

Roland McReynolds, Esq.
1424 Bynum Ridge Road
Pittsboro, NC 27312
on behalf of Bynum Ridge Landowners Association

June 6, 2006

Keith Megginson, Director
Lynn Richardson, Land Use Administrator
Chatham County Planning Department
80-A West Street
Pittsboro, NC 27312

RE: Chatham Land & Timber Property

Keith & Lynn:

This letter is to make a formal written request on behalf of the Bynum Ridge Landowners Association (BRLA) that the County ask Crosland Inc. of Raleigh, NC, developer for the proposed 169-home community on the "Chatham Land and Timber Property" on Bynum Ridge Road, to prepare environmental and economic impact assessments (EIA) as a condition of preliminary plat approval for the development.

Individual members of the BRLA have had several opportunities to meet with Jim Anderson, Crosland (Raleigh) Vice President for Land Development, and the chance to speak with Edmund Waddill, Crosland (Raleigh) Land Development Manager. We have greatly appreciated the efforts of Mr. Anderson and Mr. Waddill to solicit input from neighbors in the areas surrounding the proposed development, and we believe that they take seriously our concerns regarding the development's impact on our community. The developer has demonstrated a level of understanding of the potential for environmental harms to Pokeberry Creek, the Haw River and Jordan Lake that might result from the proposed development. The developer has also indicated a level of appreciation for the potential economic impacts of the development, both on the surrounding properties and the County as a whole. **It is also clear from the developer's communications to BRLA members that a large number of variables make it difficult to project the full environmental and economic impacts of the development on the surrounding properties and the County as a whole at this time.**

Therefore, the BRLA believes it would be highly likely that the developer and the County alike will derive considerable value from the performance of the requested EIAs. These EIAs would allow the County to understand with more precision the range of potential impacts, based on a variety of assumptions, and therefore allow the County to more accurately forecast the need for mitigations of those impacts. The EIAs would also enhance the developer's ability to provide a community that meets the needs of the marketplace.

BRLA is familiar with the EIA requests submitted by Amy W. Osborne, JD, CPA, of 101 Hudson Hills Road (attached), and incorporates by reference herein the factors for consideration in preparation of any EIAs that are stated in Mrs. Osborne's letter.

Furthermore, with respect to an environmental impact assessment, BRLA believes particular attention should be given to the steepness of the slopes on the property proposed for the development. These grades make it much more likely that construction runoff, storm water from homes on built-out lots and impervious surfaces, and septic waste will enter into Pokeberry Creek and the wetlands surrounding it, with potentially negative impacts on the Haw River and Jordan Lake.

With respect to an economic impact assessment, BRLA believes particular attention should be paid to the demands the development would place on the County's water and education infrastructure:

1. As you are aware, the County has set an impact fee per new home that is far less than the actual cost of school capital construction needs generated by each new home, possibly as much as \$3,800 less according to the County Budget Office and up to \$5,000 less according to the Tischler study of Briar Chapel.
2. As you are also aware, the County is grappling with significant issues related to water supply and the ability to provide water to newly-approved developments. According to the Chatham County Water Advisory Board, the County's combined operating and capital expenses per water system hookup exceed the current tap fee by approximately \$1,500. Moreover, with the aging of a great deal of the County's existing water infrastructure, there is an open question as to whether the County can afford to supply water to new developments. And an investigation of the capacity of the currently proposed water line to supply Williams Pond is required to ensure it can also supply the development proposed for the Chatham Land & Timber Property.
3. As you are also aware, the North Carolina Environmental Management Commission will promulgate in the near future rules requiring local governments in jurisdictions surrounding Jordan Lake to bear the cost of cleaning up the Lake to restore it to 2001 pollution levels.

While the developer expects the development to be "high-end," it does not expect it to be as "upscale" as the adjoining Williams Pond development. The developer's representatives have stated that they cannot at this time project the sale prices of the homes in the proposed development, and therefore it would be impossible to understand the impact of the water and school construction needs created by the proposed development on the County's fiscal condition without a thorough impact assessment. The assessment would also allow the County to ensure the revenue generated to the County by development will cover the costs of any impairments of Jordan Lake that might result from the development.

Any economic impact assessment should also address the consistency of the development with the character of Bynum Ridge Road, especially with respect to natural vegetative buffers and compliance with the County's lighting guidelines, as the character of Bynum Ridge Road directly impacts the value and marketability of surrounding residences.

For the reasons stated above, BRLA respectfully requests the Planning Board require economic and environments impact assessments, as provided for under Section 5.2 of the Chatham County Subdivision Regulations and Chapter 113A of the North Carolina General Statutes.

Thank you for your consideration of this request. Please feel free to contact either Joe Vargo, BRLA President, 542 0436, or Roland McReynolds, BRLA member and preparer of this letter, 545 0571, if you have any questions regarding this letter.

Sincerely,

Roland McReynolds, Esq.
on behalf of the Bynum Ridge Landowners Association

Amy W. Osborne, JD, CPA
101 Hudson Hills Road
Pittsboro, NC 27312

June 6, 2006

Chatham County Planning Department
80-A West Street
Pittsboro, NC 27312

RE: Chatham Land & Timber Property (proposed development)

To the Board:

I am hereby requesting that the following studies be made prior to this project moving further through the approval process:

1. **Environmental Impact.** Of utmost importance is the impact this proposed development will have upon the groundwater so many of us neighboring residents depend for daily life. Also of import is the impact of this proposed development upon the integrity and safety of waters flowing through Pokeberry Creek, which feeds the Haw and ultimately Jordan Lake.
2. **DOT.** Many neighbors are concerned about the increased traffic on Bynum Ridge road, the placement of proposed entryways and the possibility that the road may need turn lanes or widening to accommodate the increased traffic from this second Major Subdivision on the road. Those of us with property abutting the road are concerned that our property is at risk of being commandeered to support road projects not currently planned but necessitated by the proposed community.
3. **Superintendent of Schools.** Given the current and projected status of our schools, it is appropriate and possible to refer this proposed development (some +/-302 acres) to the Superintendent of Schools for review as to whether any school site will be needed.
4. **Economic Impact.** This is a grave necessity for this project. Issues 1-3 raise economic concerns for the existing residents of the area in which the development is proposed.
 - a. Regarding **Issue #1**, should there be contamination to the ground water as a result of the proposed development, surrounding neighborhoods lacking water infrastructure face an infrastructure cost of +/- \$80,000 to install same. Costs to be borne by all residents of the already-existing and developed area, presumably. For illustrative purposes only, an existing development of say 25 homes would each be responsible for \$3,200 of an \$80,000 infrastructure bill despite ability or willingness to pay. After that, each existing homeowner would face the \$2,040 County tapping fee, costs to connect each individual home to the tap and an ongoing monthly water bill which is not currently required. In the event existing homeowners are unable to pay, the County must consider whether the citizens would be left to drink contaminated water or seek assistance from the County. Costs for monitoring the water quality, litigation, or resulting health consequences should also be included in the study.

- b. Regarding **Issue #2**, property and bodily injury damage from increased vehicular accidents must be considered. Moreover, it would be unfair for the proposed development to fail to compensate neighbors for any property which would be lost as a result of road work which is not currently needed but which would become necessary given the proposed development. These costs could be great for each existing individual homeowner, depending on the amount of land at risk. The proposed developer has within his control from the outset the ability to correctly and appropriately place road connectors, ingress and egress sites and to properly set aside the land needed to support turn lanes or road widening if necessitated by the development. In any case the developer should bear these new costs, not the surrounding property owners.
- c. Regarding **Issue #3**, Chatham County already has a huge problem with lack of space and funding for the schools. This proposed development should be studied for its impact on the school system, and the propriety of including a school site within the proposed +/-302 acre development.

In addition, there are other economic issues which must be considered, including but not limited to:

1. increased service calls for theft-related issues during construction, noise and light pollution issues and traffic concerns.
2. changes in the number of legal residents.
3. provisions of housing for persons of low and moderate means.
4. costs for provision of public services (examples in the regulations are schools, police protection, road maintenance).
5. demands on public utilities.
6. changes in property tax revenue.
7. increased demand for refuse disposal service.
8. harmony with the character of surroundings.

It is my understanding and belief based on discussion with the proposed developer that the company has not conducted DOT, environmental groundwater studies nor economic impact studies. Accordingly, the current sketch proposal does not adequately address these concerns.

Given the severity of the potential impact on neighboring residents, and ultimately on the County, the County should pursue all possible means of studying the impacts and requiring such mitigation by the developer as is necessary to support the proposed development.

Amy W. Osborne, JD, CPA