

**MINUTES
TOWN OF PITTSBORO
PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 6, 2006**

Chairman Hoyle called the meeting to order at 7:00 pm.

Attendance: Ken Hoyle, Harold Howard, Jimmy Collins, and Freda Marsh.

Disposition of the minutes of the Regular Meeting of October 2, 2006. Mr. Howard made a motion to accept the minutes as presented. Ms. Marsh seconded the motion; it passed unanimously.

OLD BUSINESS

Mr. Hoyle introduced the request from Ricky Spoon for a zoning designation of his tracts of land to MUPD. He noted that there had been some revisions and responses to the issues raised at the last review. He called on Monroe to present the matter.

Monroe said he had provided a memo at the last meeting stating a number of concerns and issues that he had with the submission and Mr. Westmorland of the CE Group and Mr. Stephenson of Ramey Kemp responded affirmatively to those concerns and most of those responses have been folded in to the revised Master Plan before you tonight. He said a few issues remain after the revisions that he believes the Board should have addressed; they are rather minor in nature but the application would benefit from their resolution.

On page 5 of the Master Plan, it is noted that 24 acres of the 152.6-acre tract are currently zoned for commercial development. Monroe said he doesn't believe this is true; Mr. Spoon applied for a rezoning of that area to commercial but was told to develop an overall development plan, which has resulted in this Master Plan. That statement in the Master Plan should be corrected.

Monroe noted that on page 7 there is a paragraph titled "adjacent land uses". In it, it is indicated that the uses to the west are zoned R-A but they should be identified as R-12. On page 8 it is noted that the density is 3.36 dwelling units per acre but in a letter provided by Mr. Westmorland at the last meeting he identified the density as 3.33 du/acre and these two numbers should be reconciled.

On page 8, it is noted that site plans are not required for townhouses but according to Section 5.3.3.45 of the Zoning Ordinance, site plans are required. This should be corrected in the Master Plan.

On page 13 it is noted that details of sign plans will be submitted with Preliminary Plat or site plan review. Section 6.9d of the zoning ordinance indicates that a Master Sign Program shall be submitted. This plan is usually developed and submitted after the rezoning and Master Plan approval but before the development plan submissions. The benefit to the developer for doing this Master Sign plan submission is that he gains a sign bonus.

Points number 2 and 5 of Mr. Stephenson's letter indicate that the construction of the southbound turn lane will not be needed during the initial phases of construction but will be warranted by the time the site builds out. This concept should be approved by the DOT in writing by the time the town considers the development plan since they are currently designing traffic control signals for the intersection.

Point number 2 of Mr. Stephenson's letter indicates that the design safety of the intersection will be addressed during the design plan preparation for the driveway and may require some minor adjustments to provide a safe design. Monroe said this side of the intersection is currently unsafe since the marking at Lowe's Drive crests at a point where it is not visible from southbound traffic on 15-501. Identifying the inbound lanes by means of a curb-like divider would be an appropriate and meaningful way of improving the safety of the intersection with little expense; he said he would like to see a commitment in the Master Plan that this improvement would occur sooner rather than later.

Monroe said he would like to go over a couple of revisions to the Master Plan for the benefit of those individuals who haven't had the benefit of seeing them. A median divider has clearly been identified in the road at the north end of the project adjoining the commercial area; this is a traffic-calming device. A second device has been shown at the secondary entrance/exit.

In addition, the lots backing up to the north end of Chatham Forest have been enlarged and are more appropriately sized to the lots to which they will abut. The number of traffic-calming devices on the arterial drive has been increased to four. Mr. Hoyle asked what was the distance between the second and third traffic-calming devices at the top of the hill. Mr. Stephenson said it probably about half a mile. Mr. Hoyle indicated that the road there was rather steep and might encourage people to drive faster downhill. Monroe said that traffic northbound would probably drive faster but southbound will probably not because of the grade. In his opinion, four calming devices are more than a good beginning.

The other thing, which is now shown on the plan, is that there is a Type A opaque buffer shown backing up to the Cooper property at the commercial area. Additionally, a potential connection has been shown at the west side of the property so that the potential for connectivity is available on all four sides of the proposed project.

Mr. Hoyle said Monroe had addressed the opaque screen at the Cooper property but he asked about the area adjacent to Chatham Forest. Monroe replied that there is no requirement for a buffer there because the adjacent uses are both residential. He said there are a few mature trees shown to be left intact and there is no residential development occurring on the back of the northernmost Chatham Forest properties. The road and the median planting will effectively act as a buffer. Mr. Hoyle asked about the area south of the road where there are a number of lots. Monroe said that the Master Plan narrative indicates that there will be a 20-foot buffer along the boundary of the project, but a portion of that has been cleared in this particular area; he noted that it would be advisable to have that restored.

Mr. Hoyle indicated that he had been in The Oaks the last couple of days and they have a number of traffic-calming devices, which are very close to each other. They have narrowed the road with plantings, trees, indented curbing and a round a bout and they don't endanger you're driving.

Monroe said that Mr. Westmorland had prepared some responses to his comments. Mr. Westmorland thanked the Board for the opportunity to address the planning issues; he said Mr. Stephenson of Ramey-Kemp would address the traffic issues. He said he had met with Monroe to discuss the concerns and he would agree that they were minor in nature. He noted that he would be happy to address any questions Board members might have to his written response to Monroe's memo.

Mr. Collins asked if Monroe was satisfied with the responses to the issues he had raised in the memo. Monroe said the first five items directly responded to his requests and he is assuming that Mr. Stephenson will respond to the traffic issues. Mr. Westmorland said that they essentially agree with Monroe and the letter says that we will correct the items he cited.

Rynall Stephenson said he would try to respond to the two traffic questions that had been raised. They both relate to the improvements at 15-501. Typically, the traffic at this intersection is going to be generated by some residential and mostly commercial uses. As this development builds, the commercial traffic is going to increase in the northern end of the project. When Powell Place begins to build out, there is going to be an increase in the traffic and an increase in the turning movements both east and west. At some point there will be a need for two left turn lanes going in to the project site and that will require an additional inbound lane on Lowe's Drive. He said that the intersection would work fine for the time being because the only traffic going in will be going to Lowe's and they will work with the DOT to identify the timing for the needed additional lane. When a residential subdivision is built, the traffic is added slowly; at some point, the improvement will be needed and they are pushing the DOT to get some answers on this. He said he had a quick drawing to show what the improvements would look like and they have enough pavement to accomplish two inbound lanes; they would have to widen a little bit on 15-501 but they would have to taper back before they got to the interchange at 64 so that the stacking lane wouldn't be too close to the exit. He said that there could be a 300 foot taper lane to turn In to Lowe's Drive and they would reduce the rest of the lane so it wouldn't be so close to the interchange.

He said that the other point was safety at the intersection and DOT would have to approve that before they would issue a driveway permit. He said that the issues of sight distance, grades and turn lane design will be reviewed by DOT and the improvements will likely have to be in place before any significant traffic is there. At this intersection, I think the turn lanes will be needed sooner as Mr. Monroe indicated, rather than later. Monroe said that one thing he would like the Master Plan to address is that there would be a physical lane definition at the point of Lowe's Drive separating the outbound lane from the inbound lanes so that can be visually identified from southbound traffic on 15-501.

Mr. Collins asked about the status of the traffic light. Monroe said it is being designed by DOT. Monroe said it would be summer before it would be installed. Monroe said the big issue was a request by Lowe's and Powell Place to use a metal structure; that takes several months to design and construct, and, Hydro Tube has not agreed to give the DOT right of way to construct the improvements.

Paul Meder of CE Group indicated that they fully intend to do what Mr. Monroe has indicated to incorporate some verbiage in to the Master Plan to indicate that they will work with the NCDOT and the town to make whatever improvements are needed at that

intersection including the lane dividers that Mr. Monroe would like to see. We certainly plan to add that verbiage to the document. Mr. Collins expressed his concern about the safety of the intersection.

Mr. Spoon said he would meet with DOT and find out why they are having trouble getting this intersection to work right.

Mr. Hoyle asked if Monroe's concerns had been addressed. Monroe said they had been addressed.

Monroe said that if the Board wishes to make a recommendation he would suggest that they condition it on Mr. Stephenson's comments being folded into a Master Plan narrative and he would like some statement regarding an annexation. Mr. Hoyle added that this should be done before it goes to the Commissioners.

Monroe said that he had received a letter from Ms. Janice Escott regarding her concerns with activities Mr. Spoon had conducted and he encouraged them to resolve their differences so that they can co-operate happily. Mr. Hoyle said that is really necessary so that the Board can go forward. Monroe said he had had conversations with Mr. Spoon to rectify the conditions which had occurred so they could move forward with no problems. Mr. Hoyle said that he had a concern about the amount of land that had been cleared without any silt-fence. Mr. Spoon said that what he cleared on the top of the hill he re-seeded. Mr. Hoyle said that he was talking about the difference between Mr. Spoons' property and Chatham Forest which has not been re-seeded. Mr. Spoon said he would re-seed it tomorrow.

Mr. Hoyle asked Ms. Gallo how she arrived at the 104 students that this project would generate. Ms. Gallo said that this document tracked with a study that NC State had done for the school board to estimate the number of students the Board can anticipate from developments in this part of Chatham County.

Ms. Gallo said that since this data is specific to Chatham County which is very similar to what NC State has determined, it is the same process that the School Board has gone through to estimate the number of students to be generated by development in the county. The Census data is used to estimate the type of housing unit, whether it is single family or apartment. The number of school children per dwelling unit that we can expect breaks down to what age and what grade levels will occur. The first number we come up with is the number of students by grade levels for each of the dwelling units. Those rates were then applied to the number of townhouses, the number of apartment units and the number of single family housing units. That leads us to an estimate of how many school children can be expected. Ms. Gallo said that they developed their analysis independent of the NC State analysis did with the school board but their results were consistent. She said that she felt pretty good that those numbers were reasonable. She said that family sizes may be getting smaller but what we do know is the type of dwelling unit and the value of the unit; the higher the value of the unit, the less public school children there are. Chatham County is undergoing a lot of significant changes and it will show up in the upcoming Census data compared to 2000.

Mr. Hoyle asked how many dwelling units were proposed for this project. Monroe replied it was 410; there is a combination of single family, townhouses and multi-family. Mr. Hoyle asked Mr. Spoon if he had received any information from the engineers of the State Employees Credit Union regarding bio-retention facilities. Mr. Spoon said he had not received anything from them. Mr. Hoyle noted there appear to be thirteen retention

ponds proposed for the project. Mr. Spoon said that was right. Mr. Hoyle said he could understand the reason for that because of the contour of the land, but he said with thirteen ponds and all those dwellings he wondered if this was going to create a problem. Mr. Spoon said they had worked at one of the retention ponds today down in a low spot and it would actually be hidden away from houses and they put in some kind of buffer to keep them where they are dry. Mr. Westmorland said they had talked to the engineering department in their office and he wanted to point out that the ponds here are illustrative, they have not been engineered or sized specific to this plan; they are a best estimation of size and probable location. The bio-retention devices that you are talking about typically work best in small watersheds and the commercial portion of the project would probably lend itself to that idea because you have a confined area, a lot of parking and fairly level grades. In areas up the hill, you have watersheds upwards of twenty acres and bio-retention facilities don't tend to work as well in those conditions. He said they have stated in the Master Plan that they would like to locate bio-retention devices along with the wet ponds as part of the stormwater management plan. It is more of a technical, engineering function as to how extensive use of bio-retention facilities could be used. Mr. Collins said they require maintenance. Monroe said the ponds do as well. Mr. Collins said his concern with all the ponds was the potential for mosquito breeding areas. Mr. Westmorland said that you get this large volume of water during a storm event so you have to have a big hole in the ground to capture that; but when it is dry you get a big fluctuation in the water level. The bio-retention devices are shallower and planted with species that can adapt to the changing water table. Those plants can't take drastic changes in water level, the changes in volume of water have to be kept much more narrow for those to work effectively.

Monroe noted that on December 7th NC State and the Town of Pittsboro will be sponsoring a Low Impact Design Workshop at the Community College. And he wanted to make sure that Mr. Spoon and his development team are on the invitation list. Mr. Hoyle indicated that Monroe had raised eight major concerns and it seems that they have all been addressed or are being addressed. He asked if Monroe felt comfortable with this. Monroe said he did. Mr. Hoyle said he is always concerned when they are looking at "Illustrative Master Plans". He asked how this plan could be changed. Monroe said it typically occurs after field work has been more extensive. He recalled the Powell Place Illustrative Plan had shown a large water feature that was intended to be a gathering place for active and passive recreation. They had intended to excavate and created a focal point for entertainment value in the core of the commercial area. The Corps of Engineers determined that that was a wetland and, therefore, could not be excavated. That resulted in a change to the Master Plan. It did not cause a change in the density, nor did it increase lot coverage or other development constraints; it simply resulted in that water feature being moved and reduced in size. That is one kind of change that can occur, and it had to come back to Monroe to be approved.

Mr. Collins made a motion that the Board recommend approval if all of the planner's concerns were completed in writing before being sent to the Commissioners. Ms. Marsh seconded the motion; it passed unanimously.

Mr. Spoon thanked the Board and told Monroe he would come by in the morning to get an application for annexation.

Mr. Hoyle introduced the McKay rezoning request for the property at 45 Camp Drive. Monroe said his memo summarized the speakers at the Public Hearing. He said the greatest issue raised at the hearing had to do with the restrictive covenants for the Westfield subdivision which prohibits commercial use of properties in the development. The other main concern was the affects a rezoning would have on additional traffic on Camp Drive and moving that traffic to the north side of Camp Drive when it has been confined to the south side up to this point.

Monroe said his memo makes clear that his biggest concern is that the owner of this property wants to rent the house to the operator of a non-profit mental health organization for a one year period, but rezoning the property is a permanent act, there is no temporary rezoning. If the Board wants to consider the rezoning it has to weigh the fact that any use listed in the O&I district could conceivably locate on this property. The only restrictions would be those of lot coverage or parking or if the owner voluntarily chooses not to lease or sell to a subsequent business use. One of those two ideas the town has control over, the other it does not.

Monroe said he also posed the typical questions raised in a zoning case. He noted that he included in the packet a pair of resolutions that the Board can consider if you choose to act. Mr. Hoyle said he thinks it is paramount that they take a look at this. Mr. Hoyle said that even though it is proposed that it be used for the stated purpose for one year, then what happens. Secondly, once the zoning has been changed they can do whatever they want after the one year lease; and that opens up all sorts of ramifications. He cited point two of the resolution noting that the potential impact to the surrounding community and the relationship between the uses permitted in the zoning district proposed with those permitted in the existing district could adversely affect the enjoyment of adjacent properties. He said he felt that is the paramount issue.

Mr. Hoyle asked if the Home Owners' Association had signed off on this. Monroe said he does not believe there is an Association.

Ms. Marsh said she is not sure it is such a good idea to change the zoning because anything could come there and then we could have a mess. After that year, there is no telling what could go in there. Ms. Marsh said there is a lot of traffic on that street already and if something goes in there that generates more traffic, the situation would be even worse.

Mr. Howard asked if it would be better to have them get a Special Use Permit. Monroe said he is not certain the town could put a time limit on a Special Use Permit. Mr. Howard said that it could be written for only the one use. Monroe said that was correct, but that would require the applicant to withdraw this request and resubmit and start the process all over again.

Mr. McKay had indicated in the public hearing that his intended use for the structure was to house employees already coming to the area and that they would use the vacated space in the building they lease to meet with clients. While that may make Mr. McKay the ideal tenant for this property, the Board has to grapple with the question of what happens when Mr. McKay is no longer the tenant.

Mr. Collins asked if this was the Jackson house. Ms. Marsh responded that this is the new house, it hasn't been there very long. Mr. Howard asked what the house is being used for. Monroe said that right now it is a residence. Ms. Marsh said it had been occupied but about six months ago the people moved out and it has been vacant since. Mr. Howard

asked how they want to use it. Monroe said that a non-profit wants to locate their staff offices there, not for the purpose of meeting with clients but for them to have a place for their paperwork and to work on their client list. They would meet with clients in an existing space that they are leasing in another building. Mr. McKay's stated intention was to occupy this structure for approximately a year and then to vacate. At that point, if the property has been rezoned to O&I then any use in that district could conceivably locate there.

Mr. Howard said that if this has restrictive covenants to keep its use residential and the town goes ahead and rezones it all the people in the neighborhood are going to be upset. Monroe said that most municipalities he is aware of do not enforce restrictive covenants, that is a contract between the private property owners in the subdivision and it is a civil matter. Towns do however give weight to them in considering changes that might affect the neighborhood. Mr. Hoyle said that if the Board makes a recommendation to approve this they are approving an unknown. Ms. Marsh agreed with that.

Mr. Collins said that there is no zoning that is only effective for one year. Monroe said that was correct.

Ms. Marsh made a motion to recommend that the rezoning be denied to protect the public's health and safety and to adopt the Resolution of Denial. Mr. Collins seconded the motion; it passed unanimously.

Mr. Hoyle introduced the Neal rezoning request and noted that there is also a Special Use Permit which would be handled separately. Monroe said he had provided a summary of the Public Hearing and he said he tried to get as close to verbatim as he could.

Monroe said the property was created by means of a recombination survey in August of 2003. Access is provided by means of a twenty foot easement most of the way across a property owned by Mr. Neal's sister. He identified the adjacent zoning for the Board. He indicated that the Land Use Plan notes that the land should be used for Light Industry and Trades consequently, this application is in conflict with that plan.

The rezoning and the Special Use Permit have to be handled separately because the zoning is a legislative matter and the Permit is quasi-judicial. Once the Board has completed the zoning matter it can undertake the consideration of the Permit.

Mr. Collins asked if this property was where the Woodyard is. Mr. Neal indicated that this property is behind the Woodyard. It is on International Woodyard Road which intersects Moncure Road. There is a hydraulic company in front of this site.

Mr. Hoyle said the first issue he wants raised is that there is no signature of any representative of the town on the 2003 plat. He listed the seven questions posed in Monroe's memo (see attached) and concluded that a number of detrimental actions could result from a rezoning. Mr. Hoyle asked Monroe if he had been provided a copy of the Phase 1 and Phase 2 Environmental Study Mr. Neal referred to at the hearing. Monroe said he had not.

Mr. Collins asked Mr. Neal to go through his proposed operation. Mr. Neal said that he owns a towing company based in Cary which has been in operation ten years and that this is basically a holding yard right now. He said what he proposes is to have a salvage yard. The salvage business is a nine billion dollar a year industry. He said he had not done a site plan because he was waiting to see if it would rezone. He said he would like to have a salvage industry going. He said he had plans to do an operation like Young's Salvage, which is one of the largest operations in North Carolina. They run a very clean operation,

everything is maintained; there is no water or oil runoff. They go by strict codes to maintain a clean yard, contrary to what was handed out by Mr. Walters and Mr. Bynum at the hearing. The way that business looks it appears more of a scrap yard than a salvage yard. Salvage yards are run different than they were twenty years ago; then, you changed your oil and dropped the coolant out of the radiator on the ground and you had no concern about it. We would have to do a watershed runoff analysis either once or twice a year. He said there weren't a great deal of water or creeks around this property. He said he was looking to expand his business in Chatham County. Mr. Collins asked what happens to the vehicle after all the parts have been stripped off. Mr. Neal said he did not want a crusher because when a crusher comes in you still have contaminants left in your vehicle. You can recycle the battery, the anti-freeze and the oil. The remainder of the vehicle you can sell off for scrap; you can take it somewhere in Smithfield and you can sell truckloads of scrap. He said he would try to keep all the glass in the vehicles, try to keep them closed up. Right now it is just a holding yard.

Mr. Collins asked if he would put up a fence. Mr. Neal said that he and his sister owned the hydraulic business on 27 acres of land. They split up and split the land and he wound up with 10 acres of land. He said they didn't have any idea there was supposed to be a representative of the town to split the land by a plat. He said he has a fence that runs seven hundred feet. The remainder of the property is wooded, and there was an old fence between his land and international woodyard's.

Mr. Hoyle asked how many vehicles he has on the property presently. Mr. Neal replied probably one hundred. Mr. Hoyle asked how long they had been there. Mr. Neal said he had been in business 10 years. Mr. Hoyle asked of some of them had been there as much as ten years. Mr. Neal said some had. Mr. Hoyle said that is a little more than a holding yard, isn't it. Mr. Neal said that being in the towing business you have to file paperwork with the State because sometime people don't come and get their vehicles. So you are stuck with them

Mr. Hoyle said that Mr. Neal had said he did not want a crusher, but if the town approved this he could sometime down the road put in a crusher. Mr. Neal said it is possible but he doesn't see that in the future because of the potential to contaminate the land. He said it would cost him more than \$250,000 to purchase a crusher, so he is not in the market to purchase a crusher.

Mr. Hoyle asked if he understood correctly that the application is not consistent with the Land Use Plan. Monroe said that was correct. Mr. Howard asked why it wouldn't be consistent. Monroe said that the plan indicates that this part of the town would be appropriate for light industry and trades, typically a salvage yard falls into the category of heavy industry. Mr. Howard asked what a lumber yard would be considered. Monroe said that the use was pre-existing but if they were to ask to expand, it too would be found inconsistent.

Mr. Neal said that the memo states that some of the land in the area is already M-2 and Mr. Bynum and Mr. Walters concern is the impact of a salvage yard on their residential land. He said his neighbor is the poultry plant and there is a "blood runoff pond" behind his yard and he said you know it is there if you have ever been around that in the summertime. He said he didn't think the salvage yard would impact the residential land considering the poultry plant. Monroe added a point of information that the poultry plant is now a packaging plant, no longer a processing plant. The processing operation has

been shifted to Siler City because of the repeated problems that had been occurring in the septic system and the holding ponds. The state forced Townsend to relocate the processing operation to a facility that is served by municipal sewer so all they are doing here is packaging chicken parts.

Mr. Collins asked what he could do in M-2 that he can't do in M-1. Monroe said that M-2 allows for heavier industrial uses and would support a salvage yard; M-1 wouldn't. **Mr. Howard made a motion to recommend approval of the rezoning and to adopt the Resolution of Approval. Mr. Collins seconded the motion.** Mr. Howard said that everybody drives cars and you have got to have some place to get rid of them and that is just a fact. Mr. Hoyle reminded the Board that the application is not consistent with the Land Use Plan. **The motion carried 3/1.**

Mr. Hoyle asked Monroe to discuss the Special Use Permit. Monroe said that there is only one thing that the Board can do. He said that during the course of testimony at the public hearing there was no evidence presented that the application, as presented, would or would not materially endanger the public health. There was no evidence presented that it would or would not substantially injure the value of the adjoining property. There was no evidence presented that it would or would not be in harmony with the area where it is located. The only evidence that was presented in that meeting was that the application was not in conformity with the Land Use Plan. In addition, the application was incomplete because it does not include a site plan so you cannot recommend approval of this submission. Monroe said he would encourage the Findings of Facts he presented for consideration.

Mr. Collins made a motion to adopt the Findings of Facts as presented. Mr. Howard seconded the motion; it passed unanimously. (see attached Findings) Mr. Neal asked if this was approved or disapproved and what does he have to do to move forward. Monroe replied that the recommendation had been made that the Commissioners approve the rezoning but not the Special Use Permit so if you wish to pursue a Special Use Permit for a salvage yard you will have to wait six months to re-apply. Mr. Neal asked what was needed for the Permit. Monroe said a site plan was necessary and evidence has to be presented to demonstrate acceptable Findings of Fact at the hearing and none of that evidence was presented. Mr. Hoyle suggested that Mr. Neal set up a meeting with Monroe to get the details necessary.

Mr. Hoyle introduced the Samara Commercial Site Plan. Monroe indicated that Mr. Hedgecock has designed the site on which Mr. Samara proposes to build a mixed use building on lot 2 of East Street Plaza. He has proposed a mixed use building with a restaurant with a drive through window and two retail uses. Monroe noted that the driveway is proposed to be one way in and one way out. The drive-in window would be at the rear and far side of the building. The parking area in the front would accommodate sit down diners at the restaurant and customers at the retail facilities.

The application satisfies the stacking requirements for a drive-in window. It satisfies the impervious surface requirements based standards for the commercial park in which it is proposed to be located.

The site has been graded so there is very little re-grading necessary; it can facilitate construction of the building as proposed. Monroe said he would encourage the preparation and submittal of a more detailed landscaping plan. There should be an indication that the grading plan would take advantage of the stormwater management

plan which is required. There is a stormwater inlet in the street that would deliver stormwater to a detention facility located behind what is the Hydrostructures office building. Previously there had been a swale on the west property line for that purpose, but the swale has been vacated and an easement for stormwater on that property line has been eliminated.

Mr. Hoyle asked if this restaurant would be carry-out only. Mr. Hedgecock said there would be thirty seats inside but it is anticipated that business would be primarily carry-out. He also indicated that table service would be plastic utensils and disposable plates. Mr. Hedgecock indicated that although the plan identifies the restaurant as the Flamingo, Mr. Samara has acquired the old Pit Stop and that will be the location of the Flamingo; this is going to be called Pittsboro Seafood, so it will be a family style or take-out. Mr. Hoyle asked Mr. Hedgecock to consider making the next restaurant he designs first class. Mr. Samara said it was his dream to build a 6000 square foot wonderful restaurant but he can't because there isn't enough sewer capacity to accommodate that now. He said he couldn't spend \$700,000 for something the town doesn't have. Mr. Hoyle asked if Mr. Samara was saying that when sewer is available he would convert this building to a five star restaurant. Mr. Samara said no, he would build another one.

Monroe explained that Mr. Samara could get sit down service as long as he was using disposable utensils. This would allow him to have 20 gallons per seat for the basis of calculation of capacity rather than 40 gallons per seat with full table service. This enabled him to get something on the ground rather than nothing at all.

Mr. Hoyle said he felt that more detail of landscaping would be important to him because of the location.

Mr. Howard made a motion to recommend approval of the site plan with additional landscaping detail to be added. Ms. Marsh seconded the motion; it passed unanimously.

There were no Board Member concerns.

Ms. Marsh made a motion to adjourn. Mr. Collins seconded the motion; it passed unanimously. The meeting adjourned at 8:15 pm.