

**MINUTES
CHATHAM-CARY
JOINT ISSUES COMMITTEE MEETING
JUNE 29, 2011**

The Chatham-Cary Joint Issues Committee met in the North Chatham Elementary School, Multi-Purpose Room, 3380 Lystra Road, located in Chapel Hill, North Carolina, at 6:30 PM on June 29, 2011.

Chatham Officials Present: Brian Bock, Walter Petty, and Pamela Stewart

Cary Officials Present: Erv Portman and Julie Robison

Chatham Staff Present: Benjamin Howell

Cary Staff Present: Scott Ramage

Julie Robison entered the meeting at 6:47 PM.

Agenda

- | | |
|--------------------------|---|
| 6:00 PM – 6:30 PM | Drop-in Question & Answers with Staff |
| 6:30 PM | I. Call to Order |
| | II. Approval of the Agenda |
| | III. Approval of Minutes of April 13, 2011 |
| 6:35 PM | IV. Staff Presentation |
| | a. Staff provides overview of Map Option B |
| | b. Staff provides overview of Plan Document to be adopted with Plan Map |
| 7:00 PM | V. Public Input Session |
| 9:30 PM | VI. Committee Discussion |
| | VII. Adjournment |

CALL TO ORDER

Brian Bock called the meeting to order at 6:35 PM.

APPROVAL OF AGENDA

Erv Portman moved, seconded by Walter Petty, to approve the Agenda. The motion carried four (4) to zero (0).

APPROVAL OF MINUTES

Erv Portman moved, seconded by Pam Stewart, to approve the April 13, 2011 minutes. The motion carried four (4) to zero (0).

STAFF PRESENTATION

Ben Howell, Chatham County Planner, presented a PowerPoint of the Chatham-Cary Joint Issues Committee. He reviewed the policy document, the Joint Plan Boundaries, the history of the Joint Land Use Planning effort, guiding principles, and geographic context. He gave an introduction to the draft plan map.

Scott Ramage, Cary Principal Planner reviewed the mixed use nodes of Fearington Village Center, Governors Village, and the Briar Chapel Village Center and Town Center. He explained comparable mixed use nodes and gave other plan policy recommendations including Corps area buffers, transitions between uses, public utilities and rescue policy, watershed protection, and provided plan implementation steps.

A link to the PowerPoint is as follows: www.chathamnc.org/jointchathamcaryplan

Mr. Bock asked if there were any questions from the Committee before the public input session begins.

Mr. Portman stated that in prior discussions, the mixed use nodes had been discussed as potential employment centers, and he believes that it is important to keep that in mind.

PUBLIC INPUT SESSION

Gary Mason, 235 Indian Creek Lane, Apex, NC, stated that Mr. Portman had a good idea but he is skeptical; that it is good to see everyone here; that there are a lot of objections to higher density; that they suggest 3-5 acre minimum up to the County line; that the doesn't know how it keeps creeping up; that Amberly was done that was because they weren't going to touch the rest of Chatham; that he applauds the effort to get this done and that we should get back to 3-5 acres; that there will be donut holes; and that he asks that the minimum lots be reexamined.

Terry Heath, 919 Olde Thompson Creek Road, Apex, NC, asked what is the first thing that one notices while driving on Lewter Shop Road from the Chatham County line to the Wake County line. He stated that one will find potholes in Wake County less than one car length into the County; that he collected a rock out of a pothole where the second mixed-use node will be located; that one of the potholes was 5'x5' by 3" deep; that his question is how long, deep and wide do the potholes need to get before they are filled under this plan; that you cannot fall asleep bouncing down the road; that he moved out to Chatham County for the rural character, wildlife, no traffic jams, and low taxes; and that they moved to get out of the stranglehold and congestion that Cary has to offer. He asked that Cary be contained from moving to Chatham County.

David Morgan, 336 Pittard Sears Road, Chapel Hill, stated that he is representing a commercial real estate broker; that if you do not concentrate the commercial development in one area, you will have urban sprawl; that it makes sense to minimize the impact on the rest of the County to concentrate things as much as possible in single areas; that Governor's Village is an example of a smaller node that doesn't work; that people are driving to areas that are not being used; that things should be concentrated in the same area where you can control the density; that the Pittard Sears area should be the commercial development area, near where Amberly is already.

Larry Ballas, 139 Indian Creek Lane, Apex, NC, stated that he has been working on this since 1995; that there are a lot of bridges in the new 540; that they are crossing streams and streets; that streams crossed are being polluted and running into Chatham County; that as land development goes on, there will be a lot of controversy about what the zoning means; that plans can be abused; that he asks that as we develop a plan, it be written in stone so that we know what it will be and if it changes, it goes back to the people to change it; and that if people don't sell their land, nothing will change.

Mark Burnham, 698 Clyde Farrell Road, Apex, NC, stated that he has lived on Clyde Farrell Road for thirty years; that Cary has already dropped the ball on the development upstream from the lake; that the water is about the color of creamed coffee; that there are large areas of cleared land in Cary for development that hasn't been done; that it is now draining into

Jordan Lake; that the lake will silt up faster than the Corps of Engineers is planning on it; that bicyclists on Highway 751 are in a dangerous situation; and that there should be some consideration for separation of bicycles from cars.

Don Simmons, 621 Mt. Pisgah Church Road, Apex, NC, stated that he finds it strange that he has not heard a presentation by Chatham County; that someone other than Chatham is driving the train; that in Durham there are developments very close to the lake; that the pollution is coming from Amberly; that the development on O’Kelly Church Road and Pittard Sears Road has blood-colored run-off going into the lake; that you can have rural area but they need help; that two acres per house would make much more sense but he wouldn’t have the opportunity under this plan; and that the taxes on my property are the same as development areas and he is taxed at a higher.

Lou Caltrider, 102 Vashon Court, Cary, NC, stated that he is concerned about raising the density; that he is concerned about the increase in density on the backs of the people that are already there; that with all the restrictions that have been put on the land, he will be unable to build a house on the property that he bought to build a retirement home on; that there needs to be a definition of what is “new development”; that the exceptions are in the current zoning rules; that he would like to see added an exception for existing homes from Section 9.3 of the current Chatham County Zoning Code which gives exception to the existing property owners; that the buffer zones also take land away from the people; that the buffers impact his property and his land might as well be turned into game land.

Debora Sears, 78 Barbee Road, Apex, NC, stated that the Joint Use Plan sets the direction for future land use in eastern Chatham County; that it will be used to evaluate zoning and development requests; that it designates two mixed use areas for future urban development; that it will guide Chatham County and Cary to carve the urban areas out of existing rural, county country side; that adherence to this plan will increase the tax burden, the rules and regulations burden and the traffic burden for the future Cary areas; that it will also increase the tax burden for all Chatham County residents for schools for Cary children; That a vote for this plan is a vote for higher taxes, for more regulations and more traffic. She presented a petition on behalf of approximately 125 Chatham County residents and landowners opposing any type of Cary annexation or control in Chatham County as set forth in the Joint Chatham-Cary Land Plan. She asked that the Joint Chatham-Cary Land Plan not be approved. She asked does the Chatham County Board of Commissioners have a written policy on making decisions regarding a potential Cary request for extraterritorial jurisdiction since the NC General Statutes read that a city council should consider area to be included in the ETJ as based upon projected urban development. She stated that this plan designates two areas for projected future development and does the Chatham County Board of Commissioners have a written policy and what would be the basis of that decision.

Keith Horil, 1620 New Hope Church Road, Apex, NC, stated that he doesn’t feel that anyone should be required by government to anything with their property they don’t want to do; that he supports the rights of landowners to choose the reasonable use of their own property; that he would like to raise his three children in a rural environment; that he wants to development a senior care facility in the future, one that is special and would integrate agricultural pastures with animals and activities with school children where older people could have some increased quality of life; that he property is located near the urban service boundary and depending on which location, he may or may not be able to pursue this long-term goal for the property.

Steve Stevenson, 1327 New Hope Church Road, Apex, NC, stated that he is a former Cary citizen and has been a Chatham County resident for about three years; that he is here to talk about a specific area; that his house is one development area and the surrounding area has always been low density; that on the property there are two large streams that will need to be buffered; that there could be a high density area near the road. He asked that the Board of Commissioners and Cary Council visit the lot and that he appreciates the opportunity to speak.

Sally Kost, 1101 New Hope Church Road, Apex, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“Members of the Committee, my fellow Chatham Citizens,

As a former member of this subcommittee, I appreciate the difficult task that you have but I do want to make comments regarding this proposed plan.

This plan ignores many things:

First it ignores the input from Chatham citizens since 2005 when this process began. Read back through the many comments and you will hear that the residents of Chatham County want to protect the character that makes this environmentally sensitive area so special. I had advocated that design principles be developed with Chatham taking the lead so that we could address many of the concerns from the area residents. At your April 13 meeting you all suggested to use the southwest area design standards. With this suggestion it became obviously you haven't been listening to the citizens of Chatham County.

Secondly you ignore your own guiding principles. Chatham's Land Development and Conservation Plan speaks to protection of rural character. And in the Cary land ordinance under the section dealing with Zoning Districts a guiding principle states "Protect existing neighborhoods and community character." The plan before you does neither.

Thirdly, you ignored the Chatham Conservation Plan. Last year, Biologist Allison Weakley presented key information and hard data about the environmental sensitivity of this area and the uniqueness of it. Since the new subcommittee was formed in January, you have not discussed how to address these concerns. Especially the area in the Mixed Use Area on Hwy 751 and White Oak Creek.

Another point I want to make deals with transitioning, or the lack of. You have islands of high density, surrounded by low density. The result will be satellite annexations and poor public safety service delivery for the Chatham citizens who abut the town limits.

In summary, I believe you have much more work to do before this plan can go to your full respective boards. I urge you to listen to what the citizens of this area have been saying. Develop the design standards as was agreed to so that the residents of eastern Chatham have the protection that they have asked you to give them.

The sediment from the Amberly Development has clogged Panther Creek. Clearly this land cannot handle the intense development you

The Hodge/Horil property on New Hope Church Road – an island of high density surrounded by horse farms, estate homes. It is illogical to have two units per acre abut five acre lot sizes. The motives for running the urban services boundary up one side of New Hope Church Road to accommodate the property owner at the corner of Mt. Pisgah and New Hope is questionable.

Lynn Fass, 101 Markham Plantation, Apex, NC, stated that she has ten acres off of New Hope Church Road; that she spoke to Mr. Horil through emails and he told her that and he intended to keep his land as a horse pasture; that the streams are still running muck with no clear water to be had; that Jordan Lake looks like chocolate pudding after a heavy rain; that this has to stop as it is affecting their wells and environment up and down the New Hope Church Road corridor; that her road is dotted with farms and that you can't drop a retirement community in Mr. Horil's property in a donut hole of higher density; that we need to watch what we are doing to the environment; and that it is not keeping up with the surrounding area, the reason they moved into Chatham County.

Mike Massey, 410 Chatham Glen Drive, Apex, NC, stated that he appreciates the previous respect shown to his subdivision and not zoning it other than its original designation of one house per minimum of five acres; that they are unanimous (landowners) in extending their covenants to ensure minimum five acres per lot; that this most recent plan, the area south of the Old Chatham Golf Course is higher density and now the area to the east of that next to his subdivision is as well; that it makes sense to keep that area low density; that the speed limit on O'Kelly Chapel Road went to 50 MPH because it is a cut-through from 540 to Highway 751; and that more cars equal more problems with three fatal accidents in the last 3 ½ years. He thanked the board for their time.

Rondy Elliott, 369 Chatham Glen Drive, Apex, NC, stated that she agrees with Sally Kost's comments; that it is very clear that the people nor Commissioners of Chatham County are being listened to; that she would not mind development if it was done responsibly and it hasn't been in the past; that she doesn't know why people don't like trees and clearing land for development it is economically or environmentally irresponsible. She asked if all these homes have been sold. She stated that there is no transition in her area at all; that she is very disappointed in the way things have happened thus far.

Tom Kost, 1101 New Hope Church Road, Apex, NC, stated that we still have silt in the rivers that flows into Jordan Lake; that there are potholes and there are steel rods that are sticking in the sewage vents on New Hope Church Road; that it is hard to predict the future. He asked how many people in audience would like things to stay as they are. (He stated that was approximately 50-60%.) He asked how many people would like to see this plan go forward. (He stated that two or three.) He asked how many people would like to see some other additions. (He stated that there were two or three.) He stated it was clear that the majority would like to see things stay the way that they are. He thanked the board.

Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC, stated this sprawl development could affect all citizens in Chatham County and end up costing all taxpayers; that land use is a local issue and responsibility; that communities should decide for themselves what kind of communities they want; that this plan is un-Democratic because the people that live in the area are opposed to it; that the density has gone up and there are no design standards; that this plan only protects the property rights of owners of an absentee landlord that want to sell to developers; that he is opposed to mixed node developments; that there had been a pharmaceutical company that was interested in this which was going to be an employment center; however, if one looks at the three developments that have been used as models, they are exactly the opposite of an employment center; that Fearington is an elite retail development; Briar Chapel is a sprawl highway development; and that Governors Club is another example that has no employment; that the County originally planned to have an employment center at Highways 64 and 751 which makes more sense; that this is not inevitable and land use should be controlled by the citizens; that you can control the direction of our economy which is not toward rural sprawl suburban development; and that it is more toward mixed use urban type areas.

Barbara Due, 8165 Wake Road, Durham, NC, stated that she lives in the "lost" corner of Chatham County; that the part of the area is low density and some is higher density; that they are proposing that it all be very low density.

Alistair McGregor, 150 Shad Lane, Apex, NC, stated that he would like to discuss a small area within this plan; that there are 71 members his community, four subdivisions, and a total of 660 acres; that the average size of the lots is eight acres; that 65% of the lots are in subdivisions with 70% developed; that half of the undeveloped lots are in subdivisions; that on February 16, 2011, two decisions were made to split the community; that the first was to move the rural buffer line from the south side of Chatham (Woods of Chatham) to New Hope Church Road and Mt. Pisgah Church Road; that the second was to change the planning density of that corner from one dwelling unit to five acres to two dwelling units per acre; this is not the change that is needed; that he is in the silent majority; that the request is to reconsider the decisions of February 16th, restore the rural buffer location to the eastern and southern edge of the Woods of Chatham, and restore the recommended density of the area southeast of the intersection of Mt. Pisgah Church Road and New Hope Church Road to a level consistent with neighboring parcels.

Robert Sears, 454 Lewter Shop Road, Apex, NC, stated that he is under a different zone now than he was before; that he has 12.56 acres and he lives on every inch of it and pays taxes on it; that he wants to decide what he want to do with her property; that they keep telling them to leave it alone; that Cary is going to do whatever it wants to regardless of a plan; that Chatham County has been unable to control annexation, voluntary or involuntary; that this plan will just bring the riff-raff out of Cary; that it is their land, leave it alone and learn to live in the country.

Patrick Barnes, 274 McCoy Road, Apex, NC, stated that he would be the first to admit that previous Board haven't always been the brightest stars in the sky; that on the other hand, he believes that they have the ability to govern Chatham County without Cary; that he doesn't believe what was written on the Cary "propaganda" sheet which states that Cary's

recommendation is to use similar building heights, mass, materials, colors, and architecture. He was where in Chatham County do we have that.

Tom Ward, 1805 Martha's Chapel Road, Apex, NC, addressed the suggestion by the Wildlife Commission for the 150 yard buffer around the game lands and the ½ mile buffer around burn areas. He stated that he realizes that it is not set in stone and that "whenever possible" is very vague; that he wishes it would be deleted completely because everyone that wants to build in the area would ask for an exception and probably receive it; and that it should be deleted from the plan.

Eileen Evans, 121 Indian Creek Lane, Apex, NC, stated that she lives in one of the identified "donut holes" that according to the plan she is in a low-density area; that her subdivision has lots from five to fifteen acres; that lots around are large lots with one dwelling; that there is a conflict with one to two houses per acre in the area; that in the transition plan, it says to use similar development densities; that they were successful in defeating an annexation in the past; that she moved out to that area because she wanted to be in the country; that she doesn't mind driving to go shopping; and that when the time comes, she will move to another area other than Cary to be taken care of.

Betsy Phillips, 84 Granny's Acres, Durham, NC, stated that she lives in the "lost" corner; that she would like the density back to one dwelling per acre; that her family owned 200 acres back in the 1930s; that now she has a part of it she would like to preserve; and that she would like it as rural as possible.

Marie Bush, 107 Shady Lane Circle, Apex, NC, stated that she has attended these meetings before; that they chose to live on 6.5 acres in the country; that they would like that preserved; that they like their peace and quiet; that they lost their scenic highway sign when Governor's Club went in; and that she encouraged people to hold on to their land.

Joe Evans, 121 Indian Creek Lane, Apex, NC, stated that he feels anyone should be able to do what they want on their own property; that he has chosen to live in a subdivision with covenants, but it was his choice; that the density in his area needs to be changed.

Sharon Heath, 919 Old Thompson Creek Road, Apex, NC, stated that she has lived in Chatham for seventeen years; that she loves the Chatham County diversity; that she understands there will be change, but they love what they have; that to have their taxes increased and all the change made for the mixed use places and concentrated houses, they do not want it.

George Terrone, 180 Chapel View Drive, Apex, NC, stated that he knows this is not an annexation plan but it is disingenuous to say that it is not a pre-cursor to some annexation. He states that the thing that bothers him the most is the mixed use development; and that the strip malls are what is coming in and it won't be that long.

Mr. Bock thanked everyone for their comments stating that they were very helpful. He stated that it was obvious that some people present had a lot of animosity toward Cary. He clarified that the speed limit on O'Kelly Road was not something they could change as it had to go through the NC Department of Transportation but that they continue to press for the reduction in it. He also stated that, with reference to there had been no presentations by Chatham, there had been multiple presentations by Chatham County staff who have done an excellent job.

COMMITTEE DISCUSSION

Chairman Bock stated that it was his understanding that the "Lost Corners" had always been abandoned asking if that was correct. He stated that he would have to agree that it looks as though it had been lost in their discussions.

Mr. Howell stated that it had been that way for several versions of the map, stating that he believes it was split that way when the rural buffer boundary lines were introduced, they were placed at the quarter mile mark off the Corps of Engineers buffer line. He stated that where the color spread out is where the rural buffer boundary line was located. When staff revisited Map Options A and Map Option B, one of their recommendations was to put the entire area inside or

outside the rural buffer boundary line. For this map, they pushed the buffer line to follow the Corps of Engineers property but they did not touch the density designations.

Mr. Ramage stated that one of the first public meetings of the Joint Committee made the recommendation of a quarter mile buffer off the Corps property.

Mr. Bock stated that it was originally drawn that way to support the higher density.

Mr. Howell stated it was done that way to allow for higher density in a quarter of a mile away from Corps of Engineers property.

Mr. Bock stated that this was something that they could review easily.

Ms. Robison stated that her recollection is the same as Mr. Ramage in the Cary Planning Department. In 2007, the Draft Land Use Plan had it proposed as one dwelling unit. It was consistently green. From her recollection in the recent past, she stated that this is the first comment specifically about that change. It is exactly what they needed to hear tonight. She stated that they would take important notice and work on it.

Mr. Bock stated that there were several comments made that everyone should have the right to do what they wanted on their own land. He commented that was his own thought; however, some people said that but added "they had the right to do with it what they wanted unless it was next to their property". He stated that he was against over regulation; that if he thought that no plan would mean that things would stay the way they are, it would be great; that unfortunately, he doesn't believe that that would be the case; that they are trying to develop and long-range plan in order to control it.

Ms. Robison stated that she first wanted to say that they very much feel in Cary that this has been a dilemma; that they want everyone to know that developers of land in Chatham County have come to them and requested annexation for water and sewer purposes; that to her knowledge, they have never forced an annexation and they have no intention to do so; that Chatham County Commissioners several years ago asked them to put a moratorium on moving forward with any process and any development plans that had been given to them asking for approval; that they honored that even after the agreement expired and they continue to do so; that they feel the pressure from people that want to develop their land; that they sincerely want everyone to understand that they want it to be developed if it is to be developed because people do have a right to sell their property; that if they did not have any intentions for bringing things forward, she doesn't think that they would either; that they are not just talking about today, they are taking about stewardship of the land in the area for twenty-five to thirty years out; that they do have that vision in mind and their interests are not to pursue any annexation at all that isn't voluntary; that their viewpoint is to be as collaborative as possible to work in a way that is a united vision and something that adds public value, something preserves and protects the environment, and that ensures water quality; that she is saddened to hear about the runoff and erosion issues; that she intends to have their staff look at that when it is related to Cary development; that there are stormwater-erosion management regulations and they will make sure that they are being enforced.

Ms. Robison stated that she wants to make sure that at least, from her own perspective as a committee member from the inception, that their goal is to be in a collaborative mode to look toward a long-term future to not be aggressive at all; and that she hopes everyone will look at the record and see that they have not been. She stated that they care as much about the water quality, environment as she thinks they could. She stated that they want very much to understand where Chatham walks and what it needs. She expressed, on behalf of the Cary members of the board, that their intentions are good and that she hopes that will be taken to heart as they proceed through the conversations.

An unidentified speaker asked that Cary stay out of Chatham County stating that would solve the problem.

Mr. Portman stated that this had been an informative meeting. He stated that they do care, as impossible as it seems. He stated that he is present because he cares; that this is why he has spent three years working on this; that there are two choices: 1) There can be a Chatham

County plan for this area and Cary will do its plan for its area. 2) They can be separate. He stated that he understands and feels the frustration. This is a beautiful area. Many have lived here a long time and many have chosen to come here recently, choosing this quality of life or lifestyle. The most frustrating part for him, he stated, was to hear people say, "Just stay out of Chatham County." That implies that Cary is a real estate company that is looking to take over the Chatham people's land. It sounds good and gets lots of applause. The fact is, if any land has become a part of Cary, it is because the property owner has requested municipal services from Cary. He stated that Ms. Robison is correct. They have a choice to say no, but they have a responsibility to plan their community as well, which they take seriously. They know that their community is different today than it was ten-twenty-thirty years ago and during that same length of time in the future, it will be different than it is now. He stated that he accepts the responsibility and the stewardship that comes with planning. It is a tough thing to do. They have heard people disagree with having one home on five acres. There is not one common view. It is difficult to come up with a plan. He stated that they can do no plan and see what happens thirty years from now or they can try to develop a plan together with Chatham County's elected representatives and citizens. It is Chatham County property owner's rights if they choose to have municipal services. If they want the area to remain the same, they should not sell their land. Don't ask Cary to voluntarily annex Chatham property. Cary will not, nor has it ever, voluntarily annexed Chatham lands.

Mr. Bock stated that he would like to address some specifics of people's concerns. He informed everyone that the next meeting would be held on Tuesday, July 19, 2011 in Cary at Fire Station #7, 6900 Carpenter Fire Station Road, Cary from 9:30-11:30 AM.

Ms. Robison stated that she understands that people often cannot attend meetings in the evening and some not during the day. She stated that other evening sessions can be held adding that they welcome telephone calls and emails. She stated that Chatham County hosts the web site for the Joint Issues Subcommittee meetings; that they have a superb site; that they have the information on all the committee members, plans, history, archives, etc.

She stated that with regard to road issues, she drove the stretch of road on Sunday and had the same observation. That road, as one crosses into Wake County, is maintained by the NC Department of Transportation (NCDOT); that on the Cary Town website, there is a link that shows all the roads in Cary that are maintained by the Town of Cary; that in North Carolina, counties have the primary responsibility for thoroughfares unless it has been delegated to a municipal entity; that Lewter Shop Road does not fit that criteria; that she thinks a request can be made to NCDOT to fix the roads; that everyone has limited resources but we can see if there is potential to address this within projects that they have in Cary; that she does not know the answer; however, she can assure everyone that they will look into that matter; that Tim Bailey, Cary Director of Engineering, is in attendance and hears the request and will follow-up on the request and let everyone know the response from NCDOT. She stated that there was a joint resolution that came out of the Cary Town Council and the Chatham County Board of Commissioners to lower the speed limit on O'Kelly Chapel Church Road. She reiterates what Mr. Bock said in that they have made an effort to do that; that she understands that there is a rural speed limit in place; that it is subject to NCDOT approval but can be taken forward to make sure there are safe roads; and that they want to do what they can to make sure that there is safe passage there.

Ms. Pamela Stewart stated that she had always felt that 751 had way too much traffic to put a business node so close to it and that she would recommend that both business nodes in the plan not be incorporated. She stated that she observed that she had heard many say that they had made numerous meetings and had heard them saying that they wanted things to stay the same; that this has been going on since 2005 and she was hearing them say that they wanted to take their chances with no type of regulations.

Lynn Fass asked where it becomes and effective plan.

Mr. Portman stated that was a great question, where does the zoning come in. He stated that that is the tough part about the plan because there are two levels of zoning in North Carolina; that there is a Long Range Comprehensive Plan which is meant to be basically water-powered, where you want to be in thirty to forty years from now and it is meant to guide this; that the second is detailed zoning which is regulatory and dictates what you can do; that zoning in North

Carolina must comply with the long-range plan; that they are related; that the plan is setting the stage for where zoning will be; that they are related.

Ms. Fass stated that she felt that the majority of the people here have said that this plan is not going to work. She stated that there had been so many plans over the years.

Mr. Bock stated that it had been a long road and everyone is tired; that it has been a long process; that he realizes it has been a frustrating process; and that they want to hear about the changes. He stated that on one side, they are hearing from people who say that they do not want design standards; that they are trying to balance it; that it is tough for everyone. He reviewed Ms. Stewart's proposal regarding potential commercial zones. He stated that the possible commercial zoned areas or forms of them are on there as employment areas; that it may potentially never be used for that given what the land is now and the roads on it; and that there is a request to remove those from the map. He suggested that at the follow-up meeting, they remove the circles.

Mr. Petty stated that he appreciates everyone attending the meeting. He stated that this accomplishes exactly what they are trying to do stating that the board does not know people's intent unless they hear from them. He stated that part of the problem is that if we make any changes we'll have to go through the public input session again. He stated that the problem started long before tonight and long before the committee was formed; that the problem started because Chatham County did not have the resources nor the infrastructure to serve that part of the County; therefore, landowners that chose to develop their land turned to Cary and ask if they would provide those services; that by doing a joint plan as they are trying to do, the intent was to have some input into what happens; that if we are not involved, as we are doing right now with a joint plan, when individuals request those services from Cary, and they agree to provide those services. By doing a joint plan as they are now doing, the intent is to have some input as to what happens. If we are not involved as we are now doing with the joint plan, when individuals request those services from Cary, if they agree to provide those services, everything falls under its jurisdiction. By doing what we are doing her tonight in the Subcommittee meeting is planning with the intent to develop a plan that we could live with if and when those changes become necessary. This plan is not to say this is the way it's going to be and this is what is going to happen. This plan is to guide us if and when those things take place. If no one ever chooses to sell a piece of property, it will never happen. But if it does happen, we have some guidance in what we plan to do. That is necessary to develop infrastructure, it is necessary to provide where the schools are located, and it is important for long-range planning. If you don't have a plan, you have a helter-skelter group of "anything goes". We can approach it with no plan and whatever happens, happens. We will deal with everything as it comes up. He stated that he feels the intent is good and we need a joint plan. But it will take some time to get to where we need to be. Tonight is what that is all about.

A member of the audience asked if they didn't sell their land, there would be no impact. But if the Commissioners implement the plan and say that he can't build a house within 150 yards of the Corps land, he can't use his property, he will have to sell it. He asked what he could do with it if he can't use it and who is going to buy it. He stated a developer because a developer has all this land because they weren't allowed to use it.

Mr. Petty replied that is part of the balance issue that they are dealing with because they have those people that have land that don't want to be told how to use it until they want to tell somebody who has adjoining land how to use theirs. It is a two-edged sword.

The member of the audience stated that he agreed stating it is not Cary driving it, but the plan takes the land and gives it to the developer and puts restrictions on the rest of them. When the developer gets the land for a "song", the Town of Cary is going to be right out to the lake. And if they are really concerned about water quality, you will do what they did in West Virginia forty years ago and put in a County-wide sewer system because without it, all of the septic systems are going to fail. What is a poor guy who has lived there for three generations going to do with a failed septic system as they can't live there when the septic systems fail. He asked that we keep the land as it is now.

Another unidentified member of the audience asked if we could just keep Chatham County as very low density.

Mr. Bock stated that those issues would be discussed at a following meeting. He stated that the upcoming July 19th meeting is not a meeting for public input. It is a committee meeting where they will meet and discuss the issues.

Ms. Robison again referred people to the Chatham County website related to the Joint Issues of the Chatham-Cary Committee. She asked that they look under March and April, 2010 where they will find detailed presentations of citizen comments where they went parcel by parcel and received input from property owners asking what they wanted in terms of densities and uses, etc. That information is all there. If there are questions about any particular parcel and why what happened, the history is there and is archived. There was a tremendous amount of time spent on it by professional staffs to do that. She encouraged everyone to visit the website. She also noted that a detailed study of the environmental impacts and hydrology can also be found on the website. They looked at that at the request of former chair Lucier to integrate some mixed use developments for employment reasons. The committee asked for a very detailed look at the topography and they found it in those two nodes. There is actually very little developable land. She stated that she feels that an important fact is that there is some, but not like it might imply. She stated that speaking factually, she thinks that they done due diligence and she feels that the data supports that these are not particularly great spaces for mixed use development. She encouraged everyone to look at the facts for themselves and that she will support the recommendation of Ms. Stewart at the next meeting. She stated that unfortunately, Mr. Portman is moving on. He will be joining the Wake County Board of Commissioners and that she will give Jennifer Robinson a full briefing on the night's meeting. On behalf of her colleagues and herself, she thanked everyone for everything that they shared tonight.

Another unidentified member of the audience asked for "should and where possible" to be defined.

Mr. Bock stated that would be addressed at the next meeting.

Mr. Petty stated that they have a lot of things to work with in preparation for the next meeting. He stated that he feels they can find common ground.

ADJOURNMENT

Walter Petty moved, seconded by Julie Robison. The motion carried five (5) to zero (0), and the meeting was adjourned at 9:12 PM.