

Chatham County/Cary Joint Issues Subcommittee
April 15, 2010
Henry H. Dunlap Classroom
80 C East Street
Pittsboro, NC
9:30 AM

Members Present: Co-chair Kost Kost; Co-chair Julie Robison, Members Lucier Lucier, and Ervin Portman (came in late), Jennifer Robinson was absent

Cary Staff Present: Ben Shivar, Town Manager; Jeff Ulma, Planning Director; Steve Brown, Public Works and Utilities Director; Scott Ramage, Principal Planner-Long Range Planning; Philip Smith, Long Range Planning Manager; Mary Henderson, Parks, Recreation & Cultural Resources Director; Doug McRaney, Parks Planning Manager; Deanna Boone, Deputy Public Information Officer; Tim Bailey, Director of Engineering; Jerry Jensen, Traffic & Transportation Engineering Manager; Bill Moore, GIS Applications Supervisor

Chatham County Staff Present: Charlie Horne, County Manager; Sullivan Sullivan, Assistant Planning Director; Benjamin Howell, Planner; and Elizabeth Plata, Deputy Clerk to the Board

The agenda for the meeting follows:

~ **Agenda** ~

- I. Call to Order
- II. Approval of Minutes of March 18, 2010
- III. Discussion of Map-Related Public Comments on DRAFT Joint Land Use Plan
 - a. **Questions from Staff:**
 1. Should staff investigate revisions and/or additional details for greenways, parks and schools (types, locations, characteristics)?
 2. Should staff prepare recommendations for additional map changes to address any awkward boundary splits, parcel splits, and related?
 - b. **Mixed Use Node:**
 1. Discuss citizen comments regarding the Mixed Use Node.
 2. Determines nature of any revisions to the node. (Keep? Change location, acreage, boundaries, mix, or intensity?)
 3. How would having conceptual MXD boundaries work, vs. requiring a plan amendment?
 - c. **Interpretation of land use boundaries:**
 1. How does the Committee view the firmness of the land use category boundaries?
 2. Impact of conceptual or floating boundaries on intergovernmental plan interpretation.

- d. **Rural Buffer Boundary:**
 - 1. Define what the Rural Buffer Boundary is and what it means.
 - 2. Further discussion on “Rescue” provision, and whether to move the Boundary north of O’Kelly Chapel Road.
- e. **Mapped Comments:**
 - 1. Staff will present further options for the two remaining mapped comments from the March meeting regarding density changes on the map.

- IV. Staff provides Draft Table of Contents for Plan Document for Subcommittee Review
- V. Other
- VI. Next Meetings
- VII. Adjournment

Kost called the meeting to order at 9:33 am and recommended approval of the agenda with one change regarding the American Tobacco Trail buffer. That change would be discussed after the approval, she said.

Robison moved, second by Lucier, to approve the agenda as amended. The motion was adopted unanimously (3-0).

Kost asked to postpone approval of the March 18, 2010 minutes until the next meeting.

Robinson moved, seconded by Lucier, to delay approval of last meeting’s minutes until the next meeting. The motion was adopted unanimously (3-0).

Kost explained that there has been confusion regarding the Subcommittee’s intentions regarding the American Tobacco Trail. For the record she asked that the committee adopt the following language and enter it into the minutes. She read the following statement regarding buffer requirements:

Proposed Statement Regarding Clarification of the Intention of the Chatham/Cary Subcommittee
Regarding the Buffer Along the American Tobacco Trail
April 15, 2010

A 50 foot undisturbed buffer should be provided adjacent to the American Tobacco Trail right-of-way (*on both sides*) for all new subdivisions or development activities requiring board approval, such as rezoning and conditional use permit applications.

There is no change in the buffer requirements for platted lots of record in existing subdivisions and subdivisions that have received approval and which remain valid. The 50 foot buffer from the edge of the American Tobacco Trail right of way is encouraged, but this buffer is not required.

Lucier moved, seconded by Robinson, to adopt the language as read. The motion was adopted unanimously (3-0).

Ramage continued the Greenways PowerPoint presentation from where he stopped at the last meeting. He explained that they would be discussing greenways, parks and schools, and map adjustments.

[Click here to see the power point presentation](#)

With regard to greenways, Ramage said that comments from the public had varied. Some people wanted the greenway removed and others were concerned about safety, traffic and environmental impacts, he said. Ramage noted that no one had really looked at the greenway issue since 2006, although the Committee had met and discussed it and greenway plans had evolved since then. He presented two options for the Committee to consider:

- Remove greenways from the map and recommend in the document that Cary and Chatham County work jointly after adoption to develop a greenways master plan.
- Direct staff to work on revisions to the draft greenway and trails system plan and try to update the current map.

Lucier and Portman agreed with the post implementation recommendation. Portman said there were many things that they might want to do jointly in the future, but it was important to focus on the land use plan right now. Kost and Robison agreed as well. Kost said that the greenways issue needed more careful study.

Robison moved, seconded by Portman, to adopt the staff recommendation regarding greenways and trails. The motion was adopted unanimously (4-0).

With regard to parks and schools, Ramage said that only a few property owners had raised issues. He indicated those on the map. One property owner wanted more schools and two others wanted schools moved away from their neighborhoods because they did not want the noise and traffic of a possible joint school/park site near their homes, he said. A third group of citizens wanted more details--such as the types and number of schools and the number of students, Ramage said.

Ramage pointed mentioned the difficulty of conveying to citizens who see a park/school symbol on a map near their home that it might not be placed there since final locations were not definite. He said it was better to not show an exact property, since doing so could limit buying options. Ramage recommended removing the symbol from the map and in general terms in the document.

Lucier stated that if the Committee located a school site it would generally mean overstepping its authority. The Chatham School System determines when schools are needed and what types of schools are needed, he said. Lucier pointed out that the Chatham Commissioners' task was to obtain and approve funding for the schools and work toward obtaining the property where the schools are located. He agreed that prejudging where one wants to purchase can limit negotiating skills. It would be wrong to prejudge the precise location, Lucier said, and he recommended simply making it clear in the land use plan that a school of some kind would likely be required and encourage obtaining property for a combined park/school site.

Portman agreed, and recommended adding a footnote to the plan to say there would be a need for parks and schools but sites would be determined at a later date.

Portman moved, seconded by Robison, to accept the staff recommendation to limit the issue of schools and parks. The motion was adopted unanimously (4-0).

With regard to the plan map, Ramage said it is usually easier for citizens to understand changes in land use categories if the change occurs on easy to identify pieces of geography that create natural boundaries, such as roads, streams or easements. In some cases, there are land use categories that split within parcels, or occur just shy of a road, or clip a property, he said, noting that those can create issues. Ramage asked for direction on whether or not to locate such cases on the map and if staff should prepare a series of recommendations for making those boundaries cleaner.

Kost proposed that there could be no overall rule on how to handle situations, adding that it would depend on the individual parcels. Ramage proposed having staff go through it carefully and come back with a series of recommendations on properties that could be easily fixed by moving the line to a natural boundary.

Lucier pointed out that some areas would be more environmentally sensitive than others, due to the lay of the land or the nature of the watershed, for example. The one-mile boundary in those areas should not be diminished, he said.

Kost noted that they might end up having to split some parcels simply because of the number of large parcels. She agreed, though, that some areas needed to be smoothed out because leaving them as they were would make implementation difficult.

Portman pointed out that a comprehensive land use plan is an effort to look out 20 years to when an area will be developed. It is a guide, and is not meant to be set in stone, he said, adding that comprehensive plans are more like water colors than like ink sketches. Portman recommended starting with specific numbers and then trying to take those to roads and milestones. If some things still don't

make sense, and staff on both sides feels there are some illogical lines, he would support cleaning it up, he said.

Lucier remarked that revisions would be handled differently because there were two jurisdictions involved in an agreement that would lead to a local legislative bill regarding changes to the land use plan. He said that any revisions they might make in the future would be more complicated than usual because of that. Portman replied that this would normally be seen as a rezoning, which would potentially involve a change in the comprehensive plan and be considered by both Chatham County Board of Commissioners and the Cary Town Council.

Lucier moved, seconded by Portman, to direct staff to prepare minor adjustments to the land use plan that include the parameters discussed. The motion was approved unanimously (4-0).

Sullivan showed slides of the mixed use node boundaries. He said staff had received a number of comments from residents who were opposed to mixed nodes and/or wanted to move or shrink node boundaries. Staff had also received a petition from a significant number of property owners within node boundaries who were opposed to the mixed use node location, he said.

Sullivan said staff had received a letter of support from the Economic Development Corporation and one in opposition from the Haw River Assembly. He showed aerial views of the area and reviewed background information. Sullivan asked if they should keep or change the mixed use node. He also gave examples of how the floor area ratio would change.

Lucier asked how the numbers on the graph had been generated. Ramage replied that they had looked at several sample suburban office parks in Cary and had taken the average floor space per acre. They had also used employment figures per square foot of office space. That was typically three employees per 1,000 square feet, he said. Lucier noted, however, that this could change depending on the variables. It was an average for suburban office parks using primarily surface parking, he said.

The Committee continued to discuss the floor area ratio. Ramage said that 17.5 percent of an acre of office park was about average for floor space. In some office parks, if the land is good and not encumbered by environmental constraints, then it can be up to 24 percent, he said. Ramage remarked that they tend to see 17-18 percent as development moves closer to a lake and there are more stream buffers and ephemeral streams and more unbuildable area.

Lucier asked if anyone had done an analysis of how that would work with Chatham County's stream buffer regulations, including buffering of ephemeral streams. Sullivan replied that they had not yet done an analysis of ephemeral streams on the Chatham County side. However, they had sent out letters to all

property owners in the mixed use node, asking if they wanted the County to look at ephemerals and evaluate the property, he said. Sullivan noted that no one had volunteered to do that, but one property owner in the joint planning area had allowed an evaluation.

Kost asked if they had looked at the LIDAR data. Portman said that joint planning was an attempt to protect the shared resources of Jordan Lake while responsibly planning for the future. He said the important questions were:

- How important is the mixed use node?
- What is the environmental impact of the mixed use node?
- Is it detrimental or complementary to the water quality objectives that are the foundation of this plan?

Portman said he would like to hear from Chatham County regarding those questions.

Lucier replied that this was why he was trying to get information on the nature of streams and how they might be impacted. Chatham County had strict stream buffer regulations, he said. If those were followed as they should be, how would the ability to put the mixed use node in there be limited. Lucier said that “mixed use node” was probably a misnomer because the area’s purpose was to be an employment center. The Committee had discussed putting commercial development at the intersection of 64 and 751, he said.

Kost suggested postponing this discussion until more information on the potential streams in the area could be reviewed.

Sullivan reviewed slide 19, showing the relationship between acreage and floor space. Portman commented that the table had taken the original plan and shown reductions based on floor area ratio. Kost remarked that Sullivan was stepping it down from what they currently have. Ramage said they were providing the tables in response to Committee members’ request at the Joint Planning Session.

Sullivan reviewed the table on slide 20, regarding the residential component and the variations with different population densities. Lucier verified that they had assumed 2.7 people per dwelling and 0.29 students per dwelling.

Sullivan showed pictures of current uses in the joint planning area. He showed different examples of various densities. Lucier verified that current zoning was one dwelling per acre. However, there were areas on the other side of the lake that had one dwelling on five acres, he said, so the zoning was different on the west side.

Robison asked how that had happened. Lucier did not recall, but remembered that many in Chatham County were upset when it was changed to one dwelling per acre.

Elaine Chiosso said that she had been on the Planning Board at that time. She said that the west side of the lake had been seen more as a resource buffer for the “big woods,” which at that time was a very large unbroken area of forest and land that included animal habitat.

Sullivan agreed that the Big Woods Natural Heritage Area was seen as one of the largest natural undisturbed areas in the Triangle at that time, but said it had become fragmented since then. He thought the sentiment on the board at the time was that there were a number of families and property owners who had lost property to the Army Corps of Engineers. There might have been some sensitivity to going to less dense zoning, Sullivan said.

Ramage verified with Ben Howell that the lots came out to an average of 3.6 units per acre. They might be smaller than that, he said, but when you average out the density in the entire area that is what you get. Kost verified that open space was calculated as part of the density.

Sullivan listed some of the staff’s questions concerning mixed use nodes:

1. Should they keep the node in the plan?
2. If they keep it, should they change the mix of uses and/or the location?
3. If they keep it, is it a conceptual boundary or a fixed boundary?
4. If the boundary is shown on the map, but not necessarily fixed, how would staff and governing boards interpret where it would go if there were a request to relocate?

Lucier asked if, for example, the employment center were taken off the map and a request came in from a company to purchase a piece of property and locate there and provide a couple of hundred people with good paying jobs with good benefits, what would the process be to accomplish that without the employment center.

Ulma replied that if they had not designated otherwise on the land map, then the assumption would be that residential uses would go there if somebody wanted to do a non-residential development, then the Committee would need to amend the plan and add a non-residential designation, Ulma said. Lucier pointed out that it would then have to be approved by both Cary and Chatham County.

Portman agreed that a joint land use plan must be changed jointly. He said they were working collaboratively because they did not want two different plans. Portman also said that the idea of “floating” boundaries was the right way to do it because no governing board had the clarity to define property lines on a long

range comprehensive 20-30 years ahead. He added that the Committee might also want to discuss changing the term from "mixed use" to "employment center," if that is the vision of what they were trying to do.

Lucier agreed that what they had was too prescriptive considering what they cannot see in the future. He said it was important to articulate in the plan that they were prepared to work together to develop employment centers in the joint planning area. But to prejudge exactly where it would go would not make sense, he said.

Lucier said that there was a need for an employment center and also a need to have a floating, non-rigid boundary. If the employment center was important, then it was important to have it in the long-range plan, he said. To not have it and just react when and if the opportunity comes would cause citizens to be very upset, Lucier pointed out. He noted that people would move in and buy land based on what they believe was assurance from the government in the long range plan.

Portman agreed, adding that changes can occur, but people would find it problematic if those changes were contrary to the long range plan. If an employment center is important then it should be on the long range plan, he said.

Kost said she saw their point and understood their reason for wanting some flexibility. However, she had conflicting feelings about the mixed use area, she said, adding that she had agreed to it because it would include large buffers and strict design standards that made it blend in with the community. If it is just an employment center, then it makes more sense to put it at the 64/751 intersection, she said.

Kost point out that this would put it farther from the lake, and at a major crossroads, and make it well connected east and west. If the employment center node remains in the present location, she said, it is far too big and it would be very difficult to blend into the area. She said that her vision had been something like Farrington Village, with lots of open space and preservation of Chatham County's uniqueness.

Portman said they had discussed the importance of encompassing those controls through design guidelines, which the Committee was still planning to adopt. Kost replied that it was important to remind folks that that is what the Committee intends to do.

Robison said she was hearing Kost saying that she would support only something that was smaller in scope, and she asked Kost what she would recommend. Kost replied that she needed more information before moving forward--LIDAR information, in particular. She thought that the information the Committee had received from Ms. Weakley at the last meeting, regarding slopes

and the sensitivity of the area, had been very important. Kost said she wanted to see stream information because the soil does not absorb water and the streams run into Jordan Lake.

Robison suggested requesting that information for the next meeting.

Patrick Barnes said that East Chatham residents wanted to know if the land use plan was for the total benefit of Cary. He said that plan had wandered from its original goal. People who live in East Chatham had an opinion that had not been expressed today, he said. Barnes stated that everything he had heard seemed to benefit Cary.

Robison replied that Mr. Portman had just said he would follow the lead of the Chatham County Commissioners. She supported that view, she said, adding that everyone on the Committee shared an interest in water quality and conservation/preservation and were looking at it in a joint fashion. She did not personally see any of them looking at it solely to the benefit of Cary, Robison said, adding that she objected to such a statement.

Lucier said that the purposes that had been articulated several times were as follows:

- 1) Protect Jordan Lake. Going from one acre to five acres is a substantial reduction in allowable density.
- 2) Take advantage of proximity to RTP. Chatham was one of the few counties that had never taken economic advantage of that, and there is a lot of pressure on property taxes due to 60 percent of jobs being outside the county.
- 3) Limit annexation possibilities by Cary. Chatham County wants to control its own density and destiny. The purpose of a joint land use plan is to achieve that goal.

Portman said that another issue was Chatham County landowners being able to request annexation to Cary if they choose. He said they were not discussing involuntary annexation of land in Chatham County. There was no precedent for that and there was no plan to do it, Portman said. What was being discussed, he said, was the restriction placed on Chatham County residents that preclude their right to use their land as they choose and solicit annexation to Cary if that's what they want. This was a planning effort designed to articulate clearly what Chatham County residents' options are, Portman said.

With regard to the mixed use decision, Kost said there was not yet enough data to give the guidance that staff was looking for. Portman disagreed, and said the Committee was "cycling." He said this issue had been discussed a year ago.

The Committee had developed it and had gotten comments, and he thought they were avoiding the big questions regarding environmental impact, he said. If the impact is bad, then they should not be doing this, said Portman.

Robison replied that Kost was trying to get more detail, and Kost pointed out that they had not looked at the streams; that the committee looked at the stream buffers. Cary had agreed to follow the more stringent Chatham buffers, but they had not looked at the stream buffers, she said. Kost noted a letter from the Haw River Assembly opposing the mixed use node. She said the Committee had received new data that they had not seen before; that since nothing has been finalized she would like to make a decision with better information.

D'Ambrosi requested that staff include the existing land uses related to current quality of water on each tributary they analyze. Kost asked if that was clear, and Sullivan said that staff did not want to prejudge what the consultants would do. They could provide additional information and maps, but he did not know how much value staff could place on those at this point, he said.

Kost replied that they could at least look at the LIDAR data, which was critical.

Portman ascertained that the main environmental issues were nitrogen, phosphorus, and sediment loading. Portman asked if they could articulate what those current levels were and what they would be in an employment center. No one on the Committee wanted to make a bad environmental decision, he said. Portman pointed out that the Jordan Lake Rules would apply, with or without the land use plan.

Lucier said that all jurisdictions around Jordan Lake would have to come up with plans for nitrogen, phosphorus and sediment reduction. The County's overarching goal was to protect and improve water quality in the lake, he said.

Portman said that he would follow the Chatham County Board's lead because whether the area has or does not have mixed use or an employment center is not a major concern to him. He said he was frustrated because there had been a debate about environmental impact early in the process; that they paid for a study which revealed a slightly better impact on one home per five acres than with suburban development. The paramount interest that Chatham County and Cary share is the desire to protect Jordan Lake, Portman said. He said that one way to do that was with this comprehensive land use plan, which would not be counterproductive to the Jordan Lake watershed rule.

Kost agreed, adding that this was why she had asked for more information.

NOTE FROM CLERK: The following section was transcribed verbatim.

Lucier: In any event, all the jurisdictions that surround Jordan Lake are going to have to come up with plans on how they can reduce nitrogen phosphorus sediment and a couple of other

things into the lake, and right now you know portions of the lake if we have the New Hope Dam if upper New Hope is impaired or close to impaired because of nitrogen and phosphorus levels and sediment ties into that. Sediment also ties into water treatment pumps, the more sediment you have in your water treatment system, the more it costs to be treated because and the more opportunity you have for EPA violations on your drinking water standards because organic material and chlorine and disinfectants form disinfectant bi-products and when you get something in your public water supply where levels have been exceeded that is what it is- it's sediment. So, our overarching goal is to bend and approve water quality in the lake. I am not a big fan of some of the things (inaudible- coughing)..and so forth in terms of water quality (inaudible- coughing) after having said that, to help focus staff on what to do. We really have two options with this, we really have three options. One option is to have a fixed area such as we have, we say this is where we want to bring jobs into Chatham County and designate that area. A second is to say we want to do that, but we are going to let the market play out to some extent and someone comes in and we can say what we are encouraging, we can say that we are prepared to work together. Chatham Cary can make that employment center happen, it may not be in this area it might be some other area where someone purchases a large piece of property in order to do that with and go through a public hearing process and all that to make a final decision on it. You correctly said that those acts often can discouraged such things as the one process has to go through and that is a disadvantage of that and the advantage of it is it allows more flexibility. The third, we do want any more employment there, that is a possibility, but it is not one that I support. I know not everyone believes that, but I thinks it's I think we need to take a little better economic advantage of our proximity to RTP, at the same time we have to listen to what the citizens have to say in terms of them wanting it or not wanting it in the public hearing setting so, there's a, given that there are pretty wide ranging options to consider. This we have to keep in mind this is the single issue that has raised most concerns among the Chatham County citizens.

Portman: Well Commissioner Lucier, I think you well articulated sort of the three options that are before the committee and I am going to be anxious to understand and really follow the lead of the Chatham County board on this because quite frankly, from my perspective, whether you have mixed use, don't have mixed use, have an employment center, don't have an employment center isn't a major concern to me. (interrupted)

Kost: OK that's good

Portman: From that standpoint, let's get whatever data we need. My frustration comes from (interrupted)

Kost: So I am the hold up there- it's alright

Portman: My frustration comes from early on we had this debate about environmental impact between one home per five acres and suburban development and we paid for a study that was a little surprising to me, but it basically showed that the impact was slightly better on the lake with one home per five acres than suburban development, but but awfully close in terms of--if I recall that study correctly, I don't want to mischaracterize. (Interrupted)

Kost: that's good

Portman: so (interrupted)

Lucier: I did have a few problems with that study as you recall.

Kost: the study said (interrupted)

Portman: *you would be more qualified to have to know that than I am- I read the study (interrupted)*

Kost: *But what you said is correct the study said, now we had problems with the study and the methodology, but the study did say that it's pretty much a wash.*

Robison moved, seconded by Lucier, to delay the decision on the mixed use node until the next Committee meeting and to direct the staff to provide the data requested, specifically the LIDAR data, and that the Committee take that into consideration and schedule a decision on the matter at the next meeting. The motion was adopted unanimously (4-0).

Portman asked staff to also bring back information on current and proposed nitrogen, phosphorus and sediment.

Bailey said that the study they had previously done had addressed the issue of nitrogen and phosphorous, but not sediment. That could not be done before the next meeting, he said, but added that it might not be relevant in the light of the proposed rules.

Sullivan said they could provide maps with stream data and buffers. They could also check mapping that was done in 2009, he said, but maybe not before the next meeting.

Kost said she would like to see whatever environmental information was available about the employment center area so they could better understand the drainage basin.

Sullivan discussed slide 29 and asked about the floating boundary.

Kost said it was okay for the boundary to be flexible, but on a case by case basis. She said this would not require an amendment to the joint land use plan. Portman agreed, noting that professional staff would look at applicants' requests. The first thing they will do is interpret whether or not it is consistent with the comprehensive plan, he said. Kost said they should spell out how they would administer it in the agreement. Lucier agreed with that and also with the need for flexibility.

Sullivan asked if the Committee would include parameters for boundaries. Kost said they should not because they have professional staff to do that and the Committee might get tangled up in such discussions. Portman said that the guidelines were already established in terms of how rezoning is done and how comprehensive plan changes are made.

Lucier moved, second by Robison, to ask staff to work together to develop a process for amendments. The motion was adopted unanimously (4-0).

Ramage discussed the rural buffer boundary and explained that water and sewer would not be provided west of the rural buffer by either Cary or Chatham County, according to the plan. The exception would be to rescue a property with a failed private system, provided that both Chatham and Cary agree to the rescue, he said.

Ramage discussed the buffer line and noted that properties on the east side would not be obligated to connect to utilities. Those properties would be eligible to request utilities, but providers would not be obligated to agree to the request, he said. Ramage noted that there would be no proactive efforts to bring lines out to the area, and the cost of a utility extension would typically be born by the property owner.

Ramage said that landowners requests annexation from Cary in order to get utilities, but there were exceptions to that rule. Robison asked what those exceptions would be. Bailey replied that it would be a Council decision based on the cost of the service, for example. He said that Cary charges triple rates when it does not annex. Kost pointed out that paying triple rates would still be cheaper than Cary property taxes in the area of concern.

Ramage said that the language about what constitutes “system failure” was unclear. This would be a policy issue for the Committee, he said. Portman proposed that the term means not economically viable to repair.

Portman moved, seconded by Robison, that the definition of “system failure” be based not only on the technical issue but the economic viability of the option, leaving it up to the landowner to be able to request rescue if public services are more cost effective for them and the request is reviewed and approved by both jurisdictions. The motion was adopted unanimously (4-0).

Ramage asked what should happen if an entire subdivision on the west side of the rural buffer were to request utilities even though not all of the lots had failed wells. Robison proposed that it should be approved because it is more economical to spread the cost around. If one residence fails, chances are another will, she said.

Lucier agreed with Robison, but said that this too would need to be approved by both jurisdictions. The reason for that was so they could each look at it from their perspectives, he said.

Lucier moved, seconded by Robison, to bring utilities to the entire subdivision if some systems are failing and that such rescue would need to be approved by both jurisdictions. The motion was adopted unanimously (4-0).

Ramage asked if water and sewer services could be requested for purposes other than failure, such as low water pressure. Robison said it should not, unless

there was a compelling public health issue. The Committee agreed that not having enough water pressure to put out a fire would be a compelling public health issue, and the City or County would bring it to the Committee for a joint review.

Robinson moved, seconded by Lucier, that utility requests that are voluntary not be accepted unless there is a compelling public health purpose. The motion was adopted unanimously (4-0).

Ramage asked if the boundary should be extended around subdivisions that might wish to connect at some point in the future. Portman said it would be logical to do that. Kost expressed support for what was already on the map. Robison noted the potential for Hills of Rosemont to ask for a connection at some point. She asked if Cary would be prepared to extend services to Hills of Rosemont. Robison clarifies that she was not advocating for it but was just asking the question because she did not want Cary to get into a position where one day they would be asked to rescue but would not be prepared to do it.

Portman noted that earlier provisos, which the Committee had approved, had said there would be no obligation on the part of Cary to do that. It would be on an ad hoc basis and the costs would be borne by the applicant requesting the service, he said.

Lucier said that someone who wanted to be rescued would contact Cary. If Cary wanted to do that, then Chatham County would have to agree, he said. Portman suggested that the final document clearly state that the option of having rescue does not necessarily confirm that it will be offered, or that it will be cost effective.

Sullivan said he had checked with Environmental Health and had learned that Hills of Rosemont was on a community well/water system. However, there are some lots with separate irrigation wells, he said
Kost said that the mapped comments would be included on the next agenda, which would be on May 18, 2010 at 9:30-11:30 a.m. in Cary.

The meeting was adjourned at 11:34 a.m.