

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, JULY 25, 2016
7:00 PM

Mayor Cindy Perry called the meeting to order and asked for a moment of silence. Followed by a brief invocation from Mayor Perry.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Commissioner Farrell.

ATTENDANCE

Members present: Mayor Cindy S. Perry, Mayor Pro Tem Pamela Baldwin, Commissioner John Bonitz, Jay Farrell, Michael Fiocco and Bett Wilson Foley.

Staff present: Manager Bryan Gruesbeck, Clerk Alice F. Lloyd, Planning Director Jeff Jones, Finance Director Heather Meacham, Engineer Fred Royal, Lt. Troy Roberson and Planner II Victoria Bailiff. Attorney Paul S. Messick, Jr. was absent.

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the regular as submitted adding #3 New Business to discuss funding opportunities for accessibility (through DOT) in town's with less than 5,000 population.

Vote Aye-5 Nay-0

CONSENT AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Farrell to approve the consent agenda as submitted with a correction to page 23, third paragraph starting with Commissioner Bonitz to read: Commissioner Bonitz asked that Manager Gruesbeck have Davenport examine the debt we're considering taking on (forcemain and new town hall), in relation to the state's requirement that we maintain a minimum unreserved fund balance of 8% of annual expenditures.

The Consent Agenda contains the following items:

1. Approve Minutes of the June 27, 2016 Regular Meeting (with above change).
2. Adopt Resolution to Approve Terms for Installment Financing with First Citizens Bank.
3. Adopt Resolution Approving the Travel Policy.

4. Approve Ordinance Amending the FY 2016-2017 Operating Budget; Approve Resolution Awarding Sanitary Sewer Inflow and Infiltration (I&I) Contract.

Vote Aye-5 Nay-0

A RESOLUTION APPROVING FINANCING TERMS WITH FIRST CITIZENS BANK IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 136-140

A RESOLUTION APPROVING THE TRAVEL POLICY IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 141-145

ORDINANCE AMENDING FY 2016-2017 OPERATING BUDGET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 75

A RESOLUTION ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE SANITARY SEWER INFILTRATION AND INFLOW (I&I) PROJECT 2016 IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 146

REGULAR MEETING AGENDA

CITIZENS MATTERS

Liz Cullington – 390 Rocky Hills Rd, Pittsboro – Chatham Park Additional Elements. Ms. Cullington stated she has started working through the Additional Elements and she would like to make the following comments:

1. Additional Elements is not a series of separate pieces they are all inter-related together and need to be looked at together.
2. The Additional Elements revise the Master Plan and anticipate a Development Agreement.
3. She was very alarmed that Chatham Park would not be covered by any future ordinances or the UDO.
4. Encourage the Board to be very careful when they review the document. It was not at all what she was expecting.

COMMISSIONER UPDATES

Mayor Updates – Mayor Perry said she attended:

- Ribbon cutting at Bellemont Pointe Apartments
- EDC meeting
- Conducted a Community Meeting on Peace and Safety
- Attended a meeting led by the Faith Community on Peace and Safety in the Community
- Habitat community meeting in the Toomer Loop Area (Jeff Jones and Paul Horne spoke at the meeting and she brought greetings from the Town)
- Climate Change – Commissioner Bonitz said they had a very good meeting. He said Amanda Robertson and John Graybeal (Chatham County Climate Change Advisory Committee Chair/Co-Chair) gave a presentation on land use planning and the effect on climate change and also on behalf of the committee gave a presentation to the Chatham

County Commissioners about Natural Capital. He would like for them to make the presentation to the Town Board. The Board agreed. Ms. Robertson said the presentation would take about 20 minutes. The Board agreed they can make the presentation at the second meeting in August.

- RPO
- Fairground Association
- PBA/Downtown – Commissioner Fiocco said Greg and Maria Parker-Lewis wanted to be here tonight but could not be so they asked that he read the following letter:

Dear Mayor Perry and the Pittsboro Board of Commissioners,

On Behalf of the Pittsboro Business Association, I would like to thank you for your vote of confidence in and financial support of the First Annual Pittsboro Summer Fest. As you may have heard, Summer Fest was, by all accounts, a huge success and widely attended. While there is no way to accurately count the number of people who attended, the general consensus is over 2000 attendees.

With the support of the Town and the cooperation of Town Manager Bryan Gruesbeck, Police Chief Percy Crutchfield and John Poteat and their staff, we were able to hold an event that brought new visitors to our town and an increase in business sales. The PBA has received a number of letters from downtown businesses sharing with us the record number of visitors to their establishments. Some shops showing record sales. In addition, this event created an opportunity for local schools and non-profits to raise over \$1000.00 for their causes.

The one commonly heard comment that pleases me the most, is that this was a community event. The Town and its businesses and local property owners, came together in a spirit of cooperation and citizens came out to enjoy some of the best of what we have to offer. It is my hope that, in the future, we can make further efforts to effectively reach out to more businesses, groups and citizens so that we may truly say “This is *our* town event. Created and intended for us all and we invite folks from all over to see what Pittsboro is all about.” This event was not just about business, it was about coming together, sharing and celebration. It is also my hope that we continue in this vein, creating events and an environment that holds downtown Pittsboro’s place as the heart of the community.

With much appreciation,
Maria Parker-Lewis
Chairperson, PBA Summer Fest Committee

- Triangle J Council of Governments
- Main Street – Commissioner Fiocco reported that Fred Royal and his group designing the Rain Garden in the northwest corner made a presentation on the rain garden and received good feedback.

PUBLIC HEARING

Motion made by Commissioner Fiocco seconded by Commissioner Farrell to go into public hearing.

Vote Aye-5 Nay-0

REZONING REQUEST (REZ-2016-05) FOR PROPERTY ON RUSSETT RUN FROM RA-2 (RESIDENTIAL AGRICULTURAL) TO R-10 (HIGH DENSITY RESIDENTIAL) (JEFF JONES)

Planning Director Jeff Jones said REZ-2016-05 is for property owned by Rocky & Janie Crissman and Calvin Mellott they are proposing to rezone approximately 190.487 acres locate along Russett Run, more particularly described with Parcel number(s) 75037, 7146, 75038, 86767, and 7147 from RA-2 (Residential Agricultural) to R-10 (High Density Residential)

Public Comments submitted prior to the meeting:

My name is Ducka Kelly, I have lived at 735 Russet Run, Pittsboro NC for about 18 years. I own a 5 acre horse farm. My little piece of heaven. I am thankful to have received notice that the parcel of land owned by Mellott/Crissman, REZ-2016-05 is up for rezoning. I have very serious concerns about this proposal. The negative impact to my life if this land is changed from RA2 to R10 is huge. When I purchased my land and home most of the land surrounding my land was zoned RA 5. This was to be my forever and retirement home. There is a right of way across my land to that piece of property and this change will make it possible for the residents 1900 homes to drive across my land daily. Two cars per home will be 3600 cars driving across my land most likely daily. This will very seriously impact my quiet life to have that kind of traffic cross my land. And have that kind of high density construction going on behind me as well as living so close to me.

I am very thankful to have received notice of the proposed rezoning however I do wonder why there were no signs on the road notifying residents of the rezoning proposal. The neighbors not adjoining this land will be impacted and have not been notified. I have seen many of the yellow signs alone Chatham County roads notifying residents of zoning change proposals. Parcels 75037, 7146, 75038, 86767 and 7147.

I will be at the meeting July 25, 2016 to voice my concerns.

Thank you very much for your considerations, Ducka Kelly
919-545-0178

Ms. Roberson submitted this for the record prior to the meeting and read it into the public record.

Amanda Robertson
244 Prince Creek
Pittsboro, NC 27312

July 25, 2016

Pittsboro Board of Commissioners, Public Comments

Re: Rezoning Request for property on Russett Run from RA-2 to R-10

About two years ago Pittsboro Commissioners voted to approve rezoning for the largest master planned development in the history of North Carolina. This rezoning approval now allows a density on par with some of the largest cities in the United States. Property that includes thousands of acres of forests and fragile ecosystems adjacent to one of the most endangered rivers in the country and an already dangerously polluted lake where a state government already turns their head the other way.

Today we are here again to give the people a chance to speak, and request of you to stay your hand in approving this rezoning application. You have already approved unprecedented development when none of us could afford to do so. When civilization could not afford for you to do so. Certainly, the vast majority of Pittsboro citizens did not want you to do so.

Yet, I do understand why you did so. Our current model of economic growth relies on taking from nature. And your job is to insure, first and foremost, the economic growth of this community. And nature provides everything. From the gasoline in our cars, the metals used to make our cars, to the soil for farming and the timber and stone for building. Our clothing, our televisions, furniture, and appliances. As well as land for houses and shopping centers and apartment complexes.

But it also provides for the air that we breathe, the water that we drink and the food that we eat. We take and have been taking from nature to such an extent that the balance nature provides that sustains us, and all the life around us, is no longer in balance. Nature is so depleted it cannot compensate for all the pollutants the many billions of us have been expending into the air, water and land of this planet. And it is dying.

Think about it. We had a population of 1.8 billion people a century ago. Today we have over 7 billion. For all of these people to participate in our current methods of economic growth - taking from nature's resources for personal material gain with no consideration of the impacts - nature of course will run dry. And it has.

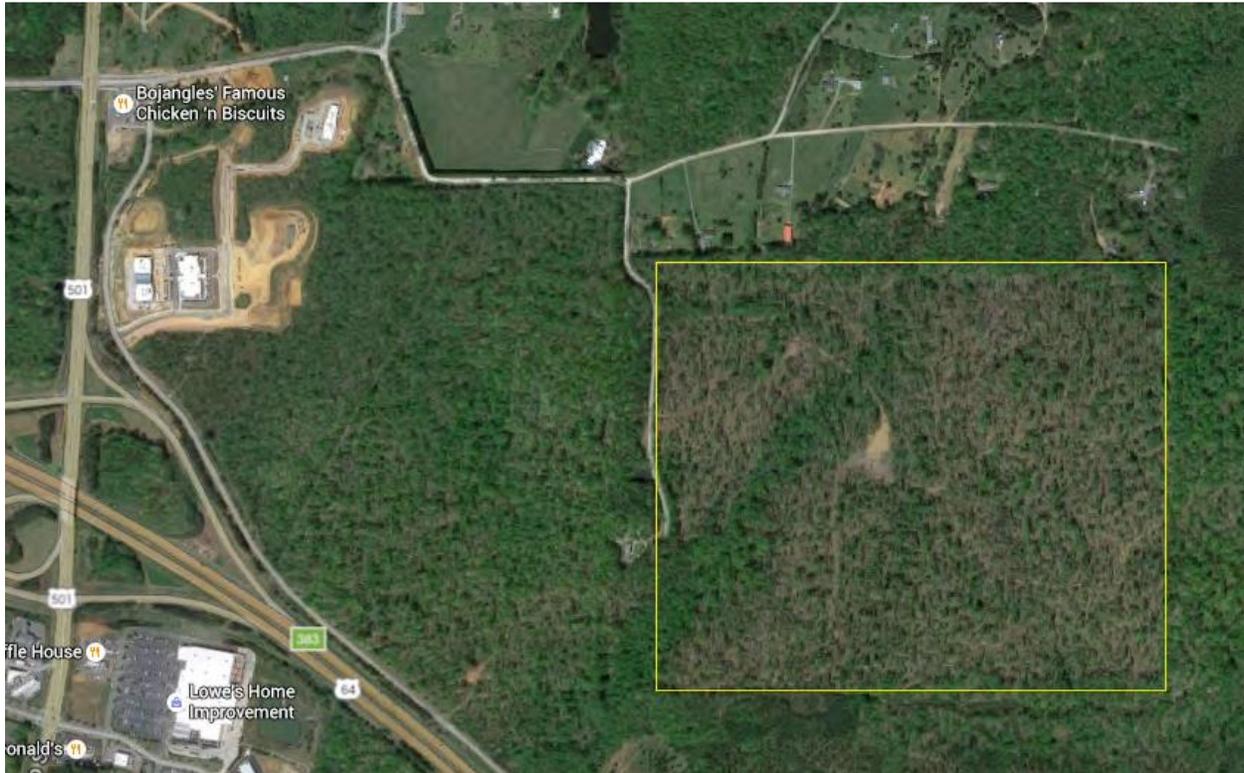
We must begin a process of setting a value - a monetary value - on nature and nature's services, as it sits. Services like fresh water, fertile soil, clean air, game, fish, etc.

Such an approach will not be easy. It will mean rethinking the ways we currently approach planning in our communities. But we are not alone. There are already many governments around the world implementing these principles of land management into policy-making. Many countries. Including our own.

We have already gone the route of changing the zoning of thousands of wooded acres where much more limited development was previously possible. We will all

have to live with this decision, as will our children, and the impacts it will have on our community, our state and our planet. But today I am asking you to stay your hand on this application. Do not grant this rezoning. Instead, begin a process where decisions consider the full costs and benefits of a proposed use of an ecosystem, rather than just the monetary results of nature's products that enter our markets.

Thank you.



This is an image of the property along Russett Run currently subject to rezoning. Given the massive development already approved in our community, this property should remain unchanged, zoned as RA-2.

October 7, 2015

M-16-01

MEMORANDUM FOR EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Shaun Donovan, Director
Office of Management and Budget

Christina Goldfuss, Managing Director
Council on Environmental Quality

John Holdren, Director
Office of Science and Technology Policy

SUBJECT: Incorporating Ecosystem Services into Federal Decision Making

Overview. Nature provides vital contributions to economic and social well-being that are often not traded in markets or fully considered in decisions. This memorandum provides direction to agencies on incorporating ecosystem services into Federal planning and decision making. (Broadly defined, ecosystem services are the benefits that flow from nature to people, e.g., nature's contributions to the production of food and timber; life-support processes, such as water purification and coastal protection; and life-fulfilling benefits, such as places to recreate.)

Specifically, this memorandum:

- (1) Directs agencies to develop and institutionalize policies to promote consideration of ecosystem services, where appropriate and practicable, in planning, investments, and regulatory contexts. (Consideration of ecosystem services may be accomplished through a range of qualitative and quantitative methods to identify and characterize ecosystem services, affected communities' needs for those services, metrics for changes to those services and, where appropriate, monetary or nonmonetary values for those services.)
- (2) Sets forth the process for development of implementation guidance and directs agencies to implement aforementioned policies and integrate assessments of ecosystem services, at the appropriate scale, into relevant programs and projects, in accordance with their statutory authority.

Purpose. The goal of this memorandum and subsequent implementation guidance is to better integrate into Federal decision making due consideration of the full range of benefits and tradeoffs among ecosystem services associated with potential Federal actions, including benefits and costs that may not be recognized in private markets because of the public-good nature of some ecosystem services. An ecosystem-services approach can: (1) more completely inform planning and decisions, (2) preserve and enhance the benefits provided by ecosystems to society, (3) reduce the likelihood of unintended consequences, and, (4) where monetization is appropriate and feasible, promote cost efficiencies and increase returns on investment. Adoption of an ecosystem-services approach is one way to organize potential effects of an action within a framework that explicitly recognizes the interconnectedness of environmental, social, and, in some cases, economic considerations, and fosters consideration of both quantified and unquantified information. This memorandum sets a course to implement this approach.

Scope. This memorandum complements but does not supersede agency activities prescribed by or pursuant to law, tribal consultation policy, Executive Order, regulation, or other relevant guidance. This document provides direction for relevant Federal programmatic and planning activities (including activities such as natural-resource management and land-use planning, climate-adaptation planning and risk-reduction efforts, and, where appropriate, environmental reviews under the National Environmental Policy Act (NEPA)) and other analyses of Federal and Federally-assisted programs, policies, projects, and regulatory proposals. For example, should an agency's analysis require consideration of costs, the agency should consider ecosystem-services assessment methods, where appropriate and feasible.

Background. Ecosystem services provide vital contributions to economic and social well-being. These include, but are not limited to, provisioning food and materials, improving the quality and moderating the quantity of water, providing wildlife habitat and spawning and nursery habitats

for fisheries, enhancing climate resilience, mitigating storms and floods, buffering pollutants, providing greater resilience for communities and ecosystems, and supporting a wide array of cultural benefits, recreational opportunities, and aesthetic values. Since the President's Council of Advisors on Science and Technology (PCAST) underscored the value of the Nation's natural capital in its 1998 report, *Teaming with Life*, successive Administrations have worked to develop methodologies and have convened interagency dialogues to advance ecosystem-services approaches in Federal decision making. In 2011, the PCAST revisited the 1998 report, making a specific recommendation to improve the capabilities of Federal agencies to promote consideration of ecosystem services in decision making. The Federal government has made progress toward this goal within individual agencies-for example, in the U.S. Forest Service's 2012 Forest Planning Rule-and in setting broad policy across agencies-for example, by including ecosystem-services concepts in the recent Principles, Requirements and Guidelines for Federal Investment in Water Resources (PR&G).

In recent years, considerable attention has also focused on the role that healthy and intact natural habitats can play in enhancing resilience of communities and ecosystems, including reducing vulnerability to climate-change impacts. Multiple efforts are underway to incorporate natural and nature-based infrastructure (e.g., dunes and barrier islands) to enhance storm and flood protection, along with efforts to restore natural features (e.g., oyster reefs in the Chesapeake Bay) to benefit multiple ecosystem services, such as fish habitat and water quality. Increased emphasis on ecosystem services to enhance resilience underscores the need for a consistent framework for incorporating ecosystem services into Federal decision making.

Today, the links among land, air, fresh water, ocean, and human activities are better understood. Advances in science and technology have provided timely and usable information to guide decision making. For example, advances in the social sciences have further developed methods to articulate the value of ecosystem services in both monetary and non-monetary terms. By incorporating ecosystem services into Federal agency planning and decision making, and recognizing that healthy ecosystems are essential to human welfare, security, and the health of social and economic systems, Federal agencies will more effectively address the challenges facing the Nation and ensure ecosystems are healthy for this and future generations.

Directive. Agencies shall develop policies to promote consideration of ecosystem-services assessments within existing agency planning and decision frameworks, where appropriate and practicable, in accordance with their statutory authorities and consistent with their specific missions.

1. Policies should describe approaches for conducting decision-relevant and scale-specific ecosystem-services assessments, as well as plans for effective monitoring and evaluation.
2. These policies do not need to be standalone documents and may be most useful when incorporated into existing decision-making frameworks and analyses. Agencies are encouraged to carry out the provisions of this guidance through existing planning and strategic processes such as: Agency and Departmental Strategic Plans, Strategic Sustainability Performance Plans, and Annual Performance Reports.
3. To support agencies in this process, a forthcoming appendix will provide implementation guidance for this memorandum to suggest best practices for ecosystem-services assessment. The implementation guidance will outline an assessment framework for integrating consideration of ecosystem services into existing agency decision process and

will describe the elements and approaches for sound integration of ecosystem-services concepts, such as: (1) describing the Federal action; (2) identifying and classifying key ecosystem services in the location of interest; (3) assessing the impact of the Federal action on ecosystem services relative to baseline; (4) assessing the effect of the changes in ecosystem services associated with the Federal action; and (5) integrating ecosystem-services analyses into decision making.

Implementation Process and Timelines. This policy guidance is intended to support those agencies already using ecosystem-services approaches and to encourage other agencies to prepare for implementation in a manner consistent with the forthcoming implementation guidance.

All agencies should begin or continue developing their policies. Agencies already deploying ecosystem-services analyses are encouraged to continue their efforts, but should be prepared to demonstrate over time how their approaches relate to the standards of best practice identified in the implementation guidance, or to make appropriate adjustments going forward. Implementation of this memorandum will follow the timeline below.

1. Description of current agency practice and work plans (6 months; Agencies)

(a) To inform future governance considerations, agencies shall describe how ecosystem services are currently defined, classified, and incorporated in planning, management, and regulatory decisions. This written description should characterize the current state of agency practice and provide a narrative description of current challenges, if any, which could or do impede the consideration of ecosystem services in Federal decision making. To help with this process, agencies are encouraged, but not required, to review or update existing inventories with relevant efforts, using common definitions and a common framework.

(b) Each agency shall create a work plan, developed in an internally coordinated manner, laying out how it intends to move toward the goals of this policy directive. These work plans should build off agency descriptions of existing efforts developed in (a). They should identify specific examples of policies planned for the future, as well as identify high-priority programs, projects, or analyses appropriate for integrating ecosystem services assessments within existing decision frameworks.

(c) Written descriptions (a) and work plans (b) should be completed and submitted to CEQ no later than March 30, 2016.

(d) Following the release of the implementation guidance (timeline below), agencies will be expected to revise and refine their work plans to show that they are consistent with that document. Revised work plans should be submitted to CEQ within 120 days of the release of the final implementation guidance.

2. Implementation guidance (14 months; CEQ)

(a) The implementation guidance will be developed in collaboration with subject-matter experts from relevant Federal departments and agencies and will be informed by the significant body of research published in the peer-reviewed literature. The guidance will be issued as an appendix to this memorandum.

(b) The implementation guidance will be subject to an external peer review and public comment period, consistent with the requirements of the Office of Management and Budget (OMB)'s Final Information Quality Bulletin for Peer Review.

(c) Prior to release for external peer review, there shall be an interagency review period of the implementation guidance of not less than 30 days.

(d) External peer review will commence no later than November 30, 2016. The memo will be finalized and released following the resolution of the peer review and public comment process.

(e) The implementation guidance is intended to be a living document and will be updated as needed to incorporate emerging science and new methodological advances.

Governance and Interagency Coordination. Full integration of ecosystem services into agency decisions will be a long-term process, taking place over many years, as agencies modify existing programs and policies in accordance with the practices outlined in the implementation guidance. Ultimately, successful implementation of the concepts in this directive may require Federal agencies to modify certain practices, policies, or existing regulations to address evolving understandings of the value of ecosystem services.

Moving forward, CEQ, in consultation with OMB, OSTP, and CEA, will facilitate interagency coordination and engagement around ecosystem services, including supporting agencies in their work to incorporate ecosystem-services assessments in decision making. CEQ, in consultation with OMB, OSTP, and CEA, will also coordinate with existing work groups and other governance structures to develop a longer-term strategy for providing sustained leadership and interagency coordination around ecosystem services. Such ongoing coordination is needed to provide support and oversight for agency work plans and to share best practices for integrating ecosystem services into Federal decision making, including policy development and institutionalization, alignment of data and tools, implementation of relevant research priorities, and integrating assessments into program and project analysis.

PUBLIC COMMENTS:

Attorney Patrick Bradshaw read the following prepared statement into the record:

Madam Mayor and Commissioners:

I am Patrick Bradshaw. I practice law in Pittsboro, and I represent property owners Calvin Mellott and Rockie and Janie Crissman in these requests to rezone their property in the ETJ.

Mr. Mellott acquired all of this property in 1968. Mr. Crissman's father acquired his portion from Mr. Mellott in 1971. These applicants have owned this property for nearly 50 years.

These requests to rezone from RA-2 to R-10 are necessary to carry out the goals of the Town's Land Use Plan adopted in 2012.

The Land Use Plan designates this property for medium density residential development.

The R-10 district is defined in the zoning ordinance as “medium to high density residential areas.”

It has been asserted in materials included in your agenda packet that these rezonings would allow 1,900 homes on these properties. The R-10 district has a minimum lot area of 10,000 square feet. On 190.487 acres, the very maximum number of lots that would be allowed would be 829.

The R-10 district does not permit a number of commercial uses that would be allowed in the RA-2 district, which is also consistent with the Land Use Plan targeting this area for residential use with some limited institutional uses such as churches, schools, clubs and neighborhood facilities, but not commercial uses like agriculture, warehousing, antique and gift stores, veterinary establishments and so on that would be allowed in the RA-2 district as permitted or special uses.

The Town’s draft Unified Development Ordinance, which has not yet been adopted, proposes to combine the existing R-12 and R-10 zoning districts with a minimum lot area of 10,000 square feet, which is the current standard for the R-10 district. Although the UDO has not been adopted and has no controlling authority, at the very least it shows the current best thinking of the Town’s experienced and knowledgeable consultants about what zoning standards are appropriate for medium density development and is consistent with this request.

I would also point out that the Land Use Plan does not designate any high density areas, and only 18% of the Town’s planning area is designated for medium density. The areas identified in the Land Use Plan for rural and low density development make up a combined 54% of the Town’s planning area. If the Town is to fulfill the goal of the Land Use Plan to create a mix of housing types and balance the mix of housing types to provide housing opportunities for all members of the community regardless of age, income or background, it is vital to hold onto these limited areas targeted for medium density and allow them actually to be developed at medium densities.

Finally, the character of the area around the subject property has changed to such an extent that the existing rural, very low density residential and agricultural zoning designation assigned to the property is no longer appropriate. The property is adjoined on the west and south by a portion of the Chatham Park Planned Development District that is designated for mixed uses and has allocated to it 917 dwelling units and 3,889,500 square feet of non-residential uses, which will allow residential development and many other commercial, institutional and recreational uses. On the east, the property is adjacent to a residential section of Chatham Park slated for 1,565 dwelling units on 391.2 acres, or about four units per acre, which is very consistent with the R-10 zoning requested for these properties.

Because of these changed and changing circumstances and to promote and fulfill the goals of the Land Use Plan, we respectfully request that you allow these proposed rezonings.

Ducka Kelly – 735 Russett Run submitted comments prior to the meeting (see above). She stated it is a nice rural neighborhood and she has always enjoyed her neighbors. Changing the zoning will be upsetting the lifestyle she is used too and feels their wells will be in jeopardy. She feels it will be a burden to have all the construction traffic on the easement.

Ms. Kelly said although The Crissman's and Mellott's are requesting the rezoning it is really for Chatham Park.

Ms. Kelly requested that the Board not approve this rezoning request.

Amanda Robertson – 244 Prince Creek, Pittsboro read the letter she submitted earlier into the record (see above).

Mike Watkins – 400 Prince Creek, Pittsboro read the following into the record.

Sometimes it's depressing to be proved right. When something you warned about actually becomes a reality.

Chatham Park's vaunted claim of high density, mixed use, walkable communities being the antithesis of urban sprawl, seems to have been sadly dispelled. Barely a building complete before this new, substantial rezoning request for another large development.

That said, I suspect this is by no means the first such request, one or more of which may already have been approved. This stable door could bolt itself open and you probably wouldn't be able to close it.

It's also disturbing to note that the planning department is already recommending approval before this public hearing has been concluded. Isn't that the wrong way round? Don't they need to hear from adjacent owners or concerned residents before they make these recommendations? Of course, ETJ residents were utterly ignored by the town on Chatham Park too, but I trust it's not become policy.

How can the town assess the impacts of this potentially large development without requiring environmental, economic, or traffic assessments? Unfortunately since we refused to demand these very assessments from CPI, any impact analysis, for any future, surrounding development could be virtually worthless without the King Kong sized gorilla in the room stepping up to do its part.

I am personally concerned about this rezoning because, while it lies exactly 1 mile from my home, there is only one property owner between us – Chatham Park. A residential development of this size would leave almost nothing but concrete between me and the Haw River – 90% of it at a higher elevation than mine. Imagine the run-off potential. I don't actually have to imagine it. Since just the Chatham Park Way bridge was started, the stormwater erosion of my woodlands has already been substantial.

I can't blame these property owners – especially if they are residents – for jumping on the bandwagon. If they came to Chatham County for the same reasons I did – peace and security in tranquil, natural surroundings—hanging around will be a living nightmare. I'd probably go myself but I'm too old and too poor to start over.

While I don't really need another thing to get depressed about, the character of Chatham County seems like it is already fraying at the edges. With the floodgates of sprawl opening, I can't imagine Pittsboro won't follow.

Diana Dalsimer – 60 Haven Rd, Pittsboro – said the speakers before her voiced her concerns.

Robert Parks stated he owns 10.2 acres of property at the end of Russett Run on Country Routt Rd, which he purchased in 1994. He is for it as long as it is done constructively and responsible. People are coming into this area because they want to, not because they are forced to. This is a desirable place to live. He thinks growth is good and feels there is a lot more positives than negatives.

Planning Director Jeff Jones wanted to educate the board and others on where the recommendation from staff comes from. It is strictly a technical recommendation from the approved plans of the town and future land use that were adopted in 2012. The area was designated as medium density, R-10 is a zoning district from medium to high residential, that's why in his recommendation he has a "however" that once development is submitted to the town, analysis will need to be done to make sure that it is in fact a medium density type of development. R-10 and R-12 currently allow for townhomes and things like that that may make it not look like it is medium density.

Mr. Jones said it is his responsibility to report to this board and other boards as to how it compares with all the adopted plans of the Town.

After discussion a motion was made by Commissioner Fiocco seconded by Commissioner Baldwin to send this request to the Planning Board for recommendation.

Vote Aye-5 Nay-0

Motion made by Commissioner Foley seconded by Commissioner Fiocco to go out of public hearing.

Vote Aye-5 Nay-0

OLD BUSINESS

REZONING REQUEST (REZ-2016-04) FOR PROPERTY ON WEST STREET FROM R-10 (HIGH DENSITY RESIDENTIAL) TO C-2 (HIGHWAY COMMERCIAL) (JEFF JONES)

Planning Director Jeff Jones stated a public hearing was held at the last meeting. No one spoke except the applicant and no one spoke at the planning board meeting. The Planning Board voted 6-0 approving the request.

Commissioner Foley said she realized we cannot make the property owner do it but she hopes he will take every step to preserve the two historic homes on the property.

Motion made by Commissioner Baldwin seconded by Commissioner Farrell to approve a Resolution Adopting a Consistency Statement for An Amendment to the Zoning Ordinance of the Town of Pittsboro – 603 West Street (Plummer Property) REZ-2016-04 (revised copy placed at seat tonight).

Vote Aye-5 Nay-0

Motion made by Commissioner Baldwin seconded by Commissioner Bonitz to approve an Ordinance Amending the Zoning Ordinance of the Town of Pittsboro – 603 West Street.

Vote Aye-5 Nay-0

A RESOLUTION ADOPTING A CONSISTENCY STATEMENT FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO FOR 603 WEST STREET IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE 147

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO – 603 WEST STREET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 76-78

SPECIAL USE PERMIT REQUEST (SUP-2016-01) FOR NORTHWOOD HIGHSCHOOL MODULAR BUILDING (JEFF JONES)

Planning Director Jeff Jones stated the public hearing was held on June 27, 2016. NHS is requesting a SUP to add a modular building to help with growth over the next four or five years. The Planning Board voted 6-0 for approval of the SUP request.

Commissioner Fiocco said at the public hearing there was a discussion about sewer allocation and it was stated it would accompany this agenda item and it's not, Mr. Jones said it is not ready yet. Commissioner Fiocco said he just wanted the applicant to know without sewer allocation they will not receive a C/O.

Commissioner Fiocco said we need to add the stipulation that a sewer allocation be obtained prior to occupancy. Randy Drumheller (School Representative) agreed to that condition.

Motion made by Commissioner Fiocco seconded by Commissioner Bonitz to approve the Resolution Approving a Special Use Permit for Chatham County School System/Northwood High School with the stipulation that a sewer allocation be obtained prior to occupancy.

Vote Aye-5 Nay-0

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR CHATHAM COUNTY SCHOOL SYSTEM/NORTHWOOD HIGH SCHOOL IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 148-149

PRELIMINARY PLAT REVIEW (SUB-2015-03) FOR DAVIE STREET COTTAGES (JEFF JONES)

Planning Director Jeff Jones said this request has been hanging around for a while. He gave the history of the request. Mr. Jones stated the applicant is now requesting a sewer allocation of 3,120 gpd.

Commissioner Fiocco stated after working with Fred Royal and the developers engineer he is more comfortable about runoff issues. The 100 year flood plan shows that runoff will increase only 5% with the development. He would like for the swale to be within a public easement instead of a private easement.

Commissioner Foley said she is in favor of the project. That it will support downtown and is in walking distance of downtown.

Commissioner Farrell said he does not feel it's consistent with the Land Use Plan and he doesn't support it.

There was a discussion about the swale.

Commissioner Baldwin stated she is still concerned about the other homes there. But if it meets our ordinances she will support the plan.

After discussion a motion was made by Commissioner Foley seconded by Commissioner Fiocco to approve SUB-2015-03 (Davie Street Cottages) with an exception to the lot frontage requirement as specified in Section 6.4.B(4) of the subdivision ordinance, grant up to 3,120 gpd wastewater allocation to serve the project and that the swale on the east side of the road be a public easement.

Commissioner Bonitz asked Commissioner Farrell if he thought the swale will help with the concerns residents have. Commissioner Farrell said he doubt it.

Commissioner Fiocco said he feels this is an opportunity to improve drainage in the area.

Mr. Jones said that a public easement will have to be granted.

Vote Aye-4 Baldwin/Bonitz/Fiocco/Foley
Nay-1 Farrell

CHATHAM PARK ADDITIONAL ELEMENTS REVIEW (JEFF JONES)

Planning Director Jeff Jones said staff has developed a schedule for the presentation and review of Chatham Park's Additional Elements. This review schedule provides opportunity for the Town Board to hear from and engage with Chatham Park officials during a Public Meeting, wherein Chatham Park will present four elements during the Public Meeting and the Town Board will be able to ask questions and have dialogue with staff and Chatham Park. These three Public Meetings will lead up to a Public Hearing where the Public will have an opportunity to voice their comments on the Additional Elements in front of the Board, Staff, and Chatham Park. Chatham Park may then decide to amend their submittal to address the comments received.

Staff is still in the belief that most of the elements can be reviewed by staff and or community organizations who have expertise in a particular element. The Town will need assistance with two elements, helping the Town establish a response to Affordable Housing and to understand the impact on Public Facilities as a result of Chatham Park.

Commissioner Farrell said he don't want to see staff so overworked. If funds are available we hire the consultants we need as soon as possible. Commissioner Baldwin stated she agreed we should go ahead and get outside consultants. Mr. Jones asked if she was talking about an umbrella consultant. She said it does not have to be, just whatever they needed.

Manager Gruesbeck said he do not recommend an umbrella consultant. He would rather have specific expertise.

Mr. Jones said staff can give you their opinion on when they need help. We need to hear from Chatham Park as well.

Mr. Jones said after the Public Hearing they will probably have another draft during this time we will have a small area plan that will answer some of the questions that is not quite answered in the additional elements. What he understood is we will get more details in the Small Area Plan.

Mr. Jones said once we get Small Area Plan may be a time to hire consultants. He said let's finalize what the committee is and give them the right charge.

Mr. Jones stated to the Board that currently the Planning Board and the Parks and Recreation Board are both reviewing the Additional Elements and will provide comments to the Town and to Chatham Park.

Proposed Timeline for Review of Chatham Park Additional Elements

July 26th – Staff gives Chatham Park comments concerning the first four elements (Phasing, Open Space, Tree Protection, Landscaping)

August 8th – Town Board presentation by Chatham Park of the first 4 elements (Phasing, Open Space, Tree Protection, Landscaping)

August 16th – Staff gives Chatham Park comments concerning the next four elements (Stormwater, Parking & loading, Signage, Lighting) comments

August 22nd - Town Board presentation by Chatham Park of the next 4 elements (Stormwater, Parking & loading, Signage, Lighting) by Chatham Park

August 30th – Staff gives Chatham Park comments concerning the last four elements (Public Art, Affordable Housing, Transit, Public Facilities) comments

September 12th – Town Board presentation by Chatham Park of the last 4 elements (Public Art, Affordable Housing, Transit, Public Facilities) by Chatham Park

September 26th – Public Hearing on the Chatham Park Elements

October 3rd – Review and Recommendation by the Planning Board

October 10th – Town Board Review and Decision

Mr. Jones said he will have a schedule for the UDO at the next meeting.

After more discussion Commissioner Bonitz said he felt the Board should get a deadline for themselves to develop a charter and come up with some expectations for the committee and a rough calendar for them. He said it may be better for the committee to starting reviewing after the public hearings.

Mayor Perry said she feels it would be nice for the committee members to be available for the presentation from Chatham Park and staff.

Mr. Jones said we could delay the presentation from Chatham Park to September instead of August, so they can be in attendance.

Mayor Perry said she submitted a letter to the editor to generate more interest in the advisory committee and but a deadline of August 15, 2016 for applications to be submitted to Alice Lloyd.

Mr. Jones said we can discuss the structure and makeup of the committee on August 8, 2016 and have the letters of interest before you at the August 22, 2016 meeting so you can appoint the committee. After which we can start the presentations in September (he will have to talk with applicant to see if they can be here). Amend the schedule.

Commissioner Fiocco said at the next meeting we are going to work on a charter and the organization of the committee. Mr. Jones said yes and that he would work on a charter for advisory committee.

SIGNS ON UTILITY POLES

Planning Director Jeff Jones stated back in June the Board discussed signs being placed on utility poles, particularly in the historical downtown business district.

Mr. Jones stated he spoke with Matt Barrett with The PosterGuys.com and Mr. Barrett said he had not posted a sign on utility poles in Pittsboro since he spoke with the Mayor. He is now put signs up at Chatham Marketplace.

Mr. Jones suggested the following verbiage for regulating signs on utility poles:

3-104 Sign on Utility Poles

It shall be unlawful for any person(s) to advertise, or attempt to advertise, by placing signage on any public utility pole within the right of ways of the Town of Pittsboro. Public regulatory signs and public utility signs are exempt from this code.

There was discussion on enforcement of the code. Mr. Jones said if it was a zoning matter it would be planning – maybe public works or police could enforce.

Commissioner Bonitz asked if the Police Officers do foot patrol. Lt. Roberson said every office performs foot patrol on their shift.

There was discussion about advertising in the newspaper that it is unlawful to put signs on utility poles and that maybe we place temporary signs on the poles announcing no signs can be placed on utility poles.

After discussion Mr. Jones suggested maybe just have one day where staff and volunteers remove the signs that are currently on the polls. He said let him work on a day and report back to the board. Mayor Perry said she would volunteer.

Commissioner Bonitz asked that Mr. Horne suggest design for the information kiosks in the downtown area.

Mayor Perry stated Mr. Greg Lewis stated one can be placed in his parking lot across the street from The Roadhouse.

NEW BUSINESS

WATER AND SEWER UTILITY FINANCE OVERVIEW (TED COLE, DAVENPORT & CO.)

Manager Gruesbeck stated during the Winter Retreat the Board expressed a strong interest in conducting an overview of Water and Sewer utility finances with particular attention given to the Town's ability to make improvements to its infrastructure given an anticipated level of commercial and residential development.

He said this past spring Staff began working with Davenport & Company in an effort to understand our water and sewer finances and begin a process of determining the Town's ability to assume related capital improvements.

Davenport and Town Staff have been developing the Town's position within a possible future agreement with the City of Sanford for the Sanford Forcemain as well. He introduced Mr. Ted Cole.

Mr. Ted Cole, Davenport and Company gave a PowerPoint presentation which can be viewed at:

http://pittsboronc.gov/index.asp?Type=B_BASIC&SEC={F648A9BA-F689-42B3-85D4-D7DF405FA4F6}&DE={A023B5B6-099B-4C31-800F-63D43B75C909}

Goals and Objectives

- Review the historical performance of the Town's Water & Sewer Fund in order to determine capacity to fund future capital projects.
 - Provide an overview of the Town's existing Water & Sewer Fund Debt Profile
 - Analyze a series of Key Financial Ratios so as to better understand the strengths of the Town's Water & Sewer Fund.

- Examine a series of Peer Comparatives to understand how the Town's Water & Sewer Fund compares against national and North Carolina Water & Sewer systems.
- Review the Town's historical and projected wastewater flows compared to the current capacity at the Town's Wastewater Treatment Plant.
- Assist the Town in developing a Capital Funding Model and work towards establishing a detailed Plan of Finance for the Town's utility infrastructure needs.

Mr. Cole went over:

Existing Debt Profile

Liquidity

Debt Service Coverage Ratio

Historical and Current Wastewater Flows

Pittsboro Projected Wastewater Flows

Observations

- While there has been variability in system cash flows over the last few fiscal years, the system's financial performance has been adequate, as evidenced by the following:
 - Over the past five fiscal years, the Town has maintained strong cash reserves in the Water & Sewer Fund
 - The Water & Sewer Fund's liquidity position, cash as a % of O&M Expense and Days Cash on Hand, is currently in line with North Carolina and National medians.
 - The Debt Service Coverage Ratio of the Town's Water & Sewer Fund is currently in line with North Carolina and National medians.
- Development of a comprehensive and forward looking Capital Improvement Program is critical to effectively manage the system's future financial performance.
- A balanced approach to capital funding using debt and pay-go resources is recommended.
- Based upon its historical financial performance, the Town's Water & Sewer Fund has capacity to issue some amount of additional debt under its current rate structure. Depending upon system growth and the magnitude of the capital needs, additional revenues from rates and charges may be necessary to sustainably fund a capital program.
- Given current estimate for projected flows, a key consideration for the Town moving forward will be the treatment capacity of the system and the costs associated with maintaining or increasing treatment capacity.

Manager Gruesbeck said when they started the process they were looking at the Sanford option and since then have started looking at other options as well while continuing to look at the line to

Sanford. They are also looking at repurposing the existing plant to primarily handle grit removal and equalization. Also, to work with Chatham Park on a system which they are planning that would initially treat 250,000 gpd and at some point upgrading that as well. As well as providing re-use water to the town. We have established the need for capacity for growth.

They have been working with the City of Sanford to allow the town to send wastewater to Sanford.

After discussion the board thanked Mr. Cole and Manager Gruesbeck for the valuable information.

Motion made by Commissioner Bonitz seconded by Commissioner Fiocco to take a five minute break.

Vote Aye-5 Nay-0

Motion made by Commissioner Fiocco seconded by Commissioner Bonitz to go back in regular session.

Vote Aye-5 Nay-0

ELECTRIC VEHICLE (EV) CHARGING INFRASTRUCTURE SUPPORT PROJECT (JOHN BONITZ)

Commissioner Bonitz stated that Duke Energy is providing financial assistance up to \$50,000 per entity for installing plug-in-electric vehicles stations. If we choose Level 1 it will be free but Level 2 and Level 3 will cost additional monies. The application deadline is September 1, 2016.

After discussion a motion was made by Commissioner Bonitz seconded by Commissioner Foley to ask Manager Gruesbeck and Staff to compile a list of ten locations and report back with the recommendation and costs for Level 1, Level 2 and Level 3.

Vote Aye-5

ADA FUNDING

Commissioner Fiocco stated he recently found out that TAP has about \$7.5 Million in funding that will lapse at the end of the federal fiscal year. DOT developed a program that will allow local government with population under 5,000 to upgrade intersections and make them ADA compliant.

Commissioner Fiocco said our Downtown Vision Plan has identified the intersection of Salisbury and Hillsboro Street. The deadline for submitting a letter of interest is this Friday, July 29, 2016.

Motion was made by Commissioner Fiocco seconded by Commissioner Baldwin to submit a letter of interest for this intersection.

Vote Aye-5 Nay-0

Commissioner Bonitz asked about also including the areas that Jeff Jones said Chatham County had identified. It was the consensus of the board to add them as well with the intersection of Salisbury and Hillsboro being the top priority.

ADDITIONAL UPDATES AND REPORTS

MANAGER'S UPDATE ON PROJECTS

Manager Gruesbeck submitted the following update and highlighted some items:

Chatham Park PDD Master Plan: Sanford Force Main – Staff will be meeting with the City of Sanford on July 27 to discuss the latest terms of an agreement for Sanford to accept wastewater from the Town of Pittsboro via forcemain. Once these terms are finalized, I anticipate reviewing a proposed agreement for the Sanford Forcemain with you at an upcoming Board of Commissioners meeting.

Staff has been reviewing proposals from firms for design of the forcemain as well as other improvements to the Town of Pittsboro's existing wastewater treatment plant (WWTP).

County Board of Commissioners/Chatham County Board of Education/Town of Pittsboro Board of Commissioners Joint Meetings – This group met last spring to discuss and update around common issues with growth and development. At the time, there was consensus from all groups to continue the discussions on a quarterly basis. Given the difficulty in coordinating the schedules of a large number of people, the County Board of Commissioners and BoE would like to meet on a "semi-annual" schedule. The next meeting of the County Board of Commissioners, County BoE and the Town of Pittsboro Board of Commissioners has been scheduled for **September 29 (Thursday), 2016 at 6:30pm**. The meeting location has been changed and will be held in the **Chatham County Community College Multi-Purpose Room**.

Stormwater Control in front of Town Hall – In 2014, the Town received a grant from North Carolina State University (NCSU) to construct three (3) stormwater bioretention raingardens in Town (BMP's). Two (2) BMP's will be constructed at the Town Hall – one is currently under construction and the other will be located behind the building near the rear parking lot. The third BMP is currently under design and is anticipated for location near the traffic circle on the northwest "corner." The grant provides funding to design the BMP as well as construction management. The Town provided the labor for the Town Hall BMP. A contractor would be hired to complete the Traffic Circle BMP.

The "front" Town Hall BMP is complete with the exception of some restorative work to the ground surrounding the BMP. The other BMP's are under design.

Sanitary Sewer Collection System Asset Management Plan – Last spring, you approved a resolution to apply for a grant for assistance with developing tools to plan for the rehabilitation of the Town's sanitary sewer collection system. In particular, the tools would involve implementation of Geographic Information System (GIS) technology to map and prioritize pipes that require replacement and repair. Ultimately, these tools will help the Town incorporate an asset management plan into its master Capital Improvement Plan (CIP) and budget for improvements.

Credit Cards for Bill/Fee Payments - We are expecting to accept credit/debit cards in the lobby of Town Hall on August 1, 2016. Customers will be able to *swipe* cards in the lobby to

complete their payments to the Town for water/sewer bills and other fees. We will not be accepting credit/debit card payments over the phone or through the drive thru window due to security reasons. This practice is reportedly consistent with the credit/debit card procedures of other communities. Online credit card payments will be coming soon once we resolve issues with our utility billing software.

FY 2016-2017 Annual Operating Budget Binders - We will distribute to you during Monday's meeting.

Dioxane 1,4 - Adam Pickett, Water Treatment Plant Supervisor, indicates that he has not heard from Dr. Knappe - the NCSU professor that addressed the Board last year. Mr. Pickett has continued to monitor the issue with staff at the State level and he is hearing that Dioxane 1,4 will likely be controlled at or before the point of waste water discharge. In other words, the chemical - if it eventually becomes regulated - will be controlled at the point that it would be introduced to wastewater (an industrial use, for example) or it will be removed from the waste stream by a waste water treatment plant before it reaches the water shed (the Haw River, for example). Mr. Pickett continues to test for Dioxane 1,4 with mixed results - sometimes he records noticeable levels, sometimes he doesn't. We will be in contact with Dr. Knappe.

I am pleased to inform the Board that the Town was apparently awarded a \$150,000 Asset Inventory and Assessment (AIA) Grant from the State Division of Water Infrastructure (DWI). The Town would be required to match \$30,000. Staff will provide additional information and updates for your review once it is available.

COMMISSIONER CONCERNS

Commissioner Fiocco said he was under the impression that there would be two request for sewer allocation on tonight's agenda: Northwood High School and Chatham Park. Manager Gruesbeck said we have not received an official request from Chatham Park. Chatham Park has provided a schedule of when they need it, but have not given official request (which has to come from an Engineer (stamped) with flow calculations.

Commissioner Bonitz said since Chatham Park has acquired 1,400 additional acres will they be under the UDO. Mr. Jones said the additional acres is not a part of the Master Plan and those acres would have to fall under the UDO and current town requirement when it is approved (unless it was a PDD). He said in order for it to be under the current Master Plan they would have to go back through the Master Plan process.

CLOSED SESSION

Motion made by Commissioner Fiocco seconded by Commissioner Bonitz to go into closed session pursuant to NCGS 143-318.11(a)(5) to discuss the purchase of real estate.

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to go back into regular session.

Vote Aye-5 Nay-0

REGULAR SESSION

Motion by Commissioner Farrell seconded by Commissioner Baldwin to expend \$1,600 for the purchase of an easement to construct a sidewalk near the northeast corner of NC 87 and Pittsboro Elementary School Road.

Vote Aye-5 Nay-0

FYI -

1. Letters of Interest from "Citizens Advisory Committee"

ADJOURNMENT

Motion made by Commissioner Farrell seconded by Commissioner Baldwin to adjourn at 11:35 p.m.

Vote Aye-5 Nay-0

Cindy S. Perry, Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk