MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, MARCH 11, 2013
7:00 PM

Mayor Randolph Voller called the meeting to order and asked for a moment of silence.

ATTENDANCE

Members present: Mayor Randolph Voller, Commissioners Pamela Baldwin, 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 and Parks Planner Paul Horne.

CONSENT AGENDA

Commissioner Fiocco stated he had a change to the February 25, 2013 meeting minutes on page 9, fifth paragraph at the end should read …how thick of an overlay will be placed on that road.

Motion made by Commissioner Baldwin seconded by Commissioner Turner to approve the consent agenda with the correction mentioned above.

1. Approve minutes of the February 25, 2013 regular meeting. (with correction)

   Motion carried 5-0 with correction mentioned above.

2. Authorize the Town Manager to execute the contract for the Disc Golf Fundraising.

   Motion carried 5-0

3. Approve Ordinance Amending the Town of Pittsboro 2012-2013 Operating Budget.

   Motion carried 5-0

4. Approve Ordinance Approving Text Amendment (Hydraulic fracturing)

   Motion carried 5-0

5. Decline Parking use offer for 50 West Salisbury Street.

Motion carried 5-0

Disc Golf Contract reads as follows:

STATE OF NORTH CAROLINA
COUNTY OF CHATHAM

CONTRACT FOR
DESIGN SERVICES

THIS AGREEMENT, made and entered into by and between the Town of Pittsboro, herein "Town", and HouckDesign, PO Box 792, Austin, TX 78767-0792, herein "Contractor" or "HouckDesign" for services hereinafter described for the Town of Pittsboro" for The Rock Ridge Park Disc Golf Course Advertising Project.

WITNESSETH

That for and in consideration of the mutual promises and conditions set forth below, the Town and Contractor agree:

1. Duties of the Contractor: The Contractor agrees to perform those duties described in Exhibit A, its fee proposal, attached hereto and incorporated herein by reference.

2. Duties of the Town: The Town grants Contractor the exclusive right to sell advertising on tee signs at the park for the purpose of raising money for the course. Town agrees to leave advertising signs in place for a period of two years, ending on August 21, 2015. Town also acknowledges that HouckDesign will not be doing any fundraising to raise money to recover its design fees.

3. Indemnification and Hold Harmless: The Contractor agrees to indemnify and hold harmless the Town of Pittsboro and its officers, agents and employees from all loss, liability, claims or expense (including reasonable attorneys' fees) arising from bodily injury, including death or property damage to any person or persons caused in whole or in part by the negligence or willful misconduct of the Contractor except to the extent same are caused by the negligence or misconduct of the Town.

4. Non-Discrimination: The Contractor shall administer all functions without discrimination because of race, creed, sex, national origin, age, economic status, sexual orientation, gender identity or gender expression.

5. Amendment: This Agreement may be amended in writing by mutual agreement of the Town and Contractor. This Amendment also acknowledges that Town is not expecting any fundraising from HouckDesign. However, if HouckDesign is able to locate donors, all the funds will be given to Town directly by donor and HouckDesign will not receive any portion of those funds.

6. Term: This Agreement, unless amended as provided herein, shall be in effect until August 21, 2013 or until funds in the amount of $15,000 is raised, whichever is earlier.

7. Clarification: Town acknowledges that HouckDesign is the designer of the disc golf course has not participated in, nor has it offered to participate in, construction of the course. Town acknowledges that anyone associated with HouckDesign, specifically John Houck and Jason Hendrickson, have participated in volunteer work days as volunteers on their own time and not as contractors of the Town.

IN WITNESS WHEREOF, the parties hereunto cause this agreement to be executed in their respective names.

HOUCKDESIGN
EXHIBIT A

HouckDesign proposes to conduct and manage an advertising campaign in support of the purchase of tee signs and construction of the Town of Pittsboro's Rock Ridge Park Disc Golf Course. The campaign will operate on a local, regional and national level.

Funds shall be raised by the soliciting tee sign advertisements.

Funds raised will go toward the purchase of tee-signs and directional signs, course overview and other appropriate signage, tee pads, trails and other course requirements as determined by the Town.

Roles & Responsibilities

The Town of Pittsboro:

- Will support the advertising effort through assistance with general strategy, will provide a list of local businesses that would most benefit from advertising at the disc golf course. I.e., restaurants, bars, sports equipment suppliers, etc.
- Will have final review of all promotional material produced
- Retains the right to refuse an ad not deemed to be in the best interest of the Town
- Has provided a basic tee sign advertisement template to be followed, including a QR code, logo and tagline for each ad which will be adhered to by HouckDesign
- HouckDesign and their Marketing Consultant will bill all advertisers and collect the funds directly. Any funds received beyond the sales price of the tee signs will be donated back to the Town from HouckDesign.

HouckDesign:

- Will conduct and manage the advertising campaign, soliciting ads at a national, regional, and national level.
- Will make use of national disc golf contacts to solicit ads
- Will prepare promotional materials
- Track ad sales and publish advertiser acknowledgements via an online venue

- Will conduct solicitations and, as deemed appropriate, work with the local Chamber of Commerce, Visitors Bureau or Business Associations to generate interest in the campaign
- Accept all payments, payable to Circular Productions, and handle all transactions with the advertiser, including invoicing, receipts. thank you notes, etc.

The initial $12,500 raised by HouckDesign and/or the Town will be dedicated solely to the purchase of platinum level tee signs, ad signs, course overview signs, sponsor signs, directional and other necessary course signs made by HouckDesign. No Marketing Fee will be charged. HouckDesign will not be raising any money to recoup its design fees.

Any subsequent funds raised through advertising will be donated back to the Town 100%.

Advertising sales will continue, on an ongoing basis, until $15,000 is received or until August 21, 2013, whichever comes first.

For the construction of tee pads, if HouckDesign solicits in-kind donations of concrete, lumber, and labor, the in-kind donations will not be subject to distribution, and neither HouckDesign nor the Marketing Rep will seek compensation for securing these donations.

HouckDesign will accept check and credit cards only for such advertising.

Ordinance Amending FY 2012-2013 Operating Budget is as follows:

ORDINANCE AMENDING THE
TOWN OF PITTSBORO
2012-2013 OPERATING BUDGET

Be it ordained by the Board of Commissioners of the Town of Pittsboro in regular session assembled on the 11th day of March, 2013.

To Appropriate Funds for the Construction and Repair of Sidewalks

Section 1. That the following **GENERAL FUND REVENUE** be increased by the amount indicated:

103990100	Powell Bill Fund Balance Appropriated	$27,600.00
TOTAL		**$27,600.00**

Section 2. That the following **PUBLIC WORKS DEPARTMENT EXPENDITURE** be increased by the amount indicated:

105400337	Maintenance & Repair Sidewalks	$27,600.00
TOTAL		**$27,600.00**

Ordinance Approving Text Amendment – Hydraulic fracturing is as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO

Whereas, the Board of Commissioners of the Town of Pittsboro has considered a proposed amendment to the Pittsboro Zoning Ordinance with respect to hydraulic fracturing; and

Whereas the Board of Commissioners finds the proposed amendment is reasonable and would advance the public health, safety, and welfare of the Town; and

Now, therefore be it ordained by the Board of Commissioners of the Town of Pittsboro as follows:

That Article 5.2 of the Pittsboro Zoning Ordinance is amended as follows:

Add to section 5.2.2 "Permitted Use Table" "**Oil or gas drilling exploration or production activities utilizing hydraulic fracturing**" as a special use in the M-2 District under "Mining Use" category.

CONTRACT FOR DISC GOLF FUNDRAISING IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES 151-152

ORDINANCE AMENDING THE TOWN OF PITTSBORO 2012-2013 OPERATING BUDGET IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGE 41

ORDINANCE APPROVING TEXT AMENDMENT (HYDRAULIC FRACTURING) IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 42-43

REGULAR MEETING AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the regular agenda as submitted.

Vote Aye-5 Nay-0

CITIZENS MATTERS

John Wilson – 86 Oakwood Drive, Pittsboro, NC – he is a lifetime resident of Pittsboro and Chatham County. He is before the board on behalf of Wilson Entertainment with a proposal to provide the entertainment for the Courthouse Celebration the Town is planning on April 20, 2013 to go along with what else the Town has planned. Nantucket lowered their festival price by $2,000. He has arranged for the stage to be placed just beyond the circle. The cost of this will be $6,000 but he is prepared to go out and find sponsors and he has begun that leg work as well.

Mr. Wilson stated the stage cost is $1,700, Big Time Party Band (includes running PA system) $1,300 and $3,000 for Nantucket.

Music will be provided by Big Time Party Band and Nantucket (he has already put April 20th on both groups schedule)

He said in order for this to work logistically a small portion of the circle will need to be closed in the morning to set the stage up at 8 a.m. He wanted to know if the Board was interested and if so he needed to get started getting sponsorship money, he has put some filers out to possible sponsors and one thing they wanted to know is the Town going to put any money in. Mr. Wilson stated he is not saying the town has to pay anything for it but if the town would like to add to the donations along with the sponsorships he thinks that would actually help with getting sponsorships.

Mayor Voller asked Mr. Horne how much money we have in entertainment.

Mr. Horne said the biggest obstacle is the closing of the street early in the day and that is something that will have to be cleared with NCDOT but he thinks we can make some type monetary contribution.

Mayor Voller said he should look at the condition of the power available. Mr. Wilson said he has already spoken with Paul about that and told him the town would need to look into event insurance also.

The board agreed that Mr. Wilson could proceed and advised Mr. Horne if anything else came up, to advise the board.

Commissioner Baldwin asked that they make sure to keep the business owners abreast with what is going on.

Commissioner Farrell asked how much sponsorship he is expecting. Mr. Wilson said he is going for 100% but it would look good if the town gave something (just a fraction of the cost).

Vicky Oldham – 3951 US Hwy 15-501 N, Pittsboro, NC – The family has owned businesses in Town since 1979. When they heard the proposal for the street to be closed on Saturday, April 20th they were very upset. Saturday's are their busiest days and with the struggling economy closing the street would really affect their business (S & T's Soda Shoppe). She is also concerned there is not enough parking downtown.

Mrs. Oldham said no one is against the party it is just closing the street. She would ask that the Town let the merchants know what is going on and she thanked the board for allowing her to talk. She said maybe there needs to be more communications between the Town and downtown business owners.

Mayor Voller said the town does not want to do anything that would be adverse for the businesses downtown.

Mrs. Oldham also praised Becky Smith for the wonderful communication she had with the businesses during the Hillsboro Street Program!

Oakley Bennett – 314 Chatham Forest Drive, Pittsboro – Mr. Bennett stated things are in place to open Springdale Drive and he was present tonight to ask the board if they know when it would be opened. Manager Gruesbeck said the town is letting bids for the work and they are looking to having everything done and the road opened in early June.

Mr. Bennett stated several of the neighborhood kids come and play basketball at the basketball court at the entrance to Chatham Forest. They have a rule that the court closes at dark. The children have been creative and are kicking the flood lights (shining on the sign/flowers) out of the ground towards the basketball court so they can play at night. He would like to ask the board if the Town can't get the lights fixed on the basketball court behind the Sheriff's Department so they will have somewhere to play after dark. Mr. Horne said he has already placed a call to Progress Energy and he would think it would be repaired in a couple of weeks.

Mr. Bennett said at previous meeting he has talked about speed in Chatham Forest. He would ask the Board to consider at the next budget cycle to include funds to provide something to slow traffic down in Chatham Forest.

OLD BUSINESS

HILLSBORO STREET WATER MAIN REPLACEMENT UPDATE (BECKY SMITH, HYDROSTRUCTURES)

Becky Smith thanked Vickie Oldham for her comments and she went over a power point presentation. (The power point is attached to the minutes)

The Board thanked Ms. Smith for the information and for all her hard work.

KENSINGTON PARK CONCEPTUAL PRELIMINARY PLAT REVIEW (STUART BASS)

Planner Bass stated the Developer has submitted a Preliminary Plat for review and consideration. The proposed development is a 16 lot subdivision located on Park Drive west of the intersection of Hillsboro Street, (15-501).

The property is zoned R-12 and totals 7.741 acres. Minimum lot size is 12,000 square feet. All lots are greater than 14,000 square feet in size, larger than the minimum required. The Pittsboro Town Board of Commissioners, at their regular meeting of January 28, 2013, approved an allocation of wastewater for the proposed development. In general the layout shown is acceptable. Hydrostructures, PA has reviewed the plan and provided comments. The Fire Marshall and Fire Chief have also reviewed the plan and find it generally acceptable, subject to final review and approval of the Detailed Preliminary Plat.

Two issues for consideration at this point include; (1) the absence of curb and gutter, and (2) the

allowance of a sidewalk on just one side of the street. Both issues relate to the design and associated stormwater runoff, as stipulated for in the Ordinance. The actual language is as follows:

Per the Subdivision Ordinance (Section 6.2.C.7), streets without curb and gutter must be approved by the Town Board of Commissioners.

(Section 6.2.C. (7))

Streets in subdivisions located within a public water supply watershed may be allowed without curbs and gutters if specifically authorized by the Town Board of Commissioners. The Town Board shall review each request for streets with shoulders and drainage swales on a case-by-case basis.
After reviewing such a request along with technical data supplied by the subdivider supporting the use of shoulder and drainage swales, the Town Board may allow streets without curbs and gutters.

(1) The provision of only one sidewalk must be approved by the Town Board, as per the Subdivision Ordinance, upon recommendation of the Planning Board.

(Section 6.2.B. (8)). Streets shall be bordered by sidewalks on both sides (except on alleys, service drives and principal arterials). The Commissioners may grant exceptions upon recommendation of the Planning Board if it is shown that local pedestrian traffic warrants their location on one side only, or if it is demonstrated that adverse affects would occur from stormwater runoff.

Staff Recommendation: Recommendation for approval. Applicant will proceed to completion of the Detailed Preliminary Plat and all associated final design elements, subject to final reviews and approvals.

Planning Board Recommendation: Recommendation for approval, proceed to completion of the Detailed Preliminary Plat and all associated final design elements, subject to final reviews and approvals.

Commissioner Farrell asked if as proposed this development would not have curb and gutter. Planner Bass said that is correct and that it is a part of the existing ordinance that it is an option to have open drainage swales.

Planner Bass stated this is the same thing that was done for Whispering Meadow last summer. Commissioner Farrell said it seems like we are heading backwards if we don't continue with curb and gutter because it is pretty attractive in the subdivisions rather than just a raw ditch running through there.

Commissioner Fiocco said that may be true but the one thing the swales do is they are better for treating stormwater than curb and gutter and drainage systems, so you do get more filtering.

Commissioner Fiocco asked if there were easements on the properties on both sides of the new roadway that would allow construction activity on the subject lots in order to construct the new roadway. Richard Ladd (developer) said that easements were not required to construct the road because all construction could be performed within the 50' right-of-way.

Commissioner Fiocco asked were there any further investigations done about interconnectivity with Pattisall Road as well as the need of that water connection.

Planner Bass stated they looked at it, there is an easement of sorts shown on GIS maps to Hillsboro Street and it's some sort of private easement and he couldn't find the actual recordation of it in the deeds online.

Attorney Messick said it is not a public street. Commissioner Fiocco said so it is a private easement associated with each lot. Mr. Bass said that is correct. It is for the benefit of each lot.

Mayor Voller asked Commissioner Fiocco if he was talking about looping the system. Commissioner Fiocco said he was talking about looping the roadway but that would mean converting private easements to public r-o-w and getting all of the adjoiners to sign on to that (making the road improvements). The other option was simply doing the water main extension to connect to if in fact water pressure was an issue.

Richard Ladd, Developer, Triangle Construction Group, said two concerns arise on creating a future connection. One is the grade of the property. It is very steep as you start going up the hill. There are probably 7-8 property owners near the easement and they really don't know how people are getting to their property. Between the steep grade and the unknown of property owners in the back of the property and then with conversation with some property owners on Park Drive they are concerned about increase in traffic. As far as the water main connection goes they are installing a brand new 6" ductile iron line to the street. They would be happy to create and record an easement that would make sense between two property lines that gets them back to Hillsboro Street at some point and time and that would allow the town to have access to the property and take the water line outside of the right of way so that future connections could be made if necessary.

Mayor Voller stated it wouldn't be difficult to get an easement between two properties for all said utilities (gas, cable, high speed internet, water and sewer) for future connections on the back end.

Richard Ladd said the way to go may be installing a valve a little off the r-o-w so the Town can control and that way additional connections could be made and everyone would be on line.

Commissioner Fiocco said the plan shows that 8 acres will be disturbed. Mr. Ladd said that is an error. Commissioner Fiocco asked that it be changed.

Commissioner Fiocco said the plan is showing the water line on the same side as the sidewalk, he is assuming the street lights are going to be on the sidewalk side. He suggested they may want to swap the water line on the other side otherwise it is going to be very congested.

Mayor Voller asked if staff or Hydrostructures have talked to them about upsizing any of the lines with reimbursement. Mr. Ladd said he has not gone to engineering yet. He stated some of the lines on Park Drive are 2" and are feeding several homes, they are proposing a 6" line.

Motion made by Commissioner Fiocco to approve the Conceptual Preliminary Plat for Kensington Park without curb and gutter, with sidewalks on one side, with the extension of the water line to at least beyond the cul-de-sac and to be within an easement of some dimension to be determined by engineering and with the possibility of extending the water line to the back of the lot to be determined and discussed later.

Mayor Voller asked if he would incorporate into the motion the easement can have broadband or whatever and not just water and sewer. Commissioner Fiocco said yes, he would include that.

Motion was seconded by Commissioner Baldwin.

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

KENSINGTON PARK CONCEPTUAL PRELIMINARY PLAT IS ON FILE AT THE TOWN PLANNER'S OFFICE.

PROPOSED TEXT AMENDMENT – ZTA-2012-04 CONDITIONAL ZONING

Planner Bass said this is the latest draft after they met (Bass, Fiocco, Messick).

Commissioner Fiocco made the following corrections:

Page #1 (C) should be 10.1.b to 10.1.c and 10.1.c to 10.1.d.

Making incorrect reference to Conditional Use Zoning in the watershed overlay should be .6 instead of .5.

He thought the plan was we would accompany conditional zoning from supplemental information into standard information the flood plain and streams. Planner Bass said we did. Commissioner Fiocco said this doesn't say that. Attorney Messick said it is on page 3 under "additional requirements" Commissioner Fiocco said they had it above as the minimum conditions.

Page 5 – 10.7.5 Item 2 should read …Conditional Zoning District may be deemed null and void and the governing body may initiate… He would like to substitute "shall" with "may" in those two spots.

Attorney Messick stated if a condition is invalid it is not up to the Board to say whether you should or should not void the amendment. Personally he thinks it should all evaporate if it is found to be illegal.

Attorney Messick wanted to make sure the board was aware this draft adds the conditional zoning districts but does not substitute them for the old parallel conditional use permit that the board is more familiar with, so with this text you would have both.

Motion made by Commissioner Fiocco seconded by Commissioner Turner to approve the Ordinance Amending the zoning Ordinance of the Town of Pittsboro with the corrections made.
Vote Aye-5 Nay-0

Conditional Zoning Text Amendment reads as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF PITTSBORO

A. Add the following to Section 4.1, Article IV of the Zoning Ordinance:

"In addition to the general zoning districts delineated above, a Conditional Zoning District (bearing the designation CZ) corresponding to the general use zoning districts may be established as authorized in this ordinance. Accordingly, the following conditional zoning districts may be designated upon approval by the Board of Commissioners of a petition to establish a conditional zoning district:

RA (CZ)	Residential - Agricultural Conditional Zoning District
RA-2 (CZ)	Residential - Agricultural Conditional Zoning District
RA-5 (CZ)	Rural - Agricultural Conditional Zoning District
R15 (CZ)	Low-Density Residential Conditional Zoning District
R-12M (CZ)	Medium Density Residential and Mobile Home Park Zoning District
R-12 (CZ)	Medium Density Residential Conditional Zoning District
R-10 (CZ)	High Density Residential Conditional Zoning District
O-I (CZ)	Office and Institutional Conditional Zoning District
C-1 (CZ)	Neighborhood Business Conditional Zoning District
C -2 (CZ)	Highway Commercial Conditional Zoning District
C-4 (CZ)	Central Business District Conditional Zoning District
M-1 (CZ)	Light Industrial Conditional Zoning District
M-2 (CZ)	Heavy Industrial Conditional Zoning District"

B. Add the following to Section 5.1:

"P. Conditional Zoning Districts

Conditional Zoning Districts are districts that correspond to the general use zoning districts in which the development and use of the property is subject to conditions imposed as part of the legislative decision creating the district in addition to the standards and regulations in the corresponding general use zoning district."

C. Revise the existing Section 10.1.b to read as follows:

"b. Conditional Use District zoning requests shall be made in accordance with the provisions of Section 10.6."

C. Renumber the existing Section 10.1.c to be a new Section 10.1.d.

D. Insert a new Section 10.1c to read as follows:

"c. Conditional Zoning District zoning requests shall be made in accordance with the provisions of Section 10.7."

E. Add the following:

"SECTION 10.7 CONDITIONAL ZONING DISTRICTS

Conditional Zoning Districts (bearing the designation CZ) correspond to the general use zoning districts as authorized in this ordinance.

10.7.1. Purpose

Conditional Zoning Districts are primarily intended to allow for the zoning and development of property in accordance with general use zoning district standards and additional conditions that enable the use and development to fit better with the site and neighboring properties.

The review process established in this Ordinance provides for accommodation of such development by a reclassification of property into a conditional zoning district, subject to specific conditions, which promote compatibility of the use with neighboring properties.

Zoning petitions to establish a conditional zoning district will be processed in accordance with the provisions of Article 10.1 through Article 10.4 for zoning amendments as well as this section. A conditional zoning district classification will be considered only if the application is made by the owner of the property or his/her authorized agent.

10.7.2 Uses within District

Within a conditional zoning district, only those uses listed (or determined to be equivalent uses) as permitted uses or special uses in the corresponding general zoning district shall be permitted. For special uses the applicant shall propose development standards to mitigate, if necessary, the impacts of each such use, especially with regard to property adjacent to the conditional zoning district.

10.7.3. Conditions

1. In a conditional zoning district, conditions may specify the uses proposed for the district; the location on the property of the proposed use; the number of dwelling units; the location and extent of supporting facilities such as parking lots, driveways, and access streets; design elements of the proposed use; the location and extent of buffer areas and other special purpose areas; the timing of development; the location and extent of rights-of-way and other areas to be dedicated for public purposes; the alteration of streets to mitigate traffic and environmental impacts; use limitations; and other matters the applicant proposes as conditions upon the request.

2. In approving a reclassification of property to a conditional zoning district, the Town Board of Commissioners may request that reasonable and appropriate conditions be attached to approval of the rezoning. Any such conditions should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater, the provision of open space, and other matters that the Town Board of Commissioners may find appropriate or the applicant may propose.

3. Such conditions to approval of the rezoning may include dedication to the Town or State, as appropriate, of any rights-of-way or easements for roads, water, sewer or other public utilities necessary to serve the proposed development. The applicant shall have a reasonable opportunity to consider and respond to any such conditions prior to final action by the Town Board of Commissioners.

4. Before filing an application for a conditional zoning district, the applicant(s) is encouraged to meet with the Planning Department staff to discuss the nature of the proposed reclassification, the standards for development under the existing and proposed classifications, and concerns that persons residing in the vicinity of the property may have regarding the proposed reclassification, if known.

5. All applications must include an exhibit map/schematic plan drawn to scale and supporting text which will become a part of the ordinance amendment. The applicant should include at least the items listed below:

a) A boundary survey showing the total acreage, present zoning classifications and uses for the subject property and adjacent properties, date, and north arrow.

b) The owners' names, addresses, and the tax parcel numbers of all adjoining properties.

c) All existing easements, reservations, and rights-of-way, and all yards required for the conditional zoning district requested.

d) Delineation of areas within the regulatory floodplain as shown on official Flood Hazard Boundary Maps for the Town of Pittsboro including delineation of streams and associated stream buffers.

e) Proposed uses of land and structures. For residential uses this should include the number of units and an outline of area where the structures will be located. For nonresidential uses, this should include the approximate square footage of all structures and an outline of the area where the structures will be located.

f) A transportation plan with provisions for internal vehicular, transit, bicycle, and pedestrian circulation and parking.

g) Conditions proposed to be incorporated in the conditional zoning district.

6. Additional requirements. When dealing with the conditional zoning district process, it may be desirable to request additional information in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the Planning Board and/or Board of Commissioners may request additional information as they deem necessary. This information may include but is not limited to the items listed below:

a) Proposed screening, including walls, fences, or planting areas as well as treatment of any existing natural features.

b) Existing and proposed topography at two foot contour intervals or less.

c) Generalized information on the number, height, and size or, in especially critical situations, the location of structures.

d) Proposed number and location of detached signs.

e) Approximate completion time of the project and proposed phasing, if any.

7. In approving a conditional zoning district, the Town Board of Commissioners may, with agreement of the applicant, impose more restrictive requirements than would otherwise be required by this ordinance and those in the application, as deemed necessary to ensure that the purposes and intent of this ordinance are met.

8. A new public hearing is required for consideration of a substantial change in conditions, as determined by the Planning Director.

9. No condition on a conditional zoning district application may have the effect of removing or amending any requirement of this ordinance.

10. Other than use conditions, no proposed condition can be a mere repetition of an already applicable requirement of this ordinance. The Planning Director may order the removal of any such condition.

11. Prior to the issuance of any permits, the applicant must submit detailed plans to the Town Planning Director for final review and approval.

12. At the request of the applicant, an exhibit map/schematic plan may also serve as a site plan or preliminary plat. Such plan shall comply with both exhibit map/schematic plan and site plan or preliminary plat requirements, as applicable, and shall undergo one review process. Where an exhibit map/schematic plan also serves as a site plan or preliminary plat, any associated special use permit requirement shall be waived.

10.7.4 Community Meeting

The applicant is required to hold a community meeting prior to the application deadline for a conditional zoning district rezoning. The applicant shall provide proof of mailed notice of the meeting. Notice of the meeting shall be provided to owners of abutting property, as listed with the Chatham County Tax Department, and include properties directly across a street, easement or public or private right of way. Notice may be sent to additional properties by the applicant. At a minimum, the notice shall be sent by standard mail and be postmarked at least fourteen (14) days prior to the date of the community meeting. Additional types of notice may be provided by the applicant.

1. A written report of the community meeting shall be included as part of the application packet. The written report of the meeting shall include a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the time, date, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning application made by the applicant as a result of the meeting.

2. Revisions to existing Conditional Zoning Districts and existing Conditional Use Permits shall not require a community meeting if the physical boundaries of the district or permit are not proposed to be expanded.

10.7.5 Scope of Approval

1. Any conditions approved in association with a Conditional Zoning District and so authorized shall be perpetually binding unless subsequently changed or amended as provided for in this Article. The applicant shall obtain certification of the approval of the Conditional Zoning District from the Town Clerk, and shall record the certification and accompanying map exhibit/site plan in the office of the Register of Deeds of Chatham County. The applicant shall return a certified copy of the recorded documents to the Town Clerk.

2. If for any reason any condition established pursuant to these regulations is found to be illegal or invalid, or if the applicant should fail to accept any condition, the approval of the Conditional Zoning District may be deemed null and void and the governing body may initiate proceedings to rezone the property to its previous zoning classification. Continued or repeated violations of the conditions in an approved Conditional Zoning District shall constitute an applicant's failure to accept said conditions.

3. Any violation of a condition in an approved Conditional Zoning District shall be treated the same as any other violation of this Ordinance and shall be subject to the same remedies and penalties as any such violation.

4. The approval of a zoning map or text amendment does not authorize any development activity. Application for a Certificate of Zoning Compliance and any other administrative permits required by this ordinance shall be required.

5. If an application for conditional zoning is approved, the development and use of the property shall be governed by the existing ordinance requirements applicable to the district's classification, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to these regulations and the zoning maps.

6. If an application is approved, only those uses and structures indicated in the approved application and exhibit map/schematic plan shall be allowed on the subject property. A change of location of any structures may be authorized pursuant to applicable provisions of this ordinance.

7. Following the approval of a rezoning application for a conditional zoning district, the subject property shall be identified on the Zoning Map by the appropriate district designation.

8. Any approved conditional zoning district shall have vested rights.

10.7.6 Alterations to Approval

1. Except as provided herein, changes to an approved conditional zoning district or to the conditions attached to the approval shall be treated the same as a new application for a conditional zoning district and shall be processed in accordance with the original procedures.

2. The Planning Director shall have the authority to approve an administrative change to an approved conditional zoning district application. The standard for approving or denying such a requested change shall be that the change does not significantly alter the approved plan or its conditions and that the change does not have a significant impact upon abutting properties. Changes that increase the intensity of nonresidential development up to 10% of the approved building square footage, but not more than 5,000 square feet, may be considered. For residential development, increases in density are not allowed as an administrative change.

3. The Planning Director shall always have the discretion to decline to exercise this delegated authority if he believes a requested change should be deemed a rezoning application with a public hearing and Town Board of Commissioners under the circumstances. If the Planning Director declines to exercise this authority, then the applicant can only file a rezoning application with a public hearing and Commissioner decision."

AN ORDINANCE AMENDING THE ZONING ORDINANCE IS RECORDED IN THE BOOK OF ORDINANCES NUMBER ONE, PAGES 44-49

NEW BUSINESS

COURTHOUSE OPENING CELEBRATION/TEMPORARY HILLSBORO STREET CLOSURE (PAUL HORNE)

Planner Horne said he and Commissioner Farrell completed more polling of the merchant's downtown and the vast majority does support the street closure.

Commissioner Farrell said he did speak to just about everyone in these two part of town they did not venture to everybody's business because if their business was not going to be affected they didn't feel it was necessary. They did not go to side streets or businesses that were closed on Saturday's.

Planner Horne said he has secured the old Ford lot and the Alpha Install parking lot.

Commissioner Foley asked if he had checked with Chatham Transit about transporting. Planner Horne said he had not, but he would.

Commissioner Baldwin asked if the benches will be out by that time. Planner Horne said he is not sure because they don't want to pick them out until construction on the Hillsboro Street Project is completed.

Fire Chief Daryl Griffin asked if he knew about how many people to expect. Planner Horne said probably about a thousand. John Wilson said with the bands he is proposing there could be between 1,000 – 8,000 people.

Planner Horne said NCDOT had spoken favorable to the evening closing and he would have to contact them about the all day closure.

Motion made by Commissioner Turner seconded by Commissioner Fiocco to authorize a street celebration on April 20, 2013 and direct staff to petition NCDOT to approve closure of one block of Hillsboro Street north of the Courthouse.

Commissioner Baldwin stated the Town needs to keep the business owners abreast as to what is going on.

Vote Aye-5 Nay-0

TEXT AMENDMENTS: ZTA-1013-01 (PLANNED DEVELOPMENT DISTRICT) AND ZTA-2013-02 (ASSOCIATED AMENDMENT TO THE SUBDIVISION ORDINANCE) (STUART BASS)

Planner Bass said the text amendment was submitted by Chatham Park LLC.

Motion made by Commissioner Fiocco seconded by Commissioner Foley to set a public hearing for March 25, 2013 to discuss the text amendments.

Vote Aye-5 Nay-0

Mayor Voller asked that this information be posted on the newest form of social media the town has.

CAPITAL PROJECTS REPORT

MANAGER'S UPDATE ON CAPITAL PROJECTS AND OTHER NEWS

Manager Gruesbeck went over the following report:

PROJECT: Hillsboro St Water Main Transmission Line Replacement Project

UPDATE:

Crews worked at the intersection Hillsboro St and Park Dr, replacing services between Lindsay and Hanks. Residents on Lindsay experienced a brief water outage as Lindsey. Chatham Mills is now serviced by the new main on Hillsboro St.

PROJECT: Improvements on 15/501 at Springdale Drive

UPDATE: The bid opening was held on March 5, but we did not receive any bids. Samir Bahho, Engineer for the project, indicates that the relatively low price of the job made it prohibitively difficult for contractors to obtain the $50,000 bond required by NCDOT to work in their right of way. As a result, Mr. Bahho will be allowing an extension and seek to provide a recommendation in time for the Town Board meeting scheduled for March 25, 2013. This schedule fits with NCDOT's expected timetable to place the final asphalt road surface on Hillsboro Street.

Paul Horne stated he had gotten the cost on putting in brick crosswalks downtown and he will have to get back with NCDOT by the end of March. Manager Gruesbeck said he would have to meet with Mr. Horne.

Manager Gruesbeck said at the last progress meeting they were told that top coat work would begin in June.

PROJECT: **Chief of Police – Hiring Process**

UPDATE: He completed review of 73 resumes and forwarded 17 candidates to the Selection Committee. The Committee met on February 27 and March 7 to eliminate candidates and select a roster of interviews and narrowed it down to 8 and has set aside the week of March 18th to conduct the interviews. As we discussed earlier, the candidates that "advance" to later rounds were selected based on a list of qualifications developed by the selection committee. The

committee has provided excellent input on the qualifications that Pittsboro demands in order for the new Chief to be successful.

PROJECT: Planning / Engineering Space

UPDATE: Lease documents for 41 Fayetteville St. have been executed and we are currently beginning a punch list of work items necessary to move the Planner and Parks Planner to the new location. Likewise, we will begin plans to shift the Finance Officer to the space currently occupied by the Town Planner.

PROJECT: Town Engineer Position

UPDATE: He will be making an offer to a candidate in the next few days. Each of the three (3) candidates he interviewed is currently employed, so there may be some separation time built into our start date. He is currently developing a work plan for the new position that will involve a few immediate tasks – namely wastewater infrastructure alternatives, the CMAQ sidewalk expansion on the south side of East Street

OTHER NEWS:

He is continuing to learn more about Pittsboro through community engagement:

- Chatham County Emergency Operations gave me a tour of their facilities and helped advance my awareness of the local 911 and Operation Command Center (OCS) that would be used to coordinate area emergency situations (e.g. fires, floods, Harris nuclear events).
- I also introduced myself to the Pittsboro Kiwanis club and presented a brief overview of Town projects and Mr. Messick is going to sponsor him at the Kiwanis Club.
- Mr. Culpepper is going to take him on a tour of the properties.

Commissioner Baldwin asked what the estimated completion date was for the Hillsboro Street Project. Manager Gruesbeck said they are shooting for early April.

Commissioner Fiocco said if he understands it correctly the road is going to have to be dug up and flowable fill put in. Maybe they can smooth the patches out better. Manager Gruesbeck said the type of patch you can lay this time of year is gravel and oil, not much asphalt at all. But when they redo it will be with asphalt.

Mayor Updates

- EDC – tomorrow at 8 am @ CCCC
- RPO – next meeting in April
- Solid Waste – next meeting in April
- Fairground Association – had concerns about the new standards about equipment use that the police department adopted. He does not remember it coming before the board for approval.
- PMA/Downtown

COMMISSIONER CONCERNS

Commissioner Turner said she has been approached by citizens about a lot of speeding on the street in front of Commissioner Farrell's home (Launis). She stated she had spoken with Lt. McCollough and she stated she would make a note of it, but it still has not slowed down. Commissioner Turner said she has almost been hit in the rear turning into her drive on Circle Drive. She would like the police to do more patrolling in that area.

Commissioner Baldwin said she sent everyone the information from Triangle J and if anyone of them has any questions or concerns to contact her and she will bring it up at the next meeting.

Commissioner Fiocco thanked Manager Gruesbeck for solving the downtown lighting problem.

Commissioner Foley said she has learned that Chatham Transit (with a 24 hour notice) will pick up riders and take them where they need to go even to Chapel Hill (and that it is not just for the elderly and handicapped – anyone can use the service). They are trying to get the word out and she was wondering if we could help. Mayor Voller said that Cathy Stinson can put up to 70 characters on the water bills.

Commissioner Farrell stated he has already spoken with Manager Gruesbeck about the truck route and that he is working with NCDOT. He would also like to discuss how the meetings are being handled and he wondered if we could see about setting time limits on some of our speakers/presentations. He stated he knows we use a moment of silence at the beginning of the meeting and he would like to add the Pledge of Allegiance after that, effective immediately. He would like comments from the board.

Mayor Voller said we traditionally haven't done that but he doesn't see a reason why we can't we have a flag. He said the moment of silence is in compliance with the fourth circuit court.

Mayor Voller said we do have guidelines that were approved by previous boards. But, as chair he has let people speak to get it off their chest instead of invoking the three minute rule, if the board wants to invoke this we can.

Commissioner Farrell said it has been brought up to him numerous times on the negativity the town is receiving with Mayor Voller's taxes, him being Chairman of the NC Democratic Party and also being a contractor here in the city limits – is this a conflict of interest that he believes the board should take into consideration and look at. Commissioner Farrell said Mayor Voller is pretty much handling several hats, he feels the board has not addressed this issue from the start and it has been slung to the side. He thinks they need to go into closed session to discuss the matter.

Mayor Voller said he doesn't think it would be a closed session matter because he is not an employee of the Town.

Attorney Messick said you are not an employee for sure, but personnel, covers more than employees.

Mayor Voller asked is there a valid reason if Commissioner Farrell wanted to have a closed session. Attorney Messick said he can make a motion to go into closed session as any of the board can do that. Attorney Messick said it can be to discuss the performance of a public officer.

CLOSED SESSION

Motion made by Commissioner Farrell seconded by Commissioner Fiocco to go into closed session pursuant to GS 143-318.11(a)(6) to discuss the performance of a public officer.

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

ADJOURNMENT

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

Vote Aye-5 Nay-0

FYI -

1. Bi-Weekly Progress Report – Hillsboro Street Water Main Project
2. "Thank You" Card from Charles Johnson's family

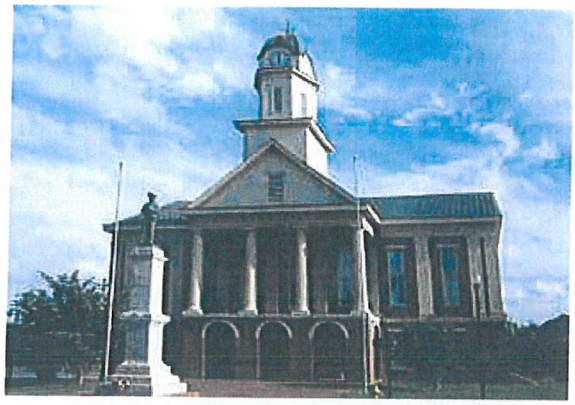
_____

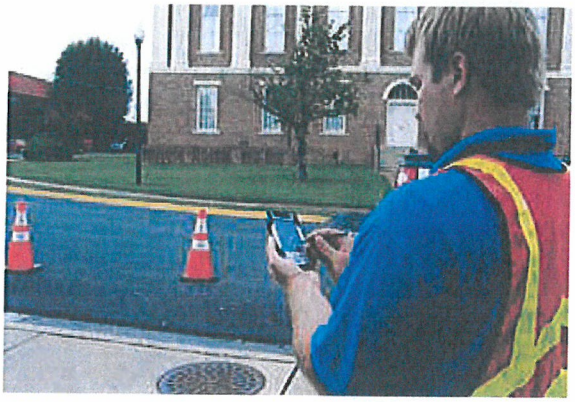
Randolph Voller, Mayor

ATTEST:

_____

Alice F. Lloyd, CMC, NCCMC
Town Clerk





WHY PITTSBORO NEEDED THIS PROJECT

- Age of the System
- Keep Businesses Open
  - » Failing systems can cause business shut-downs
- Fire Protection/Fire Insurance Rates
- Time of Project/Cost Savings
  - » NCDOT planned paving of Hwy. 15/501

HOW WATER GETS TO THE END USER

- The replacement of the backbone of Pittsboro's distribution system.

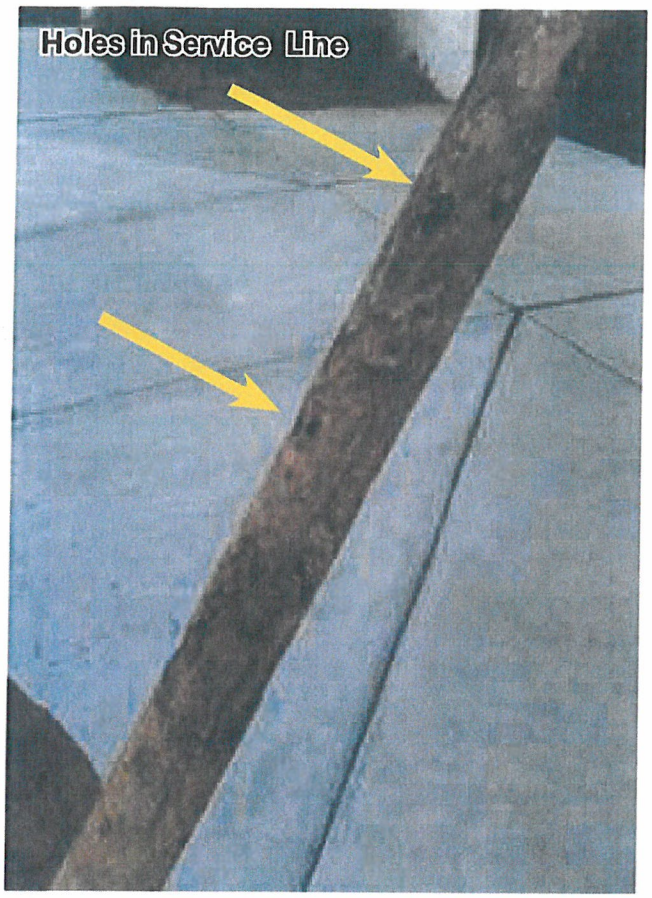
HYDROSTRUCTURES

WATER MAIN BREAK
S & T's January 2010

2" Cast Iron Pipe

HYDROSTRUCTURES

SERVICE REMOVED FROM PATTISHALL ROAD

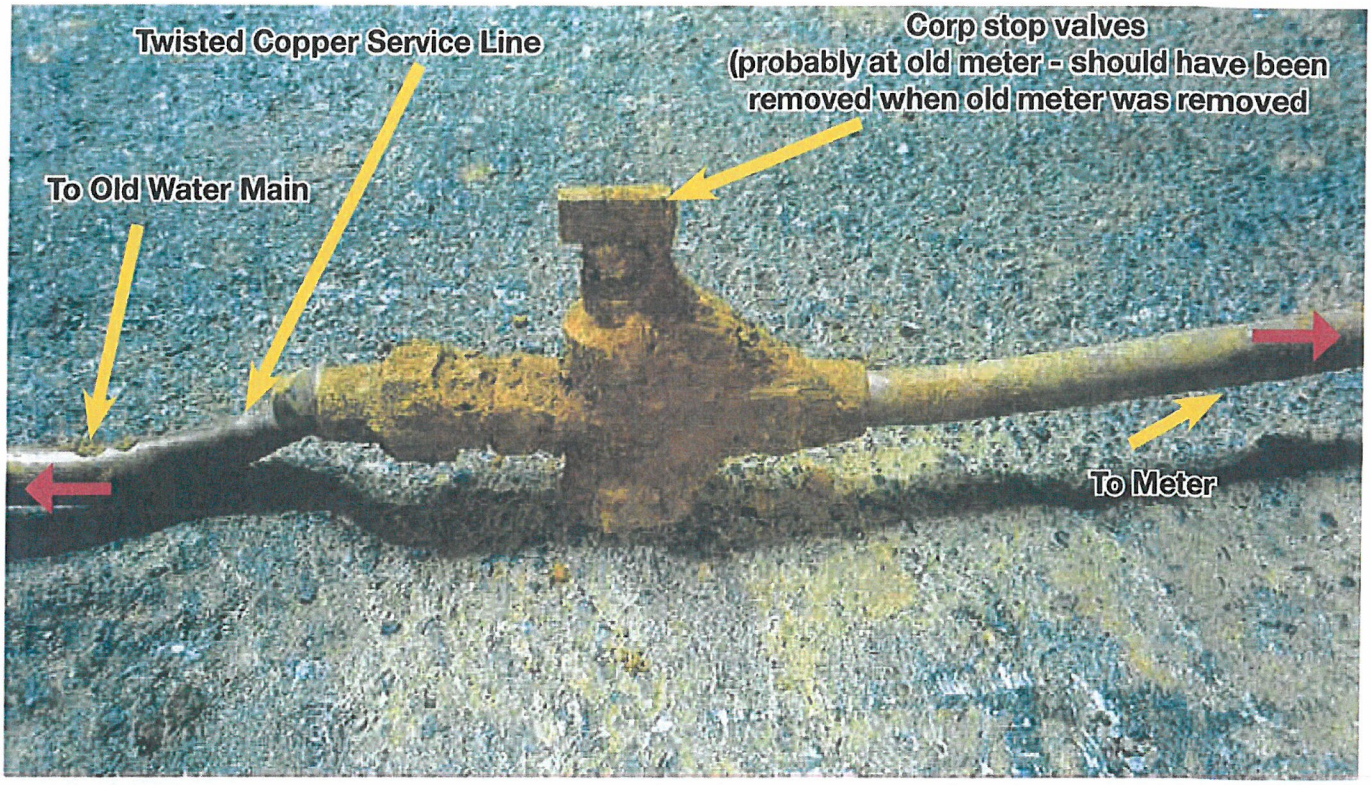


HYDROSTRUCTURES

OLD SERVICE LINES

HYDROSTRUCTURES

OLD SERVICE
Twisted and Spliced



The old line was most likely spliced when road was widened.

photo by Travis Allen, SKC, Inc.

HYDROSTRUCTURES

11 NEW VALVES

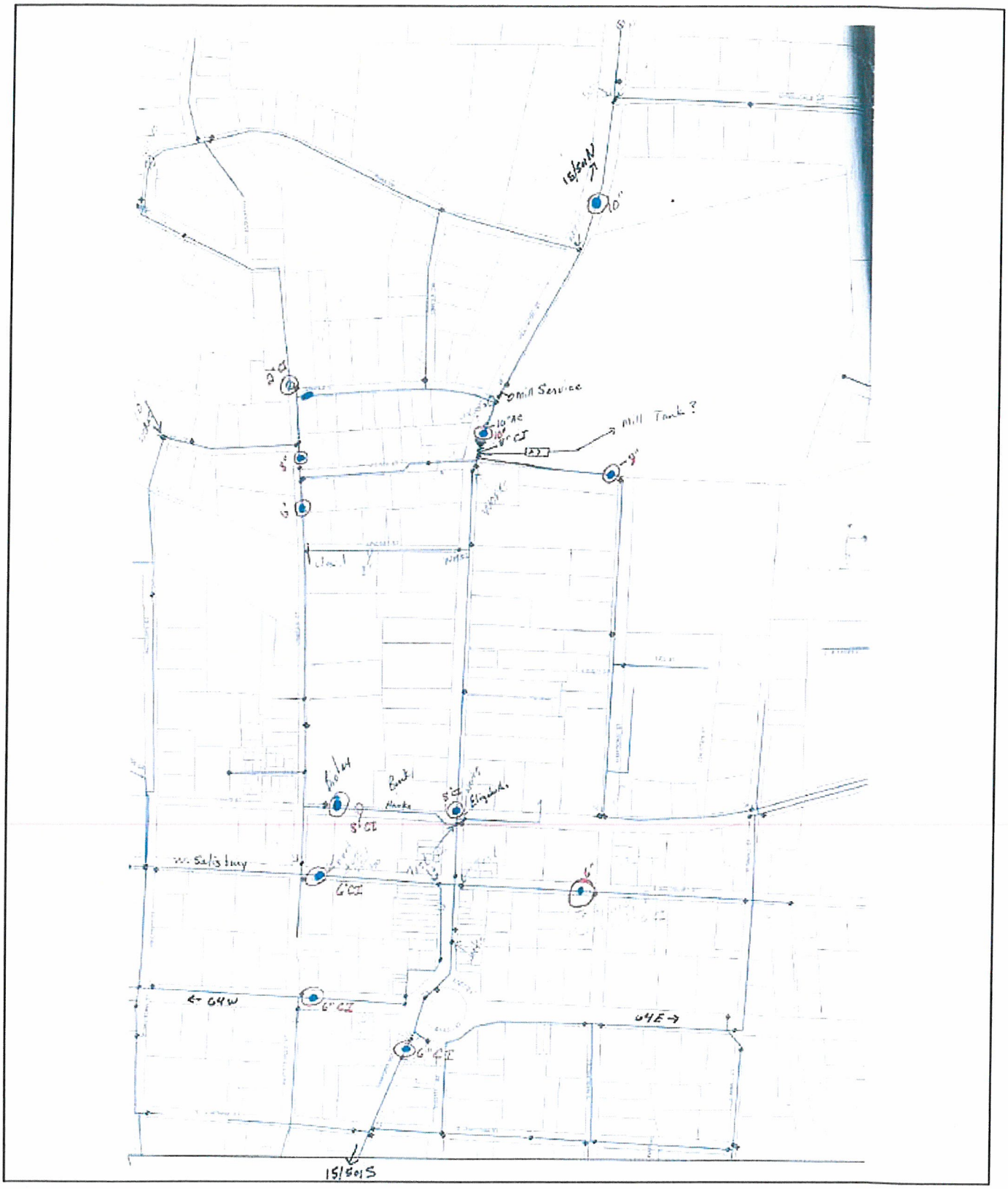
- Existing valves do not work. New valves installed so water could be cut off and new lines tied into existing lines.

VALVE INSTALLATION
Sanford Road

- New valve at corner of Sanford Road and Traffic Circle.

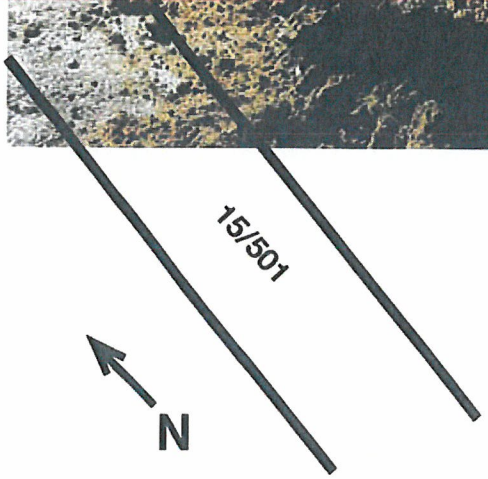
HYDROSTRUCTURES

LOCATION OF NEW VALVES



HYDROSTRUCTURES

REPAIRING LEAK AT MILL

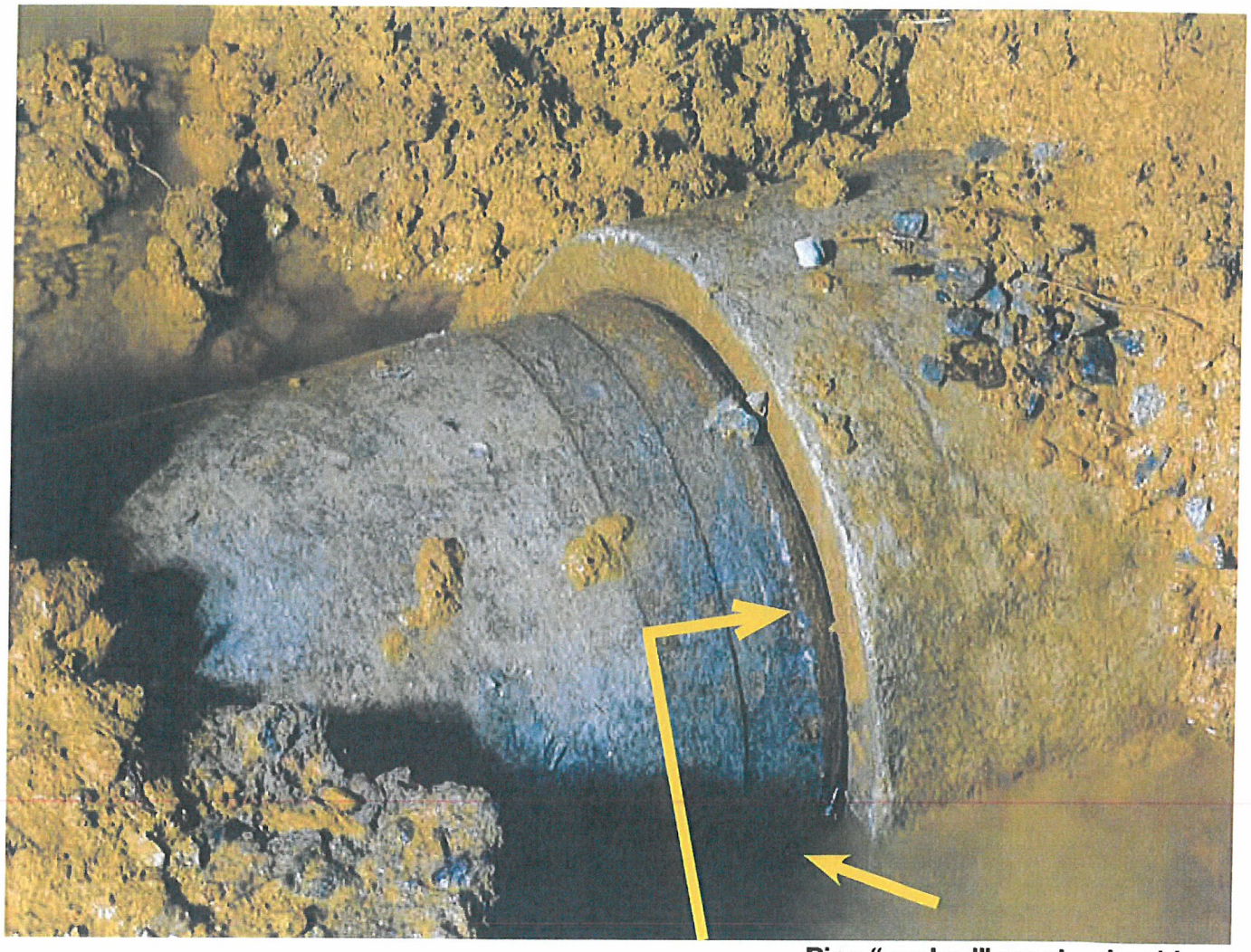


HYDROSTRUCTURES

WATER MAIN LEAK AT MILL

HYDROSTRUCTURES

WATER MAIN FAILURE POINT

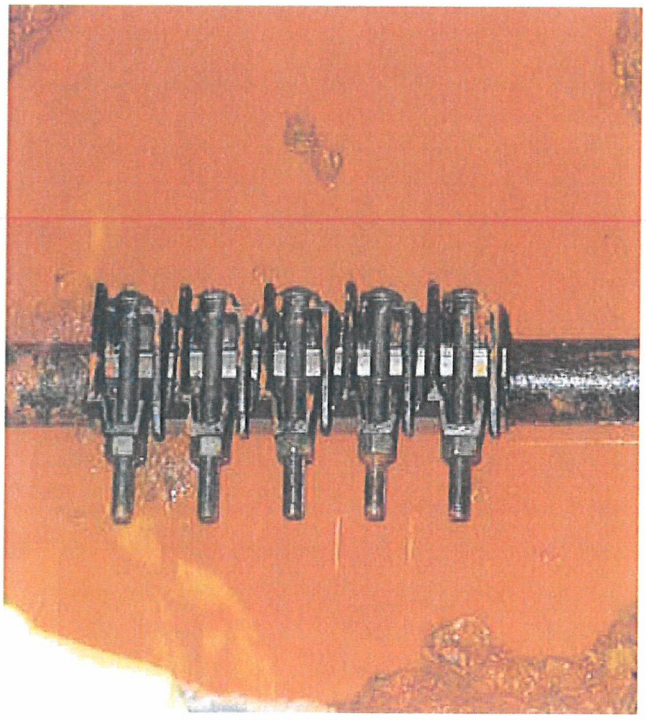


Pipe "pushed" apart - should be pushed together from line into bell.

HYDROSTRUCTURES

REPAIR - EAST SIDE COURTHOUSE

- 2" cast iron split on underneath seam - rubbing on big rock.



REPAIR - EAST SIDE COURTHOUSE

- Repair band - 6 hour work

HYDROSTRUCTURES

CONNECTING OLD COURTHOUSE

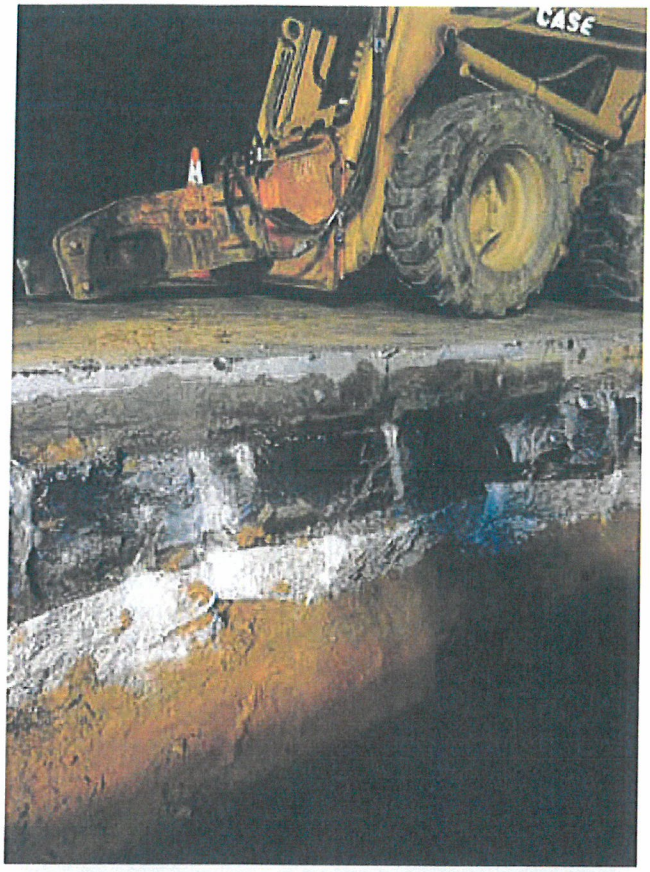
- New lines for hydrant, sprinkler system, and domestic water

NIGHT WORK

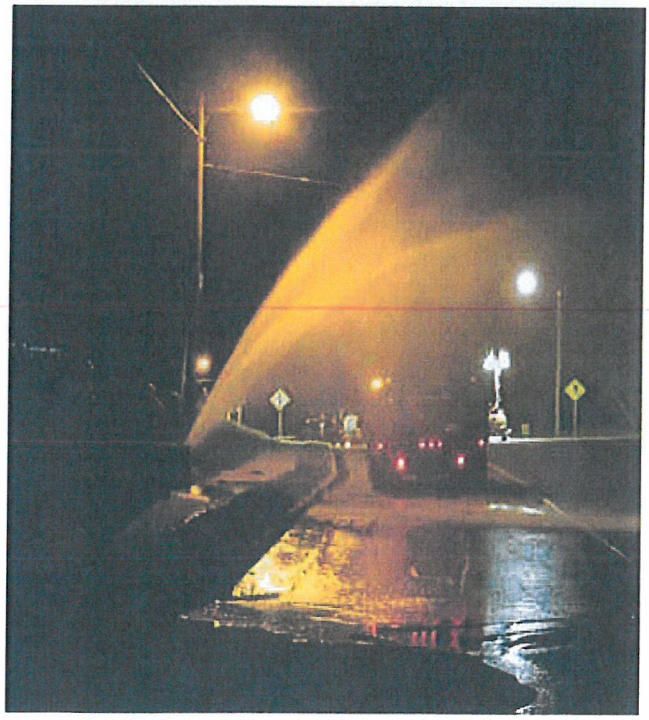
- Less disruption to businesses and traffic.

HYDROSTRUCTURES

CONCRETE 24" - 36"



Layers on Hillsboro Street



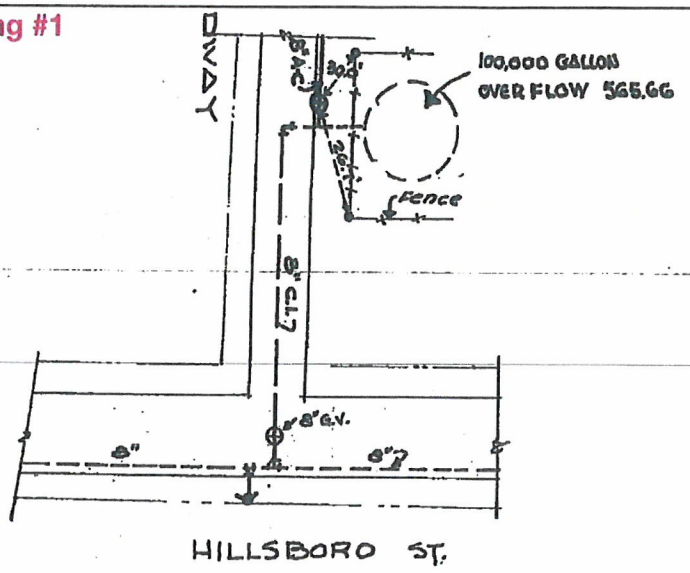
COLD WEATHER CONDITIONS

WINTER WEATHER

HYDROSTRUCTURES

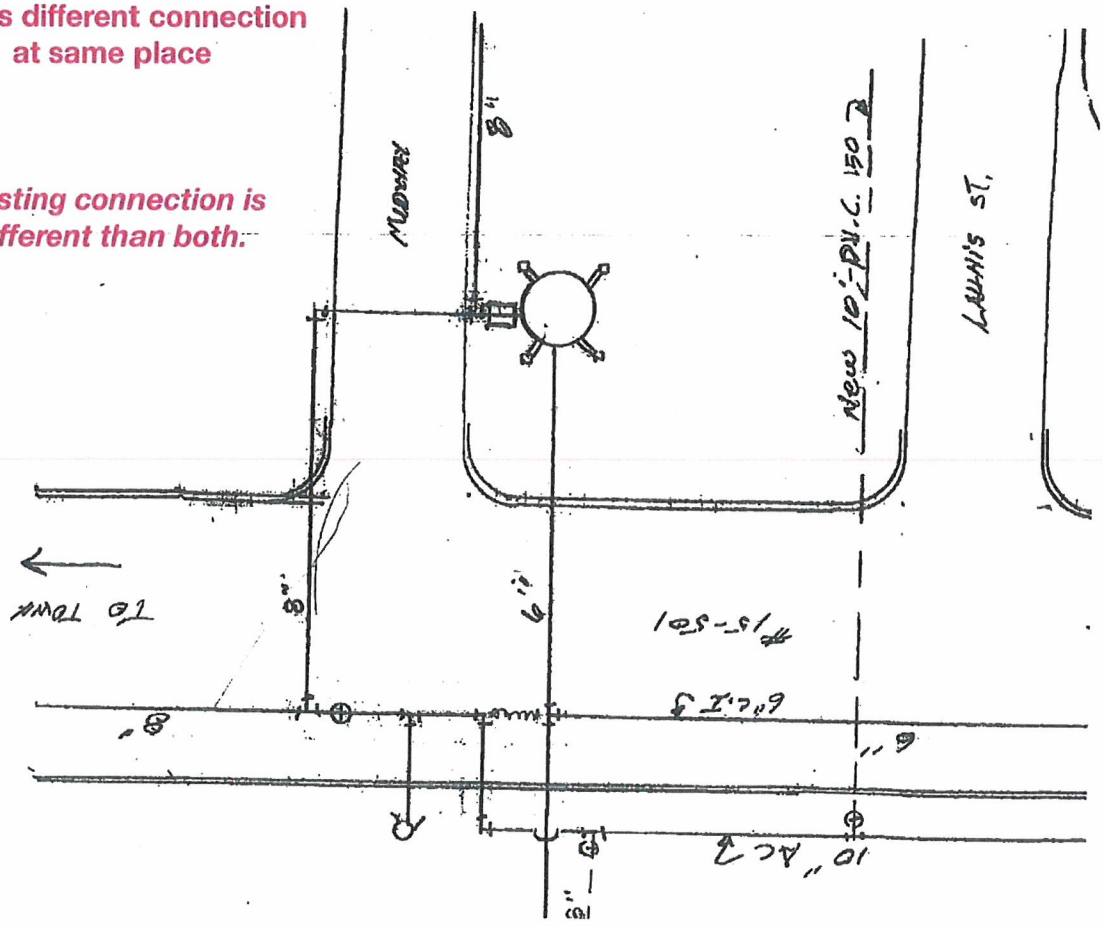
CONFLICTING DOCUMENTATION

Old Drawing #1



Old Drawing #2
Shows different connection at same place

Existing connection is different than both.



HYDROSTRUCTURES

BUDGET

- Construction Contract: $1,458,125.00
- Spent $1,300,920.65 (March 1, 2013)
- 89%
- 10% Contingency: $145,812.50
- Additional Funds CDBG: $100,000.00

GOOD NEWS!

- This line will be the backbone from which future projects can be added to address issues of inadequate flow and pressure throughout Pittsboro's downtown area.

HYDROSTRUCTURES