



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

March 17, 2006

Mr. Keith Megginson
Planning Director, Chatham County Planning Department
P.O. Box 54
Pittsboro, NC 27312

Subject: Comments on Conditional Use Permit for a Planned Unit Development-- **Lystra Gardens**

Dear Mr. Megginson,

The North Carolina Natural Heritage Program is writing to express concern regarding the proposed Conditional Use Permit for the **Lystra Gardens** subdivision.

The attached map shows the location of three natural areas and six element occurrences tracked by the North Carolina Natural Heritage Program located in the vicinity of the proposed development. One of these natural areas, *Herndon Creek Ravine*, falls within the area proposed for development. Within Section 4 of the applicant's proposal, the applicant states that "The property does not abut any major wildlife areas, as identified in the Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina". This statement is misleading and incorrect, because the property does abut a natural area as identified in the inventory. As indicated in the application, the developer has taken no measures to reduce the impact of the proposed subdivision on the *Herndon Creek Ravine* natural area. One option would be to cluster the 30 acres of protected open space within and along the natural area, where it would have the greatest ecological value.

Although our maps do not show occurrences of tracked species or natural communities within the project area, it does not necessarily mean that they are not present. It may simply mean that the full tract was not surveyed during the inventory. The close proximity of rare plant and animal species to the site suggests the possibility for these species to occur within the project area. We highly recommend that a current botanical and zoological field survey of the 140 acre tract accompany this proposal.

Finally, we recommend that a natural wooded buffer of at least 300 ft. be preserved along Herndon Creek to protect the ecological integrity of the ravine, provide a corridor for wildlife, and limit the impact of nutrient and chemical loading to the creek and, ultimately, to Jordan Lake.

Sincerely,

Kristen Sinclair, County Inventory Manager
Natural Heritage Program

Enclosure
KES/kes

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