

MEETING WAS HELD AT THE CHATHAM COUNTY HISTORIC COURTHOUSE

**MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, NOVEMBER 25, 2013
7:00 PM**

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

PLEDGE OF ALLEGIANCE

Commissioner Farrell led the Pledge of Allegiance.

ATTENDANCE

Members present: Mayor Randolph Voller, Commissioner 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., Police Chief Percy Crutchfield, Planner Stuart Bass, Parks Planner Paul Horne, Lt. Melissa Starr and Community Police Officer Troy Roberson.

Mayor Voller will present the agenda to be set (A motion will be made to either approve the agenda as proposed or a motion will be made to modify the agenda).

CONSENT AGENDA

Motion made by Commissioner Fiocco seconded by Commissioner Baldwin to approve the consent agenda as submitted. The Consent Agenda contains the following item:

1. Approve minutes of the November 12, 2013 Regular Meeting.

Motion carried 5-0

REGULAR MEETING AGENDA

Motion made by Commissioner Baldwin seconded by Commissioner Fiocco to approve the regular meeting agenda as presented moving the Fiscal Year Audit Presentation to the December 9, 2013 meeting.

MAYOR'S ADDRESS

Mayor Voller read the following into the record.

Pittsboro is poised on the brink of history. We have an opportunity to constructively engage Chatham Park and ensure that the values of our community are at the core of its DNA. I will not support a bland, beige reproduction of past development in the region. Instead, after seven years of dialogue I see the opportunity to engage the future and build a project over the next thirty years that will incorporate our values and concepts, while embracing technology such as solar farms, reuse water networks, high speed fiber, LEED building, LED lighting, smart grids, smart homes, and other technologies that will create a broad based and sustainable prosperity for the town, county and region.

It will be important that Chatham Park honor and preserve the vitality and historic nature of downtown Pittsboro as well as its culture. An idea that has been best expressed in the words of local legend Tommy Edwards when he said “around here you can throw a rock at a tree and hit an artist who will fall out of the tree onto a musician.” We are certainly blessed with the human capital that we have in Chatham County---a remarkable situation that provides us with a competitive edge.

To that end, the Town has taken steps to hear all voices and safeguards are proposed with any approvals to ensure voices will continue to be heard in the future and that Chatham Park will be an honest broker and good partner with the community.

I understand the concerns of some in the community and I ask that you continue to engage the process through the new channels that will become open and help the Town and Chatham Park create a community that is the envy of the Southeast and a project that we can mutually embrace and take pride in.

This evening we have a number of stakeholders and citizens who want to speak about the proposed project and initial rezoning and master plan revisions. I ask that you be courteous and respectful of each speaker and refrain from cheers, jeers and other outbursts for or against a speaker and/or a position.

Finally, I want to address some of the concerns that have been raised:

1. The town has been engaged and knowledgeable about Chatham Park and its potential for at least seven years. It has been a part of numerous discussions and planning sessions locally and regionally through at least four election cycles and known to the various elected officials and staff who have served on the Town Board and served the Town of Pittsboro.
2. Although to some it may seem that the process is moving too fast, to others who have slogged through the numerous meetings with various elected boards and regional agencies it has been an incremental endeavor at best.
3. The proposed changes to the master plan, the agreement between the town and the applicant, the resolution to approve the rezoning and the supporting statements by the applicant will ensure that citizen experts and stakeholders will have a vehicle to shape the project and ensure that the outcomes that are achieved will have broad based support. In short, this will be the best vehicle to address issues and shape the project.
4. Upon approval the applicant will be able to invest in building the medical center on the north side of town and will spend the next two years working with its consultants, the town and the advisory

committee to address the numerous areas delineated in the master plan revisions. The agreement stipulates that the Town can refuse to accept site plans and/or stop the project cold if the aforesaid items are not addressed and accepted by the Town.

5. The Town has on file a comprehensive environmental impact statement that was submitted to DEHNR in order to obtain the permit to raise its limit to 3.3 mgd and discharge into the Haw River. Although I supported the need to get the permit I do not support the discharge point and believe that we need a strategy to create more reuse water, expand our current WWTP, and cooperate with Chatham County and Sanford on a regional solution that carries up to two mgd to a discharge at the new Sanford WWTP.
6. Finally, the project and the applicant will be supporting the “Main Street” program and downtown revitalization.

In closing, I have spent my entire career as Mayor trying to improve Pittsboro and the community at-large. Whether I fought for liquor-by-drink, against “fracking”, amendment one, supported Moral Mondays or pushed hard for grants to improve our town’s quality of drinking water, waste water or park system I have always considered the most important constituency in my actions: the future.

In my travels around the state I have had the opportunity to visit with leaders and citizens in towns, cities and counties that are not as blessed as Chatham County and Pittsboro. Many of their citizens, like ours, are struggling and are in need of local investment. And they envy our current position.

We have an opportunity to shape our future and move this project from political bickering to an arena that will allow for broad based input that will reflect a wide range of values that we can collectively endorse which will ultimately result in sustainable prosperity.

CITIZENS MATTERS

Tim Smith - Chatham Park Investors, stated he wanted to thank the Board of Commissioners for the opportunity to continue the dialogue about Chatham Park this evening. Several years ago when they started this journey they realized that the development of Chatham Park would generate a great deal of discussion and healthy dialogue and that has certainly been true.

Tonight affords Pittsboro the opportunity to come forward and start the next phase of our journey that will result in a new type development that fully acknowledges the success of past developments in the region. It will bring 21st century technology to the equation and builds on preservation of local resources, arts, history and the cultural in Chatham County.

Throughout his engagement with the community and its leaders his vision on this project has evolved sufficiently. The values of Pittsboro and the greater community of Chatham County have added forth impact on the shape, character and vision of this project.

He stated Chatham Park will become a key economic driver for long term and broad term economic prosperity for Pittsboro and Chatham County in North Carolina.

Mr. Smith wanted to point out a few things.

He stated after rezoning Chatham Park will not be able to develop more than 5% of residential until all additional elements of the Master Plan are submitted and approved by the Town.

The Town will have final approval on all plans (site, subdivisions, etc.) under the Town's subdivision regulations.

Chatham Park will have more than 2,000 acres of parks and open space upon build out.

Chatham Park has agreed to more strident rules than the current stormwater rules and are moving to a higher standard to be applied Town wide.

They have agreed upon \$300,000 per year to the Town for expenses incurred by the Town on behalf of Chatham Park.

Mr. Smith said they promote the creation of the UDO which would be applied to Chatham Park.

Mr. Smith stated this is a rezoning this is not permission to build anything.

He stated they have been working hand in hand together with the people of the community. They will organize a compass committee to advise them on all aspects of key concerns.

Those concerns are revitalization and preservation of historic downtown Pittsboro, the Main Street Program, high quality education for pre-k to community colleges and universities. The creation of local jobs with livable wages, sustainable economic growth, environmental protection, public transportation, park and recreation, affordable housing, Retire NC program, carbon neutrality, solar energy, arts & culture, jobs and business development. The Compass Committee will navigate and guide the development of Chatham Park.

Mr. Smith said tonight Pittsboro has an opportunity to launch this plan. In order for Chatham Park to begin the process of creating opportunities investing in the community they need Pittsboro to affirmatively support the initial rezoning of the Master Plan in order to break ground beginning with the medical center, major interchange and other investments that would total at least 30 million dollars over the first two years.

Mr. Smith said the development of Chatham Park would be good for NC, it would be great for Chatham County and it would be excellent for Pittsboro. It will set a new global standard for responsible, innovative visionary community development in the 21st century. Thank you.

Ken Boggs, 371 River Road, Pittsboro – read the following into the record:

I am Ken Boggs and I live at 371 River Road, Pittsboro. I retired from IBM as a Senior Project Manager teaching project management. I have been certified by the Project Management Institute – an independent professional certification organization. I have been certified by IBM too based on experience in managing significant projects.

Contrary to Preston Development's Tim Smith, statement at the Pittsboro Town Council meeting November 12, 2013, that the Chatham Park is a project – any work that spans decades to be fulfilled is not one project, but in fact, multiple major projects.

Mayor Randy Voller accurately summarized at the November 12, 2013 meeting that one of the ongoing hurdles Preston faces is the current history Pittsboro has with unfulfilled promises by developers. Treating Chatham Park as one thirty year project does not build the trust that is needed.

Chatham Park should be broken up into a series of twelve month implementation projects in which each project has publically shared planning and lessons learned tasks before implementation and after.

In the planning portion, stakeholder approval should be obtained from, among other stakeholders, this Pittsboro Town Board. To achieve this, a stakeholder database, internet accessible must be created to keep all stakeholders timely informed with the same information. Common and timely information builds trust and ensures there is a public record.

Limited and appropriate approvals for implementation naturally follow, are audited for compliance to the planning agreements as well as the implementation approvals.

Lessons Learned close out each yearly project and ensures continuous improvement.

In the United States, every year, of the many projects underway, only 5 percent actually complete providing the functions and facilities agreed to, in the committed timeframe, and within budget.

95 percent fail. The primary reasons are the lack of skill and will to follow the disciplined and responsible process I have mentioned.

I hope this input is helpful to you and, if you wish, there is a great deal of further information freely available to help you in your work.

Many thanks for listening.

Mary Lucas read the following into the record.

My name is Mary Lucas and I live at 371 River Road, Pittsboro, NC.

If the Pittsboro Board of Commissioners approves the rezoning request of Chatham Park tonight, it will be going against the publically stated wishes of at least 600 of its citizens and against the recent election of Mayor-Elect Bill Terry and the re-election of Pam Baldwin and Mike Fiocco. The two commissioners up for re-election gave voters the impression that they had heard the voters asking for more deliberation and review of the Chatham Park proposal. Apparently now that they have been re-elected on that specific issue, they have changed their minds.

Possibly the greatest consequence of approving this flawed, vague, and incomplete development plan is that Pittsboro will be left behind. By granting rezoning without impact statements and in-depth independent review, the town is allowing the substantial inadequacies of this plan to go forward. It is abdicating its ability to control the development in the future. Pittsboro will never again have the influence on this development that it has now unless it retains controls and realistic, legal ability to enforce these controls in return for granting rezoning. I don't see that in any of the documents that the town has released to the public regarding the rezoning approval.

If Pittsboro does not have some enforceable way to control the direction and implementation of this development, the developers will simply do what they wish regardless of the concerns of the town. We may have a very large Cary on our doorstep with no way to influence this behemoth. Pittsboro will become irrelevant and forgotten.

Thank you for your consideration.

Heather Johnson – 278 Hillsboro Street stated as a business owner (Chatham Business Services) she is told to stay out of these matters for the sake of her business. But she has to ask the board to move the process along for the sake of her business. She wants to stay here and raise her children in this sweet little town and have her business down the street. She needs people to be coming through her doors and utilizing her services.

She said our town has something Cary doesn't have and that is identity. We have the historic courthouse and the Justice Center a block away.

She said we have so many closed businesses up and down main street. The business owners don't know if they are going to make it next month to pay their rent. She said we need people here.

The people that are planning this development would bring what she needs to keep her business open. It is what her fellow business owners need to keep their businesses open. She said even if there was an Office Max in Chatham Park it would not affect her business.

Ms. Johnson asked that the board please vote tonight. She said that is what we elected you to do.

Kitty Mecham – owns business at 80 Hillsboro Street. Ms. Mecham stated she is not against development if done correctly. She lived in Preston over ten years and it was great to be able to walk to the bank, grocery store and restaurants. She is asking the board please do not pass Chatham Park Master Plan at this time. Please hire an outside independent consultant.

Ms. Mecham said the developer needs to have a phasing and property density plan. She would like for them to provide more green space and would like to see it labeled on the map. She would also like to see the 250 ft. setback increased.

Dianne Reid – 27 S. Freeman Drive, Pittsboro read the following letters from Economic Development members into the public record.

Unfortunately I'm unable to attend this evening's important meeting due to holiday travel. Were I able to participate I would strongly advocate for the Board to give favorable consideration and approve the Master Plan for Chatham Park.

The PPD revisions satisfactorily address all areas of concern and create an important partnership between the town and Chatham Park.

This development is very, very important to the town's future. I applaud the efforts to protect all that is beautiful in Pittsboro and know you agree the need to support and nurture the area's economic vitality is equally critical to our future.

Again, please vote to approve the Master Plan.

Michael J. Donoghue
Treasurer

Economic Development Corporation of Chatham County

Greetings Mayor and the Pittsboro Board of Commissioners. I hope all are well.

I will be unable to attend the Board meeting this evening where the advancement of the Chatham Park master plan is to be voted. Via this email, I wish to offer my observations in support of an approval in advancing the project.

There is no doubt of the economic benefit this project will bring to the County. This, contrary to residential-only proposals, has the opportunity to greatly leverage economic growth in businesses and jobs, helping to end Chatham County's current status as a bedroom community to the RTP. 'Work where you live' has long been a goal of the County. Yet many previous proposals addressed only the 'where you live' component. The log-view vision of this Park is impressive and transformational. It is visionary and shows balance. True balance is dependent on the appropriate balance of business and residential development, with sufficient consideration given to the environment, transportation, safety, and education. Chatham's value is in its location and its environment.

I understand the desire of some residents to pause, in that the future can at times be fairly unknown. Experience with past proposals has been sketchy at best ... and none to this scale. In this case, however, I have witnessed the Partners desire to engage the community and to invest heavily in their vision. They have been willing to be fairly specific in their approach. The Partners engaged the community early. They listened, and they have responded to concerns. The revisions and responses to the Planned Development Master Plan reflect this response. I must say that this is a far more comprehensive plan than I experienced during my former tenure on the Chatham County Planning Board. This is not carte blanche, but rather an organized approach to growth, with what I believe to be sufficient government oversight and citizen engagement.

The region is growing. A comprehensive, well thought out approach to this growth is preferable to some of the haphazard and disjointed growth that has occurred, or has threatened to occur, in the past. The advantages can be many. Past discussions have included a mega-mall, regional landfill, and other influential but, in the long run short sighted and limited development schemes in and around Pittsboro and eastern Chatham County.

The concerns being brought forward can and should continue to be discussed and addressed through inclusion and conversation. This project, while substantial, brings with it the resources and vision to do things right. Protecting the environment, solar electricity generation, hospital, and a global focus ... all are part of the planning. Pittsboro can and should leverage the opportunity to clearly define its role and its own outcome in the progress of the project. Pittsboro's ID does not need to be subsumed, but rather can be enhanced as an anchor of the project, if it so desires.

The project is expected to take 20 – 25 years to complete. All answers cannot be forthcoming upfront. However, the master planning process provides many touch points with Pittsboro's government and many opportunities for engagement with its citizens. These conversations can and should continue as the project advances.

My thoughts.

Thank you for your time.

Larry Hicks, Co-Chair
Chatham County Economic Development Corporation

Ms. Reid stated that the Chatham Economic Development Corporation has never taken a vote on the Chatham Park project because it is so obviously consistent with everything that we support: providing good jobs, substantially enhancing the commercial tax base, incorporating smart growth principals including walkability, connectivity, etc. Projects such as this support employment centers coupled with rural preservation as envisioned in the conceptual land use plan we spearheaded this year (and unanimously endorsed by the County BOC).

Joe Glasson – 934 East Street (EDC) would like to talk about the fact the board is in a very difficult situation where you have taken a great deal of due diligence. You have listened to the community and took what they said and met with the applicant and made some of those changes concerning part of the Master Plan. They have made a whole series of revisions.

Mr. Glasson said the board would still retain the right to authority for review, control changes, approvals or disapprovals. He sees no reason not to approve it this evening.

Paul Konove – 1459 Redbud, Pittsboro – My name is Paul Konove and I am a builder in the area. I am going to construct a larger view of this issue. This past week, the Builders Council Conference of 25 to 30 thousand people occurred up in Philadelphia for the conference planning session. The Mayor of Philadelphia spoke first about new building in his city and then he was followed by Hillary Clinton who followed as a keynote speaker. I've been involved in green

building for many years and I've never heard a politician on her level speak as she did and precisely of the critical importance of green building for leading innovation, providing opportunities on international levels, enabling our national security, providing jobs, better schools, and providing for our environment including water issues.

Also she spoke about confirming in the last few years the business case for involvement in the green building has been made as a good investment. The Mayor of Philadelphia spoke about the city's commitment to green building focused in part on the leadership of energy and environmental design for neighborhood development efforts in Philadelphia. This LEED indeed which is not buildings or homes is an effort that goes beyond said buildings. It provides a framework that can be used for large developments that can make them more suited to face the economic and energy challenges we'll be facing more as the 21st century progresses.

Mr. Konove stated commitment to green building such as these two leaders recommend requires establishing collaboration, public input and specific criteria to achieve those goals. Not specifying those things means it may not happen at all. Fortunately the Town Board to not follow up in this charge to include public input is part of its to do list during the August work session nor did the Town Board follow up on the interest accrued public input at the more recent town meeting. Public input should be to the town. That should define criteria rather than generalization, not only for green building but for the multitude of Chatham Park. In other words as Ronald Reagan would say, "Trust but only with verification". I urge you not to vote and table the discussion for Chatham Park.

Efrain A. Ramirez – 250 Town Lake Drive, Pittsboro – has been a resident 29 years. He has heard the mention of a seven year dialogue. He was not aware of that and wasn't made aware until about two years ago when the Barber property was sold. When he looks at the map it is now all around Pittsboro – over 7,000 acres. It seems to him that Chatham Park is fixing to get its plan approved - then we might be able to get revisions to this later on.

He doesn't see why this has to be done right now. He agrees with Ken this is massive. He is not against it he knows it is going to happen.

Mr. Ramirez said he really loves this town and wants the character of this town to remain. The development is too big to be approved at one shot. He urged the board to not vote on it right now.

Jeff Starkweather – 590 Old Goldston Road, Pittsboro. Stated he doesn't have a written speech tonight. He had a meeting with Commissioner Fiocco and at the end he said to Commissioner Fiocco this is the kind of detail conversation that should go on in worksessions with the Attorney going over it item by item, which we have not had.

He said he was a member of the EDC and was a part of the scenario planning process. He found that interesting that the Mayor sited that as we had been working on this. The scenario planning was essentially a committee of the EDC. They made sure it was a public process. That was a much less consequential plan because it was just a concept plan and they had public input throughout.

Unfortunately, in this case they had essentially behind the door we know what's best for the community decision making process. He is sure it was always secure and everyone did their best.

Mr. Starkweather stated public hearings are not public engagement and that is what they are asking for. He has been one of the leading advocates for smart growth in Chatham County, sustainability and this concept of development.

Mr. Starkweather referenced the email he had sent to the Board of Commissioners today. It reads as follows. He mentioned the five legal problems and policy concerns that should prompt you to unanimously remove these items from the agenda or table them. (They are listed below in the email)

Listen to your citizens, take this matter off the agenda or table it

**Document submitted in conjunctions of public input, November 25, 2013 Town Board meeting by Jeffrey Starkweather, 590 Old Goldston Rd, Pittsboro, NC 27312
Revised version of e-mail sent the same day to the Town Board**

From: Jeffrey Starkweather [mailto:jeffreystarkweather@earthlink.net]

Sent: Monday, November 25, 2013 2:24 PM

To: 'Michael@MAFiocco.com'; 'jfarrell@pittsboronc.gov'; 'ekwfoley@gmail.com'; 'Mayor Randy Voller'; 'pbaldwin@pittsboronc.gov'; 'Beth Turner'; 'Michael@mafiocco.com'; **Cc:** 'Bill and Jennifer'

Dear Mayor Voller and Board members:

Clearly, I am deeply dismayed that you are being asked to vote tonight on a completely revised master plan and agreement that was developed behind closed door and posted for the first time on the town's website on Friday evening. I doubt most of the board has had the time to fully comprehend the implications of these legal documents. And this vote is proposed two weeks before the newly elected Mayor Bill Terry is to be sworn after he won a landslide victory, in large part on the issue of taking sufficient time to obtain meaningful citizen and outside expert input.

Having read the proposed revised master plan and all the previous versions, as well as previous subcommittee comments and reply from the developer, the proposed ordinance amending the zoning ordinance for Chatham Park and the PDD ordinance, I strongly contend **these documents raise serious policy and legal concerns and questions that should be reviewed in a more deliberative manner than could possibly be accorded on Monday night.** Likewise, I believe you owe to the citizens of Pittsboro and residents the protection of having obtained outside legal and planning advice on both likely and possible unintended consequences of what is contained in these last minute legal documents.

Moreover, I believe you cannot legally approve the master plan and rezoning without a public hearing. But even if it were legal to do so, it would be irresponsible to vote on these proposals

without first obtaining a written staff evaluation of these documents, allowed citizens and area residents, and possibly their attorneys, an opportunity to be fully heard about these proposals, as well as having obtained independent outside expert legal and planning advice. Something as critical for the future of Pittsboro as the proposed 55,000 population Chatham Park master planned community, as is clearly impacted by these documents, should necessitate at least one work session where each section is explained and explored in detail as to how it will work, what are the respective authority and flexibility of each party, the possibility of legal challenges and likely impact of vested rights accorded the developers, among other concerns.

Thus, I am asking you to consider the following five legal and policy concerns that should prompt you to unanimously remove these items from the agenda or table them.

First, I believe you are legally required to hold a hearing on revising the Planned Development District (PDD) ordinance, since a number of concessions to the developers in their master planned appear not to be allowed or provided for in the PDD. One of those is allowing Chatham Park a two-year delay in obtaining approval of the following required master plan elements of the PDD ordinance: public service plan, multi-modal transportation plan, utility plan; open space plan; storm water plan, phasing plan, and landscaping plan. Additionally, I do not see where the PDD ordinance allows for preliminary subdivision approval for five percent (5%) of the maximum number of residential units allowed or fifteen percent (15%) of the maximum amount of non-residential units before all the requirements of the PDD for a master plan have been approved by the town. How can you approve a master plan and rezoning for Chatham Park, when the master plan is not in compliance with the PDD ordinance?

Second, the twice revised master plan clearly makes substantial changes from what was originally proposed and upon which the original notice for the public hearing was advertised and the original public hearings held. Moreover, some of those changes directly benefit the developer, such as the proposed allowance of approval of a certain percentage of residential and commercial development prior to town approval of all the elements required in the PDD ordinance and which we not requested in the proposed by the developer in the original master plan. Another concession to the developer appears to be Section 7 of the November 21 Master Plan Revision, which allows for the developer to appoint a "Development Review Committee" which will review all applications for development in Chatham Park and be the exclusive agency authorized to interact with the Town with respect to developments applications in the park. Since there has not been a public explanation or discussion of any of the master plan revisions, it is possibly there are other substantial changes that benefit the developer that are not readily apparent. Regardless, there are more than enough changes in the master plan to legally require a new public hearing on those changes.

Third, the proposed agreement that is attached to the agenda is a required element of fulfilling on the conditions of the revised master plan before it is approved and the land rezoned. However, the amount of money is left blank. Also, Exhibit A referred to in the agreement is not attached to the agenda. It does not seem sound public policy to be voting an important agreement when neither the town board nor citizens were given notice of its most important provision.

Fourth, the proposed ordinance amending the zoning ordinance for Chatham Park finds that proposed amendment is “consistent with the comprehensive plan of the Town of Pittsboro, including the Land Use Plan and other applicable plans, policies and documents.” It is not. Section 6 of the Land Use Plan includes a subsection entitled “Action Steps for Private Development.” One of those refers to Chatham Park and states, in part, “Work with developers of Chatham Park to develop an area plan with a public process and design charette that builds on the Southwestern Shore Assessment (October 2008).” Chatham Park submitted a PDD ordinance for its development and submitted a master plan with a design that was in clear violation of this provision of the Land Use Plan. Chatham Park not only did not involve citizens in the design of the development, their development design contained in the master plan ignored most of the recommendations of the above-state environmental assessment. Moreover, the general statutes of North Carolina specifically state that “zoning shall be in compliance with the comprehensive plan.” Remember the land use plan was unanimously adopted by this board less than three months before the PDD ordinance was presented to the town. Thus, there has been no change in conditions in Pittsboro that the town could argue would justify not following the formally adopted land use plan in denying a rezoning for a master plan that is clearly not in compliance with that plan.

Finally, as I have stated and written before, the subcommittee meeting that resulted in the revisions to the master plan that you are considering this evening were clear violations of the North Carolina Open Meetings Law. Thus, in my opinion, the product of those secret deliberations, were never legally arrived at or approved. Of course, none of the comments, revisions, responses, re-revisions worked in illegal closed door sessions where ever presented to the board for discussion or approval until this evening. Even if these were not illegal, and I am confident they were, there has been zero public process in developing the revised master plan and agreement you are being asked to vote in an apparent rush to have completed before the new Mayor is sworn-in in two weeks.

Let me state clearly Pittsboro Matters wants to work with the town, developers and outside experts in following the land use plan coming up with a design and master plan that builds on the environmental assessment, as well as all the people and place assets of Pittsboro. That is why we have avoided bringing legal action regarding the violations of the open meetings law in the operation of the town subcommittee. Moreover, we had been promised participation in a public subcommittee process for reviewing and revising the master plan and PDD ordinance. If the revised master plan and agreement are approved this evening, that town board promise will clearly have been broken. We will have no choice but to obtain counsel to advise us on possible legal challenges to these approvals. These would likely be based, in large part, on the legal issues I addressed above. Let me reiterate, we want to be partners with the town board in this process, not plaintiffs challenging this precipitous approval of the master plan and rezoning.

In conclusion, this is a complex, complicated and emotional issue. But I know from my canvassing neighborhoods all over town several times in the last several months, my talks with hundreds of voters on Election Day and my discussions of this issue with hundreds of folks as patronize local business and civic organizations exactly what the vast majority of town and area residents want to do this evening – take this off the agenda or table it and take the time necessary for the board and staff to review and deliberate in public on these rushed proposal and to have

meaningful citizen and expert input into these and alternative substantive and procedural proposals for this proposal.

Mr. Starkweather said it your responsibility to be careful with the future of this town. There are no impact statements in this ordinance.

Dee Reid – 590 Old Goldston Road, Pittsboro – Thanked Mayor Voller for all the good work he has done in the last eight years and to the first lady which is the best first lady we have had in a long time.

Ms. Reid said she has a pretty exciting vision about this development. The developer has been talking about some pretty good things and the Mayor has as well. But the problem is they haven't seen the details. The plans have not been discussed in public. They are told the developer wrote the plan – it's their plan. It was revised by a two member sub-committee from the board. The revisions were based on recommendations from the two member subcommittee of the board and they revised it with some help from the developer all of this was done in private. So while the plan may be on the website no one has really discussed it in public.

So the idea that you would vote to grant a rezoning on that plan tonight, for her, is the thing that makes her not wanting to give you (the board) the trust you ask for. In fact the only reason she can tell we are here tonight is that someone is in a big hurry to get this approved. It is premature.

She said this is the largest development in the history of the State of North Carolina. When it is built out by the developers own estimate it will be as big as the population of Chapel Hill today. That warrants a lot of public review. The incoming Mayor has said that he thinks the process should be opened up to engage citizens in the matter.

Ms. Reid asked the board to think really long and hard about this and to table any motion to approve/deny the rezoning request tonight.

She thinks you should at least wait to the meeting in December when you are sworn in again and the new Mayor is a part of this conversation.

John Alderman – 244 Redgate Rd., Pittsboro read the following into the record.

I'm John M. Alderman, President, Alderman Environmental Services, 244 Redgate Road, Pittsboro, NC 27312.

As a professional environmental scientist, this is possibly my last opportunity to provide warning of just how environmentally and economically dangerous Chatham Park is to Pittsboro, Chatham County, and future development activity in eastern Chatham County. I will not go through all my maps and associated messages sent to you during the past 6 months. Instead, I will quickly summarize and expand upon some of my warnings:

1. As planned, Chatham Park Master Plan receives a failing grade in the following areas: protection of our drinking water supplies in Jordan Lake and the Haw River; delineation,

surveying, mapping, and protection of all streams, stream buffers, and associated native plant communities; adequate surveying, mapping, and protection of steep slopes and associated native plant communities; adequate protection of lands and native plant communities associated with highly impermeable soils; adequate protection of wildlife corridor areas; adequate protection of rare species habitats; adequate use of woodland in efficient management of stormwater; adequate deeding/transfer of ownership and funding for perpetual land management of properties within all protected landscapes; and use of Low Impact Development stormwater techniques throughout the development landscape, just to name a few. The applicant should legally agree to complete these actions within the master plan with the full understanding that adequacy will be determined by a panel of environmental scientists hired by Pittsboro, reporting to Pittsboro, and funded by Chatham Park Investors.

2. Federal statutes and regulations require that direct, indirect, and cumulative impacts of development activities are addressed when federal permits, authorizations, and funding are involved. Also, impacts to federally listed species must be addressed. Chatham Park is a massive project, not just a small, piecemeal development over time. We know where it will exist, what resources will be affected, and which of the numerous infrastructures will need upgrading or created. If Chatham Park is inadequately designed and approved by the Board of Commissioners, numerous entities, including Chatham Park, other developments, and infrastructures agencies, will be caught in federal environmental permitting and funding quagmires of trying to provide infrastructures to meet other Pittsboro, other Chatham County, and Chatham Park needs. We will face a future environmental permitting nightmare for everyone in eastern Chatham County if an inadequate Chatham Park Master Plan is approved by the Board of Commissioners.
3. You asked Chatham Park for its GIS files recently, and they refused to provide them. I also asked you for all their DENR stream delineation forms. Nothing has been provided. How can the Board of Commissioners even start to entertain approval of a Master Plan when the applicant refuses to provide requested documents?

Thank you.

Sonny Keisler – 3006 River Forks Rd Sanford, NC thanked Randy for serving as Mayor all these years. He said he is here tonight to urge the board not to vote on Chatham Parks rezoning request we need more time for public review and input.

Mr. Keisler said by comparison his family initiated a rezoning process for approximately 30 acres of land in Cary in December 2011. They were told the process should be completed in January 2014. That is 25 months later for 30 acres.

He said in their case they decided to take a slow careful 25 month approach so that their neighbors, community, town and staff would have plenty of time to study their rezoning. He would hope his friends from Cary (Chatham Park Investors) would give Pittsboro and the surrounding community the same consideration.

Lesley Landis – 21 Randolph Court, Pittsboro read the following prepared statement.

Seeing the sheer number of people here tonight does my heart good.

Your presence illustrates the deep sense of connection and the love that you have for the home we share.

I love Pittsboro too, as does my husband Mayor Randy Voller.

The first time I visited Pittsboro, I took Highway 64 which was only 2 lanes at the time.

Occasionally I found myself in a green tunnel made of trees that grew from either side of the road and intertwined their branches above me. It was magical.

That was almost 30 years ago> Much has changed but I'm still enchanted by Pittsboro, in fact more so now that I know many of you.

Shortly thereafter I met Randy Voller and noticed that he has a habit of doing things that people tell him not to do. They said

... don't buy land and build a neighborhood in Pittsboro. It's too far away.

... don't build on the east side of Pittsboro. Only "those people" live over there.

... don't run for elected office, it's thankless, unending, and hard work.

But my husband has big ideas and a big heart.

He's got an uncanny ability to read the tea leaves and is energy personified.

He cares deeply about people, policy, and Pittsboro.

So here we are.

Tonight is his last full meeting after 8 years as Mayor and boy has he made the most of it!

I want to celebrate because this has been a challenging and difficult undertaking.

But I want to honor some of the highlights of his tenure as Mayor of Pittsboro. So for those who may have forgotten or never knew...

With Town Staff, commissioners with whom he's served, and local volunteers, Randy used strategic thinking, creative problem-solving and tactical planning skills to bring approximately \$6.5 million dollars in grants, land contributions, and zero percent interest loans to Pittsboro.

Let me repeat that, \$6.5 million dollars for Pittsboro.... and that's just thru the end of 2011. I don't have the figures for the last 2 years.

- That money went to develop Rock Ridge Park south of town, and this is after he convinced 3M to *give* the town 55 acres of land valued at \$870,000.

- That money went to update the municipal water treatment plant which improved our water quality significantly.

- That money went to install new water lines downtown and repave Hillsboro Street
 - ...to improve the aging wastewater treatment plant
 - ...to build new sidewalks and repair old ones
 - ...and much more.

Randy's been a consistent and vocal advocate for Pittsboro's economic development and downtown revitalization. He encouraged the Town to obtain the RetireNC designation, and to participate in the Main Street Program that is improving the appearance of properties downtown.

He led the campaign to bring the sale of mixed beverages to the Town and County.

Why, as this courthouse was on fire, Randy was in the smoky streets assuring citizens and the media that this courthouse would be rebuilt and that downtown would come back.

Again, he didn't do it alone— so thank you to everyone who worked with him and supported him — BUT he did lead the way at a time of terrific angst and economic uncertainty.

Now, in our house, we might say "So, do you want a cookie?" Implying, in this case, that people who've been elected are *supposed* to do this for their constituents.

But the truth is, few, if any, have done this much for Pittsboro. Few have led Pittsboro as effectively as Randy Voller.

For eight years people have believed in Randy to do right by Pittsboro and he has.

And that's not going to change.

So, from this, admittedly biased constituent, I say thank you Mayor Voller. Thank you for connecting dots and people to benefit the businesses of Pittsboro and the surrounding area.

Thank you for the Pittsboro's parks and our clean drinking water.

Thank you for your work to oppose fracking and Amendment One in Pittsboro.

Thank you for supporting Pittsboro's farmers and artists.

Thank you for continuing to work to make Pittsboro a place we want to live.

I'm excited — and, yes, a bit nervous — about what may lie ahead but I'm with you and Pittsboro all the way.

Thank you.

Mayor Voller said he thinks Pittsboro is a great place to live and will continue to be with the leadership we have now. One of the reasons he chose not to run again is because he is chair of the NC Democratic Party and that was going to be taking him all over the place.

He said regardless whether Chatham Park is approved tonight or whatever happens we have to take into account our full community of which he don't see a lot of people in the room.

He said he has spent a lot of time visiting the trailer parks around this county that have people not really benefitting by prosperity, they are not here tonight so their voices are not being heard. It is mostly voices of people he is friends with that may not be happy with this being on the agenda tonight.

Elaine Chiosso – 1076 Rock Rest, Pittsboro, NC. Thanked Mayor Voller for the many, many good things he has done for the Town over the last eight years. Ms. Chiosso stated she is the Haw River Keeper and has been working since 1982 to protect Jordan Lake and Haw River.

She thinks we have a choice right now that we can protect water or we can build Chatham Park as the Master Plan is now written. Because that plan as by the map is including 55,000 people which means we will definitely further impair Jordan Lake as well as the Haw River.

Ms. Chiosso said you cannot put 55,000 people between here and those waters without getting a tremendous impact – it cannot be done. No one has ever done it anywhere.

You look at the Haw River watershed which extends from Greensboro, Reidsville, all through Alamance County, Chapel Hill and South Durham do any of these cities have clean water? No! All of them have creeks on the impaired water list including Pittsboro. That means it does not meet EPA's standards.

Then we can talk about wastewater for 55,000 people and then we can talk about trash. You start to look at a lot of combined problems.

She said just the building of this will send a lot of mud into the Haw River and Jordan Lake we know that.

She said the revised Master Plan came out on Friday and the additional elements should be a part of the Master Plan before a Master Plan is approved and that would give us an opportunity to get an environmental impact statement done and to have that peer review and to really know what the information given us. To let them start building 5% residential and 15% commercial look like that is the same amount they could build without a rezoning request. They have land they can start building on right now with the current zoning.

Ms. Chiosso said she don't see what Pittsboro is gaining out of this and the idea of a review committee that they would control that is definitely not the type of citizen engagement they are asking for. She is currently a part of a citizen scientist task force on water and they would love

to be a part of this process before the vote to rezone. She urged the board to not vote on this tonight it is too soon.

Mayor Voller asked what the development review committee was.

1. Commissioner Fiocco said it is his understanding they will work for the developer and submit all Chatham Parks applications with respect to development.

Amanda Robertson – 244 Prince Creek, Pittsboro, NC read the following into the record.

Pittsboro Matter's Update:

Citizen Workshop:

As you are aware, we held a Citizen's Forum on October 29, 2013 where we had an estimated 140 Pittsboro citizens attend. Individuals were able to learn more about this project, look at maps, and share input. Since that time, we've had many individuals contact us who were not able to attend the forum. We'd therefore like to continue this conversation at a hands-on Citizen Workshop on Thursday, December 12, 2013 at 7:00 p.m. in the town library and invite all to attend. During this workshop, citizens will look at maps of the proposed development area, learn about the issues, ask questions, and contribute to what will ultimately become a Citizen's Report on Chatham Park. This will be presented to the Mayor and Town Board, and made available to Chatham Park, LLC in January.

Pittsboro Matters hereby extends a personal invitation to members of the Town Board, to the Mayor and Mayor-elect, to please attend the Citizen Workshop and engage with your community in a more intimate, one-on-one setting with smaller groups of citizens in conversations about the many issues surrounding this enormous and important project. We truly and sincerely hope you will come!

Personal Comments (Amanda Robertson)

Since Friday evening, when the agenda was posted for tonight's Board of Commissioners meeting, email boxes have been flooding. There has been an enormous amount of simply shock that this matter was on the agenda for a vote tonight. The Monday before Thanksgiving, the BOC meeting before the new mayor takes office. Mayor Voller, while I can understand your personal desire to have this project leave a lasting mark on a community where you have served as mayor for so many years, to rush this through at the last minute – no disrespect intended – but I view it as simply unconscionable. Correspondence with you over the weekend in response to an email you wrote that was copied to me included my response to your reference as a “representative” of the people. And I would like to speak about that for just a moment.

As I said at our last BOC meeting, and I say “our” because I am a member of the community and it is therefore my right to attend these meetings, you all were elected as our representatives. We, the community of Pittsboro, elected you. Many of us campaigned for you. And we asked you to represent us. We understand we cannot, as a community, weigh in on every decision that is

needed to govern this town. Thus, we elect you to represent us. However, as I also pointed out two weeks ago, this does not mean that we should, or do, relinquish our rights as citizens. Our voices do not simply disappear once you are elected. This is, after all, a democracy. As such, when really big issues come around, the people will come out of their warm homes by the fireplace, with their families, leaving their preparations for Thanksgiving, to share with you, in person, their wishes, their concerns, their ideas and their vision. We have been doing this for many months now speaking to you.

But not speaking with you. You have not engaged with us as a community. We have not received any correspondence from you that indicates you have heard us or would like to learn more or would like to share communication back with us so we can affirm, or deny, that you've heard us correctly. That you understand. So that we can all move forward on this project in complete confidence that what we, the people of this community have conveyed to you, our representatives, has been heard and will so inform the future direction of this Master Plan proposal. This requires two-way communication. Not just members of the community getting up and speaking to you.

I, personally, do not feel heard. I get nods and "thank you" when I have spoken to you, but have had no meaningful dialog with you, with any of you. I've been given no opportunities for dialog with you. And this is one of the primary things Pittsboro Matters has been asking for: To engage with the citizens on this issue. It is simply not your right, as our representatives, to make decisions on our behalf that clearly go against the will of the majority. It is your duty to convince us that your decisions instead DO address our concerns, our values and our will.

I urge you to remove from tonight's agenda any further action regarding Chatham Park until such time as you have engaged in a dialog with your constituents and addressed their concerns adequately.

Thank you.

Beverly D'Aquanni – 856 Millcroft Rd. – asked if they are listening to the people that have come to speak to you night after night expressing their concerns. She said an ounce of prevention is worth a pound of cure.

Ms. D'Aquanni asked who gets to gain by rushing this development forward without specific information on what will be done and how it will be done.

She said there is no reason to push this decision until the citizens of Pittsboro and Chatham County feel secure with it. So please listen.

Diana Hales – 528 Will Be Lane, Siler City stated Chatham County is her home too. She said for years she made the commute from Siler City to Raleigh and her commute increased from one hour to one and a half hours in those twenty years. The increase was because of congestion and because more people have come to live in the state. A planned development like you have before you is probably inevitable.

Because this is such a large project it needs as much consideration you can give it. That consideration has a lot to do with water. You have the water and wastewater components and they are huge issues all across the state.

Ms. Hales said the lack of impact statement is one of the things that concern her. She said there is a great list of scientists in the area that is willing to help, let them. She said for you to pass this tonight without further study, especially environmental studies is too hasty.

Julia Kennedy – 278 E. Salisbury Street. Thanked Randy for all he did for the Town. She also thanked the Commissioners for all they do and she knows it can be a thankless job and time consuming for them all.

She said the environment impacts, congestion, traffic, water/wastewater have already been well covered.

She said she has spent twenty years in retail and when you have trash zoning you are going to get ugly developments. A lot of the big box stores will only hire part-time employees so they don't have to pay benefits. But people can't live on fast food wages and big box wages it is just not possible. She does also know the fastest way to kill a downtown is to have a huge uncontrolled growth retail development down the road.

Ms. Kennedy said if you are a business owner in this town and you think you can last past a big box store that competes in your area, you are wrong. They can buy things so much cheaper and so much faster because they have enormous buying power and they pay their workers nothing.

She said some of the shops downtown are vacant but we also have some wonderful locally owned businesses. The money stays here.

Most of the money from big box goes out of the community and will not come back to us. If you let this pass now it is going to result in horrid changes for Pittsboro and you will do us a disservice if you vote on this tonight and they don't know what's going on.

Julian Sikes – 155 Windflower Rd, Pittsboro stated he travels around so he is used to coming home to see a McDonald or a golf course. Even before this proposal it scared him about the kind of growth that is going on here. He would like to see as many trees preserved as possible. It really makes him sad to see the look of hopelessness when he come home.

He said it appears our representatives are not reflecting our wants or needs. He thinks it would be a good gesture to postpone this until more input from citizens in the process.

George Lucier – 628 Redbud, Pittsboro. Mr. Lucier stated he is a former Chatham County Commissioner. He complimented Mayor Voller on his years of service and that he has done a great job in the last eight years and he wishes him the best. He would like to also thank him for all that he has done.

In general he supports the concept of Chatham Park. He agrees with what Dianne Reid and Joe Glasson said about economic development and job creation in Chatham County. These are good things.

Mr. Lucier said he does think we have the advantage of having one developer with good intent. But the last few days he has read the materials and the safeguards we have talked about are vague, inadequate and he don't think they are enforceable.

He said it made him think when reading through these materials about Briar Chapel ten years ago. This development in terms of acreage is five times the size of Briar Chapel. In terms of the number of people 10 times so it is twice as dense as Briar Chapel will be at full development. He said it did not suffer do to a lack of detail to the plan. It is very successful.

Mr. Lucier said at an earlier meeting he asked if there had been a public meeting between the developers, Chatham County Commissioners and the School Board after all schools will be needed.

He said currently we have 64,000 residents in Chatham County. This development will add another 55,000. We have 17 schools in Chatham County. This means that we need 12-14 new schools. The process needs to include a process for making sure the schools are taken care of.

Mr. Lucier asked the board to take time to get a little more details. Once again he supports the concept.

Matthew Ford – 4043 Hamlets Chapel Road said he is an architect. He said he learned about this recently. His concern is that the development will be different in character to what it is here now. It overwhelms what's happening here. He thinks passing the rezoning is insensible.

Kathie Russell – 261 Abeyance Drive, Moncure. Ms. Russell stated she adjoins this property. She said when she first heard about the project she was against it.

She said what she would whether have is nothing. She would like for the land to stay just the way it is. She thinks a lot of people who spoke tonight want the same thing. But she didn't buy the land and someone else did. Her concern is she wants it to be developed the best that it can be.

Ms. Russell received a letter as an adjoiner. They had public meeting so she doesn't know why people are saying there was no chance for input because there were two scheduled public meetings. She was also told she could request a personal meeting if she could not make them.

Ms. Russell said she met with the developer a week ago and instead of coming here opposing it she is coming here to say she thinks you should vote on it. Every concern she had during the meeting was addressed. She said if you have issues you should talk with the developer about it. She came away with the feeling the developer is very sincere.

She thinks it is going to be amazing when it is complete. If Pittsboro doesn't move forward with this she is told by clients the legislature would be very happy to quickly approve a town charter of its own. Where does that leave Pittsboro – it leaves Pittsboro out of the project. If there is a new town charter Pittsboro will not have input. She would ask that the board move forward.

Mayor Voller said a number of years ago when we had Pittsboro Place to come before us people were upset when he allowed people that were not residents of the town come to speak. They said what business do they have coming to speak they live outside of town. He said he thought it was a community based decision that goes beyond the town limits.

But so that people know who are in the room 9 speakers are from in town. Most of the other folks are people he is friends with that live in the ETJ or live out in the county and they care deeply about this issue. But it is actually interesting tonight that we have only nine people that could vote in the town election.

Motion made by Commissioner Farrell seconded by Commissioner Fiocco to take a ten minute break.

Vote Aye-5 Nay-0

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

Vote Aye-5 Nay-0

Beth Kricker – Gone

Robert Dowd is from Caribton. He said most of the people down there support Pittsboro and they support Chatham Park. They think the developer has done a fine job putting the plan together.

Mr. Dowd said it would be a good time to move forward with this. The only thing that concerns them is that Pittsboro is asking an awful lot. They think the developer may have given away a little too much to the rights of their land. They do support Chatham Park and hope the board moves forward with it.

Mark Hewitt – 424 Johnny Burke Rd., Pittsboro thanked Mayor Voller for his service to the town.

Mr. Hewitt said he has lived in the ETJ for 30 years and has property adjoining Chatham Park. He would ask the board to wait and not vote tonight. With all due respect to the developer who has gone out of their way to address issues that need a lot of care and attention?

Bill Crawford 44 Hawks Spiral Way, Pittsboro is one of the nine citizens. He said he probably lost the last election because of this issue. He came out in support of Chatham Park. He gave his reasons and caveat. He is here tonight to explain why he is sticking to them.

He said what he has seen in public and in meeting with the developer he doesn't think the development will change the current character of the town – they don't want it to change.

Mr. Crawford said he thinks he told people (during the process) things they didn't want to hear. People are concerned about the size of it. He said this project is going to happen one way or another. The way he sees it Pittsboro has a change we can keep pushing back on these people, we can threaten them with lawsuits and eventually we could end up in place where we have very large neighbors that we get nothing out of. Or we can maintain a very close partnership with them and reap a lot of benefits from them and try and maintain our character as best as we can.

Mr. Crawford said he is convinced Preston people want it to happen that way. Moving this project forward is the best way we can have control of the project and that is the best way to go.

Ivy Hoffman – 1995 Redbud, Pittsboro stated she just learned about the project a couple months ago. It seems the Board of Commissioners meeting where people have come and speak. We have that seven am meeting @ Chatham County Library. All of these things have been people talking to someone else. Think if we stop where we are now and really have dialogue about this maybe some of the rest of us will have the sense that now we understand. At this point they don't understand a lot. Need to have consideration.

John Bonitz – 21 Fox Chapel Lane, Pittsboro said to hear there has been seven years of dialogue! He said he was very active in politics until four years ago when they started a family.

He said he still hasn't heard why we haven't hired additional assistance for our staff to dig through the details of this plan. He asked what is the development review and compass committee.

Mr. Bonitz said he thinks it warrants additional comments. He hasn't heard anyone here tonight reject the project. He has heard request for time. The board could set a time for a meeting to have dialogue about the project.

He said he takes the developer at their word that they want to create something exemplary. He was filled with admiration at some of the things they say they want to do. He appreciates their intent. From what he understands from people it is an unspoken thing.

Liz Cullington 390 Rocky Hills Rd stated the revisions in the agenda packet are not referenced to the plan. She gave examples. She said they haven't been provided enough time to review the revision. She asked where the development agreement is.

Ms. Cullington said the board should not be voting on an agreement that was not in the agenda packet. She doesn't think you have had time to discuss the project as a board and you should do that. Thinks you should have a line by line discussion with Mr. Messick about the plan. She said she hoped the board will set up a work session on this plan.

Gary Davis – 52 Brookridge Court, Pittsboro stated many things he was going to say have already been said.

Mr. Davis said he is a one year resident of Pittsboro and he moved specifically to this place because of its charm. He said not everything is objective. He has a great deal of respect for the developer and their intentions and the planning that has gone into this.

He said when he looks at the Chatham Park video you see all the wooded land but they are wanting to change the very thing that makes it unique and special. He feels there needs to be more discussions and to get the people involved.

He said this is a simple request being made. Looking at all the people in this room the majority of the people in this room is asking for more time. That is his request too.

Lyle Estill – 220 Lorax Lane. He said the solar farm they are building will not supply Pittsboro not the less Chatham Park. They are going to remove the wilderness and put up a few LEED roof are we crazy.

He said velocity we can't control this is a velocity issue. You said there were nine people from town here but you have 600 signatures asking you to slowdown. Do it.

Gillion – 63 Baldwins Crossing – gone

Mary Phyllis Horne – 24 Creekside Circle – gone

Neville Handel – 499 East Road- moved here about five years ago. He asked the board to step back. He said there is no reason to push this through right now. Let us have a dialogue.

He said he is not against growth but we need to take it slow.

Amy Brennan – 270 Pyrus stated pretty much everything she wanted to say has been said. She has not made up her mind one way or the other. But you have had so many people asking you not to vote on this now.

This is such a wonderful place to live. When so many people are asking you to please give us some time. Please listen. Do not rush.

Tommy Drake – 3700 Computer Drive, Raleigh said he supports the rezoning. He represents UNC Healthcare and they want to bring healthcare services to Pittsboro. As a matter of public record UNC Healthcare Services is currently pursuing three projects they propose to locate in the Chatham Park project.

- (1) Is a 25,000 sq. ft. medical office building that they desire to have built as soon as possible because of the demand for healthcare services here. They have heard from their many patients they do not want to drive to Memorial in Chapel Hill and deal with the parking deck, etc.

- (2) Second they have submitted an application (sole applicant) with the State of North Carolina for a hospice facility proposed to be located in Chatham Park.
- (3) UNC Healthcare has submitted an application with a certificate of need for a 90 bed skilled nursing facility. If successful UNC Healthcare will locate that facility in Chatham Park. This would be a nursing facility that provides what is known as ventilator services for patients that require ventilator rehabilitation.

They believe these facilities will be an asset to Chatham County/Pittsboro in providing healthcare services as well as jobs.

Mr. Drake said he has listened for over two and a half hours and he has heard a lot of concerns about the size of project and that oversight of the project will be lost if it is approved.

He said a large project is reality is a sum of many little pieces of a puzzle and he is afraid because of the size of the project maybe people have failed to see things like a medical building, nursing home and hospice facility.

Mr. Drake said since he represents UNC Healthcare in this endeavor he had to communicate between the developer & UNC. He has to tell them that even though zoning is in place each component must go through a process site plan review and approval.

He has told UNC Healthcare that every aspect of the building, streets parking lots, erosion controls, stormwater, landscaping would be a part of the site plan review. So there would not be any control loss. What they are asking tonight is about land uses.

Mr. Drake said he would request it be viewed favorably and quickly so they can get along with the projects.

Bill Terry – 92 Freeman Drive, Pittsboro. Said for full disclosure he is not anti-Chatham Park, he is not the enemy, he is pro-due process.

He said board members and citizens deserve to see a final copy of the Master Plan with all approved changes and have time to review the same.

Mr. Terry stated since the plan is substantially changed, it is not unreasonable to ask for one more public hearing on the Master Plan in its final configuration.

Mr. Terry asked how does proceeding tonight help the developer if we proceed tonight and pass this rezoning with the possibility of a 3-2 vote. It does not; split Board and unhappy citizens. When he was meeting with them this morning he asked them why not slow down and strive for a unified board on the plan and citizens who feel that their voices have been heard? He said you cannot make everyone in the room happy.

Mr. Terry said he thinks an alternative to voting on this tonight would be to table both resolutions (approving and rejecting the rezoning). In the place of that to make a motion as follows:

- a. Direct the Manager to publish an RFQ ASAP for a planning consulting firm to review this Master Plan.
- b. Accept statements of qualifications up through mid-December.
- c. May have to hold a short special meeting before Christmas to approve the contract with the consultant and amend the budget.
- d. Direct the consultant to provide a preliminary report at the January 27, 2014 meeting and follow that by another public hearing.
- e. Delay the vote on this rezoning application until the February 10, 2014 meeting.

Mr. Terry said when he left the developers office they were not very open to those suggestions. When he left the office he was wondering why they wouldn't want a 5-0 vote. When he was driving home it dawned on him that if we hire a consultant there is a risk the consultant would come back and say not that the plan needs tweaking but that it is a bad plan. So they were thinking about that and he wasn't.

Nevertheless, he feels the town would be better off with a 5-0 vote.

Mr. Terry made the following comments in regards to some of the previous comments made.

Mr. Terry said to the gentleman representing UNC Hospitals I say, bring it on! I am sure that the Town would welcome the completion of your project. If you would bring a stand-alone rezoning application just for the acreage needed for that project, he believes that the Town could process that relatively quickly.

Some have said that the development of Chatham Park is "inevitable;" however, he rejects that premise. All the Town needs to do to prevent progress on Chatham Park is to keep doing what we have been doing, that is, to do nothing to advance our plans to complete the WWTP project.

He is very surprised to hear Mayor Voller say that he does not support a Pittsboro discharge into the Haw River. For the five years that I was Town Manager, the Board made it very clear to me that completing work on a WWTP (discharging into the Haw) was my number one priority. Furthermore, I think abandoning that plan would be a nail in the coffin of Chatham Park. I do not see any way that the Town could support Chatham Park without this discharge point.

Mr. Terry stated he liked Preston Development's idea of a "Compass Committee;" however, he would propose that it be an advisory body of the Town government and not controlled by the developer; the open meetings laws would apply. As a starting point, he would recommend the following composition:

1. Town Manager, Committee Chair
2. Town Planning Director, Committee Vice Chair

3. The Town Clerk (to record the minutes)
4. Town Engineer
5. Other Town staff as directed by the Manager
6. Not more than two Board members, one of which could be the Mayor.
7. Pittsboro Fire Department Rep
8. Pittsboro Schools Rep
9. Chatham County EDC Rep
10. Chatham County Staff members at the discretion of the County Manager
11. Not more than two Chatham County Board members, one of which may be the Chair.
12. One member of the planning Board to be selected by the Board of Commissioners
13. One member of the Pittsboro PARAB to be selected by the Board of Commissioners.
14. Not more than three citizens at large from within the Pittsboro Town limits. (Applications to be accepted by the Town Clerk.)
15. Not more than three citizens at large from within the Pittsboro ETJ. (Applications to be accepted by the Town Clerk.)

Mr. Terry said he did not include the developer but the developer and anyone else would certainly be welcome to come. So that is his recommendation for tonight.

Lisa Randle – 68 Brookridge Court said she is not opposed to Chatham Park. However, she thinks it needs to be looked over very carefully.

Ms. Randle said due diligence needs to be done regarding its infrastructure. Details for infrastructure need to be provided for the people that already live here.

Some things she wanted to know.

Are they going to turn the chicken plant water treatment area into a sewerage treatment facility and who will it serve, Chatham Park, Pittsboro or both?

Will the old chicken plant and land be rezoned because an industrial zone cannot be located that close to a neighborhood.

Also will they close the old sewer plant that is not up to code? It has been stated that sewer package plants were going to be used in Chatham Park. She asked what does that mean.

Ms. Randle said before it is passed the land should already be annexed into the Town of Pittsboro. She wants to know the exact plan Chatham Park has to ensure they will not kill downtown Pittsboro. Will they invest in the downtown area to show good faith?

Are there plans for extending the roads already in progress before all the houses are built? Who is paying for that Pittsboro or the developer?

She said again, Chatham Park could be an asset to Pittsboro. If these questions and others like that have already been answered and written down before it passes.

Downtown Pittsboro needs should be addressed as well as Chatham Park. It is not wise to rush to a vote when all the details have not been planned, executed and agreed upon.

Joe Jacob – 747 Rockrest, Pittsboro said he lives outside of town today but thirty years from now they will be inside. So the people coming here tonight it is just a technicality because their livelihood and way of life will be affected by what happens in Pittsboro. If the developers don't follow through with what they say the tax base will increase and the people will be paying for it.

He said if there are not a lot of people from Pittsboro here, he would like to see more effort by the Commissioners (County as well) to get the public involved. You should spend as much time doing that as you have with these developers.

Mr. Jacob recommended that we hire a consultant to review the plan and provide comments. He stated he knows no one here (the board) has the expertise to evaluate the plan. He said you don't even have the expertise to evaluate what your staff says.

Dr. Benjamin F. Chavis, Jr. he is a native of Granville County. After all he has heard tonight he wished he lived here in Chatham County. Pittsboro sounds like a mighty nice place. He said he is the former National Executive CEO of the NAACP. He came here tonight also to speak for some residents here in Pittsboro and Chatham County who are not here tonight.

On one hand the reason why we have the vote before you tonight is because of all the progress that has been made.

Dr. Chavis said he knows the developers and he knows something about the character of Tim Smith. He knows the Mayor and he knows something about his character.

He said there are thousands of people in this county that can benefit from Chatham Parks. One is jobs and one is a better quality of life.

Dr. Chavis said as he listened to all the presentation and all the questions that were asked tonight he thinks all of them were good.

He said when he drove up tonight he saw some signs that said No Vote Tonight. He said not to vote is a vote. This Board of Commissioners has an opportunity to move Pittsboro and Chatham County forward.

He said as he listened tonight there are three Pittsboro's being talked about. One the past, one the present and Chatham Park is about the future with safeguards.

Dr. Chavis said some things need to be preserved and other things do not need to be preserved. Injustice does not need to be preserved, poverty does not need to be preserved, homelessness and joblessness does not need to be preserved.

He said he heard a young man talk about hopelessness. Dr. Chavis said there is some hopelessness in this county and there is some hope that Chatham Park will help some people get themselves out of poverty and to move forward.

Dr. Chavis said he thinks this has been a good example of participatory democracy. But after you who have been elected have heard from the people it is your duty to act. You may choose to act tonight or choose to put it off until another time, but he would urge you to vote tonight. Vote your conscience. Vote what you know will be the best long term interest for Pittsboro and Chatham County.

He said this is a great place. He has heard some beautiful remarks from some beautiful people tonight. There are also some other people who need to speak that are not here tonight.

Dr. Chavis said he thinks what the developers have presented, if you do take the vote tonight it is just the first step. It is not the end of the journey.

Dr. Chavis said he prays for the Town, the County and that the Board of Commissioners will make the right decision in the presence of God and all these people. And in the presence of those who are not here whose interest you have been elected to also represent.

Emily Winbush – 161 Davie Street said she wanted to speak on the issue of equality. If she was trying to sell houses for a profit and I was not told I had to put affordable housing in there she don't think she would.

Ms. Winbush said she has seen the type housing people in this county are living in. Affordable housing is a big part of allowing people equality.

She feels dialogue is very important. She thanked the board for listening to everyone and if they could put things off and make this project the very best it can be.

Commissioner Fiocco said he has written down answers to a long list of questions that were raised tonight.

He said there was confusion about the amount of recreation & open space committed to in the Master Plan. The figure is 1,987 acres that is in the plan on page 28 and 29. So that is a reality. It is a commitment that the developer has made through coordination with the town.

Commissioner Fiocco stated there was a question whether with this vote we would lose control, there was another question about breaking it up into manageable pieces. He said what is before the board right now is a rezoning of the Master Plan that requires of the developer to develop twelve different plans. He said that in fact if they do not develop these plans to the satisfaction of the town their development is limited to 5% residential and 15% for commercial/non residential construction.

Commissioner Fiocco said the twelve plans are:

Tree Protection Plan.

Master Signage Plan.
Master Parking and Loading Plan.
Master Lighting Plan.
Master Landscaping Plan.
More Detailed Development Phasing Plan.
Affordable Housing Plan.
More Detailed Master Public Facilities Plan, which shall address all of the following:
1) Town Administration.
2) Police.
3) Fire.
4) Schools.
5) Parks and Recreation.
6) Water Supply and Distribution.
7) Sewer Collection and Treatment.
Master Transit Plan.
Master Open Space Plan.
Master Stormwater Manual.
Master Public Art Plan.

Commissioner Fiocco said the Master Plan commits the developer to do these things and it gives them two years to get these done. And they will provide a payment to the town of \$300,000 per year. To cover the town's expenses for reviewing those plans, for entering into a development agreement with the developer which will state how the process will be funded and what the obligations are and when it will occur.

Commissioner Fiocco said those funds will also go to hire outside consultants that we have been hearing about, to review these plans and also to develop a Unified Development Ordinance.

Commissioner Fiocco said there was a comment made that the UDO should not be written by the developer. Agreed. He said what is on the table is funding for the town to hire consultants to do that.

Commissioner Fiocco said reviewing these plans will require public input. Developing a UDO will require public input. A UDO is a codification of the vision of Pittsboro. He said all the standards established in the UDO will be applicable to Chatham Park. He would suspect a lot of information coming out of the plan developed by Chatham Park will inform and be a benefit to the town as a whole and could be adopted and rolled in the UDO.

Commissioner Fiocco said there was reference to financial plans and transportation impact analysis plans another component of the limitation on the development embedded in the Master Plan.

It is a requirement that prior to the development exceeding 15% from the designated development within any section of the project they will have to provide a small area plan for that section. He said there are 27 sections to CP.

Commissioner Fiocco said the small areas plans will be required to show:

- Location and quantity of proposed uses
- A transportation planning analysis using current transportation models.
- Water and sewer demand projections
- Road layout and types based on NCDOT Complete Street Guidelines

- Proposed Water distribution and Sewer collection/treatment network
- Stormwater Management
- Public Facilities
- Historic Sites
- Public Art concept
- Open Space
- Financial Impact Analysis
- Environmental features
 - Streams, buffers, wetlands, steep slopes
 - Significant Natural Heritage Areas
 - Upland Mature Hardwood Forests
 - Sub watersheds containing federally listed aquatic species
 - Game land hunting safety buffers

Commissioner Fiocco said all of that is required to be documented and presented to the town for the town's review and approval.

So the rezoning is a first step where we can engage in the specific questions and plans that everyone is requesting.

He said the next level is something at a small area plan, which is 27 sections. Once the small area plans are established each subsequent development will have to comply with that small area plan. So at every step of the way the town is engaged with the developer.

Commissioner Fiocco said there was a discussion about stormwater management and stream delineation forms. The stream delineation will be established at the time of site plan submittal because that is when you want to review it. That is how the ordinance is presently written.

Commissioner Fiocco said we recently adopted the Jordan Rules for buffers as well as stormwater management. They are very rigid and very strict. We have required of this developer something that is not required of anyone else in the Town of Pittsboro. And it is the management of stormwater from flood prevention.

He said we are in discussions right now with the County to transfer erosion control from the State to the County so that they are on site, they are here and they are able to do the inspections that should be done properly.

There was talk about is that the right place for development as it relates to the environment. He would suggest that he thinks preservation of farmland, preservation of the environment can best be done throughout the county if we focus on cluster development in the municipalities.

He thinks that preserves far more land by focusing in the municipalities.

Commissioner Fiocco stated regarding the concept of annexation included in the master plan there is a requirement that the developer on submittal of a site plan, subdivision plan and/or

small area plan they must put in with that application a voluntary petition for annexation. So that the tax revenue is realized as the project develops, not prior to it.

He said there is a lot of talk about how utilities are going to be laid. What this master plan does is it commits the developer to solve that problem. The Town of Pittsboro cannot afford that. It is unrealistic. Every developer knows they have to solve those problems. What this plan says is that they will solve those problems to the satisfaction of the town. That will require financial analysis so that we are comfortable with the systems being designed, so that we can maintain them in a cost effective way.

Commissioner Fiocco said so every step of the way the developer does not have carte blanche with the master plan as it is presently prepared.

Commissioner Fiocco said some of the history is seven years ago they started purchasing land and they had a vision at that time. All along they have said they want to be in Pittsboro. They want to be a member of the community in Pittsboro. They asked the county to modify the ETJ in preparation of being under one zoning jurisdiction (Pittsboro).

They worked with us and prepared a new zoning district (PDD). It is not uncommon for developers to propose text amendments. That was worked through and adopted.

Commissioner Fiocco said they subsequently came in the door with a master plan which is a requirement for the request for rezoning.

Commissioner Fiocco stated that he, town staff, Commissioner Baldwin, representatives from fire, police and school system got together to review the plan and share that with the community by issuing a response to the developer. They think they have been listening very well to everyone's interests. He said they think they have found a way to instill those into this master plan.

The conditions of this plan will have to be agreed upon by the developer and the town. He thinks we have a very good plan here. It has safeguards in it that keeps the idea of carte blanche from happening.

He said there is every opportunity for citizens input to shape this project. We have an opportunity to take advantage of this opportunity the developer has presented.

Commissioner Fiocco said for those reasons he is in support of this project and this rezoning request.

Commissioner Fiocco said there was some mention early on about the election on the position taken. He said he thinks you will see that throughout his campaign he campaigned on the idea to partnership with the developer to get the best deal from Pittsboro. He believes wholeheartedly to be in partnership with the developer is better than to be at odds with the developer. The developers have expressed an enormous amount of trust in the Town of Pittsboro by agreeing to this development limitation.

Mayor Voller said there were a few mistakes made. Mayor elect Terry referred to it. It would have been nice when meetings happened we could have had folks sitting in the room much like we did in the past. He advocated for that.

Mayor Voller said he wanted to go on the record again that he supported getting the permit that we need for the WWTP. But he does not support a discharge into the Haw River. He thinks it is incumbent on this project and the folks to find a regional solution.

Mayor Voller said it is true that the board did give Mr. Terry the charge to work on a WWTP. They did have discussions about the problem and one of the things we did was upgrade technology at the WWTP. It is very expensive to build a WWTP and the Town according to LGC is not in a position to float a bond to do it.

Mayor Voller said he has always be an advocate for a regional solution and partnership.

He said when Townsends got into trouble and Omtron brought all their assets, he actually thinks it was a tax deal for them because they tried to meet with Omtron representatives about Pittsboro, Mocksville and Siler and could never get in touch with them.

Omtron cut a bunch of deals and left a lot of farmers in hock. It was a terrible situation for these people. It put a gigantic hole in Siler City's budget because they were the biggest water user. They also put a nasty hole in our budget in the amount of \$300,000+ a year. We worked through it by doing a lot of work and raising rates which is something people don't like.

Mayor Voller said he proposed that the town look at and perhaps buy the property but he wasn't able to bring it together.

Then he proposed that Chatham Park buy it because he was afraid if someone didn't get that out of bankruptcy that we had a relationship with you would end up with a nasty situation at the chicken plant which happened in the past.

Mayor Voller said there are a couple of reasons why he wanted to push this forward. He said as he gets to the end of this term he did not want a new board headed by a new Mayor to be basically battling the same argument for ever how long it takes. He thought it was time based on all the information he had gotten from people whom he trust (he has a lot of trust in Michael Fiocco and others up here and our staff) that we were at a place that had safeguards and protection that would allow for the things the public wanted.

Mayor Voller said they acted on a super majority of the things people said they wanted. He thought if he is going to take the heat for doing it then so be it. He has worked hard with all of you in this room to do great things for this community. He wouldn't do it if he didn't think it was the right thing to do.

He said in order for us to have the development we hope to have we have to have trust in the people doing it. And if they don't trust the people they are working with then he don't know what we have.

Mayor Voller said he opposes sprawl in the community and he doesn't consider building in town sprawl.

Mayor Voller said most of what you are going to see is going to be built on the north side of town. It is the logical place right off the bypass.

He said some of us don't want it at all, some are willing to accept it in some form and some people are cheerleaders for it based on all the emails he has read and conversation he has had.

Mayor Voller said we have to come to grips that something has to happen, how are we going to make it the best we can make it.

Mayor Voller said this needs to be moved on because the steps Commissioner Fiocco has laid out to you actually tell you that most of what you are worried about is already being accounted for in there.

Mayor Voller said because we listened to you a compromise that Commissioner Fiocco mention came from Pittsboro Matters. It didn't come from the developer or staff.

Mayor Voller said most of the meeting seven years ago started with Philip Culpepper and he met with him and told him they were not going to get anything approved in this town unless you spend a lot of time going to meetings/having community meetings and explain what your intentions are.

That is what they have been doing, whether people liked it or paid attention and listened to them.

Mayor Voller said he provided information to this board (which is public record) about where and when all the meetings were held. He was not in attendance at all the meetings. In fact our staff was, Mr. Terry, David Hughes from the County, EDC and conservationist.

Mayor Voller said he has been talking about Chatham Park since the 2009 election. He said we need to develop a relationship based on mutual trust.

Commissioner Foley asked where we were on the agenda. Commissioner Baldwin said discussing options.

Commissioner Baldwin said they are always glad to have you here. She stated her position during the election is the same as it is now. We are still reviewing this particular plan. In reference to the subcommittee meeting as Commissioner Fiocco mentioned it included her, Commissioner Fiocco, fire, police, 2 representatives from Chatham County Schools, Town Manager, Parks & Rec, Planner and Engineer. She said this was not no type of secret meeting. What they were doing was responding to a lot of things you all brought up at the public hearings. In doing that they broke apart the master plan to the best of their ability and responded to the

developers and asked them for some additional information. All that was, was basically an information gathering event.

Commissioner Baldwin said they did listen to the public which is also what we are doing now.

Mayor Voller said in reference to the WWTP. At this time the Town cannot afford to build a facility. We can't borrow the money. We want this to be done right for Pittsboro and the residents.

Commissioner Baldwin stated she was in favor of the project.

Commissioner Farrell said he is a little overwhelmed. He said he thinks we have a first class developer and he is for the project. But he is not ready to vote. He would like to see this tabled and for us to consider some outside consultants. He said we got this paperwork on the 21st you just don't go into something in five days that takes this much consideration.

He said he is not taking sides he is just speaking out from his heart. He really believes we need to address this with some consultants. Professional non bias consultants.

Commissioner Foley said she does believe Chatham Park will be good for Pittsboro. No question they will be good for economic development. The question she has is, will it be good for environmental issues. She is very grateful for the work the subcommittee has done. But she do feel like prior to CP the biggest development that this town staff has ever done was probably about 200 homes and the developments don't have any commercial except Powell Place has a gas station. In comparison Chatham Park is going to have 22,000 homes 22,000,000 sq ft of commercial property. She said we have so much at stake here.

Commissioner Foley said we cannot be sure until we get an outside consultant, that we get this right. It is just too much at stake here. She said it doesn't mean that she don't support the project. But let's take the time to get it right. She has heard one of the reasons they are putting in reuse water is because they are concerned it won't be enough water to serve the development.

Commissioner Foley said we have not had these revisions that long at all and she thinks they need more time. She also thinks we should have another public hearing and give citizens time to respond to the revisions.

Commissioner Turner said she respectfully disagrees with Mr. Chavis' statement that she was elected to be here tonight to vote. She stated she was elected to serve the people. She said she disagrees that the revision don't include a lot of things that we heard at the public hearing. In fact she thinks they have been included and we are a lot closer than we have ever been.

Commissioner Turner said honestly to take less than 365 days on a development of this size. She is not prepared to vote. She believes we have a good opportunity here. She agrees with the recommendation of Mayor Elect Terry.

Motion made by Commissioner Foley to table the vote on Chatham Park until staff has had time to retain the services of a highly qualified consultant and to authorize the Town Manager to send at RFQ (with the dates to be determined), seconded by Commissioner Turner.

Commissioner Baldwin stated staff has been looking into consultants all the time.

Manager Gruesbeck said the consultants would have to review the 12 plans and there may be more than one consultant hired before the developer can develop more than 5 or 15% of property.

Commissioner Fiocco thoughts are when we have the zoning done we are ready to do the heavy lifting. It will be time to hire consultants to help review their proposals help us develop a UDO and to also show good faith in our willingness to partner with the developer and to fulfill not only our needs but their needs as well. They are requesting to move on some property they are developing with facilities we would like to have. The strategy was to allow them to get started while we developed the rest of the documents and to limit their ability to get too far, so that we are acknowledging their needs and our needs.

Commissioner Foley stated she really does think we need a consultant. They may say that we don't need to change a thing.

Commissioner Turner said we have received the revisions but it is not comprehensive and we have not had enough time to review it.

Attorney Messick asked that Commissioner Foley separate the two items and make a motion to table it first and then you can discuss whether you want to hire an consultant or not.

Commissioner Foley withdrew her motion and Commissioner Turner withdrew her second.

Motion made by Commissioner Foley seconded by Commissioner Turner to table the vote on Chatham Park.

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

Motion made by Commissioner Foley seconded by Commissioner Turner to Direct the Manager to publish an RFQ ASAP for a qualified consultant and to accept statements of qualifications up through mid-December.

Commissioner Turner said she was in agreement with what Mayor Terry stated earlier.

Commissioner Farrell said if we go with professional consultants should we change the date to the 1st meeting in March.

Vote Aye-5 Nay-0

Mr. Terry went over his previous comments regarding this.

NEW BUSINESS

Fiscal Year 2012-2013 Audit Presentation (Mandy Cartrette)

(This item was moved to the December 9, 2013 meeting.)

OLD BUSINESS

Chatham Park Planned Development District Master Plan

The following letter for submitted for the record:

DRAFT



531 E. Third Street
Siler City, NC 27344
919.742.3333 PH | 919.742.1333 FX
info@ccucc.net | www.ccucc.net

November 21, 2013

Board of Commissioners
Town of Pittsboro
P.O. Box 759
Pittsboro, NC 27312

Dear Members of the Pittsboro Board of Commissioners,

The Chatham Chamber of Commerce has 320 members across Chatham County. Through its resources, networking opportunities and events, the Chamber is involved in many aspects of business and community.

On behalf of the Chatham Chamber of Commerce Board, I am writing to express support for the Pittsboro Board to move forward in making a timely decision with regard to Chatham Park. The Chamber is pro business and pro quality of life. Our letter is not written to take a formal position on the issue of Chatham Park, but to encourage you to be sensitive to the time constraints businesses and developers work under in implementing a project. Simply put, time is money.

Thank you for taking this letter into consideration as you address the Chatham Park agenda item.

Best regards,

A handwritten signature in cursive script that reads "Cindy Poindexter".

Cynthia Poindexter, IOM
Executive Director

The following emails were sent to the BOC's before the meeting.

I am writing as a concerned citizen and Building Industry Professional asking you to remove the vote on Chatham Park rezoning from tonight's agenda. Keep your promise of citizen input! There is a wealth of building industry professional resources here, let us help you line up partners and create a development that will make Chatham County proud!

Taking the time to review Chatham Park is an easy decision it is an investment in Pittsboro's future. Please table tonight's vote so we can plan for the best, why rush the decision? Listen to your citizens. Postpone the vote on Chatham Park.

Thank you!

Jamie Hager
Pittsboro Resident

I am writing again to express my concerns about the process and the rush to approve the Chatham Park rezoning.

The hiring experts request by citizens to review Chatham Park should not lie with the developer but with the Town, and before a vote is cast.

On page 2 of the Chatham Park PDD Master Plan November 21, 2013 revisions paragraph 7 reads: "Applicant will establish a "Development Review Committee" for Chatham Park PDD". This is not a process that will offer opportunities for community input among other flaws.

Please, postpone the vote on Chatham Park until we have assurances that this will be a development that will advance the public health, safety and welfare of the Town.

Chatham Park will transform our lives and our environment in ways that we can barely understand at this point. I want this transformation to be positive for all.

The capacity to endure as a society has to transcend politics. We need to be engaged in the solutions that create a resilient community, where neighbors help each other, find solutions together and act on a vision and commitment to a brighter tomorrow.

Keep your promise of community involvement!

Sincerely,

Alicia Ravetto
Alicia Ravetto Architect
1459 Redbud Rd
919-933-0999

Dear PBO Elected Officials,

I appreciate the complexity of the matters the town is dealing with concerning Chatham Park. It holds wonderful possibilities for thoughtful and innovative development.

Given the magnitude of those possibilities it is essential that Pittsboro Government plans in a thoughtful, comprehensive way. I support the town staff's conclusion that we need help from experts.

We need to match the effort, time and expertise that Chatham Park has brought to the table. If we do that it will truly be a remarkable process and development.

Please do not move forward until the issues, that have been raised by your staff, citizens and experts alike, are addressed.

I have lived in town since 1991 and have watched what happens to our water system when demand increases and new plans are implemented. The broken water mains and poor water quality have threatened the quality of life and health of town citizens. I lost count of the number of times a notice was placed on my door to not drink the water, often days after I should have stopped drinking the water!

Water is but one of the multitude of issues that require the Town of Pittsboro to plan and hold the developers accountable for the true costs of development.

Sincerely,
Mary Stokes

Dear Commissioners,
Please keep Chatham Park moving forward.

The benefits of this project far outweigh the risks and present a great long-term opportunity for Pittsboro and the region.

In particular, please facilitate a path forward without micro management by its naysayers who have organized to disparage this project. The volume of this political voice is dis-proportional to its public support and insight.

Please support the vision - of the majority, I believe - that Chatham Park will promote a prosperous Pittsboro, and please vote accordingly.

Thank you for your attention.

Hugh Harrington
191 Bellemont Road
Pittsboro, NC

Ladies and Gentlemen,
I would like to thank you for the service that you provide to Pittsboro. Surely, it is an often thankless, but most necessary service that you are offering to our community.

I write this note regarding Chatham Park.

Please consider the grave importance of a slower, more deliberate process in addressing this project. Rushing to a decision for Mr Voller's last vote could become a mistake that we will regret. The voters spoke at the polls, rejecting the candidates that were willing to push the Chatham Park project quickly forward. The voters spoke for a slower, more thoughtful process for a project that will forever change the complexion of our rural community.

There has been little consideration for agriculture in the plans that I've seen. Where will the water supply come from? Have you noticed how little water there is at the dam at the Haw, even after the huge rainfall that we had earlier this year? Jordan Lake is also very low. This resource cannot be manufactured and is poorly addressed in this project.

These are just two points of consideration. There are many more, but too little time or space in this message. The CP Spokesman said that they would like to make this a world class development. They have the ways and means to deliver such a package, but they won't if we as a community do not insist that they make it so. We have the power to create this world class development in the image that the citizens want.

Please slow the process so that all the issues and be properly considered.

Thank you!
Sincerely,
Ed Mezynski

Dear Town Board,

I am writing as a citizen of Chatham County to request that you don't vote on rezoning Chatham Park tomorrow. I believe you have a great opportunity to create something that could be an example of how to build new homes and businesses that brings opportunity and jobs and at the same time preserves the local environment.

Looking forward into the future I want the people of this county to be proud and be able to say we built our towns the right way. I want to be able to walk the trails and paths of the Haw River with my child knowing that the water and animal and plant communities of our area have been taken care of. I want her to grow up living in a county that was built thoughtfully. There is no rush to ok this plan. Let's get the most out of it that we can.

Sincerely,

Jan Burger
726 Bynum Rd.

Revisions to Chatham Park Master Plan:

**CHATHAM PARK PDD MASTER PLAN
NOVEMBER 21, 2013 REVISIONS**

Chatham Park Investors LLC (“Applicant”, which includes successors and assigns of Chatham Park Investors LLC) submits the following revisions to its revised PDD Master Plan for Chatham Park submitted October 21, 2013. The PDD Master Plan for Chatham Park submitted October 21, 2013, as revised by these November 21, 2013 Revisions, and as may be amended by any future amendments or revisions, is referred to herein as the “Master Plan”.

2. Within two (2) years following approval of the Master Plan, Applicant will submit the following “Additional Elements” for review by the Town of Pittsboro (the “Town”):

- a. Tree Protection Plan.
- b. Master Signage Plan.
- c. Master Parking and Loading Plan.
- d. Master Lighting Plan.
- e. Master Landscaping Plan.
- f. More Detailed Development Phasing Plan.
- g. Affordable Housing Plan.
- h. More Detailed Master Public Facilities Plan, which shall address all of the following:
 - 8) Town Administration.
 - 9) Police.
 - 10) Fire.
 - 11) Schools.
 - 12) Parks and Recreation.
 - 13) Water Supply and Distribution.
 - 14) Sewer Collection and Treatment.
- i. Master Transit Plan.
- j. Master Open Space Plan.
- k. Master Stormwater Manual.
- l. Master Public Art Plan.

The Town may extend the time within which Applicant is required to submit one or more of the foregoing Additional Elements. Additional Elements approved by the Town will be part of the Master Plan. Applicant will work with the Town in developing the Additional Elements, as it is anticipated that the Town may incorporate part or all of the Additional Elements in a new Unified Development Ordinance (“UDO”).

3. Within two (2) years following approval of the Master Plan, Applicant will submit for consideration by the Town a Development Agreement in accordance with Section 160A-400.20 et seq. of the North Carolina General Statutes. Any conflict between the Master Plan and the provisions of a Development Agreement shall be controlled by the Development Agreement.

4. Until such time as all of the Additional Elements and a Development Agreement are approved by the Town, which approval is not to be unreasonably withheld or delayed, development in Chatham Park PDD will be limited as follows:

- a. Site plans or preliminary subdivision approvals will not be issued by the Town for more than a total of five percent (5%) of the maximum number of residential units allowed under the Master Plan.
- b. Site plans or preliminary subdivision approvals will not be issued by the Town for more than a total of fifteen percent (15%) of the maximum amount of non-residential square footage allowed under the Master Plan.

5. All development plans within Chatham Park PDD, including subdivisions, site plans and public facilities and services, must be designed to conform to at least the minimum requirements of the local, state or federal regulatory governmental unit or agency having jurisdiction, including the Town, at the time of application for such needs and services. Chatham Park PDD and any plans for its development set forth in the Master Plan shall be expressly subject to and governed by any future Unified Development Ordinance applicable throughout the planning jurisdiction of the Town.

6. Prior to or contemporaneously with submittal of any subdivision, site plan, or other development plan for any property in Chatham Park PDD, if such property is not already in the Town limits, a petition for voluntary annexation into the Town also will be submitted. The property in Chatham Park PDD that is described in any such annexation petition shall be contiguous to property that already is in the Town limits or that is described in a previously submitted annexation petition that is pending consideration by the Town.

7. Applicant acknowledges that it will help defray the estimated additional costs expected to be incurred by the Town in dealing with development in Chatham Park PDD, including, without limitation, additional Town staff and private consultants that may be needed to review the proposed Additional Elements, Small Area Plans, requests for subdivision or site plan approvals (together, “development approvals”), extension of public services to Chatham Park PDD, a development agreement and other agreements, and engineering and construction drawings.

8. Applicant will establish a “Development Review Committee” for Chatham Park PDD. Applications for development in Chatham Park PDD shall be submitted to the Town by the Development Review Committee and it will be the exclusive agency authorized to interact with the Town with respect to development applications in Chatham Park PDD from any person or legal entity.

9. Unless otherwise agreed by the Town and the Development Review Committee, development in Chatham Park PDD will be served by Town water and wastewater services and by other public infrastructure and services provided by the Town. Each request for a development approval for property in Chatham Park PDD shall identify the Town infrastructure and services needed to serve the proposed development and, in instances in which capacity of the Town to provide such infrastructure and services does not exist at the time of submittal, how the costs of providing such infrastructure and services for that proposed development, and the proportionate share to be paid by the proposed development, will be paid. Whether by way of extension of existing services or construction of new facilities and infrastructure, such public facility needs and services shall be designed, constructed, operated and maintained in a manner satisfactory to the Town and any other governmental unit with jurisdiction. The reasonably anticipated public facility needs generated by development of Chatham Park PDD shall be provided by the Applicant or by the person or legal entity seeking approval for development in Chatham Park PDD. Among the methods to provide for such public facility needs could be payment of applicable capacity fees to utilize existing water or sewer capacity available from the Town, paying for construction of new public facilities with credits for over sizing of facilities or credits applicable to future development, or prepayment of water or sewer capacity fees for which the payer receives credits for payment of such capacity fees with respect to future development.

10. Section III, “Utility And Stormwater Elements”, of the October 21, 2013 revised Chatham Park PDD Master Plan, is amended by adding the following sentence at the end of the third paragraph in the subsection entitled “Paying for Water, Wastewater and Reuse Water Systems”: “Any wastewater treatment system must be approved by the Town.”

11. Section III, "Utility And Stormwater Elements", of the October 21, 2013 revised Chatham Park PDD Master Plan, is amended by adding the following sentence at the end of the subsection entitled "Best Management Practices": "Standards specified above are established as minimum standards."

12. Section IX, "Small Area Plans", of the October 21, 2013 revised Chatham Park PDD Master Plan, is amended by deleting the following sentence: "The Town shall provide information to the applicant that is needed to produce these plans."

This matter was discussed after public comments.

CAPITAL PROJECTS REPORT

MANAGER'S UPDATE ON CAPITAL PROJECTS

Manager Gruesbeck submitted the following capital projects update.

PROJECT: Hillsboro St Water Main Transmission Line Replacement Project

UPDATE: NCDOT contractor – ST Wooten is installed remaining cross-walks.

PROJECT: Pavement Condition Survey

UPDATE: US Infrastructure of North Carolina is scheduled to provide a rating of street conditions on Town streets beginning December 18, 2013 and continuing through the following day. They will forward a report by January 2, 2014. This report will be helpful in developing a prioritization of future street work and should arrive in time to inform the strategic planning and budgeting process.

Park Street/Thompson Street Storm Water System Improvements

UPDATE: Storm water control in the swales along parts of Park Street (generally between Hillcrest Drive and Circle Drive) and Thompson Street (generally between Chatham Forest Drive and Fire Tower Road) have been challenging during high-energy rainstorms. Staff has met with the contractor to establish proper storm water control measures. As a result of this meeting, the contract price may have been reduced by approximately \$5,233 by looking at alternatives to the original design. For example culvert will be used on Thompson Street in front of the private residence rather than more costly intensive grading and restoration. Contract documents are signed and Staff is setting a start date with the contractor.

PROJECT: Soil Erosion/Sedimentation and Storm Water Ordinances for New Development

UPDATE: The Board will review the Storm Water Management Ordinance for New Development and Redevelopment in Jordan Lake Watershed during the November 12, 2013 agenda. Language has been developed for the soil erosion ordinance and is being reviewed by Chatham County Staff.

PROJECT: Annual Town Audit

UPDATE: The auditors will be making a presentation of the audit on November 25, 2013. Following the presentation, the audit will be forward to the State of North Carolina before December 1, 2013, as required.

PROJECT: Waste Water Treatment Plant - Generator Replacement Project

UPDATE: Staff has ordered the generator and Shuler, the low bidder, will begin by building the concrete pad at the WWTP in the next couple weeks. The electrical transfer switch will arrive in early December; within two (2) months the generator should arrive. The anticipated date for completion is mid-February.

PROJECT: East Street Sidewalk Extension

UPDATE: Summit is preparing survey and initial design work. Once completed, Staff will complete designs and develop a final cost estimate.

PROJECT: Energy Audit at Water Treatment Plant (WTP) and Waste Water Treatment Plant (WWTP)

UPDATE: Waste Reduction Partners (WRP) completed an audit of WTP and WWTP facilities on August 27, 2013. There is no cost to the Town for this service because it is funded by the State. WRP is looking at electric usage, water efficiencies (e.g. “non-revenue water”), water loss and other possible system improvements. WRP will submit the report to Town Staff for review by early November. The WWTP report arrived on October 1, 2013 and is under review by Town Staff.

PROJECT: Haw River Raw Water Intake

UPDATE: The Town received a letter from DENR stating that the maximum withdraw capacity could be 8.91 MGD. However, the Town may not need this amount from the Haw River exclusively.

PROJECT: Waste Water Treatment Plant Capacity Expansion

UPDATE: Staff received prepared some information on a process to formally request a WWTP discharge capacity increase from .75 MGD to 1.249. The information was included in the 11/25/13 agenda packet as an FYI and should be included as a decision item for a near future meeting.

Mayor Updates

- EDC
- RPO
- Solid Waste
- Fairground Association

- PMA/Downtown

Commissioner Concerns

None

FYI -

1. Letter from Chief Crutchfield to NCDOT regarding speed study and issues on US 15/501 NC 87 South.
2. WWTP Status Report

ADJOURNMENT

Motion made by Commissioner Turner seconded by Commissioner Fiocco to adjourn at 12:18 a.m.

Vote Aye-5 Nay-0

Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk

Randolph Voller, Mayor

ATTEST:

Alice F. Lloyd, CMC, NCCMC
Town Clerk