



# Chatham County, NC

## Legislation Text

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**File #:** 22-4463, **Version:** 1

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Vote on a request to approve by Brad Haertling, P.E. of American Engineering on behalf of Contentnea Creek Development Co. for Subdivision First Plat review and approval of Summit Terrace, consisting of 26 lots on 56.15 acres, located off Mt. Gilead Church Rd (S.R.1700), Parcel 19355.

**Action Requested:**

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**Introduction & Background:**

**Zoning:** R-1 Residential

**Water System:** Public Water

**Sewer System:** Individual Septic Systems

**Subject to 100 Year Flood:** No special flood hazard area within the development.

**General Information:**

The subdivision process is a four (4) step process: Concept Plan, First Plat, Construction Plan, and Final Plat. The applicant has completed the community meeting and the Concept Plan review. The minimum lot size requirement for the project is 40,000 square feet of useable area. The Planning Board has two (2) meetings in which to act on the proposal.

**Discussion & Analysis:**

The request is for First Plat review and recommendation of Summit Terrace Subdivision consisting of 26 lots on 56.15 acres, located off of Mt. Gilead Church Rd (S.R. 1700). A vicinity map showing the property location (attachment #2) is included in the agenda packet. The parcel ID is 19355. Per the Subdivision Regulations, section 5.2C(4), a public hearing shall be held at the first planning board meeting to receive comments on the proposed subdivision. Item (b) states that following the public hearing, the planning board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval, or approval subject to modifications. As stated above the Planning board has two (2) meetings to act on the proposal.

The planning board reviewed the first plat submittal at their August 2<sup>nd</sup> meeting. Planning staff gave a

brief presentation of the staff report and there were no public comments. One question was regarding the stub out on the north end of the plat. Mr. Haertling explained that county staff had requested road connectivity to future phases, as there was a large piece of land to the north of the property. Caroline Siverson, who attended the site visit, asked the developer if they had plans to preserve the nice oak trees that she observed on her visit. The applicant said they had plans to have private covenants to ensure the trees are not disturbed. The planning board also had questions about the historic cemetery and its preservation. The applicant explained they would be placing a fence around the cemetery, and it would be clearly marked. Also, there will be access to the cemetery.

The planning board also had questions about suitable soils. The applicant said that the lots were big enough that finding soils should not be a problem. Overall, the comments were positive, and the questions and concerns were answered by the applicant. The planning board voted unanimously to recommend approval.

**Roadways:** Summit Terrace Dr, Amhurst Dr, Southbury Dr and Archway Dr. are shown on the plat as 50' right of ways with 20' wide travel way. During the Technical Review Committee held on July 13, 2022, Jennifer Britt with NC Department of Transportation informed the applicant that a 60-foot-wide right-of-way is required since the roads will be state maintained.

**Historical:** Following the TRC meeting, Sy Robbins sent an email to planning staff summarizing the concerns of the Chatham County Historical Association. The comments were particularly focused on the cemetery on the property. Having the cemetery boundaries well marked during construction activities would be important to avoid accidental damage--especially since this cemetery, like many of the old ones in Chatham, doesn't look much like a cemetery to the untrained eye. Any removal of trees and growth in the cemetery should be done with particular care not to disturb the graves and fieldstone markers. The packet also includes a narrative from the Chatham County Historical Association.

**Schools:** At the time staff was preparing these notes, the applicant had not received any correspondence from Chris Blice.

**Timbering:** It looks like there could have been some timbering on this property in the past. There is also significant pastureland and some of the wooded area may have historically been pasture.

**General Environmental Documentation:** The General Environmental Documentation was included with the application and reviewed by Watershed Protection Department staff.

**Community Meeting:** The applicant held a community meeting at 50 Windfall Creek Dr. Chapel Hill, NC on May 4<sup>th</sup>, 2022 from 6pm to approximately 7:30pm. No issues were noted by adjacent property owners as they only had general questions regarding what was being proposed. They asked about lot size and price point of homes. They asked if access was going to be maintained to the existing cemeteries, and if proposed septic field would have any effect on the existing neighboring wells and if screening would be required along Mt. Gilead Church Rd. No changes are anticipated to the layout because the residents were satisfied that access to existing cemeteries was being maintained and

the price of the homes would be comparable to other new home construction in the area.

**Technical Review Committee:** The TRC met to review this project at their July 13<sup>th</sup> meeting. Discussion included the location and spacing of fire hydrants, grading for a cul-de-sac near a buffer, mail kiosk location, street lighting, and right-of-way width.

**Septic:** Each lot will be served by individual private septic fields. Central Carolina Soil Consulting, PLLC submitted a soil/site evaluation to the applicant on January 24<sup>th</sup>, 2017. The report is attachment 5.

**Water:** The site is served by a 12" county water line on Mt. Gilead Church Rd, and a 6" county water line is also on the property.

**Road Names:** Summit Terrace Dr, Amhurst Dr, Southbury Dr and Archway Dr. were submitted Emergency Operations and were deemed accepted. The roads are shown on the plat as 50' right of ways with 20' wide travel way.

**Water Features:** The site has three intermittent stream segments, two perennial stream segments, and three potential wetlands. The intermittent streams require a 50-foot buffer from the top of bank. The perennial streams require a 100-foot buffer from top of bank. The wetlands require a 50-foot buffer from the flagged boundary landward.

**Special Flood Hazard Area:** There are no special flood hazards identified on the property.

**Stormwater and Erosion Control:** There are three stormwater devices on the site. One BMP is to the northeast of lot 24. Another BMP is situated between both perennial stream buffers north of lot 21 and the Amherst Dr. cul-de-sac. The third BMP is located adjacent to lots 16 and 18.

**Site Visits:** July 15<sup>th</sup> at 9am and July 18<sup>th</sup> at 5:30pm. Planning Board members Clyde Frazier and Caroline Siverson, along with planning staff attended the site visit on the 15<sup>th</sup>. Photos from the site are provided in the notes and additional photos can be viewed online. It is planning staff opinion the proposed First Plat meets the requirements of the Subdivision Regulations.

#### **How does this relate to the Comprehensive Plan:**

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. The entirety of this project is located within the rural designation on the future land use and conservation map. The description for rural includes single family homes on large lots, low density development, mix use of agriculture, home-based and small-scale businesses, open space, greenway trails, protected lands, and conservation easements.

The proposed subdivision meets the adopted riparian buffer and stormwater control standards of the county. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to

identify future regulatory changes.

**Recommendation:**

The planning board, by unanimous vote, recommends granting approval of the road names Summit Terrace Dr., Amhurst Dr., Southbury Dr., and Archway Dr. and granting approval of subdivision First Plat for the Summit Terrace Subdivision with the following conditions:

1. Approval of the First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners.
2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.