



July 17, 2006

Chatham County Board of Commissioners
P.O. Box 87
Pittsboro, N.C. 27312

Re: Public Hearing Request - Contentnea Creek Development Corporation - Zoning Change from RA 5 to RA 90 on 130 acres off Hatley Road, New Hope Township

Gentlemen:

Good evening. I am Loyse Hurley, President of Chatham Citizens for Effective Communities. I live at 16 Matchwood in Pittsboro.

This proposal does not include any specifics. It's a boiler plate rezoning request and should not be granted without specifics as to what is actually planned to be built on the property. In effect, they are asking you to approve a rezoning blindfolded. Their plans are contingent on the County supplying water to the property and do not contain any plans for sewage treatment. There's nothing mentioned in the proposal that addresses stormwater. Yet the more dense zoning would allow for more impervious surface and impact stormwater run off. If rezoned it would allow approximately 65 homes with the 2 acre zoning as opposed to the current allowable 26 with 5 acre zoning. The property is in the impaired Jordan Lake watershed and is zoned at RA5 for a reason - to protect the lake. Unless and until you have a more detailed plan before you, this should not be granted.

Thank you,

Loyse Hurley, President
CCEC

PO Box 412 Pittsboro, NC 27312

BLANCHARD, JENKINS, MILLER, LEWIS & STYERS, P. A.

L A W Y E R S

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July 24, 2006

VIA FACSIMILE AND FEDERAL EXPRESS

Mr. Keith Megginson
Planning Director
Chatham County Planning Department
80-A East Street
Pittsboro, North Carolina 27312

Re: Contentnea Creek Request for Rezoning Cooper Tract RA-5 to RA-90

Dear Mr. Megginson:

Following last Monday's public hearing, Contentnea Creek would like to supplement the record in this case and correct one of its responses to a question. We recognize the importance of land use decisions and want to make sure that the Planning Board and County Commissioners have complete and accurate information on which to base their decisions.

First, Contentnea Creek was concerned that the statements made by the two persons speaking in opposition to the rezoning application might be construed to apply to those actually owning property along Hatley Road in the area of the parcel in question.

In fact, as I represented at the public hearing, this is the unusual case in which the neighbors do not oppose the requested zoning change, and, in fact, are willing to express their support for Contentnea Creek's project. **Enclosed are five letters from neighbors to Ms. Jonna Birtcher expressing their support for the rezoning**, in response to Ms. Birtcher's discussion and meetings with them..

Second, although Ms. Birtcher was unaware of the NOV's and answered the questions asked of her to the best of her knowledge last Monday night, her further

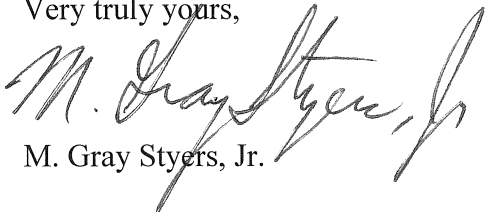
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research later in the week revealed that Contentnea Creek had received two NOV's for sedimentation run-off at a road construction site during heavy rains in February and March. The situations were corrected, the creek was cleaned up, and the road construction completed in compliance with all state regulations and to the satisfaction of DENR, as indicated by subsequent inspection reports.

As I mentioned at the public hearing, run-off at a road construction site can occur at creek crossings regardless of the lot density – whether RA-5, RA-90, or RA-40. Because neither Contentnea Creek nor its building contractors have cleared any lots other than what is necessary for the driveway and building footprint, the actual lot development and home construction (as opposed to the road construction) has not had any impact (even temporarily) on the creeks or other surface waters. Therefore, although it is important for Contentnea Creek to provide this information to make sure its statements at the hearing are accurate, it is neither related to, nor indicative of, any issues arising from the pending request to rezone the Lloyd Cooper property from RA-5 to RA-90.

Thank you for the opportunity to provide this additional information. It is important to us that all of our testimony and documents provided at public hearings are always complete and accurate. We appreciate your consideration of this request and look forward to seeing you at the August 1 Planning Board Meeting.

Very truly yours,

A handwritten signature in cursive script that reads "M. Gray Styers, Jr." The signature is written in black ink and is positioned above the printed name.

M. Gray Styers, Jr.

Enclosures

Cc: Ms. Jonna Birtcher
Ms. Karen M. Kemerait

Letter from Jack and Milota Salay

From: Jack Salay [mailto:jamilupe@gmail.com]

Sent: Friday, July 21, 2006 2:55 PM

To: jonna@contentneacreek.com; LAJ@invernessfarms.com; Brett@velociter.us;
laura_cerruti@agilent.com

Subject: Cooper Development on Hatley Road

Dear Jonna,

My name is John Salay (Jack) and I live with my wife Milota on the property located at the corner of Creekstone Drive and Hatley Road (Parcel # 17418).

I have been verbally corresponding with our neighbor, Linda Johnson, and following up with other resources regarding the rezoning of the proposed Cooper subdivision from RA-5 to RA-90. This change, as well as Contentnea's intention to upgrade Hatley Road to NCDOT standards and extend county water utilities, concerns us.

Since our property is a humble size compared to those surrounding us, and our home is relatively close in proximity to Hatley Road, our situation is quite different than those of our neighbors – specifically the Johnson's, Mr. Lawrence, and the Davidson's. We will be directly impacted by the effects of the road construction phase, as well as the repercussions thereafter in the form of thru traffic. Because of this, it would be preferable if we could be privy to the details of the proposed project plan so that we may predict any potential grief that we may experience. Additionally, we would like to have some assurance on the schedule and outcome for both the road improvements and the utility additions.

Based on these stipulations and your current proposal, Milota and I still support the Cooper development plan due to its capability for enhancing property values while maintaining the rural feel and premium stature of the area and not adversely affecting the existing groundwater situation.

Regards,
John W. and Milota R. Salay
28 Creekstone Drive
Pittsboro, NC 27312

Letter from Dr. Mike Davidson

-----Original Message-----

From: Mike Davidson [mailto:mike_davidson@ncsu.edu]
Sent: Tuesday, July 18, 2006 9:54 AM
To: jonna@contentneacreek.com
Subject: Cooper Subdivision

Ms. Birtcher:

Thank you for speaking with me on 18 Jul 06 regarding the proposed Cooper subdivision on Hatley Road. I also appreciate the invitation to attend the community meeting you held on 13 Jul 06, but was out of the country. As you know, my wife own the 67 acre parcel of land which includes a tract adjacent to the proposed development on the north side of Parker's Creek, and are one parcel east of the development on the south side.

I have no objections or concerns with your proposal to increase the zoning density to approximately 2 acre parcels, and would in fact welcome the development in terms of the opportunity for paving and state-maintenance of Hatley Road between the proposed development and Windfall development, access to county utilities for our home on the north side of Parker's Creek, and the opportunity to discuss a shared crossing of Parker's Creek. With regards to the latter, our intent is to establish another crossing of Parker's Creek at some point in the future, as our current culvert crossing is somewhat unstable, traversing a steep incline, and prone to flooding. We are interested in minimally disturbing Parker's Creek in this regard, and if there were some mutually beneficial arrangement that could be made with the planned crossing(s) to your parcels on north side of Parker's Creek, that would negate the need for our planned second crossing, I would welcome the opportunity to discuss this further.

Again, I thank for your time in answering my questions and those of the Hatley Road community, and wish you success with your proposal.

Mike Davidson

Michael Davidson, D.V.M.
Associate Dean and Director of Veterinary Medical Services
Professor, Ophthalmology
Veterinary Teaching Hospital
College of Veterinary Medicine
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Raleigh, North Carolina USA 27606

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email: mike_davidson@ncsu.edu

Letter from Reggie Wright - adjacent property owner.

From: Wright, Reggie [mailto:a098341@Allstate.com]

Sent: Tuesday, July 18, 2006 9:16 AM

To: jonna@contentneacreek.com

Subject: The Cooper Property

Ms. Birtcher,

This note is to thank you for the time you and your staff spent with me and other concerned property owners regarding your rezoning request and proposed plans for the Cooper property. As the property owner immediately adjacent to your proposed development I had quite a few reservations and worries about the impact to the area in general and specifically my property. It was a very enlightening meeting and it put to bed any misgivings and/or concerns that I had relative to your development plans. Your staff was professional and listened to the questions and provided very clear insight into the proposed subdivision.

I did a bit of research on other properties which were developed by Contentnea and found that your company does quality projects which blend into the community with minimal disturbance. This was a big plus in my thought process! I was very pleased with what I have learned of your plans and your company, both Pearl and I hope that you are successful in your rezoning petition.

If I can be of assistance with your petition please let me know.

Regards,

Reginald M. Wright

From Brett Lawrence, who, along with his wife, Laura Cerruti, own land on Hatley Road that adjoins Windfall on one side and Dr. Davidson on the other.

From: Brett [mailto:Brett@TheLawrences.com]
Sent: Tuesday, July 18, 2006 2:29 PM
To: jonna@contentneacreek.com
Cc: 'Linda Johnson'; laura_cerruti@agilent.com
Subject: 1085 Hatley Road - Support of Proposed Development

Dear Jonna,

I'm Brett Lawrence and together with my wife Laura Cerruti, own the property at 1085 Hatley Road, bordering the North side of Hatley Road, immediately adjacent to the Wyndfall development, from Hatley Road to Parkers Creek.

I received a call today from Linda Johnson, our neighbor on Hatley Road [on copy here]. Linda explained to me the proposal for rezoning the 130-acre Cooper property from RA-5 to a 2-acre minimum subdivision. She also explained that the intention was for the developers to both upgrade Hatley Road so that it met NCDOT standard and also to install county water in the roadbed between Wyndfall and the proposed Cooper property development...

I wanted to let you know that my wife and I support this rezoning request. We feel that a 2-acre zoning would not result in any substantive change to the planned purpose for our property. Further, we believe that this rezoning and the resulting influx of upper-middle and upper income residents will provide an improvement in the neighborhood feel and attractiveness of the area and would substantially enhance the areas ability to attract the businesses and service providers that would make living in the area more convenient.

Regarding the installation of water lines in the road bed, we also support this proposal, but we would ask for a firm commitment to upgrade Hatley Road to NCDOT standards as a caveat for our support. Given the difficulties of maintaining a gravel road and the long term problems that will inevitably result from disturbing the existing roadbed, we do not want the existing road disturbed unless there is a written commitment to upgrade the road after installing the necessary utilities.

We would be pleased to indicate our support as described above in any manner that would help you to gain approval for the proposed rezoning. Please let me know who to contact or feel free to pass along this message.

I would appreciate it if you would copy me on any forwarding of this message.

Regards,
Brett Lawrence & Laura Cerruti

Current Address:
1402 Jacob Ave.
Keller, TX 76248
Home: 817-337-3010
Mobile: 817-808-8189
Brett@TheLawrences.com

Letter from Linda and Brian Johnson

-----Original Message-----

From: Linda Johnson [mailto:LAJ@InvernessFarms.com]
Sent: Tuesday, July 18, 2006 8:39 PM
To: jonna@contentneacreek.com
Subject: Cooper Development on Hatley

Jonna,

As you are aware, we own the approximate 60 acres on Hatley Road directly adjacent to your Windfall development and across the street from your proposed Cooper subdivision. Our corporation, Carolina Capital Advisors, owns 22.5 of the 60+ acres (lots 80069 and 80070); we own the balance of the property personally (lots 68381 and 17423).

Due to our substantial real estate investment in properties along Hatley road, we are very sensitive to the types of development planned for this area. Your current Windfall and proposed Cooper subdivisions are examples of projects that will enhance the market values of surrounding properties by accelerating the construction of higher-end homes on premium, estate size lots. Due to the limited number of large lots available in other parts of the triangle, this creates a unique opportunity for Chatham County to attract a disproportionate share of high-end builders to meet the needs of affluent homeowners. This will substantially increase the residential tax base, without creating an undue burden on the educational system. This is in sharp contrast to the proposed boat storage facility at the Hatley/Mt. Gilead intersection, which is out of character with our residential neighborhood and will adversely affect further residential development and the market values of our properties.

As a result, we strongly support your proposed development of the Cooper property, including the rezoning of the property from 5-acre to 2-acre lots. Your individual subsurface septic systems should have no impact on surrounding properties and your use of county water will avoid any negative impact on current wells in the area.

However, given the difficulties and expense associated with maintaining Hatley as a private gravel road, if you do develop the Cooper subdivision as planned, we would require a firm and binding written agreement that would require you (the developer) to upgrade Hatley Road to NCDOT standards and pave the road between the Windfall and Cooper subdivisions. The installation of the water line will substantially damage the existing roadbed, which would place an undue burden on the existing private homeowners who currently maintain the Hatley road right of way.

The proposed water line, road improvements, and upscale Cooper development will continue to enhance our property values, while preserving the rural nature of Chatham County.

Linda A. and Brian D. Johnson
870 Hatley Road
Pittsboro, NC 27312