

**Lynn Richardson**

**From:** Nick Robinson [robinson@bradshawrobinson.com]  
**Sent:** Wednesday, November 30, 2005 11:10 AM  
**To:** Lynn Richardson  
**Cc:** Keith Megginson; Mike Lewis; Bob Blitchington; Dave Erlien  
**Subject:** Triangle/Blitchington

Lynn:

I appreciate your patience on this one. The purpose of this email is to request deferral of the Planning Board decision on this matter as outlined below.

Below is a description of where we are with DWQ and the permitting process. I want to assure you, the Planning Board and the Commissioners that we are and have been working steadily to effectuate a wastewater treatment solution for this property. When we filed the application initially, no one had any idea that the FerrelGas building and a mobile home have for years been sharing a septic field. The Chatham County Environmental Health department was just as surprised that both parties had permits to do so. All parties have since worked cooperatively to try to push through approval of a new system for the FerrelGas building that will, once and for all, separate the two systems.

We request a deferral on Planning Board consideration until such time as the DWQ permitting process has run its course. It would seem a waste of good and conscientious effort, as well as money, to cause a precipitous decision on this application when the results of that would be to force the building to stand vacant for an even longer period of time, render a nullity all of the effort that has gone into correcting a long-running problem and increase the cost to the owner or future applicant.

The length of the deferral does have an outside date which is 90 days from the date of application to DWQ (November 7). Remember that we had initially applied to the State for a flow reduction which was denied, hence the recent application to permit a completely different and creative pre-treatment system. All parties anticipate an answer on the permit fairly soon but we cannot control how long it takes for the State to respond. We would commit to giving Planning Staff an update prior to notes going out for the January meeting and, if necessary, prior to the February meeting.

Here is some of the text of an email from Mike Lewis, the agent involved for Mr. Blitchington. Mr. Lewis has been in contact with all of the relevant parties regarding the status:

*Don Wells (of S&EC) says that S&EC's work is complete. He did give me the contact for DWQ, Mr. Mack Wiggins, who did the site visit with S&EC in mid November. He submitted his report to the Central Office to a Ms. Jackie Nowell, the permit writer, on November 22<sup>nd</sup>.*

*At the site visit, Mr. Wiggins indicated that some revisions to the pre-treatment system were necessary which S&EC did get done and did send to Ms. Nowell. She did actually receive them today (11/29/05). Once she receives the report from Mr. Wiggins, she will then send the revised system and Mr. Wiggins' report to the NC Division of Environmental Health for their review and approval or denial. If they approve it, then she will send the permit to Jason Cullen with Ferrellgas. She did agree to notify me when this is done.*

Please let me know if the deferral will be granted.

Thanks. Nick Robinson