

I live at 1942 Rock Rest Road with my husband, David. Our approximately 92 acres borders Shivley 3 - what we call the Banner Land - on the south for some 1400 feet. A small creek runs through the length of our land from where the Banner Land, Brooks-Wechsler land and our land meet to Dry Creek and then into the Haw River. This branch drains part of the Banner Land.

In addition we have a 60' easement through the Banner Land to get to our property.

The project now known as Shivley Phases 1, 2 & 3 started as a stand alone development of 12 lots and was approved as such. A development of that size has its own set of regulations. Now it has had two more sections added to it - having the cumulative effect of making it a major subdivision of more than 50 lots.

As each parcel of land contiguous to and extending The Bluffs is added, there is an added cumulative environmental pressure placed on the remaining land that is not cut into five acre parcels. From Dry Creek on the south to the bend in the Haw at the north edge of the Banner Land and west to Old Graham Road there is over 1400 acres that had 19 houses on it and will now have ten times that number, most of them on small parcels of land.

While the planning department recommends for Shivley 3 only that the developers do environmental studies for threatened species no consideration is given to the larger effect caused by the cumulative development.

Never mentioned are other environmental impacts - the impact on animal and plant life in general, impact on resident human beings. I do not know what the impact will be or even how to predict what the impact will be on the numbers and kinds of animals that will be on my land when Shivley is built out. I cannot say what will happen to the wildlife food supply - plants and animals - when Shivley is built out. I cannot say what the effect will be on our well water when these houses have paved streets and fertilized lawns. Are these effects not worthy of study?

What is the rush to grant sketch design approval without a full environmental study as well as the study of endangered species? After all, the developer does not want preliminary approval for five years. Why can this not be an orderly process where the developer does the studies, reports the results and then sketch design approval is granted or denied - why grant conditional approvals with only the recommendation that the developer consider adjustments?

Please look at and consider the effects of these hundreds of acres of development carefully.

Judith Peterson

November 6, 2006  
Judith & David Peterson  
1942 Rock Rest Rd  
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From Subdivision Application  
Sketch Plan  
10/15/2006

Shively - 56 Lots		Sketch Plan Approved		Submit Preliminary Plat	
	# Lots				
Phase 1	12	8/21/2006	**	Oct 2011	<i>Five Years!</i>
Phase 2	4	Submitted		Oct 2011	<i>Five Years!</i>
Phase 3	40	Submitted		Oct 2013	<i>Seven Years!</i>
Total	56				

I doubt that any of you would contract irrevocably today  
to buy, come what may, a new Ford F150 Pickup truck  
in October 2011.

Neither would you bother setting the County's annual budget today for the year 2011.

Prudence and common sense dictate that we delay such decisions until  
more is known about factors that might bear on them.

***Much can happen between now and 2011 -- prudence and common sense  
argue for deferring consideration of this revised sketch plan until a time  
closer to October 2011.***

\*\* The Commissioners' approval of the original sketch plan for Phase 1 on 8/21/2006 seems improvidently granted since it is based on a subdivision of only 12 lots, whereas subsection 4.B.(4) of the Chatham County Subdivision Regulations provide that an approved sketch plan for such a small subdivision remains valid for at most six months, during which time the Preliminary Plat is due. The schedule above calls for the Preliminary Plat in October 2011, well after the expiration of the existing Phase I sketch plan approval.

Monday  
November 6, 2006

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## Re Shively Development

Excerpt from letter from Soil & Environmental Consultants, PA  
To Robert Swain

Re: Natural Community Analysis for the Banner Tract (Shively Phase 3)  
October 16, 2006

From Page 1: Executive Summary

“There are four federally listed Threatened and Endangered species in Chatham County, NC, none of which were observed on-site during the field survey. Suitable habitat for State listed species: The Four-Toed Salamander, Sweet Pinesap, Carolina Ladle Crayfish, Buttercup Phacelia exists on property. In order to effectively survey for the State listed species further investigation would be required. Surveys for the The Four-Toed Salamander, Sweet Pinesap, and Buttercup Phacelia should be conducted in the spring.”  
(Underline added)

Chatham County Planning Board Agenda Notes

November 6, 2006

Attachment 12

Planning Department Recommendation for Shively Phase 3 Sketch Plan:

“It is the staff recommendation that field surveys be conducted for the following plants and animals during the times when they are most likely to be identified and if found the applicant is to consider modification of the preliminary plans to minimize adverse impacts to the population: Harperella, Buttercup Phacelia, Carolina Ladle Crayfish, Four-Toed Salamander, and Sweet Pinesap. During preliminary review the applicant is to report the findings of the surveys and what plan revisions were considered or implemented, if any.”

*Why grant approval now for a sketch plan that may prove infeasible as early as next spring? Why not wait until more is known about endangered or threatened species that may be affected? The preliminary plats for the three Shively phases are not anticipated before October 2011. It is not in the best interests of the county and its citizens for developers to be vested with rights prior to the time they are entitled to them under uniform application of county ordinances.*

*Approval of sketch plans for all three Shively phases should be deferred until closer to October 2011, and until more information about the suitability of the plans is in hand.*

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