



# Chatham County, NC

## Meeting Minutes

### Board of Commissioners

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Monday, June 19, 2017

6:00 PM

Historic Courthouse Courtroom

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#### Work Session - 2:30 PM - Historic Courthouse Courtroom

**Present:** 4 - Chairman Jim Crawford, Vice Chair Diana Hales, Commissioner Mike Dasher and Commissioner Karen Howard

**Absent:** 1 - Commissioner Walter Petty

#### PUBLIC INPUT SESSION

*Amanda Robertson submitted the following comments:*

*On Tuesday, June 13 I spoke as a Chatham County citizen during public comments before this board after Charles Yuill's presentation of the Natural Gas Development Impacts Study. I put before you a resolution to ask Governor Cooper to use his constitutionally granted executive authority to ban fracked gas from entering our state, to ban the use of natural gas in North Carolina unless it can be verified to produce less than .5% in methane emissions, and to prohibit construction of any new natural gas-fired power plants or pipelines and to phase out existing pipelines and plants expeditiously and replace them with clean, renewable energy. There have since been questions and assertions that the Governor does not have it within his executive authority to implement these policies. I am here to assert that he does have it within his authority as per NC Warn and their attorney, John Runkle.*

*The governor could take many other steps toward implementing these goals, however.*

- He can issue an executive order banning fracking in North Carolina until and unless the impacts of venting and leaking are reduced.*
- He could appoint a green ribbon panel to develop a strategy on how to minimize the impacts of the climate crisis in North Carolina. This study should include a review of sources and types of natural gas used in North Carolina by utilities, industry, government, residential and other users as well as polluting sources of energy production. State and Federal subsidies to the fracking industry should also be reviewed. An analysis of distributed solar and wind energy and storage should be included in this study to identify clean opportunities to meet the same energy needs.*
- He could join with the governors of Maryland, Vermont and New York, and other governors across the country to create a national strategy to eliminate fracking and natural gas infrastructure.*
- He could direct his Attorney General to determine whether he has the authority to meet these goals and, if not, to what extent – what other constitutional channels could be pursued to protect State interests? Interstate commerce? Health and safety considerations?*

*Governor Cooper has already declared that North Carolina will follow the Paris Climate Accords. He can stand behind this and use this opportunity and his esteemed position as Governor to speak out about the seriousness of climate change, the dire need for immediate reduction of methane emissions, and the*

*economic future that renewable energy and the related jobs could mean for North Carolina. As a citizen who voted him into office, I plan to hold him accountable in this. This resolution is on the June 20 agenda of the Orange County Commissioners. I ask you to please add this measure on your formal agenda for discussion and a vote to adopt. Thank you.*

*Nancy Jacobs submitted the following comments:*

*I came to the meeting last Tuesday night and it is the first Board of Commissioners meeting I ever went to. After listening to Mr. Yuill and learning a lot about what goes into fracking and shooting poison into the earth, I was so shocked that it could even be considered to have this in Chatham County or anywhere else. I wrote a letter to Mr. Sullivan on email and I hope he reads it. I really am against any future fracking because all the problems that were described were horrendous. Please consider what I am saying. Thank you.*

*Martha Girolami submitted the following comments:*

*I definitely support the Board of Commissioners voting in favor of the emergency methane plan. I also support the resolution supporting a state and national goal of 100% clean energy by 2050. I thought as a part of that I would give you this carbon countdown. It is an interesting schematic. It says how many years current emissions would use up the IPCC's carbon budget for different levels of warming. Here we have 1.5 degrees, 2 degrees and 3 degrees. 1.5 degrees at the Paris Climate Accord is what they were hoping to stay below. But definitely 2 degrees. 2 degrees could still have some disastrous affects, particularly acidification of the ocean. 1.5 degrees wouldn't drown out too many countries but look at this. 5.2 years of our current emissions, we have a 66% chance of staying below 1.5 degrees. If we wait 8.9 years doing the same old, that means adding gas pipelines, adding fracking, we have a 50% chance. The clock is really ticking. We have very little time left. There is another website that is called drawdown.org. It is a summary of solutions by overall rank. There is a little test on the New York Times that asks you to compare two different things like refrigerant management versus wind turbines and things like that. Turns out the most important thing we can do is manage our refrigerants because we talked about methane being so bad because it is 86 times more potent than carbon dioxide and carbon global warming. These things are like thousands of times, just a little bit of refrigerant loss can be harmful. It has 80 items. Some of them like plant rich diet, reduce food waste, some things I am sure the Climate task force is looking at, looks like we are doing pretty good because we are educating women. In Chatham County at least we have something that we are doing right. We have to look farther than rooftop solar. We have to ask ourselves do we really do some of these, at least top twenty things. I did write to Dr. Ingrafria about casing failures because he is one of the experts there, works at Cornell. Dr. Yuill was claiming that there were fewer casing failures based on the last eighteen months. I think that one of the things I wanted to see from Dr. Yuill and I hope you will insist on is he really gives you the studies. You can't just make that claim. These industries, what is the pressure now for them to really do casing tests after you have fracked it ten times. Are you still going to be doing casing tests. His glib response was you just put another smaller casing inside the older casing and you would be fine. How many of those guys do that? We need to know about casing failures. Really how good is the recycling. What are the equipments for recycling? How good is that water? What tests have been done? What happened to the radioactivity? He just kind of dismissed that. These specialized treatment systems, how good are they? You don't filter water and instantly remove the potentially 700 types of chemicals in*

there. Many of them are water soluble or organics that are soluble in water at least to a degree. He is making a lot of claims and maybe he has good data behind them but we didn't see signs of that in his report the other day. I think there is a lot of opportunity for him to really do some studies. Then the impact of vertical fracking. Vertical fracking could be very high density. Out west they do it every ten acres. I know a lot of little ten acre places around where I live in the Triassic Basin. Wouldn't it be fun to have one of those frack sites stuck in there with its water, its storage tanks. You've got to ask yourself how does this kind of vertical fracking build out? We do not have a vision of that. We don't know if that much explosives, if that much water being put down, how it affects in a cumulative manner. Thank you for the extra time.

Sharon Garbutt submitted the following comments:

I have come here today to ask you to support the extension of the moratorium on fracking. The reasons being Dr. Yuill, I asked the other night at the meeting if he had done a study of the economic impacts on Chatham County. He did make the general statement that in general counties with fracking lose money. It is definitely an industry where a few people get rich and the rest of us pay to make them rich. I think it is very important to do a study. Even Dr. Yuill agreed that although he could not do the study he thought it was important for Chatham County itself to do that study, to get a good estimate of how much money it is going to cost Chatham citizens to have this industry in our county. I would definitely like to support that kind of study being done. Dr. Yuill, I believe part of the RFP was to look at regulations and steps that other areas had taken to lessen the impact of fracking and I really didn't hear him talk about what other areas, other counties, other states have been able to do to lessen the impacts of fracking. I may have missed it but I think that is important. We need to know how best to lessen the impacts not only of fracking but of all industrial activity. I would like to support, I know you all said you might be working with Lee County, it was a little unclear to me from Dr. Yuill's report what kind of fracking were they going to do in Lee County. I believe he said the shale depth is deeper there than in Chatham County. I can't remember but it was unclear to me if they would be doing shallow fracking or horizontal fracking. If they did horizontal versus vertical the water table doesn't recognize county boundaries so what impact of each of those types of fracking would happen in Lee County. It wasn't even clear to me of why he was so sure it would be done in Lee County. He made the blanket statement there is a lot of gas there. I've never heard that there is a lot of gas in North Carolina. I have always heard doubts about that. I don't think anyone really knows. I don't think they have done enough studies to even know. I would like to know more about the water recycling he talked about. How exactly, what is the science behind that, what is the exact filtering with that. How will we know when it has failed. It would be good to know that before we put that water on our fields. I think we need more information about the new types of well casings he said are preventing well failures. He said this has been since 2015 that the improvements have occurred. We know that wells continue to crack over a period of thirty to forty years. He has two years of data at the most. What is the long term data on these new casings he says are so successful. It is really important for us to get case studies on shallow fracking in other parts of the country as in Wyoming. Pavillion, Wyoming is a well known case of where there is serious pollution. The EPA said first it happened because of the fracking and then they said maybe not and I think now they are back to maybe it did happen because of fracking. I would like to know what kind of infrastructure if we do not have fracking in Chatham County, are we likely to get in Chatham County due to Lee County's fracking. Are we likely to get compressor stations? Are we likely to get pipelines? What is going to happen to our roads? Are we likely to get storage ponds or maybe one of these new fancy recycling water plants? What is likely to happen

here? For all these reasons, there is a lot of outstanding information still. We do need an extension of the moratorium to address all these issues.

Jeannie Ambrose submitted the following comments:

I would like an extension for the deadline for public comments. I just came back from vacation and found out that public comments on the Yuill report are due at 5pm tomorrow. I realize that he needs to complete his final report to you but I am hoping that would be possible. I just want to thank you for having a two year moratorium on oil and gas development in Chatham County. I think it was very important that you understood the significance of having such a study presented. I would support an extension on the moratorium because I think there are issues that need to be looked at more closely. From the Yuill report, just looking at the presentation, the handling of the waste water really bothers me. I don't know if he had or thought about our agricultural needs for water and what would happen if we have a drought and we have to decide should we continue fracking or should we hold back. You can't water lawns and things like that. I think there needs to be more information on vertical fracking in other areas of the country because I don't know if he is going to elaborate more in his final study, I hope so, but in the very end on references he said just read more articles on vertical fracking. I have really not been able to find some in depth information. I think that we should work with Lee County and have an overall regional approach to what would happen, how it would affect our economics.

The County Manager asked that all comments be submitted as quickly as possible. It is important that he finish his study in order for the Board to consider a moratorium extension in August and hold the public hearing in July.

Chairman Crawford stated people could send written comments to the Board and the comments would be considered in the deliberations.

The County Manager stated the County should have Dr. Yuill's report by the end of June.

## **BOARD PRIORITIES**

### **17-2203**

2017 Second Quarter Employee of the Quarter Award-Denise Estridge, Accounting Specialist, Health Department

Courtney Goldston introduced Denise Estridge, Accounting Specialist with the Health Department.

Chairman Crawford presented Ms. Estridge with the 2017 Second Quarter Employee of the Quarter.

### **17-2232**

Chatham County Climate Change Advisory Committee Presentation on Forestlands and Farmlands Subcommittee Recommendations and Report

**Attachments:** [FINALDRAFTChathamCountyForestlandsJune12017.docx](#)

Pittsboro Town Commissioner and Climate Change Advisory Committee member John Bonitz reviewed the Forestlands and Farmlands Report. (Report attached)

Vice Chair Hales stated she had never thought of composting as an economic development opportunity. She stated there may be an opportunity for Soil and Water Conservation, Cooperative Extension, Planning, the Agriculture Advisory Board, and the EDC to be involved in some discussions and come up with some recommendations. They all reach the agricultural community in different ways.

Vice Chair Hales asked what other local governments are doing. Mr. Bonitz stated he did not know but the Climate Change Advisory Committee could look into that.

Commissioner Dasher stated it may be beneficial for the Board of Commissioners to receive presentations on composting.

Commissioner Howard wonders whether the best way to implement these kinds of things is to have that push come from within the agricultural community rather than have it pushed down from the county level. Mr. Bonitz stated he agrees and thinks the educational hurdles may not be as great as we might first think. Commissioner Howard asked if anyone from Cooperative Extension is on the Climate Change Advisory Committee. Mr. Bonitz stated no. Commissioner Howard asked if there was an opportunity to bring this information to the Comprehensive Steering Committee. Mr. Bonitz stated there have been efforts from the Climate Change Committee to engage in the comprehensive plan process but not specially on this report.

John Graybeal, Chair of the Climate Change Advisory Committee stated the committee did make several recommendations to the Steering Committee and many of them related indirectly to what they are now discussing such as preserving farmland and encouraging new developments go where existing developments exist.

Vice Chair Hales stated some of this runs into state law like the present use value system.

Commissioner Dasher asked if the county has an inventory of agricultural land use and how recent it might be in terms of percentage of agricultural land that is livestock versus crops. Chairman Crawford stated you will find those numbers in the draft of the Comprehensive Plan.

Chairman Crawford stated the report mentions some species of broadleaf trees that have better sequestration qualities than lob lollies. Mr. Bonitz stated he would like to follow up with Chairman Crawford on that.

Vice Chair Hales asked the County Attorney to investigate whether or not the County would have the authority to add or amend the present use value program. She stated she would like the opportunity to bring more people to the table and have a discussion.

Chairman Crawford stated the Board could vote to create a sub-committee. The sub-committee could bring back a report. Commissionr Dasher asked if the Board should give staff an opportunity to review the report first.

County Manager stated she would prefer that staff review the report and come back to the Board. Staff will be organizing departments around the Comprehensive Plan. There is a possibility this effort could be folded into that but it is not something that would happen immediately.

[17-2228](#)

Vote on a request to adopt a Resolution Supporting a State and National Goal of 100% Clean Energy by 2050 and the Creation of

Clean Jobs.

**Attachments:** [Resolution SUPPORTING A STATE AND NATIONAL GOAL OF 100% CLEAN ENERGY BY 2050 AND THE CREATION OF GREEN JOBS](#)

*Amanda Robertson submitted the following comments:*

*In 2009 Professor Mark Jacobson, a civil and environmental engineer at Stanford University and director of the Stanford Atmosphere and Energy Program, developed a plan to power 100 percent of the planet with renewable energy. He further identified a plan for every state in the United States to pursue 100% renewable energy by 2050. In North Carolina, Jacobson's study shows that pursuing 100% renewable energy would bring approximately 165,000 jobs to our state. It would save the state \$19 billion in mortality and illness costs. And it would save each person in North Carolina an average of over \$6,000 in annual savings for related clean energy use by 2050. On December 15, 2016 the Town of Boone was the first municipality in North Carolina to adopt a resolution to pursue 100% renewable energy by 2050. Watauga County, where Boone is located, adopted the resolution shortly thereafter on January 17. On April 13, 2017 the Town of Sylva adopted a similar resolution. Just last week on June 13 the City of Asheville adopted a resolution to pursue 100% renewable energy by 2050. On March 16 of this year Representatives Pricey Harrison, John Autry, Susan Fisher and Jean Farmer-Butterfield put forward House Resolution 401, a resolution supporting a state goal of 100 percent clean energy by 2050 and the creation of green jobs. I spoke with Representative Harrison after the press conference that day. She told me that, while this is only a resolution and not binding, and even at that it would still be a challenge to get through our state legislature at this time, she felt it was an important step that must be taken for climate. First, using her position as a representative to publically identify this as an important issue, but also, she said, it is a first step in the process. She is looking to communities across the state to lend strength to the state resolution by adopting their own resolutions. This will give HR401 a foundation to stand on when they bring this resolution forward for a formal vote. The resolution will be before the Orange County Commissioners in an upcoming meeting and has been recommended by their Commission for the Environment. As citizens continue to work with their own community leaders, Durham, Buncombe, Wake and Mecklenburg Counties are also anticipated to adopt the resolution later this summer, along with the cities of Raleigh, Charlotte and Winston-Salem. Currently, following the adoption of the 100% Resolution, a graduate student from App State University is working with the Town of Boone to develop an emissions inventory and identify appropriate sources of renewable energy for their town based on existing resources as well as state and national renewable energy opportunities. With the Chatham County emissions inventory in hand and a path to continue to manage our county emissions, we are already ahead of the game! The 100% Renewable Energy resolution you have before you today has been reviewed, edited and recommended to you by your climate Change Advisory Committee. I ask you as a Chatham County Citizen and on behalf of NC Climate Solutions Coalition members across the state, to please adopt this resolution and help move North Carolina into a clean energy future. Thank you.*

**A motion was made by Commissioner Dasher, seconded by Commissioner Howard, that Resolution #2017-22 Supporting a State and National Goal of 100% Clean Energy by 2050 and the Creation of Green Jobs, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2208](#)

Update on the temporary moratorium on oil and gas development activities within Chatham County adopted in August 2015 and vote on a request to schedule a public hearing on July 17, 2017 to consider an extension of the temporary moratorium on oil and gas development in the county.

**Attachments:** [Fracking Moratorium Ordinance](#)

*Planning Director Jason Sullivan addressed the Board. He stated in August of 2015 the Board adopted a moratorium that had a twenty-four month expiration. There were two tasks identified as part of the moratorium. The first is a study of Chatham County to analyze state and federal regulatory programs and to prepare a report regarding the full range of expected impacts to the county. It is also intended to include current analysis of impacts on localities similar to Chatham County and the effectiveness of local ordinances and managing those impacts. The study is currently underway with the presentation of the initial findings last Tuesday. The final report will be prepared by the end of June and will be presented to the Board at its August meeting. The second task of the moratorium is the development of a conditional use ordinance and/or other ordinances based on the report. Today the Board needs to decide if it wants to hold a public hearing on the consideration of extending the moratorium.*

**A motion was made by Vice Chair Hales, seconded by Commissioner Howard, to set a public hearing on July 17, 2017 at 6:00 PM. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2238](#)

FY 2018 Budget Critique

**Attachments:** [Financial Indicators](#)  
[Trends](#)  
[Progress on Current Year Goals](#)  
[Heads Up Document](#)

*Budget Manager Lisa West addressed the Board. She asked the Board for feedback on the budget process.*

*The commissioners all agreed they are happy with the current process.*

**CLOSED SESSION**

[17-2230](#)

Closed Session to discuss Economic Development and Personnel.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, to approve going out of the Work Session and convening in Closed Session to discuss matters relating to economic development and personnel. The motion**

carried by the following vote:

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

**ADJOURNMENT**

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this meeting be adjourned. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

**End of Work Session**

**Regular Session - 6:00 PM - Historic Courthouse Courtroom**

**Present:** 4 - Chairman Jim Crawford, Vice Chair Diana Hales, Commissioner Mike Dasher and Commissioner Karen Howard

**Absent:** 1 - Commissioner Walter Petty

**INVOCATION and PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**

*6:04PM*

**APPROVAL OF AGENDA and CONSENT AGENDA**

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2233](#)

Vote on a request to approve the May 1, 2017 Regular Session Minutes, the May 16, 2017 Budget Public Hearing Minutes, and the May 23, 2017 Budget Work Session Minutes.

- Attachments:**
- [Draft Minutes 05.01.2017](#)
  - [Draft Minutes 05.16.2017](#)
  - [Draft Minutes 05.23.2017](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Minutes be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2237](#)

Vote on a request to approve Fiscal Year 2016-2017 Budget Amendments

**Attachments:** [Budget Amendment 2016-2017 June](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Budget Amendments, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2179](#)

Vote on a request to approve Project Ordinance Concerning the Lower Haw River Recreational Trail as proposed by staff.

**Attachments:** [Project Ordinance Lower Haw River Trail 1](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Project Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2180](#)

Vote on a request to approve \$14,250 Minority Diabetes Prevention Program Funds

**Attachments:** [\\$ 14,250 Minority Diabetes Prevention Program](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Agenda Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2182](#)

Vote on a request to approve \$634.00 Diabetes Smart Grant Funds

**Attachments:** [\\$634.00 Diabetes Smart Grant Funds](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Agenda Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2204](#)

Vote on a request to approve the Tax Releases and Refunds.

**Attachments:** [May 2017 Release and Refund Report](#)  
[May 2017 NCVTS Pending Refund Report](#)  
[March 2017 Manual NCVTS Pending Refund Report](#)  
[April 2017 Manual NCVTS Pending Refund Report](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Tax Releases and Refunds, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2201](#)

Vote on a request to approve the naming of three private roads in Chatham County

**Attachments:** [FAMLET FOREST PETITION](#)  
[FAMLET FOREST](#)  
[PRESTON FARM DRIVE PETITION](#)  
[PRESTON FARM DRIVE](#)  
[SUTTON PLACE PETITION](#)  
[SUTTON PLACE](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Agenda Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2206](#)

Vote on a request to approve a Pyrotechnics Display at the Governor's Club Clubhouse on July 4, 2017

**Attachments:** [Attachment A-N.C.G.S. 14-410.pdf](#)  
[Attachment B-Pyrotechnic Display request.pdf](#)  
[Attachment C-NC Pyrotechnic Display Operator License.pdf](#)  
[Attachment D-Certificate of Insurance.pdf](#)  
[Attachment E-ATF License.pdf](#)  
[Attachment F-Display Area Site Drawing.pdf](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Agenda Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2183](#)

Vote on a request to appoint Don Knowles to the Library Advisory Committee.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Appointment be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2225](#)

Vote on a request to approve appointments to the Environmental Review Advisory Committee.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Appointments be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2215](#)

Vote on a request to approve appointments to the Climate Change Advisory Committee.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Appointments be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2224](#)

Vote on a request to approve appointments to the Appearance Commission.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Appointments be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2223](#)

Vote on a request to approve reappointments to the Recreation Advisory Committee.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Appointments be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2234](#)

Vote to approve the appointment of Loyda Estrada to the Chatham

County Board of Social Services.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Appointment be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2184](#)

Vote on a request to approve reappointments to the Transportation Advisory Committee.

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that the Appointments be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2185](#)

Vote on a request to Approve the Lease Inducement Agreement with Town of Pittsboro and authorize the county manager to sign the Agreement.

**Attachments:** [5.23.17 Lease Inducement Agt \(4\)](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2226](#)

Vote to approve a month-to-month extension for space currently being occupied by YMCA at the Performance Building located at 964 East Street, Pittsboro, North Carolina.

**Attachments:** [Signed Month to Month YMCA](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2231](#)

Vote on a request to approve a Lease between the County and North Chatham Volunteer Fire Department and to have the County Manager execute the Agreement.

**Attachments:** [Final Sheriff Boat Storage Lease](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales,**

that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2200](#)

Vote on a Request to award bid to Lankford Protective Services, Inc. for Staffing and Operating Chatham County Collection Centers, approve the contract and authorize the County Manager to execute the contract.

**Attachments:** [Service Agreement Lankford Protective Services FINAL FY18 SDC](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2211](#)

Vote on a request to approve contract for Chatham Transit for Social Services for the fiscal year 07/01/2017 to 06/30/2018

**Attachments:** [Chatham Transit Contract](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2212](#)

Vote on a request to adopt a Resolution authorizing the County Manager to dispose of surplus personal property owned by the County of Chatham whenever an item or group of items has a fair market value of less than thirty thousand dollars (\$30,000.00).

**Attachments:** [Resolution](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that Resolution #2017-23 Prescribing Procedures for Disposing of Personal Property Valued at Less than \$30,000, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2229](#)

Vote on a request to approve the Health and Dental Insurance Contracts for Fiscal Year 2018 and authorize the County Manager to

execute the contract.

**Attachments:**     [2017 ASO Renewal Amendment County of Chatham](#)  
                          [Agent Fees Collection Agreement](#)  
                          [Dental contract FY 18](#)  
                          [Group Application](#)  
                          [Renewal Change Form](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2177](#)

Vote on a request to approve an Agreement with Election Systems & Software, LLC for Maintenance fees of elections equipment.

**Attachments:**     [Election Systems & Software FY 18 Maintenance Agreement](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2213](#)

Vote on a request to approve contracts with Chatham Trades for the Fiscal 2017-2018 budget appropriation and authorize the Manager to execute the contract.

**Attachments:**     [Signed Chatham Trades](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2214](#)

Vote on a request to approve contracts with Chatham Transit for the Fiscal 2018-2018 budget appropriation and authorize the Manager to execute the contract.

**Attachments:**     [Signed Transit](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2235](#)

Vote on a request to approve contracts with the N.C. Forestry Service for the FY 2017-2018 budget appropriation in the amount of \$115,147.

**Attachments:** [FORESTRY BUDGET CONTRACT CHATHAM 16-17](#)  
[Signed Forestry](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2216](#)

Vote on a request to approve contracts with Council on Aging for the FY 2017-2018 budget appropriation.

**Attachments:** [FY18 FINAL COA Agreement July 1 2017-June 30 2018](#)  
[Signed COA](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2217](#)

Vote on a request to approve contracts with Economic Development Corporation for the Fiscal FY 2017-2018 budget appropriation.

**Attachments:** [Signed EDC](#)  
[EDC AGREEMENT to execute 07 01 17 Legistar](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2218](#)

Vote on a request to approve a contract for Holcomb & Stephenson for Social Services for the fiscal year 07/01/2017 to 06/30/2018.

**Attachments:** [Contract -FY18-1902 Holcomb&StephensonChildren'sServices with state update](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Contract, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2198](#)

Chatham County Juvenile Crime Prevention Council Annual Plan and Certification

**Attachments:** [Chatham JCPC 17-18 Annual Plan](#)  
[Chatham JCPC 17-18 Certification](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Agenda Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

[17-2205](#)

Vote on a request to approve Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat** review and approval of **Briar Chapel, Phase 10, Section 2**, consisting of 65 lots on 17.96 acres, located off SR-1528, Andrews Store Road, Baldwin Township, parcel #2714 and grant approval of the road name Brookline Drive

**Attachments:** [More Information from Planning Department Website](#)

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this Agenda Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

### End of Consent Agenda

### PUBLIC INPUT SESSION

*Larry Ballas submitted the following comments:*

*I just want to take a couple minutes here and talk some more about climate change. I understand you had a meeting this afternoon and probably had some good input from people. There are two types of climate change people, those who are skeptics and those who are enthusiasts. The skeptics usually rely on data that has actually been collected from the real world and the enthusiasts tend to rely on simulations of events that haven't even happened yet. It is like trying to listen to Greg Fishel talk about the weather next week compared to what happened yesterday based on what his comments were. Back in 2013, some of the governmental agencies reevaluated the amount of CO2 that was predicted to be in the future where they lowered their values*

by about 30% based on new data. That is pretty significant because what it does is give us more time to work on things. If we generally look at when homosapiens became a real integral part of the earth, way back in the ice age, homosapiens have been on the earth since about 60,000 years ago. When the ice started to melt, homosapiens were hunter/gatherers 15,000 years ago, when the ice started to melt it wasn't because of them, it was just a natural process. That allowed agriculture to occur. It allowed hunter/gatherers to settle in certain areas, build cities, to be farmers and produce food so they could feed a lot of people. Over time we have actually come to the point where we have seven billion people on the earth. Seven billion people is a lot different compared to when the ice age was around. The CO2 levels that scientists have measured are not that much different now compared to back then. We know that CO2 can affect a lot of the growing of vegetables. If you look at the CO2 levels back then they were a little bit lower and they didn't allow food to be produced. Going over time we see that where the population has increased significantly over the last 15,000 years, the amount of CO2 has not gone up that much compared to the population. I'll be back in the future. Thank you very much.

## **PUBLIC HEARINGS**

### **17-2210**

A Legislative Public Hearing on a rezoning request by Morgan Property Group on Parcels 2719, 2720, 2721, 69884, 60612, 2508, from R-1 Residential to CD-CB Conditional District Community Business for a retail shopping center with specific uses prohibited on approximately 27.53 acres.

**Attachments:** [More Information from Planning Department Website](#)  
[Chatham County Retail Presentation](#)

*Zoning Administrator Angela Birchett reviewed the specifics of the request.*

*Mack Paul attorney for Morgan Property Group gave a presentation to the Board on behalf of the applicant. (Presentation attached)*

*Vice Chair Hales asked if the applicant is going to clear everything but six acres. Mr. Paul stated they intend to clear everything except the drainfield and what is around the stormwater facility.*

*Chairman Crawford asked if they anticipate much removal and disturbance of stone. Mr. Paul stated he does not think they have that information yet.*

*Commissioner Howard asked what the distance is from the turn around point behind the store from the homes. Mr. Paul stated with the houses to the west it is about 450 feet. Commissioner Howard asked if the wall is a visual buffer or a sound buffer. Mr. Paul stated primarily a visual buffer however it is a durable construction wall and is not like a vinyl or wooden fence. It serves both functions.*

*Vice Chair Hales asked if the outparcels are going to be cleared and remain vacant land for period of time. Mr. Paul stated there is a challenge with tenants in the outparcels because a developer will not start marketing for tenants until further down the road.*

*Chairman Crawford asked if there is any possible compatible use such as any nature*

trail or picnic area. Mr. Paul stated they are open to that.

Jim Elza, Planning Board member, stated the elevation at top of the hill is 510 and at the bottom is 490. He asked how an eight foot wall would block the view. Mr. Paul stated there will be a retaining wall along the southern boundary line.

Commissioner Dasher asked if the parcels are rezoned and the developer does not go through with the plans, what happens. Ms. Birchett stated it could be a different owner and developer.

Chairman Crawford opened the hearing.

Jeff Leimberger submitted the following comments:

I would like to point out a couple of things that concern me. I was a member of the Polk's Landing community when Polk's Village was approved by this Board. Your question Mr. Dasher is very relevant. What happens if this tenant doesn't come through. What happens to this lot once it is rezoned. Polk's Village was sold as LEED certified buildings with no fast food drive thrus. Now we have a Taco Bell going in. As far as promises that their tenant will only be open until 10 pm, every major chain grocery store in this country is open 24 hours, except probably their tenant. There is no proof that will remain the status. I am also very concerned about the amount of traffic that is going to come to Polk's Landing Road. It is about 9,000 daily trips, I believe. That is not including the 1,500 that the Taco Bell across the street is going to add in the near future. That is almost 11,000 car trips per day in that very small section. The only other thing I have to say, I think the schematic was a little bit misleading. We had the schematic with northern conifer forests between me and the retaining wall. We don't have a lot of evergreens in this area, certainly none that are low to the ground like their schematic. They also point out there is 350 feet between the homes and their building. That assumes the residents of Polks Landing never want to use their backyard. Their backyard is thirty feet from this development. A thirty foot buffer is probably from me to that wall. Imagine standing here with a couple large hardwood trees. They are going to lose all their leaves in the winter. Tell me that buffer is adequate. Thank you.

Chris Tommerdahl submitted the following comments:

Rather than concentrating on specific tenants that could end up occupying the proposed development, we want to focus on the question of whether the site on Polks Landing Road should be rezoned for commercial use to start with. In dealing with Polks Village, which is immediately to our north, we've learned firsthand that retail tenants can and will change according to market conditions. As a result, let's frame this in general terms and ask 1) is there a need for another retail location of this type in our community and 2) if there is a need, would this be the correct location for it? With the help of a few neighbors, we've been door to door to every house in Polks Landing, Polks Trail, Hidden Valley and Scarlet Oak (collectively referred to as Polks Landing). Our neighborhood petition of 155 homes found that 97% of households oppose rezoning. Together, we urge you to Keep Polks landing Residential.

In recent discussions with my neighbors, I received an overwhelming sense of concern about how we'll be able to maintain the character of our neighborhood over the coming years. Given the number of longtime residents (many of whom have lived here for 20+ and even 30+ years), and how deeply we all value the unique setting of our homes, this concern is unsettling. We've invested money, time, and energy into

*our homes and we deserve to have confidence that it was well spent. These feelings indicate the importance of our ongoing community wide conversation about responsible growth. Many longtime residents value this area because of its rural and natural characteristics, but as development creeps closer to our homes, we fear that we will become irrelevant in the face of unchecked growth.*

*North Chatham has a unique character that's worth preserving. As growth marches forward, we have the opportunity to be more selective in determining where and how we want this to occur. You have the ability and oversight to aid coordination between commercial developments by ensuring that uses a) are compatible with nearby residents; b) are truly needed; and c) generate tax revenue in a complementary rather than competitive way. Steering future growth to minimize negative impacts on existing residents and businesses alike will result in a more positive future for our community as a whole. We deeply appreciate the thought and time you have already devoted to the topic of growth and we're confident that you will continue to do so as this issue moves forward. Thank you.*

*Keith Gerarden submitted the following comments:*

*My name is Keith Gerarden, and I've lived in Polks Landing since 2005. I served on the Chatham County Transportation Advisory Committee for four years and I am somewhat familiar with traffic design elements as a result. I reviewed the Traffic Impact Analysis submitted as part of the development application, and I'd like to bring up some concerns about traffic that stand out to me. For background, based on a partial observation by the DOT in 2017, Polks Landing Road is believed to carry approximately 1000 vehicle trips per day. It's important to understand that Polks Landing Road only serves the neighborhood itself; it does not connect through to other roadways. As such, and since the neighborhood is fully built out, the traffic load on Polks Landing Road is steady. Polks Landing Road is a narrow two-lane road with no painted centerline; it accommodates traffic for around 150 houses. We have significant concerns about it being utilized by the much greater number of vehicles bound for a strip mall or shopping center. This proposed development is estimated to add close to 10,000 vehicle trips per day, of which 50% are expected to enter via Polks Landing Road. 5,000-7,000 additional vehicles per day on Polks Landing would be a huge increase over the current volume of traffic utilizing this road and would significantly impact the ease, convenience, and safety with which we navigate in and out of our neighborhood.*

*I commute by bike daily, and this proposal frightens me. Today, I rode out of my neighborhood to go to work and back in at the end of the day without worrying about crossing traffic, congestion, and drivers unfamiliar with the traffic pattern on Polks Landing; all of that would change. I am also deeply concerned about delivery trucks using Polks Landing to access the proposed development; I fear that I'll be on the losing end of an encounter with a careless driver. Since Polks Landing joins 15-501 on an east-west orientation, I also worry about drivers turning from Polks Landing into the proposed site with the sun in their eyes (or in the eyes of drivers leaving the neighborhood). I can tell you from personal experience that the sun can be blinding along Polks Landing at certain times. Since there are no intersections feeding onto Polks Landing now, that's rarely an issue, but with significant volumes of crossing movements as proposed in the traffic analysis, that will change drastically as well. Every time I come in and out on my neighborhood road, I'll be concerned about drivers that may not see me. In addition to the impact that the proposed development would have on Polks Landing itself, the TIA makes it clear that impacts will be felt in a number of other lane movements nearby. The DOT reviewed the TIA and has a meeting scheduled this week to discuss their recommendations with the developer. It*

*is my understanding that if this development were approved, the DOT is not inclined to maintain the Lystra Road/15-501 intersection as a full movement intersection. Instead, they intend to suggest that intersection be reconfigured as a synchronized street or reverse synchronized street in keeping with the DOT's plans to convert the 15-501 corridor to that design. Neither design would provide a straight-through lane from Lystra into the proposed development.*

*In case you're not familiar with synchronized streets, they eliminate left turns and replace them with U-turns a distance away from the intersection itself. A traditional synchronized street design would eliminate left turns from Lystra onto 15-501 southbound. This would have significant repercussions for our neighborhood, as all traffic turning from Lystra to access 15-501 southbound would drive north to the Polks Landing left-turn access in order to make a U-turn. The TIA identifies an additional vehicle load of 200+ cars per hour during the AM rush making that movement, and 500+ during the PM rush- that's almost ten cars per minute! Polks Landing-bound traffic coming from the south would have to wait for all those additional vehicles to clear through the intersection in order to turn into our road. Currently, that left turn movement operates at a Level of Service (LOS) of C in the morning rush and D in the evening rush, which equates to a wait time of between 15-35 seconds. Under projected future traffic conditions, this movement would fall to the lowest LOS, F, which is a wait time of greater than 50 seconds. The DOT may propose a reverse synchronized street design, which was not included in the TIA. If that configuration is agreed upon, it would allow left turns from Lystra onto 15-501 southbound, and right turns onto 15-501 northbound, but would not allow a straight-through lane entering the proposed development. More importantly, the reverse synchronized street design would remove the ability for traffic on 15-501 to make left turns onto Lystra (or left turns into the proposed development); I don't believe this would impact the Polks Landing intersection as drastically as the traditional synchronized street, but it would have a significant impact on southbound 15-501 traffic wishing to turn onto Lystra; all such traffic would have to drive past Lystra to a new U-turn location, then proceed back north and turn right onto Lystra. Thank you for your time.*

*Shelley Colbert submitted the following comments:*

*I have already submitted written comments previously to you that go into greater detail concerning what is actually submitted in the application but I want to summarize for you some of my concerns. I address you today to object to the most emphatic terms possible to the approval of a proposed residential rezoning for a strip mall in Polks Landing. The application contains material omissions, mischaracterizations and inaccuracies that I noted in greater detail in my written comments to you. The proposed Polks Landing location is simply the wrong site for a commercial strip mall, period. Approval of the request would be actively detrimental to the public health, safety and welfare not merely for citizens in the immediate residential vicinity but for adjoining neighborhoods and the county as a whole. This poorly executed proposed development offers no meaningful convenience beyond what is already provided within three miles of the location and contains no persuasive or substantive arguments for future need in this location because there aren't any. One thing that is not mentioned in the application is given the changing retail environment due to ecommerce historical commercial retail models are not accurate, reliable, or desirable blue prints for future planning as noted in credible business publications such as the Economist and the Wall Street Journal. It is imperative that we consider the future development needs that this application fails to establish any reasonable necessity for the rezoning change now or for the future. Moreover, the application demonstrates in multiple places a profound disregard, ignorance and*

*mischaracterization of current uses of Chatham County portion of the 15-501 corridor and the most desirable future planning outcomes under the pending Comprehensive Plan for that gateway. Perhaps this disregard and ignorance stems from the fact that the applicant has no ties to this community and no vested or long term interest in the quality of life of this county, its citizens, or its need for a balanced plan and rational economic development. As a county we simply can't allow unnecessary ad hoc rezoning such as this request represents to turn the 15-501 gateway to Chatham into a ten mile long eye sore of strip malls, environmental damage and incompatible land use. I can tell you that after nine long years of living in Fayetteville I can personally attest the negative affects on health, safety, the environment, quality of life and property values that ad hoc development miserably delivers to a community incrementally destroying its livability and desirability over time. I urge you don't turn north Chatham into Fayetteville. Thank you.*

*Peggy Myers submitted the following comments:*

*My name is Peggy Myers and I have lived in Polk's Landing since February 1987. My husband and I were barely past being newlyweds when we bought our "first" house here. We had no idea then that we would be so happy and well-settled in Polk's Landing that we would never really consider buying a second house or moving. I'd like to tell you about one of the things I treasure about our quiet, peaceful residential neighborhood. I treasure the outdoors. And I spend most of my outdoor time walking the streets of our neighborhood. My neighbors, at least the early risers, know that I am usually out walking between 5:30 and 6:30 in the morning. My big brown dog is my companion and we see a lot of things. We know all the cars of people who leave early for work- they drive slowly around us and wave. We see deer almost every morning, we see hawks -last week we saw a pair of hawks, we hear owls, and we know the patch of woods where a fox family has its den. This morning we felt what I think of as "the first breeze"- the wind that blows just after sunrise. I relish my quiet mornings in all seasons, I'm just as happy in the winter when I make my whole walk in the dark. But I get to see the moon and stars, and eventually the first little pink glow of sunrise.*

*I want to tell you a little story about the dark. About 15 years ago there was a meteor shower that had an exceptional number of meteors predicted. The best visibility was projected for about 3:00 in the morning in North Carolina, and our older son really wanted to see it. And, of course, it was a school night. There were viewing parties scheduled at one of the Jordan Lake boat ramps, but that's a long drive in the middle of the night, especially on a school night. In the end, I set the alarm for 2:45 and we got up, pulled on coats over our pajamas, and drove out to Polks Landing Road. We parked on the side of the road where the view opened up to the night sky, got out and leaned back against the side of the car so we could look up. And then we started counting shooting stars. In no time we had spotted 30. Then, amazingly, another car pulled up. Another neighbor had the same idea- to watch the meteor shower from Polk's Landing Road. About 30 or 40 minutes later- when our shooting star "count" was over 100, and we were pretty chilly- we called it a night. This is the quiet, green, residential neighborhood we have come to love over the last 30 years- and quite honestly I don't want commercial development to encroach on it any further. Our night of shooting stars would probably be impossible now because of the light from recent commercial development. I hope you will help us keep this corner, and our neighborhood, residential.*

*Kelly Fuller submitted the following comments:*

*My name is Kelly Fuller and I've lived in Chatham County for 20 years. My husband and I bought our home in Polks Landing in 2001 when our daughter was a toddler - she is now 16 and has loved growing up in this natural setting.*

- When we all bought our homes, we had a reasonable expectation that the land between 15-501 and our neighborhood would remain residential because it had already been developed that way. The land in question includes many mature oak trees, a pond, forest, and five homes in good condition. These homes are directly adjacent to our neighborhood and contribute to the rural and natural character of Polks Landing. Replacing these homes with retail would directly expose us to increased traffic, light pollution, air pollution, and fast food and garbage smells.*
- If the land is rezoned to be commercial, all four corners of our intersection will be commercially developed. This is counter to the goal of preserving the rural character of our county.*
- Our community values the natural environment above conveniences. We already have two grocery stores within walking distance and do not need or desire a third.*
- We recognize that the Board of Commissioners has an interest in economic development and denying this rezoning request will not stand in the way of that. There are many larger pieces of land nearby that are already zoned for commercial development and would be appropriate for a supermarket . Denying this rezoning request will not cost the county tax dollars- it will simply require this developer to find a more appropriate location, like Williams Crossing, the land across from Fearington, or the corner of 15-501 and Andrews Store Rd. Leaving this land residential and the trees undisturbed will allow northern Chatham to retain some of its rural character. I respectfully ask you to please deny the rezoning request.*

*Erika Lindemann submitted the following comments:*

*Good evening. My name is Erika Lindemann, and I live at 308 Creeks Edge. It's the first house in Polks Trail, a subdivision of 15 houses that adjoins Polks Landing. I've lived there for 37 years and bought the property because it was in the woods, with only a 20-minute commute into Chapel Hill to teach. The daily drive up 15-501 North, which was then a two-lane highway, took me through peaceful pastureland and forests, with only the occasional chicken truck to worry about. There were no grocery stores; I shopped once a week in Carrboro. When my nieces were young, they played in Pokeberry Creek, and brought home box turtles, frogs, special rocks, and other treasures to show me. My study window looks into the woods, a view that's offered countless mental breaks from grading papers or planning classes. Deer visit me almost every day; birds have lunch in my holly tree; rabbits, foxes, owls, and hawks cross the yard. Almost daily I walk from my house out to 15-501 and back; my neighbors are also out walking dogs, pushing strollers, riding bikes, or stopping to talk with one another in the street (there are no sidewalks in Polks Landing).*

*We are blessed to live in the woods, and the mature trees are important to our entire community. When the Appearance Commission reviewed this proposal, they unanimously agreed that the plan be revised to preserve as many trees as possible. Morgan Property Group has not complied with this request and still plans to remove all of the trees, including a dozen magnificent oaks. Replacing them with a few smaller trees in the proposed parking lot will never match the luxurious canopy that is there now. The pollution of Pokeberry Creek and its wetlands is also a significant concern, because the proposal hasn't satisfactorily addressed storm water management. Polks Trail residents get their water from a community well, but I have no assurance that our water will be protected. The proposal doesn't explain how the pond on the property will be converted into a storm water management facility, or what might be in the overflow water that travels down Pokeberry Creek into the Haw River.*

*I'm not opposed to growth in Chatham County. But is another grocery store really needed at this location? My neighbors and I don't think so. The site is two miles from Walmart, less than a mile from Lowes Foods, and across the highway from Harris Teeter. This project belongs elsewhere, on a site that's already zoned for commercial development. We value our safe, quiet neighborhood and its beautiful natural setting and hope you will help us preserve it. Thank you for listening to us.*

*Angela Bond submitted the following comments:*

*Thank you for the opportunity to address this important issue in a public forum. I am a native North Carolinian from a county located about 60 miles north of here that has not planned well and as a result is facing severe economic consequences. So please know, I am a proponent of strategic and responsible development. What I suggest to you is that rezoning this property for an outdated retail design is neither strategic nor responsible.*

*I will illustrate this point by focusing on a vital resource that we all depend on to be managed well- water. As part of this development, the Environmental Impact Assessment indicates that 19 of the 23 acres will be graded in phase one. The disturbance of existing natural vegetation will result in increased storm water that has to be explicitly accounted for. We need clarification on the following:*

- The Environmental Impact Assessment page 4 and the rezoning application on page 12 seem to have contradictory approaches on how to manage storm water.*
- The developer plans to convert the existing pond into a storm water management facility. The county is unaware of any previous examples of such a conversion.*
- How will the current pond be enlarged to accommodate the increased volume of water from impervious surfaces versus the currently vegetated soil?*
- Will the pond have to be drained for retrofitting? How would this impact aquatic life?*
- Where will the outflow go?*
- The Appearance Commission noted that the parking lot is 30% larger than required by the county requirements. Why? This will increase water runoff which then has to be managed.*
- Why doesn't this plan include porous pavement to minimize runoff? Could some of this runoff be captured for watering landscaping? Isn't this an opportunity to be innovative?*
- The developer states that there are not any streams on the property. Water does not respect property boundaries, so will water still drain into the Polks Landing neighborhood as the pond currently does?*
- How will the increase in impervious surface and the conversion of the pond affect the quantity and quality of water flowing through our yards and into Pokeberry Creek?*

*Molly Brown submitted the following comments:*

*I grew up in the foothills of Southern California, where the average rainfall was 6-8 inches a year. As a child, a stream was a rare and magical place that appeared only 2 or 3 times a year. So I have a particularly strong appreciation for the 6 different streams that run through Polks Landing. All of us here know that our streams are an important part of the special character of our community. We are all very concerned that the proposed development would negatively impact these living waters. Our children happily explore the creeks, and our dogs drink from and play in the water. They do all this safely because the water is clean. Of these 6 neighborhood creeks, 2 would be most impacted. Water from the storm water facility would drain into the longest creek in the neighborhood, which crosses beside or behind 13-14 residences.*

*Our concern is that the groundwater from the septic field would compromise the second, smaller creek. This smaller creek is important because it is where we have observed the highest water quality, as measured by aquatic life. Think crayfish! These two streams come together about 50 yards upstream from the edge of my property. At this point, they form a larger creek that in a half mile joins Pokeberry Creek itself, at the edge of the Pokeberry Wetlands (where the beavers lived before they moved to a nearby location).*

*I've lived in this location for 7 years. In the past three years there have been two 100-year floods, the last one being Matthew last fall. During these storms, the volume and speed of the water coming down behind my house was so much greater that it led to some dramatic changes. I have two photos I'm submitting that will show some of these changes. In short, the stream banks have dramatically eroded and become incised. Our concern is that the proposed development would cause even higher, faster flows. The tree canopy would disappear and the ground cover would be scraped away, so that rain water would run off instead of slowly seeping into the ground. There is also concern about increased sedimentation, as bare earth is exposed by grading. This increased sediment would negatively impact aquatic life and put added nutrients into Pokeberry Creek, which already has too much, and ultimately into the Haw River. In summary, the proposed development, beginning with the grading and tree cutting, and continuing with the water released from the storm water facility, would decrease the water quality in both the streams and Pokeberry Wetlands. Polks Landing wants to keep our creek water clean, not only for our personal neighborhood enjoyment, but from our larger concern with the water quality in Chatham County.*

*David Bond submitted the following comments:*

*As you have already gathered I don't come from these parts originally. Thank you for hearing us. There are only two reasons why I would leave my beautiful home in Capetown to be here. One is my beautiful and persuasive wife who you have already met. The other was finding a place where I would like to live and Polks Landing is that place. You heard a lot about the joys of Polks Landing from other people tonight. It really has made a beautiful home for us. It is also a wonderful community. The people that live there are a wonderful community. Recently I met a couple of the commissioners here tonight, I realize more that makes us happy to be in Chatham County and that is the way you guys are striving to be consultative in your approach in going forward. I come from a family of property developers so I really mean no disrespect to my colleagues, I am a beneficiary of property development in many ways. But if I have learned two things from the past is the way they are doing business in the past and the way they are doing it in the future. We need to continue to be consulted. The most successful project happens with collaboration of local people with local developers in their community. You are going to be needing to look to build the future that you want with the people living in the area. This is what you are already doing and I urge you to continue doing it. Thank you.*

*Kate O'Brien submitted the following comments:*

*I am happy to have this opportunity to address you. My name is Kate O'Brien and I would like to express my opposition to rezoning the six parcels in question as commercial. I moved to Polk's Trail subdivision in 1997 with my partner, Wendy Richardson. We had lived in Philadelphia, Vermont, and Colorado together and had traveled around the world over the course of a year. When we purchased this house and lot it was because it was wooded and surrounded by hundreds of acres of*

*undeveloped land. We were accustomed to living in beautiful places and we were pleased to find a suitable place to live and build our family in North Carolina. What we hoped to find in addition, was a community of friends. We were successful with that, as well. We have gone on countless dog walks with neighbors. We have exchanged pet care and errands. We have shared meals and celebrated milestones together. We have gone sledding and trick or treating. Always we comment on the natural environment and wildlife. We stay interested in the creek level, the fall foliage, the honeysuckle and black berries, etc. We stay on alert for sightings of deer, beaver, possums, woodpeckers, turtles, snakes, blue birds, and owls. We don't like light, air, noise, and water pollution. The wildlife care for it even less. Our family, and many others opposed the Briar Chapel Development pushed through by outsiders. We heard and saw the clear cutting of hundreds of acres of land. We saw and smelled the burning of roots and tree litter over many days. We were forced to stay indoors until the burning was finished and the air quality improved. Then came years of building- the building and all the noise and light disruption continue to this day. Briar Chapel was followed by Polk's Village. It materialized suddenly and we lost the private seclusion of our neighborhood. This latest proposal for the six lots must not be permitted. In Colorado, planners had the foresight to not allow the corridor between Denver and Ft. Collins and between Ft Collins and Boulder to devolve into continuous strip malls. We need to be cautious about indiscriminately developing both sides of 15-501 from Pittsboro to Chapel Hill. I explained to a friend in passing that there were efforts underway to build commercial properties on 15-501 in my neighborhood. She said that I could always move. That response has stuck with me. Move where? To what? To another residential area that could be rezoned? Why should we be forced out? Can't we expect to rely on the continued land use that was in place when we purchased the property? Aren't zoning regulations in place to put the public on notice and to preserve the designated land use? Should the financial interests of outside commercial developers outweigh the expectations and rights of our small band of residents?*

*Margaret Richardson submitted the following comments:*

*My name is Margaret Richardson. I'm twelve years old and I have lived in Polks Trail all of my life. I am concerned that a grocery store and other commercial development would greatly change the nature of our community. Currently I consider the neighborhood a safe place that I can bike and walk around in. With the busy patrons of a grocery store there would be more traffic, people, noise, and trash, which I believe would make the neighborhood, both at the entrance of my community and close to many of our homes, much less kid friendly. Thank you.*

*Sarah Packer submitted the following request:*

*As you may have noticed, the proposed site is 'L shaped' and abuts 21 homes in Polks Landing and 3 more along 15-501. The site's shape requires the primary structure to be squeezed into one of the legs so that it stretches from Polks Landing Rd all the way to the Hidden Valley property lines. The degree to which this would impact residents' quality of life and the neighborhood's character as a whole is unusual compared to other nearby shopping centers' effects on their neighbors. Nothing in the developer's application pinpoints the Polks Landing intersection as the specific location that would be appropriate for this project. The reasons for choosing the site are vague and only note the need for more retail in Chatham County in general and identify the 15-501 corridor as one of the areas appropriate for it. Given that there are several regularly shaped properties nearby along 15-501 that are*

*already zoned for commercial use and are awaiting development, why have they chosen the location at Polks Landing? The application notes that there is a traffic signal nearby. However, after discussing this with the DOT, it sounds unlikely that this development will be tied into the stoplight at Lystra Rd. The application also states that the site is relatively flat and notes a lack of sensitive environmental features. Although it's true that there are few steep slopes within the project's property lines, the application fails to mention that much of the area is at the top of a hill that drains into our neighborhood. Multiple streams with high water quality originate here and flow through our yards into Pokeberry Wetland, the Haw River, and Jordan Lake. The developer has mentioned that the Polks Landing site is especially desirable because it is on the southbound side of 15-501 and would be on the way home for ALL vehicles bound for Briar Chapel and Chatham Park. However, according to the DOT, the Briar Chapel entrance road on Manns Chapel will be paved by the end of 2018. This route shortens the drive by 1.5 miles and will likely become a primary Briar Chapel entry. At that point, the site at Polks Landing would no longer meet the developers' stated goal, as many residents would not pass through our intersection on their way home. With that in mind, there does not appear to be any strong reason for locating this development specifically at Polks Landing Road. Considering the impact this project would have on residents, wouldn't it make more sense to locate this on one of the undeveloped commercial sites along 15-501 rather than rezone a residential area that has already been developed with homes?*

*Nanette Atkinson submitted the following comments:*

*The developer's application only mentions that Chatham County has a general need for more retail space and fails to show that it is needed at Polks Landing Road. Do we need more retail space at this location? There are already several shopping centers within sight of Polks Landing. Polks Village is adjacent and still not complete, and Chatham Downs faces the proposed site. Additionally, Williams Corner is planned for a space directly across 15-501 from Polks Landing. North Chatham Village, Chatham Crossing, and retail space at Manns Chapel are all within one mile. Expanding the radius to two miles introduces a Walmart, Briar Chapel's mixed use area at their main entrance and soon another 250,000 sq ft of space at Andrews Store Road. There are six vacant storefronts totaling over 26,000 sq ft along 15-501 within one mile of Polks Landing. With so much new development already approved and being built, what would be the effect of the proposed development on our existing shopping centers? Looking at grocery stores in particular, at a recent presentation, Lee Bowman of Newland explained that Briar Chapel is currently in discussions to line up a grocer for their retail area at Andrews Store Rd and 15-501, just 1.8 miles south of Polks Landing. Fearington Place at the intersection of Morris Rd and 15-501 (only half a mile farther south) is also zoned for commercial use; the approved site plan for that location included a grocery store. Based on information from a phone conversation with the owner of that property, Fearington Place could soon be ready for development. There is already a Walmart within 2 miles, a Lowes Foods within 1 mile and a Harris Teeter directly across 15-501 from Polks Landing. Excluding the proposed project, there is the potential for as many as five grocery stores between the Orange County line and Fearington Village- a stretch of less than five miles. By our observation, the existing stores are meeting consumer demand. Given the plans for as many as two more stores, we ask you to consider whether there is actually a need for yet another grocery store, whether Polks Landing would be the optimal location, and what the impact would be on our existing and planned stores. Would adding new retail space simply shift tax dollars from existing stores without creating enough of a net gain to justify the negative impacts it would have?*

*Rob Wheeler submitted the following comments:*

*I spent 25 years in new home residential development and have been through numerous rezoning applications. We often had a small commercial portion and not once, did we ever seek to place that adjacent to existing homes.*

*This land is zoned residential and needs to remain that way. The negative impact on Polks Landing and damage to values is significant. Homes will absolutely depreciate and will suffer from noise and light pollution. The environmental impact of installing a septic system on that property can only hurt the existing ecosystem and runs the risk of further damage to Polks Landing.*

*At the end of the day, this is all about economics for the out of state developer. They are undoubtedly paying a substantial amount for the land, but zoned land is available at a higher cost. My question is why out of state developers economics are taking priority over those of existing residents who have been paying taxes for years.*

*They talk about convenience and traffic on the way home heading to Manns Chapel road. They are fully capable of backtracking a short distance if the development goes on south of that location. Their slight convenience should not take a priority position over the residents of Polks Landing.*

*If the developer threatens to walk away if they can't have the location, please let them walk. With all the development going on in that area, there must be a grocery store chain that will invest in and build a grocery store and additional commercial space on properly approved land. Publix is not the only chain expanding into this area.*

*Joe Kinder submitted the following comments:*

*My name is Joe Kinder. I live at 112 Hidden Valley Drive. I have lived there for 15 years with my wife and two sons. My sons are 7 and 13. Our home is the closest to the proposed development because our house sits further back on our lot than the homes of our neighbors. I have attended several neighborhood meetings, listened to the developer, Morgan Property Group, and listened to concerns expressed by my neighbors. Like many of my neighbors, I would prefer that the area bordering my property remain as it is. However, I also recognize that we live in a growing area adjacent to a major transportation corridor. Three of the four quadrants at Polk's Landing Road and 15-501 are now commercial or planned to be commercial. Something eventually will get built on the properties behind mine along 15-501. It is unrealistic to think that someone will build homes at that location. Commercial development is more likely. I have appreciated the willingness of the developer to meet with the neighborhood, listen to concerns and make efforts to address them. Those efforts have included significant changes to the development plan and commitments to mitigate impacts. Morgan Property has recognized the close proximity of the development to my home through buffering and other mitigation and have been sensitive to the concerns I have about my son's asthma. Based on these interactions and evolution of the development plan, I support the proposed rezoning. I believe Morgan Property Group will do a good job and prefer knowing what is coming as compared to continued uncertainty.*

*I am afraid that we are going to go through this over and over and at some point I am going to end up with a gas station in my backyard or something that is going to take down my home value. One thing that hasn't been brought up, and I am just trying to be realistic, when I leave I don't go down Polks Landing Road. I go through Polks Village and that traffic coming in and out is much easier and I know that may not be*

*popular. I am just trying to be realistic and address something that would completely take all traffic out of that. Thank you.*

*Janice Keene submitted the following comments:*

*I live on Creeks Edge in the Polks Landing neighborhood. I have lived in this community for 40 years. I am here today to express my opposition to the rezoning of the parcels 2719, 2720, 2721, 69884, 60612, and 2508 (corner Polks Landing Road and 15-5015). I appeal to you to keep the area zoned Residential in order to save the Polks Landing community as a viable, thriving, healthy environment for the working adults, children, retirees, students, professionals, and others who live here. Rezoning commercial, in my view, would allow the development of a shopping center on confined space and on a scale that will overwhelm our modest 150+ home neighborhood and destroy the unique character of Polks Landing and our residents' quality of life, and safety. Commercialization will lead to: degradation of water quality, traffic congestion, traffic hazards, noise and air pollution, and a loss of green spaces. The community will be degraded substantially. I appeal to Chatham County Planning Board and the Chatham County Commissioners to decline the proposal to rezone the Polks Landing Road - Hwy 15-501 south development project and keep the specific properties zoned residential. Thank you for opportunity to speak.*

*Christine Consoli submitted the following comments:*

*My name is Christine Consoli and I live on Hidden Valley Drive. My property backs on to one of the properties currently proposed for rezoning. Ever since I first heard of the application for rezoning, I have been spending a lot of time thinking "why me? Why is this happening to ME?" It took having the affected neighbourhood and surrounding business folks coming together to make me realize, that although this proposed rezoning is in my technical backyard, people think of Chatham County as their home, not just the piece of property they have a deed for. Having residential areas rezoned for commercial use, doesn't just affect the people who will be able to look out their windows and see it, it affects all the people who have chosen to move to Chatham County for its beauty and natural surroundings. Tonight I am here not only to support and represent the neighbours and residents who oppose the rezoning, but also one of the businesses that will be impacted, Rainbow Childcare Center. My daughter attends Rainbow for her childcare. Her classmates come from all over Chatham County, and nearby Orange County. Once the daycare was made aware of the proposed rezoning, they got the word out to the parents who bring their children there. Many of the parents who entrust Rainbow with their children's care are opposed to the rezoning. In addition to the parents, the corporate offices of Rainbow Childcare are also concerned. Both the letter from the parents of the affected location, and the letter from the in-house counsel for Rainbow Childcare Centers are included in the information submitted tonight. Here is the letter signed by concerned parents, including me and my husband.*

*Dear Chatham County Commissioners,*

*My child attends Rainbow Child Care Center. One of the reasons I chose this daycare is because of the quiet, outdoor, natural atmosphere. Rainbow Child Care is immediately across Polks Landing Road from the proposed site for commercial rezoning and a strip mall. The two proposed entrances for the development on Polks Landing would be just before and just after the daycare center. I believe that this will negatively impact my child's experience for several reasons:*

- The increase in traffic on this narrow neighborhood lane will cause a safety issue*

*both for parents dropping off/picking up children and for the school buses that drive in this way.*

- The outside play area is adjacent to Polks Landing Road and between the two proposed entrances. The tenfold increase in traffic on this road will increase noise and air pollution.*

- Large delivery trucks driving past the daycare will be loud and will negatively affect my child's experience and learning environment.*

*I feel that the homes and residential zoning of the site on Polks Landing Road are much more compatible with the existing uses surrounding it than this proposed development would be. I encourage you to consider this business and our children when making a decision about rezoning.*

*Sincerely, Concerned Parents*

*Paul Mele submitted the following comments:*

*Good evening planning board members, and thank you for the work you do for us, seen and unseen. My name is Dr. Paul Mele and I live on Creek's Edge in Polk's Landing. I believe I was the only one from our neighborhood present at the "Plan for Chatham County" meeting last week. It was very informative. As you know, that committee has been working for the past 18 months to come up with a "master plan" for growth and development in Chatham, through the year 2040. There are 4 items in that plan that are pertinent to our question of re-zoning tonight. The first is the stated goal of "preserving the rural nature of Chatham County". Many of us don't live in Durham for that reason. The second is to promote economic development, and to do so by "targeted recruitment of existing businesses and promotion of appropriate targeted industries". The third combines these 2 thoughts on the 15-501 corridor, specifically by "preserving the frontage along 15-501", and "preserving heritage trees". Lastly, as a physician, I was happy to hear about the stated priority of improving the health of our citizens, specifically targeting the obesity problem in Chatham. We are the third fattest county in the state. We went from 21% of the adults being obese in 2015 to 28% last year. We have 3 times as many obese teens now as we did when many of us were young. The board looked to the research done at a Federal level by the likes of the American Heart Association, American Diabetes Association, and the Harvard School of Public Health, and adopted their plan to attack this problem by targeting SUGAR ...specifically soft drinks. This one preventable cause of obesity plays a major role in the health of our country and our county. Sugar now plays a similar role as cigarette smoking did when I was in medical school... conceptually and financially. The "Plan for Chatham County" committee members went a step further and surveyed the county to see which areas should be targeted as "needing healthy food choices" to allow for more focused development. In so doing, they also identified the opposite areas, i.e. areas that already have enough "healthy food choices". Guess what... our little strip of 15-501 is in that second group. There is no need for more healthy food choices near Polk's Landing ... In the future, as we approach 2040, this question can be reassessed. It's taken 50 years to get the smoking rate down from 50% in the 1960's to 15% now. Let's not take that long for the obesity problem. In the meantime, the available commercial land in our area is best suited for other "appropriate targeted industries". And, finally, there is no justifiable need to re-zone part of our residential neighborhood at all.*

*Jeffrey Wehner submitted the following comments:*

*See this group of people right here? We are neighbors. Neighbors come together in*

*a community. What is being proposed here is breaking up that community. I for one am the biggest advocate of saying no to this rezoning. Let that be known. I think it is your responsibility to look at other venues if this property is to be developed, not to be developed by this group of gentleman here. There are so many other businesses, such as a qualified nursing home, which you don't have that is greatly needed. These people right here all say no. These people right here are proposing something, it is a proposal. The attorney made it seem like this is the way it is going to be but he couldn't really answer questions on the infrastructure, which is very important to all of us. We need to know this but what we don't need is something in our backyard. I live on Holly Ridge Road and the back of my property is going to be very visible to the wall. I don't want that. The wall is not tall enough. That wall is not wide enough and you can't plant enough trees to deaden the sound. It is going to create a lot of problems so I appeal to your intelligence, to the Planning Board when it comes time to say yes or no you remember these people sitting back here is that all they want you to do is make an intelligent decision and say no to this rezoning. Thank you.*

*Susan O'Hara Brill submitted the following comments:*

*I am a 21 year resident of Hidden Valley and I am very fond of this wooded, friendly, family oriented quiet neighborhood; visitors to our house will joke about how hidden we truly are. All around there are new developments and we are aware that change will come but we cannot support what is being proposed in this application. There is already voluminous storm-water runoff, and also pockets of standing water in the wooded areas which create issues with mosquitoes. The placement of a storm-water management pond directly behind our house would exponentially aggravate that situation. We don't want the construction upheaval and noise, the ongoing din & racket of retail business, the smell of fast food in our backyards, and growing traffic congestion. We don't want the entryway to our neighborhood to be dominated by commercial development; all of these things pose hazards to the safety and wellbeing of my Polks Landing neighbors.*

*Gary Ace submitted the following comments:*

*I live on Silk Stones Throw and have for twenty-one years. Moved in during Hurricane Floyd. I love the community. My wife, dog and I walk everyday. We enjoy all our neighbors. They are a great group of folks. We are a community, a group of people who appreciate our shared land. Our values have some variation but we have a very strong feel of community. I think the question could be asked and answered by you folks is how will this project impact the community, impact the feeling of north Chatham and of Chatham in general. If we have more traffic, more people is that going to make it better. Is it going to make it more beautiful? I've taken pictures of beaver and otter downstream and it will have some impact from runoff from that property as well as the general human impact when you increase the number in a particular area. The beauty is something that cannot be quantified, measured, or put a dollar value on and a balance between development and business versus a feel for the residential area. I beg you to continue your good questions about this development and its impact on our community. The science evolves on the benefit of nature to our human spirit, how it benefits us psychologically, physically and even spiritually. How much benefit in those areas does a commercial business provide? Commerce is necessary and there are plenty of places that could have less of an impact. I beg you to consider all that. Thank you.*

*Emily Sutton submitted the following comments:*

*Though the Environmental Initial Assessment lists no streams or wetlands in the study area, I am concerned about the environmental impacts to Pokeberry Creek. The increase of paved surfaces and disturbed soil will further exacerbate dramatic erosion and sedimentation in the tributaries and main channel of Pokeberry Creek. A steep slope occurs just south of the proposed development area. The gradual slope leading from the proposed storm water pond leads to this steep slope. Though it is out of the study area, discharged water from this holding pond will further erode this slope and incise the creek banks of perennial tributaries and Pokeberry Creek. The proposed BMP is certified to withstand a 100 year flood, however, these rain events are becoming more common. We have had two of these events in the past three years. With the overflow from these BMPs into the tributaries of Pokeberry Creek will come sediment holding nutrient pollution. Pokeberry Creek has been and continues to be monitored at several sites to observe and record nutrient and sediment pollution, which has continued to worsen in the past decade. In a 2006 report done by my predecessors at Haw River Assembly, titled Two Threatened Streams, turbidity was shown to be a problem Pokeberry Creek. The mean turbidity levels in both Pokeberry sites were greater than the state standard for most receiving waters (50 NTU). A monitoring site located just south of the proposed residentially zoned parcels for Publix was reported as having a "deeply incised channel preventing access to its floodplain. Also the macro invertebrate community during the initial assessment of this site were dominated by tolerant species." The sites also received a poor score due to lack of bank stabilization. The eroding banks carry sediment, which holds high levels of nutrients, into the watershed.*

*Pokeberry Creek is part of the watershed of the Haw River Arm of Jordan Lake and is included in the nutrient load reduction targets under the Jordan Lake Nutrient Management Strategy and TMDL. The reductions for loading to this part of the Lake are 5% for phosphorus and 8% for nitrogen. The non-point source plan includes strategies for reducing nutrient loading to streams from agricultural lands; better management of fertilizers and biosolid applications; reducing stormwater run-off from new and redevelopment, as well as retrofitting existing development; riparian buffer protection; and improving wastewater land application and on-site wastewater systems to reduce nitrogen and phosphorus loading. All of these land use strategies apply to the Pokeberry Creek watersheds. While the Jordan Lake Nutrient Management Strategy continues to be postponed and weakened, the conditions of Jordan Lake and the tributary watersheds continue to worsen. Downstream of the proposed Publix site, Pokeberry Creek flows through a string of wetlands and beaver ponds that are providing amazing wildlife habitat in the midst of a developed landscape of residential neighborhoods. The wetlands are also acting as filters cleaning up much of the sediment laden stormwaters that are washing into Pokeberry from construction. Without additional protection these wetlands will start to decline, resulting in a loss of nutrient and sediment filtration to Pokeberry Creek. The 2003 Cape Fear Assessment Plan suggests that there is evidence that "the benthic communities in Pokeberry Creek may be declining in this rapidly developing area." The most recent report in 2014 listed the Benthos and Fish Community as meeting criteria for state standards, but our data shows gradual decline in benthic communities.*

*Currently, we have three monitoring sites downstream of this proposed development project. That data has shown a moderate decline in benthic communities since the 2006 publication of the Two Threatened Streams report. We will continue to conduct quarterly assessments of the water quality and benthic communities in Pokeberry Creek. Due to the impacts on an already threatened stream, leading into critical*

*drinking water sources, I recommend an alternative site for the proposed Publix in order to avoid pollution mitigation costs and negative impacts to human health.*

*Hamish Jackson submitted the following comments:*

*My wife and I moved here pretty recently, about a year ago. We liked the neighborhood so much that we bought a house just down the road from where this will be. We love how peaceful the neighborhood is. It really feels like you are in the woods. As soon as you get off 15-501 it is kind of magic. It is like you are in the countryside right off that main road. I think this would dramatically alter that. The entrance would be completely different. I would echo what everyone said. On the brightness issue with the sun, that road definitely gets really bright at sunrise and sunset. I do foresee accidents at that intersection, especially if you don't have proper eye protection. When we were looking at different houses in the neighborhood we had this excellent house inspector who told us the neighborhood does suffer from water flow issues. A lot of the foundations have been affected by water. I think the concerns over the water runoff from the building is something to really consider. I didn't quite understand how the pond was going to solve all of that. The developer is saying they will have centers of commercial use rather than turning the whole of 15-501 into a strip mall. That sounds like a great idea, I totally agree, but it is already getting to that point. There are many commercial spaces so why don't we start by keeping this one residential. That would be nice. Maybe we could think about an alternative use like a park. I don't know if the county has any extra money, we could make a really sweet park or a new forest, that could be good. Instead of a twenty to thirty foot buffer we could have a whole forest. Please vote no.*

*Stephen Consoli submitted the following comments:*

*As elected officials of one of the fastest growing counties in North Carolina, which is the tenth fastest growing state in the country, you are in a position of managing the tension between the present and the future. How will our community change? Will you be able to preserve the charm and rural character of Chatham County that discussion around the county's Comprehensive Plan has consistently found to be so important to our residents and leaders? Our county envisions a vibrant future: Chatham County will be a place that cooperatively controls its own destiny to assure the state of well-being desired by all of our people, while proudly preserving diverse cultural heritages and the County's rural character. (From the Chatham County Land Conservation and Development Plan) You are in a position to foster innovation and push developers to incorporate growth in a way that will preserve our identity and embrace future economic trends. Clear cutting 19 acres for a big box/stripmall design with impermeable surfaces 30% larger than what is required is an investment in outdated infrastructure: it is not innovative, it does not preserve the character of this land, and frankly it is not visionary. Why not push for development in our county that embraces future economic trends? We are on the cusp of incredible growth. We are not in a position of "if we don't build it they won't come." People desire to live here because it has beauty, character, and pockets of citizens with strong community identities. Polks landing is just one example. Like natural resources, communities with such a strong sense of place will only become scarcer. Preserving our unique qualities will protect some of our most valuable assets.*

*It is clear from economic data that retail as we know it is at a turning point. On Friday, Amazon bought Whole Foods and sent a shockwave through the grocery industry. By forcing competitors to adopt the latest technologies, Amazon evolves markets. Do we truly expect that retail's future will continue to revolve around traditional brick and*

*mortar stores? Minimizing investments in obsolete retail infrastructure will allow Chatham County to more easily adapt to the changing retail climate and jump ahead of the curve. We are fortunate to be at the crossroads of growth at the perfect time: we have the opportunity to be proactive and trendsetting. We very much appreciate the opportunity to be part of this process and we thank you for your attention to this important matter.*

*Planning Director Jason Sullivan clarified that the Planning Board will not have a second public hearing. They will discuss the information that has been provided in the packet and any additional information that has been received tonight.*

*Mr. Sullivan asked if the TIA accounts for the new layout received today. He also asked if the developer could provide an update on the intersection. Josh Reinke stated there are three alternatives being considered at the Lystra Road intersection. There is the superstreet, reverse superstreet, and full access. The developer is pushing for a full access intersection.*

*Mr. Sullivan asked if they are looking at three different alternatives, the one that is shown on this layout is not approved how does that change the traffic patterns on Polks Landing Road. Mr. Reinke stated congestion management provides recommendations. If it were to become some sort of limited access at Lystra Road they are looking at providing a U-turn further north.*

*Ms. Birchett asked the County Attorney if the Board grants an approval and when the site comes out of congestion management and has to be completely reworked, would they have to apply for an amendment and go through this process again. The County Attorney stated they would.*

*Mr. Sullivan asked if a sidewalk will be added along Polks Landing Road. The applicant stated yes. Mr. Sullivan asked if there are internal sidewalks proposed. Charlie Yokley stated there are internal sidewalk connections.*

*Mr. Sullivan stated the market study wasn't clear on what the connection was between the demographics and the demand for the additional grocery store. Is there adequate population in that three mile radius to support four grocery stores?*

*Jeff Seymor stated the Harris Teeter does extraordinarily well. The intent is for this grocery store, who is a direct competitor with Harris Teeter, this location gives them the best option to compete with them. It is unlikely that this grocery store will have a tremendous impact on the Food Lion, Lowes, or Walmart.*

*Mr. Sullivan asked about the survivability of the landscape by the retaining wall. Andy Padiak stated the stormwater ponds will offset the development. Mr. Yokley stated the plants will not be affected by the wall.*

*Chairman Crawford closed the hearing.*

**This Agenda Item was referred to the Planning Board.**

[17-2209](#)

A Quasi-Judicial Public Hearing on a request by CE Groups on behalf of the F-L Legacy Owner LLC for a conditional use permit revision on Parcels 17378, 83655, 89437 to revise the current site plan to relocate some residential lots, increase open space, reconfigure some road r-o-w, reduce total roadway length, and to eliminate one subdivision road connection to Big Woods Road.

**Attachments:**     [More Information from Planning Department Website](#)

Chairman Crawford administered the oath to those wishing to speak.

Chairman Crawford opened the hearing.

Zoning Administrator Angela Birchett reviewed the specifics of the request.

*Ms. Birchett: This is a CUP revision for the Legacy at Jordan Lake. This was a planned unit development that was approved originally in 2005. If you will remember back in 2008 when the recession started, the project kind of really slowed down. In 2014 they came back with a redesign, a little modification. They moved some lots around and removed some buffers from around some creeks and streams and things like that. Moving forward what the customer is looking for has kind of changed a little bit. As we know some things are market driven and have to happen. They are looking to relocate some lots. The overall project is going to reduce the linear feet of roads by about 2,700 linear feet, which also in turn decreases impervious surface. The subdivision lots will be more clustered, which creates more open space. Open space will increase from approximately 200 acres to about 214 acres which is a significant increase in the development. Relocating lots and configuring roadways to result in the elimination of a future road connection on Big Woods Road. This is the existing approved map that you see here. These lots in Phase 7, the orange color, these are the ones that are being proposed for relocation. I'll pull up that map for you. As you will see here, they are no longer in that area and have been relocated over here. That will eliminate some buffer issues on the water features that were located in that area as well. The developer and the civil engineers are available for a presentation.*

Patrick Bradshaw, attorney for the applicant, addressed the Board.

*Mr. Bradshaw: My name is Patrick Bradshaw. I practice law here in Pittsboro. I am here tonight representing FL Legacy Owner, LLC in this request to revise the site plan and sketch design for the Legacy at Jordan Lake to relocate twenty-six lots from the south side of Parker's Creek back to within the main portion of the community. The application for amending the conditional use permit has been signed on behalf of the owner of the undeveloped portion of the community and a duly authorized representative of the owner is here tonight and has been sworn so I would ask that the application submitted to the county be included in the record of this hearing.*

*Legacy at Jordan Lake is an existing planned unit development located in the R-1 zoning district. The PUD was originally approved in 2004 and 2005 as Ms. Birchett said. The PUD includes 463 residential lots with amenities on approximately 627.5 acres. The requested amendment does not add any land to the PUD nor does it increase the number of lots. It reduces the overall project road length by about 2,700 linear feet, which decreases impervious surface. It adds about fourteen acres of open space and it eliminates a future private subdivision road connection to Big Woods Road. The overall affect of these changes will be to create a more compact community with reduced environmental impacts. At this point I would like to ask the engineer for the project, Mark Ashness, to come forward and describe to you all what the changes are and then I will come back and briefly address the findings required by the Zoning Ordinance.*

Mark Ashness, engineer for the project, addressed the Board.

*Mr. Ashness: Thank you Patrick. Good evening board members and staff. I am Mark Ashness, resident of Chatham County. I think Patrick and Angela have hit the*

high points. Basically the most significant change we've made is with the estate lots that are located to the existing side of the road when you come in the main entrance. The proposed lots that we are putting in the lime green, the original plan had a cul-de-sac extended over toward the estate lots and that separation was about 850 feet by the crow flying between those lots. What we did is we flipped those cul-de-sacs to the south and so we created a little more separation and it allows us to have sort of a wooded edge behind these phase five and six lots to the south of that lime green area. The product itself is consistent with what we have in the cyan color that you see. What we are doing is really continuing that type of product along that road edge. Those lots all have direct access to the front entrance. When you come into the Legacy today there is a waterfall at the top and you make a right to get into the main project. There will also be a left turn there that will allow you to access these lots. These additional lots that we are adding to that road have direct access back to the main gate, they are not having to be funneled through the existing phase one lots out there. We had a community meeting back in April and explained these changes and I think it was well received by the community. Thank you.

Vice Chair Hales: The new lots are those lime green, they look like broken squiggle parts.

Mr. Ashness: The new lots.....there were already lots here previously. There was just less lots. We had a cul-de-sac that extended in this direction towards the north. We eliminated that. That was one of the feedbacks we had from some of the existing owners on this side. These are estate lots. We flipped those cul-de-sacs to the opposite side. The product that you see in this lime green is really similar to what you already see up here. This is already permitted. This area is already constructed. This is now in construction right now, these cyan lots right here. There is actually a loop road, when you come in you'll ultimately be able to go left or right and this road goes back up and wraps in, there is a roundabout right here before you get to the par three course and the amenity. From an efficiency standpoint the area where we added the lots have really direct access out through the main gate without having to provide anymore traffic volume on the existing road.

Commissioner Dasher: The area where the lots were moved from, is....

Mr. Ashness: That is part of the open space. In other words, there isn't any additional, that area is just held in open space. We already have some permitted spray fields approved in that area so there will be some pasture, ultimately, but there won't be any houses or roads constructed over there, which right now the current plan has a driveway cut on Big Woods Road and there would be another residential access to Big Woods. This actually brings all the lots back inside the gate. It is really more of a homogenous community by making this transfer.

Commissioner Dasher: But that would remain still part...

Mr. Ashness: That is correct. It is part of the project and it is open space. No lots would be allowed in that area.

Vice Chair Hales: Would you have other types of features like a trail?

Mr. Ashness: It is possible there could be a trail there. There are already existing trails through the project that wrap along the buffers and that is something that could be considered. At a minimum it will be open space.

Vice Chair Hales: And it is how many acres? That little parcel you are not going to develop now.

Mr. Ashness: I want to say it is close to thirty acres. We had twenty-six lots in that area so it is a sizeable area. Certainly you could develop it but I think it makes more sense to make it more homogenous.

Mr. Bradshaw: Mr. Chairman, to address the findings. Given the nature of these changes that we are requesting there will be no detrimental impacts on the factual basis for any of the five findings that are required by the zoning ordinance. Some of those will actually be enhanced by making these changes. A more compact, better designed community with reduced roadway lengths, less impervious surface, one less connection to Big Woods Road and home and lot sizes that are in demand in the market, is more desirable for the public convenience and welfare and has more positive impacts on surrounding zoning districts and health, safety and welfare of the community at large than the existing plan does. The increase in open space and the reduction of impervious surface improves the community's impact on watershed and flood considerations and the changes will cause no detrimental impacts to public or private utilities or infrastructure. We would submit that the evidence provided in the application and provided at this hearing is sufficient to support the five necessary findings under the Zoning Ordinance and we would request that you grant the revision of the amendment to the permit. Mr. Chairman, if there are other witnesses I have some general comments I might like to make but if there are not then I can spare you all that.

Clerk: No one signed up to speak.

Chairman Crawford: Any further comments or questions? Any questions from the Planning Board in attendance tonight?

Chairman Crawford closed the hearing.

**This Agenda Item was referred to the Planning Board.**

## **BOARD PRIORITIES**

### [17-2202](#)

Vote on a request to approve the adoption of the Fiscal 2017-2018 Budget Ordinance

**Attachments:** [BudgetOrdinance](#)  
[Summary of Changes](#)

The County Manager stated the Board received the recommended budget on May 1, 2017 and held two public hearings. The Board also held a work session on May 23, 2017 where it in substance adopted the budget. Staff took the changes made on May 23rd and incorporated those into the budget ordinance before the Board tonight. Several things were added to the budget including a school resource officer for Northwood High School, an additional amount to support a Board of Elections board member that will likely be added because of changes in the state law, a part time Veterans Services Officer, some additional funding for a misdemeanor diversion program, additional funding for a school health and wellness instructional facilitator that will be funded in partnership between the Health Department and Chatham County Schools, a budget analyst, a construction manager, and funding to the Town of Pittsboro to assist them with the purchase of land for a new town hall. Overall, that adds about \$830,000 to the budget funded with some additional revenues that were omitted from the original budget and additional tax dollars that were realized because the county did not have the volume of appeals that was originally anticipated from the revaluation.

**A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

### 17-2207

Vote on a request to approve an application submitted by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision review and approval of **Phase 16 South, Revised Preliminary Plat; Final Plat approval of Common Area # 61 and Final Plat for Briar Chapel, Phase 16 South, Section 2**, consisting of 73 lots on 27.7 acres, located off SR-1528, Andrews Store Road, and Boulder Point Drive, Baldwin Township, parcel #82829.

**Attachments:** [More Information from Planning Department Website](#)

*Planner Lynn Richardson reviewed the specifics of the request.*

*Vice Chair Hales asked if the Planning Board had a minority report. Ms. Richardson stated no. Vice Chair Hales believes the parking is an ongoing issue and problem.*

*Commissioner Dasher stated he had some concerns about the modification to the road and how that happened.*

*Nick Robinson, attorney for NNP-Briar Chapel, LLC stated the pre-2008 Subdivision Ordinance does allow for some discretion. There is no way that the stub-out will turn into a crossing over the creek without coming back to the Board for approval.*

**A motion was made by Commissioner Dasher, seconded by Commissioner Howard, that this Agenda Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty

## **MANAGER' S REPORTS**

*The County Manager stated Chatham County is not the third most obese county in the state as was stated during public input. Chatham County is more like the eleventh county at the top instead of at the bottom.*

*She will be out of the office on Monday and Tuesday of next week and on vacation July 8-15.*

## **COMMISSIONERS' REPORTS**

*Commissioner Howard asked if the the MPO works with county staff. The County Manager stated yes. Commissioner Howard asked if it would be possible to have briefings from staff prior to the MPO meeting. The County Manager stated she would speak with county planning staff.*

Chairman Crawford stated he will be part of the Board of Health delegation traveling to Columbus, Ohio next month. He was also voted the Vice Chair of Board of Health. He stated the Board passed a Lease Inducement Agreement with the Town of Pittsboro on the consent agenda. It allows the property on Salisbury Street to be made into a new city hall. Commissioner Dasher stated he would like a joint press release with the town about the agreement between the town and the county.

Vice Chair Hales stated she is on the Environmental Steering Committee of the NC Association of County Commissioners and she recently attended a meeting. They discussed the commitment in the state to solar. North Carolina has the second largest commitment in the country with three gigawatts. They also discussed the riparian buffer exemption from property taxes. That would be a \$27 million dollar loss to counties across the state. The County Manager stated the County would lose about \$1.9 million dollars in property tax. She stated the Volkswagen settlement has \$13 million dollars coming to North Carolina and the question is what will they do with that money. They are looking at funding to attract new employers to the state and funding repowering of vehicles that result in the use of alternative fuel vehicles, engines and parts that are manufactured or assembled in the state. Vice Chair Hales stated she attended the Racial Equity Workshop Institute's training last week and Commissioner Dasher also attended. She recommends all Board members attend.

## **ADJOURNMENT**

**A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this meeting be adjourned. The motion carried by the following vote:**

**Aye:** 4 - Chairman Crawford, Vice Chair Hales, Commissioner Dasher and Commissioner Howard

**Absent:** 1 - Commissioner Petty