From: Terrazas, Ashley Honeycutt <ashleyterrazas@parkerpoe.com>
Sent: Wednesday, June 18, 2025 1:58 PM
To: Jason Sullivan <jason.sullivan@chathamcountync.gov>
Cc: Jeannette Lucas <jlucas@samsxpress.com>; Bob Hagemann <rhagemann@poynerspruill.com>; Bryan Thompson <bryan.thompson@chathamcountync.gov>
Subject: RE: Sam's Express Waiver - 310 Market Chapel Rd

Hi Jason,

Thank you once again for taking the time to meet with me a couple of weeks ago and for removing the Sam's Xpress waiver from the Board's June 16th agenda. I truly appreciate your assistance here.

As we discussed, I have had the opportunity to review the documents you sent me concerning the history of the Briar Chapel Special Use Permit (SUP) to make sure I wasn't missing anything. And I wanted to follow up with you, Bob, and Bryan to discuss the application of the SUP and the Compact Communities Ordinance (CCO) to Sam's Xpress's current wastewater treatment plan for their project in Briar Chapel.

Sam's Xpress is proposing to treat its wastewater as follows: Domestic wastewater (i.e., sinks and toilets) will connect to the Old North State private wastewater system servicing the primarily-residential Briar Chapel development. Other wastewater will be recycled and reused, and any that cannot be reused will be stored in large underground storage tanks on-site. This wastewater will then be hauled away by a third party at Sam's Xpress's expense, to be treated at an off-site wastewater treatment facility that holds the necessary permits from NCDEQ to treat the wastewater. This "pump and haul" plan could be permitted by NCDEQ with a separate permit, as confirmed by correspondence with NCDEQ submitted to the County. Importantly, no buffer areas required by the Briar Chapel SUP or the CCO will be impacted by this plan.

As you know, all property in Briar Chapel, including the Sam's site, is subject to the CCO and the Briar Chapel SUP. Section 7.2 of the CCO states that "**[w]astewater treatment shall occur at centralized wastewater treatment facilities either on-site or at existing, previously permitted off-site facilities as permitted by [NCDEQ]**." Sam's current proposal aligns with this requirement. Their domestic wastewater will be treated at the centralized wastewater facility that serves Briar Chapel, the Old North State facility, and the remainder of its wastewater will be treated at a different, previously permitted, off-site wastewater treatment facility with the necessary NCDEQ permits. Additionally, there is no requirement in the Briar Chapel SUP that mandates Sam's Xpress's wastewater be treated at the same facility that now handles the rest of Briar Chapel's wastewater. Stipulation 13 in the CUP/SUP resolutions, originating from the 2005 CUP and carried through the 2012 and 2014 amendments to the current 2017 version, mandates that "[t]he Applicant shall demonstrate availability of adequate water and wastewater supplies to serve the property" and "[a]dequate wastewater treatment service for the entire project area shall be designated and approved by the appropriate

regulatory agency prior to the issuance of a preliminary plat for each phase and constructed at no cost to the County." Sam's Xpress has demonstrated compliance with this stipulation and will obtain the necessary permit from NCDEQ to dispose of its wastewater at an appropriate off-site facility at no cost to the County.

I understand why the original wastewater treatment plan proposed by Sam's Xpress last year required a waiver from CCO Section 7.2, as it included a septic system with a septic field impacting the buffer required by the CCO – neither of which is permitted without a CCO waiver approved by the Board of Commissioners. However, the current proposed plan involves collecting non-recycled wastewater underground and paying to transport it to an off-site facility, which is permitted by NCDEQ and allowed by the terms of the CCO. Therefore, it does not require a waiver.

I acknowledge that there was not a discussion about this when Sam's initially submitted the current proposed plan earlier this year, and they proceeded with the waiver request as they had with their previous septic plan, mistakenly assuming it was necessary. And I understand that this proposed wastewater plan is not one you have seen before in a compact community in Chatham County. So I kindly request that you review this proposal again in light of the ordinance's language, and allow Sam's to proceed with permitting its wastewater treatment plan with NCDEQ, so that it can finally move forward with its project to provide a permitted new car wash to serve County residents and contribute to the County's tax base, which it has been planning to develop on its property for over four years.

Please let me know if you think it would be helpful to discuss further after you have had a chance to review, and I would be happy to set that up.

Kind regards,
Ashley Terrazas
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Associate

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