.

Since that time, during each Legislative session, these thoroughly developed and thoughtfully considered rules have been constantly assailed and delayed. This occurred after half the jurisdictions in the watershed had already adopted new development ordinances.

The Town of Apex passed this Resolution as a method to emphasize the need for the Jordan Lake Rules to be adopted immediately, without further delay. Any further delays will only exacerbate the current conditions in the lake, thereby making recovery even more difficult and costly.

Any assistance you can render to help ensure the health of this precious resource will be greatly appreciated.

Sincerely,


William M. Sutton, Mayor

Enclosure

Updating The Pittsboro Unified Development Ordinance

My name is Sonny Keisler. I live at 3006 River Forks Rd. . Although I am not a resident of Pittsboro, the actions taken by the Pittsboro BoC affects all of us around Pittsboro.

My comments tonight focus on the updating of the Pittsboro Unified Development Ordinance (UDO). I have two basic comments to make.

(1) My first point is this. One purpose of an updated UDO is to create a more comprehensive document that can better guide the growth of Pittsboro. Many issues are covered by a UDO including environmental protection. In this regards, it is important that the UDO accurately anticipates what appears to be the real future Pittsboro faces and creates rules that can help Pittsboro adapt to the future. Without going into great detail about the future, I would suggest one way for the Board of Commissioners to visualize our most likely future is to attend the Pittsboro Presbyterian Church on April 25th at 6:00 PM and watch the showing of the film "Chasing Ice". Also, you may wish to read some of the articles published in the Chatham County Line over the past 15 months as part of the series entitled "Prosperity in the 21st Century". You can find them at connectchatham.com

(2) Secondly, I would encourage the Board to create a UDO that fully requires developers to implement – at the Master Plan level - Section 5.1(6) of the PDD ordinance. This section states a Planned Development District should "preserve critical environmental resources." As someone who has been involved in the development of

approximately 1,000 acres I know that efforts to “preserve critical environmental resources” in any development is best pursued up front either (a) in Protective Covenants as is the case for standard subdivisions or (b) in the Master Plan as is the case for a PDD development.

There are many reasons this is true. First, is much easier to implement a single set of rules created for the entire development vs. multiple rules created for smaller areas such as individual lots or sections of a development. Secondly, critical environmental resources can easily be defined, mapped and measured before any dirt is turned. Accordingly, there is no reason to postpone efforts to “preserve critical environmental resources” unless the real motive is to help the developer market his or her products and in the process sacrifice the “critical environmental resources” that in the 21st century will need protecting more than ever.

Thank you

Sonny Keisler
919-274-3813

| CP PDD MP – Staff, Applicant and Consultant Meeting (4/4/14) | |
|--|---|
| Q# | Response |
| <p>10 - The PDD Master Plan should consider incorporation of the 11 principles and buffer widths recommended in the Southwest Shore Conservation Assessment as aspirational goals with the specifics to be considered as each small area plan is developed.</p> | <p>The Applicant accepts these recommendations as a reference to guide future development. The acceptance of these recommendations will be stated in the PDD Master Plan.</p> |
| <p>12 - Provide architectural standards, imagery, illustrations, precedent photography, or similar graphics to depict the desired development arrangement for each of the development typologies.</p> | <p>The Applicant will provide illustrations and examples of desired development typologies in the PDD Master Plan. Additional and specific examples will be provided in advance of the approval of each Small Area Plan.</p> |
| <p>13 - Clarify how the non-residential and the residential totals combine to create a cohesive community.</p> | <p>The Applicant has agreed to consider the language from the consultant regarding density. Attached to this memo is language pertaining to a revised vision statement. Below please find additional suggested language:</p> <p>As noted in the vision statement, Chatham Park will be differentiated from previous generations of low-rise, sprawling suburban development patterns found elsewhere in the country. Multi-story, mixed-use buildings will be preferred in the activity centers to single-story, single-use structures found in many suburban office parks and shopping areas. Likewise, neighborhoods will contain a variety of housing types in close proximity that are organized around an interconnected network of streets, differentiating them from the low density, sprawling patterns that have caused increased traffic congestion and environmental degradation. Chatham Park’s neighborhoods and activity centers in Chatham Park will be compact, walkable, transit-friendly and mixed-use. The neighborhoods will build on precedents established by Southern Village and Meadowmont (both in Chapel Hill) and the Activity Centers will draw from successful models of walkable urbanism like Reston Town Center (Reston, VA), Bethesda Row (Bethesda, MD), Birkdale Village (Huntersville, NC), North Hills (Raleigh, NC), City Place (West Palm Beach, FL), and Mueller (Austin, TX).</p> |
| <p>15 - Amend the map in areas 1.1 and 1.3 to reflect the adopted land use plan for the preservation of this area in a very lightly developed state.</p> | <p>The Applicant does not propose to amend the Master Plan as suggested and offers his reasoning (in italics):</p> <p><i>The maximum number of dwelling units proposed is 4 per acre in Section 1.1 and 2 per acre in Section 1.3. Clustering of development in these Sections allows dwelling units to exist while at the same time providing sufficient protection for environmentally sensitive areas. Clustering of development in these Sections also will make</i></p> |

| | |
|---|---|
| | <p><i>it economically feasible for water and sewer infrastructure to be installed. The adopted land use plan for the portion of Chatham Park in these Sections contemplates 1 dwelling unit for each 5 acres of land, and wells and septic tanks to serve the dwellings. The Chatham Park PDD Master Plan proposes that, unless the Town and the Development Review Committee for Chatham Park otherwise agree, all development in Chatham Park will be served by municipal water and sewer. Construction of municipal water and sewer to serve property at 1 dwelling unit per 5 acres is not economically feasible. Development of these Sections at 1 unit per 5 acres with wells and septic tanks also is not an efficient or sustainable or taxpayer friendly pattern for development. With large lots comes an inefficient service delivery pattern. The miles of travel that school buses, police and waste collectors must travel adds to the expense of servicing that area, not to mention what happens when wells or septic systems fail. Clustering will allow the "footprint" of development to be minimized while making a viable addition to the Town's tax base, unlike the sprawling large lot pattern suggested. Use of wells and septic tanks also is not the best way to protect water quality in Chatham Park.</i></p> |
| <p>23 - Given Chatham Park's presence within a protected watershed, a goal of 30% of the total land area should be considered for protection as conservation areas including steep slopes, riparian buffers, natural heritage areas, and otherwise ecologically sensitive land. As an alternative calculation, considering mapping all of the ecologically sensitive areas and then add an additional 5-10% as a minimum standard.</p> | <p>A map will be added in the PDD Master Plan that identifies areas for possible inclusion as Open Space. At full build-out, the total area for Park/Open Space would equal 1,987 acres. This equates to 28% of the total land area.</p> <p>Greenways (e.g., bike trails) will be considered as "Park Land" but will not be counted as both Park Land and Open Space when they are located in Open Space.</p> |
| <p>24 - In addition to conservation areas, dedicate active parks using standards calibrated by the town with a goal of 10% of the total land area.</p> | <p>The PDD Master Plan methodology for providing Park Land would result in 9.4% of the total land area being available for "active parks." The consultant confirmed this figure.</p> <p>The scope, location and use of parks shall be determined through the cooperative efforts of the developer and the Town. Such cooperation will allow the creation of parks that best serve the needs of the Town.</p> |
| <p>27 - Provide justification for not adhering to the Major Transportation Corridors Overlay district or submit a compatible</p> | <p>Upon discussion, Staff, Consultant and Applicant agree to recommend eliminating Q#27. With respect to the issue of exemption from the Major Transportation Corridor</p> |

alternative.

Overlay, the Overlay language is a vestige of some past documentation, perhaps prior to complete etj area zoning or adoption of site plan standards. In any case, there are no significant requirements in this section of the ordinance that would go beyond what is required in our normal site plan review standards, or beyond what NC DOT would require.