



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, September 18, 2017

6:00 PM

Historic Courthouse Courtroom

Work Session - 2:00 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

PUBLIC INPUT SESSION

Amanda Robertson submitted the following comments:

I have been before the Board twice in the last six months to talk about the methane resolution. I am really happy to see it on the agenda for a vote today. Hopefully you all will vote to pass it. This is something new that I am handing out. It came out about a week ago from the North Carolina Council of Churches. I want to read some of it for the record today.

"As people of faith, we proclaim our belief that our world is God's creation, that God sees it as good, and that it is ours to protect and maintain. As Governing Board members of the NC Council of Churches we represent nearly a million and a half North Carolinians, from many faith traditions, who share a common teaching: we are charged by our Creator with caring for creation (Genesis 1:28, 2:15), and are called to be faithful stewards of that which is entrusted to us (Luke 16:1-13)."

"As faith leaders of the 21st Century we are well aware of the detrimental effects on the atmosphere of our continued use of fossil fuels and we oppose the continued development of a fossil infrastructure that is literally killing our planet. The Union of Concerned Scientists report that burning fossil fuels shows us the visible cost to our ecosystem, but the hidden costs are much higher. Fracked gas is extremely dangerous. Besides being flammable, gas pipelines emit a significant source of methane emissions through leaks large and small, a material 84 times more detrimental to our atmosphere than carbon dioxide. No pipeline is a hundred percent leak proof, no matter the guarantees and insurances that come from the manufacturer."

"We resolve that any new investment in energy infrastructure based on the extraction of fossil fuels is morally reprehensible and, as people of faith, we believe it is an abuse of the God-given gift of creation for which we are charged to care."

This is not a religious institution. I know that but I share this today because I think it sends a voice to how many members of this group stand behind the decision to move away from fracked gas, from natural gas infrastructure in the State of North Carolina. I learned recently that natural gas is between 90-95% methane. This is really evil stuff. I ask you to please do everything you can to stop this from continuing to be used in

our state. The first move would be to send this resolution on to Governor Cooper and ask to stop this. Thank you.

Chris Tommerdahl submitted the following comments:

On behalf of my neighbors in Polks Landing, we want to thank you, our Commissioners, the Planning Board and the Planning Staff for your attention and responsiveness over the last several months. We want to extend that thank you to our Commissioners, the Planning Board, and Planning staff, especially Angela and Jason. We are so grateful for your open communication and the time and thought that you've put into not only this rezoning, but also into the County's planning guidelines for the future. We really appreciated that many of you came to our neighborhood to visit the site and speak with us on several occasions. We've been impressed with your ideas and leadership and this has helped make the last few months a very positive experience for our group. Although many of us didn't know each other before the rezoning was proposed, the process has encouraged our neighborhood to come together, meet new people, and work toward a common goal. Thank you for offering this process and for giving residents such an accessible means of affecting Chatham's future!

BOARD PRIORITIES

17-2335

2017 Third Quarter Employee of the Quarter Award-Cara Coppola, Planner II, Planning Department

Courtney Goldston introduced Cara Coppola, Planner with the Chatham County Planning Department. Ms. Coppola joined Chatham County on January 4, 2016 and she hit the ground running from the moment she started, taking on the coordination of the Transportation Advisory Committee and Chatham's participation in regional transportation efforts. More importantly, in this short time, she has evolved into the project manager for the comprehensive planning process which involves meeting with the steering committee and consultants, meeting and presenting materials to advisory boards throughout the county, updating the website, and reviewing documents and drafts. This is by far the largest long-range planning efforts in recent years, and has a tremendous impact on the county's growth and development plan for years to come. Cara's work on this project is immeasurable and the plan would not be progressing as well as it is without her efforts. This work is far above what is expected of an entry-level planner and far beyond the initial scope of her job. It is because of her excellent work and leadership on this project she has been named the recipient of the 2017 Third Quarter Employee of the Quarter award.

Chairman Crawford presented Ms. Coppola with the Third Quarter Employee of the Quarter Award.

The County Manager introduced the new Chatham County Emergency Operations Director, Steve Newton. Mr. Newton thanked the Board for the opportunity to serve the citizens of Chatham County.

17-2313

Vote on a request to adopt Resolution to Slow the Climate Crisis by Reducing Methane Emissions from Natural Gas Systems

Attachments: [Methane Resolution](#)

Mike Petruska, member of the Climate Change Advisory Committee, stated the Committee voted to bring this resolution to the Board of Commissioners for adoption.

Vice Chair Hales asked if other jurisdictions had passed the resolution. Jim Warren, Director of NC Warn, stated Orange County adopted the original resolution. The NAACP has also adopted the resolution.

Chairman Crawford read the resolution into the record.

A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that Resolution #2017-30 to Slow the Climate Change Crisis by Reducing Methane Emissions From Natural Gas Systems, 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

[17-2317](#)

Receive Annual Report from the Environmental Review Advisory Committee

Attachments: [ERAC Report FY 2016 - 2017](#)
 [ERAC 2016 - 2017 Presentation](#)

Terry Schmidt, Chair of the ERAC, gave a presentation to the Board. (Presentation attached)

Vice Chair Hales agreed that requirement for environmental impact assessments should be included in the UDO.

This Agenda Item was received and filed

[17-2325](#)

Receive the Transportation Advisory Committee 2016-2017 Annual Report.

Attachments: [Annual Report 2017](#)
 [TAC roster](#)
 [TAC Presentation](#)

Ed Reagan, Chair of the Transportation Advisory Committee, gave a presentation to the Board. (Presentation attached)

Commissioner Hales stated she would like for the meeting to look at new data to be in addition to the quarterly meetings.

This Agenda Item was received and filed

[17-2326](#)

A request to receive the Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC MPO) presentation and comment on Chatham County Projects being considered in the 2045 Metropolitan

Transportation Plan (MTP).

Attachments: [More Information from Planning Department Website](#)
[PowerPoint Presentation](#)
[Map of Chatham Specific Highway Projects - 2045 MTP Alternatives Analysis](#)

Andy Henry with the DCHC-MPO gave a presentation to the Board. (Presentation attached)

Vice Chair Hales asked if there was a multiuse path in the Chatham County Transportation Plan. Mr. Henry stated he would look into it.

[17-2318](#)

Vote on a request to approve Proposed Revisions to the Advisory Committee Policy & Addendums

Attachments: [Advisory committee policy proposed changes Sept 18 2017](#)
[Advisory committee policy addendum proposed revisions Sept 2017](#)

Debra Henzey, Community Relations Director, reviewed the specifics of the request. The proposed changes in the policy relate to the timing of advisory committee annual reports to the Board of Commissioners. The addendum proposed changes reflect the reformation of the Affordable Housing Advisory Committee and changes to the Transportation Advisory Committee.

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

[17-2334](#)

Vote on a request to approve Formation and Organization of Human Relations Task Force

Attachments: [Human Relations recommendations for Sept 2017 BOC meeting 2](#)

Debra Henzey, Community Relations Director, gave a presentation to the Board. (Presentation attached)

A motion was made by Vice Chair Hales, 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

[17-2314](#)

Request to appoint Chatham County Commissioner to the Aging Plan Steering Team

Attachments: [AgingPlanSteeringTeamLetter](#)

Tansy Long, Policy Analyst, reviewed the specifics of the request.

Chairman Crawford volunteered to serve on the Steering Team.

The Board gave unanimous consent.

[17-2315](#)

Set Dates of January 2018 Board of Commissioners Retreat.

The Board agreed to reserve the following dates for the 2018 January Board of Commissioners Retreat:

- January 9, 2018*
- January 10, 2018*
- January 11, 2018*
- January 12, 2018*
- January 23, 2018*
- January 24, 2018*

Once staff hears from Commissioner Petty they will choose three dates for the retreat.

CLOSED SESSION

[17-2337](#)

Closed Session to discuss matters relating to economic development.

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 attorney-client privilege. 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 Dasher, seconded by Commissioner Howard, 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: 5 - Chairman Jim Crawford, Vice Chair Diana Hales, Commissioner Walter Petty, Commissioner Mike Dasher and Commissioner Karen Howard

INVOCATION and PLEDGE OF ALLEGIANCE

Commissioner Hales invited all in attendance to observe a moment of silence after which the Chairman invited everyone present to stand and recite the Pledge of Allegiance.

CALL TO ORDER

Chairman Crawford welcomed those in attendance and called the meeting to order at 6:05 PM.

APPROVAL OF AGENDA and CONSENT AGENDA

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2327](#)

Vote on a request to approve the August 21, 2017 Work and Regular Session Minutes

Attachments: [Draft Minutes 08.21.2017](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2338](#)

Vote on a request by The Sprott Center to use a portion of the money designated for renovations for technology for a computer lab.

Attachments: [Sprott Youth Center Computer Request](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2339](#)

Vote on a request to accept up to \$33,400 in the current fiscal year for funding of nutritionist position.

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2270](#)

Vote on a request to approve \$717.53 Travel Reimbursement from Healthiest Cities & Counties

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2271](#)

Vote on a request to approve \$11,597 Maternal Health, Family Planning and Child Health - State Funds Reduction

Attachments: [\\$11,597 MH - CH - FP - State Funds Reduction](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2272](#)

Vote on a request to approve \$14,623 Minority Diabetes Prevention Program Funds.

Attachments: [\\$14,623 Diabetes Funds](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2306](#)

Vote on a request to approve \$592 Sexually Transmitted Diseases (STD) Treatment Funds.

Attachments: [\\$592 Communicable Disease Funds Addendum](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2303](#)

Vote on a request to approve the re-naming of one private road in Chatham County

Attachments: [ABE BURNETT PETITION](#)

[ABE BURNETT MAP](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2308](#)

Vote on a Request to Approve a Pyrotechnics Display at the Bennett Baptist Church, 68 E. Bonlee Street, Bennett, NC 27208, on October 28, 2017.

Attachments: [Attachment A-N.C.G.S 14-410 N.C.G.S.14-413.pdf](#)
[Attachment B-Pyrotechnics Letter of Request.pdf](#)
[Attachment C-NC Pyrotechnics Operators License.pdf](#)
[Attachment D-Certificate of Insurance.pdf](#)
[Attachment E-ATF License.pdf](#)
[Attachment F-Display Area Site Map.pdf](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2309](#)

Vote on a request to approve Annual Settlement and Order of Collection

Attachments: [FY16-17 Annual Settlement \(Signed by Kep Kepley 8-9-17\)](#)
[Order of Collection](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2310](#)

Vote on a request to approve Animal Control Ordinance with revisions.

Attachments: [8-28-17 Ordinance](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2307](#)

Vote on a request to adopt Project Ordinance concerning body cameras for the Sheriff's Office. Approve the purchase of body cameras on GSA contract in the amount of \$74,417.44 from Watchguard. Approve trade in of in car camera microphones.

Attachments: [Project Ordinance Body Cameras v1](#)
[Chatham CT SD-NC - VISTA Charging Base Kit - GSA Quote](#)
[Chatham CT SD-NC - VISTA WF with Back Office -New EL4- GSA Quote](#)

A motion was made by Commissioner Howard, seconded by Commissioner Dasher, that this Ordinance, attached hereto and by reference made a part

hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2266](#)

Vote on a request to adopt a resolution proclaiming September 2017 as World Rabies Awareness Month

Attachments: [September 2017 - BOC World Rabies Awareness Month](#)

A motion was made by Commissioner Howard, seconded by Commissioner Dasher, that Resolution #2017-31 Proclaiming September 2017 as World Rabies Awareness Month, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2320](#)

Vote on a request to approve Tax Releases and Refunds

Attachments: [August 2017 Release and Refund Report](#)
[August 2017 NCVTS Pending Refund Report](#)
[July 2017 Manual NCVTS Pending Refund Report](#)

A motion was made by Commissioner Howard, seconded by Commissioner Dasher, 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: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2321](#)

Vote on a request to approve Tax Department - Tax Write-Off

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2322](#)

Vote on a request by Freehold Communities on behalf of F-L Legacy Owner, LLC for subdivision Preliminary Plat review and approval of The Legacy, Phase 4A2, consisting of 43 lots on 8.56 acres, located off Big Woods Road, S. R. 1716, Williams and New Hope Townships, parcel #17378.

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

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2323](#)

Vote on a request to approve by Lee Bowman, Project Manager on behalf of NNP Briar Chapel, LLC for subdivision Preliminary Plat review and approval of **SD East**, consisting of 11 lots which includes 7 non-residential subdivision lots, 2 exempt over 10 acre lots, and 2 stormwater pond lots, located off US HWY 15-501, on 31.31 acres, Baldwin Township, parcel #18911

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

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2329](#)

Vote on a request to approve Fiscal Year 2017-2018 Budget Amendments

Attachments: [Budget Amendment 2017-2018 Sept](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2336](#)

Vote on a request to authorize Larilee Isley to sign Chatham County Agriculture & Conference Center Rental Agreements.

Attachments: [Final Event Contract.dotx](#)

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

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

End of Consent Agenda

PUBLIC INPUT SESSION

Gene Brooks gave the Board a brief history of Chatham County. The people he talks to out in the county tell him that it cost \$10,000 in fees to build a house. Some people he has talked to have said that their taxes have gone up two or three times due to the increasing value of their homes. He urged the Board to send out a newsletter and get businesses to advertise in it.

Terri Tyson submitted the following comments:

I am speaking on the request by Briar Chapel. I moved to Briar Chapel this past May

from Orange County. I have enjoyed living there. Newland has done a good job developing Briar Chapel and should be allowed to increase the number of residences as they have requested. They have included many features that developers are often asked to include when creating a neighborhood. They were recently cited as one of the best communities nationally. Any dire consequences of adding to the total is an exaggeration. Let's share. This will allow more families the opportunity to live in a nice neighborhood. The new elementary school will make Briar Chapel and nearby neighborhoods even better places to live. Briar Chapel has a lot of trails, green space and more families should get to appreciate the amenities. Newland and the excellent builders that they work with should be allowed to keep doing the job they have been doing. The expansion request should be granted.

Ms. Tyson asked how she can find out about what went on in the Work Session. Chairman Crawford stated the video of the discussion will be available in the next day or two. Commissioner Petty stated she could also sign up on the County website to receive updates on any Board of Commissioner Meeting.

Emily Moose submitted the following comments:

I would like to state for the record that while I serve on the Planning Board I am here as a private citizen and resident of the county that I love. I am here to ask for the removal or relocation of the Confederate monument on the courthouse circle. It was erected in 1907 during a period of brutal disenfranchisement of African Americans. If your connection with the statue is to honor loved ones, I believe there are better places to do that. A cemetery or a museum or another place that is more appropriate. For other people, the statue represents something very different and very painful. I have black colleagues, colleagues of color who say that this statue does not invite them into the county. It does not encourage civic participation or civic involvement. Understanding that the statue represents something very different and very painful and valuing one's neighbors as well as one's own should be enough to support removal or relocation. I realize as a Board you are operating under political constraints but I believe you have an opportunity here to do something really important and long overdue. I don't think that there is going to be a communal epiphany one day where this takes place. I think this could be a moment for you to do something impactful. I don't think we need to wait for a national or state law to address this or for the nation to finish a discussion about Thomas Jefferson and George Washington. This is our community and we should have the power to say what does and doesn't represent our ideals. This is the most prominent monument in our entire county and it is the welcome mat. When people come here for the first time this is what they see. Is this really what we want to be the first symbol that people see? Do we really feel that this upholds the expectation of equal treatment under the law when there is a confederate statue guarding the courthouse. I have long roots in the south. My great, great, great grandfather fought in the Civil War for the Confederacy and died with a Union bullet in his neck. This stuff runs deep. I understand that a lot of people see heritage in this but I think we need to respect the history of all of our residents and not take a slice of one experience of history and uphold that. I understand that this is difficult but I don't think it is impossible. I would love to be part of a discussion or community dialogue to move this forward. Thank you.

PUBLIC HEARINGS

[17-2324](#)

A Legislative public hearing request by Elkins Sawmill to rezone a portion of property, consisting of approximately 57.41 acres, located off of King Road, Parcel No. 5595, from R1, Residential to IH, Heavy Industrial.

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

Zoning Administrator Angela Birchett reviewed the specifics of the request.

Hayes Fennley, attorney for the applicant, addressed the Board.

Chairman Crawford asked what the applicant intends to do on the land. Ms. Fennley stated the intended use is to move and expand the mulching operation.

Vice Chair Hales asked about buffers. Planning Director Jason Sullivan stated it would be a one hundred foot building setback from the adjoining properties. He stated if the intended use of the land is for a mulching operation it will require a Conditional Use Permit in addition to the rezoning.

Ms. Birchett stated staff talked with the applicant in great detail about going forward with a conditional district zoning versus general use zoning. The applicaiton stated "however, in order to add that simple limiting condition the ordinance requires they file for conditional zoning district application, which includes a detailed site plan which is time consuming and costly and a full blown environmental impact statement prepared by an environmental engineer, also costly and time consuming, that gets into issues such as historic properties, endangered species, etc. all so you can limit the property to what most citizens would consider an environmentally desirable use." Ms. Birchett stated if they intend to have a mulching operation the ordinance requires a conditional use process. That is another three to six month process after this three month process.

Jay Elkins, applicant, addressed the Board. He stated he started selling ground hardwood mulch ten years ago. The business has grown and he has no room to expand. Triangle Brick allows him to store logs on their property. He needs to expand but he has to determine if it is worth it. He spoke with two different engineers and to do a stormwater runoff plan they want \$30,000 - \$50,000. He is already paying a lawyer to help with the process. He is not trying to slight the County in any way. If anything he will be paying more taxes and generating more money.

Ms. Fennley stated the Zoning Ordinance on the website most recently had mulching as a permitted use but they will proceed with the current process.

The Chairman opened the hearing.

No one signed up to speak.

The Chairman closed the hearing.

This Agenda Item was referred to the Planning Board.

BOARD PRIORITIES

[17-2316](#)

Vote on a request to adopt Resolution Proclaiming September 2017 as Senior Center Month

Attachments: [SeniorCenterMonth2017 \(1\) \(2\)](#)

Chairman Crawford read the resolution into the record.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, that Resolution #2017-32 Proclaiming September 2017 as Senior Center Month, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

[17-2165](#)

Vote on a request by NNP Briar Chapel for a revision to the Chatham County Compact Community Ordinance, Section 6.2 Maximum Size, to increase the dwelling unit cap from 2,500 to 2,650.

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

Planning Director Jason Sullivan reviewed the specifics of the request. This is the first of two items that are running concurrently. This is a request to amend Section 6.2 of the Compact Communities Ordinance. NNP-Briar Chapel, LLC is requesting that the dwelling unit cap be raised from 2,500 units to 2,650 units. A public hearing was held on May 15, 2017. People spoke both in favor and in opposition of the text amendment. The Planning Board discussed the request in July and August and voted 7-3 to recommend approval of the text amendment. The Planning Board also voted 7-3 to recommend adoption of a consistency statement.

Mr. Sullivan stated the Board's decision would affect not only Briar Chapel but any compact community to come forward in the future. The Board agreed to hold off on voting on the text amendment until after they discussed the Conditional Use Permit request.

[17-2168](#)

Vote on a request by NNP Briar Chapel for a revision to the Conditional Use Permit to (1) revise the civic site at the intersection of Andrews Store Rd and Parker Herndon Rd (possible Chatham County elementary school site) on master plan to allow for full development of the site (rather than just 2 acres as shown), (2) create the possibility of having up to 2,650 residential units (currently approved for 2,500), (3) revise the master plan map to reduce the perimeter buffer (a) from 100' to 50' along the frontage with Chapel in the Pines church (at the church's request); (b) from 100' to 50' along the short boundary with Duke Energy ROW at SD-N; and (c) from 100' to 75' along Phase 15-S boundary to eliminate the need to build a retaining wall within the perimeter buffer, (4) revise the color key table on the master plan map to reflect adjustments to residential densities in particular locations, and (5) update the moderately priced dwelling unit requirement for any increase above the original 2,389 approved units.

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

Planning Director Jason Sullivan reviewed the specifics of the request. This is a quasi-judicial item and a public hearing was held on May 15, 2017. Anyone who spoke did so under oath. He instructed the commissioners to disregard any comments they received outside of the public hearing.

The request to increase the dwelling unit cap to 2,650 is to increase the cap to allow for multifamily housing. The total number of multifamily dwelling units will not exceed 350 units. If NNP-Briar Chapel, LLC utilized all 350 multifamily units it would draw down on some of the single family units for a total of 2,300 single family units.

Another part of the request is to reduce the perimeter buffer to fifty feet where Briar Chapel property adjoins Chapel in the Pines. That is to accommodate some additional parking requested by Chapel in the Pines.

There is also a request to reduce the perimeter buffer for Lot 4 in SD North to allow for additional parking.

There is a buildable area restriction on the civic site at the intersection of Andrews Store Road and Parker Herndon Road. They are requesting to have that removed so that the entire acreage could be used for more build upon area. This is the area the school system is interested in purchasing for the elementary school.

There is an area adjacent to Phase 15 South and the application included a request to reduce the 100 foot perimeter buffer to 75 feet. The Planning Board recommended denial of this piece of the request and the applicant has agreed to it.

Mr. Sullivan reviewed the revised plan received today. The plan includes a voluntary 50 foot buffer around the Dollar property.

There is a requirement in the Compact Communities Ordinance for a provision for affordable housing or an acceptable payment in lieu. Staff and the applicant worked together to come up with a reasonable accommodation for the increase in units. Briar Chapel would continue to pay \$460.44 per unit, which is part of the original agreement from 2005. They have agreed to double that amount moving forward for any units over the 2,389. They will pay \$920.88 per unit, including multifamily units.

Another issue about a road crossing came up since the Planning Board discussion. The road crossing was approved in 2005 and somehow between 2012 and 2014 revisions the road crossing was deleted from the plan. Briar Chapel is requesting the road crossing across the creek be added back to the plan.

The planning staff has worked with the applicant and the applicant has agreed to include a statement that the maximum number of single family units be limited to 2,389.

[17-2165](#)

Vote on a request by NNP Briar Chapel for a revision to the Chatham County Compact Community Ordinance, Section 6.2 Maximum Size, to increase the dwelling unit cap from 2,500 to 2,650.

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

A motion was made by Commissioner Petty, seconded by Commissioner Dasher, that Resolution #2017-33 Adopting a Consistency Statement for the Approval of an Amendment to the Compact Communities Ordinance, attached

hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Petty, Commissioner Dasher, Commissioner Howard, Chairman Crawford and Vice Chair Hales

A motion was made by Commissioner Petty, seconded by Commissioner Dasher, that this Ordinance, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

17-2168

Vote on a request by NNP Briar Chapel for a revision to the Conditional Use Permit to (1) revise the civic site at the intersection of Andrews Store Rd and Parker Herndon Rd (possible Chatham County elementary school site) on master plan to allow for full development of the site (rather than just 2 acres as shown), (2) create the possibility of having up to 2,650 residential units (currently approved for 2,500), (3) revise the master plan map to reduce the perimeter buffer (a) from 100' to 50' along the frontage with Chapel in the Pines church (at the church's request); (b) from 100' to 50' along the short boundary with Duke Energy ROW at SD-N; and (c) from 100' to 75' along Phase 15-S boundary to eliminate the need to build a retaining wall within the perimeter buffer, (4) revise the color key table on the master plan map to reflect adjustments to residential densities in particular locations, and (5) update the moderately priced dwelling unit requirement for any increase above the original 2,389 approved units.

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

A motion was made by Commissioner Petty, seconded by Commissioner Dasher, that Resolution #2017-34 Approving a Revision to the Conditional Use Permit by NNP-Briar Chapel, LLC, attached hereto and by reference made a part hereof, be adopted. The revisions include increasing the dwelling unit cap from 2,500 to 2,650, reduce the perimeter buffer to 50 feet at Chapel In The Pines, reduce the perimeter buffer to 50 feet for Lot 4 in SD North, remove the buildable area restriction on the civic site at the intersection of Parker Herndon Road and Andrews Store Road, add the 50 foot voluntary buffer adjacent to the Dollar property, incorporate the revised site plan with a modification to a stream crossing description, Condition #20 regarding the affordable housing payment will be modified, the revised site plan will be incorporated into the Conditional Use Permit, the language will be modified to incorporate all of the changes to the Conditional Use Permit to reflect changes that have occurred since 2014, and item #2 will be revised to reflect the maximum number of dwelling units will be 2,650 but single family units will be limited to 2,389. The motion carried by the following vote:

Aye: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard

MANAGER' S REPORTS

The County Manager stated she has received Brunch Bill recommendations from the Convention and Visitors Bureau and the Economic Development Corporation. The Board gave unanimous consent to put it on the October 16th agenda and have a public hearing at 6pm. Staff will send out a press release to let citizens know about the public hearing.

COMMISSIONERS' REPORTS

Commissioner Petty stated he would like the commissioners to gather donations for the hurricane victims. He has a truck and a driver. Chairman Crawford stated he would talk to the Manager at Lowe's Hardware to see if they could park the truck there to collect the donations. Commissioner Howard stated she would come up with a list of acceptable donations.

Chairman Crawford stated he went to the Mayors and Chairs Meeting where there was a presentation by the NC Rural Center. Most of the Board will attend TJCOG Summit next week in Clayton.

Vice Chair Hales received unanimous consent from the Board to sign letter stating Chatham County will participate in the Jordan Lake One Water Association. She stated the commissioners have received letters and comments asking the Board to increase its membership from five to seven members. She requested the County Attorney to explain the process and the state law for increasing the number of members on a County Board of Commissioners and the process for district and at large voting. The County Attorney stated he would be prepared by the next Board meeting.

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: 5 - Chairman Crawford, Vice Chair Hales, Commissioner Petty, Commissioner Dasher and Commissioner Howard