



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
10-15-07

PART A

Subject:

Request by James E. Dixon for subdivision preliminary design approval of **“Fieldstone Subdivision”**, consisting of 27 lots on 43 acres, located off SR-1532, Manns Chapel Road, Baldwin Township.

Action Requested:

See Recommendations.

Attachments:

The following may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2007.

1. Major subdivision application.
2. ArcView map, parcel #62205
3. E-mail and maps from George J. Retschle, P. E., Principal, Ballentine Associates, PA regarding wetland determination by the U.S. Army Corps of Engineers.
4. Preliminary map titled “Fieldstone”, prepared by Ballentine Associates, P. A., dated May 8, 2007.

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

County Attorney

Date Reviewed

Finance Officer

Date Reviewed

Budget Officer

Date Reviewed

PART B

Re: Fieldstone Subdivision

Introduction / Background / Previous Board Actions:

Zoning: RA-40 Water System: Public / Chatham County
Watershed: WSIV-Protected Area Sewer System: Private
Subject to 100 year flood plain: No

The Board of County Commissioners approved a sketch design on August 20, 2007 consisting of 27 lots on 43 acres. As stated in the sketch design notes, the application states 83 acres which includes the 20 acres shown on the sketch map as 'reserved by owner' and the 20.42 acres on the east side of the creek shown as 'reserved for future development'. The 20 acre tract contains a house that is not currently lived in and will be accessed off 'Runa Court'. Minimum lot size proposed is 44,030 square feet (1.01 acre) with an average lot size of 69,405 square feet (1.59 acre).

Issues for Further Discussion and Analysis:

The developer and owner of the property, James E. Dixon, is requesting preliminary design approval of "Fieldstone", consisting of 27 lots on approximately 43 acres.

Agency reviews required by the Subdivision Regulations for preliminary review have been received as follows:

| | | |
|----------------|-----------------------------|-----------------|
| CHATHAM COUNTY | Erosion Control Permit | April 5, 2007 |
| NCDOT | Commercial Driveway Permit | June 24, 2006 |
| NCDOT | Encroachment Agreement | June 24, 2006 |
| | Widening for left turn lane | |
| NCDOT | Road Plan Approval | May 11, 2007 |
| CHATHAM COUNTY | Public Works Department | March, 26, 2007 |
| | Water Plan Approval | |
| NCDENR - DWQ | Authorization to Construct | May 9, 2007 |
| | Water system | |

Copies of the above listed permits can be found on the Planning Department web site.

The Chatham County Emergency Operations Office has approved the road names '*Fieldstone Lane*', '*Linda Lee Circle*', '*Clarence Lane*', and '*Runa Court*'.

There is a stream that crosses the property that begins as an intermittent stream and then becomes a perennial stream as shown on the preliminary plat. The developer is providing a 100 foot water hazard setback / vegetative stream buffer per side along the perennial section of the stream (currently on the undeveloped portion of the property) and a 50 foot setback / buffer along the intermittent section. The U.S. Army Corps of Engineers has conducted an on-site visit to the subject property for wetland determinations. See map on Planning Department web site under *Fieldstone, Wetlands Information, item 2.* An area of isolated wetlands (Feature 'A'), not

Re: "Fieldstone Subdivision"

Issues for Further Discussion and Analysis – con't

subject to USACE jurisdiction was identified in the field. Feature 'B 1, 2 and 3' are contained within the stream buffers. Feature 'C' was identified as a jurisdictional wetland and is located mostly within proposed Lot 27 and is not required to be buffered. Feature 'D' was identified as a jurisdictional perennial stream w/ adjacent wetlands. This area has a 100 foot setback / buffer. Condition # 2 of sketch design approval which read "That the applicant will move the road, if necessary, to accommodate any wetland designations" was *removed by the Board of County Commissioners on September 18, 2007 and deemed not necessary since the determination was made by the U.S. Army Corps of Engineers that the area in question was not a jurisdictional wetland and of a size less than a tenth of an acre.*

Several members of the Planning Board expressed their concern that the roadway was not required to be moved.

Thomas Boyce, Chatham County Soil Specialist, has reviewed the soils report dated March 20, 2006 and found it adequate for preliminary design review. Prior to final plat submittal, a lot by lot review will be performed by a Chatham County Environmental Health Specialist. Based on this on-site review, some revisions to lot lines may be required and/or lots may be eliminated.

There were two conditions of sketch design approval as follows:

- 1) Language on the preliminary and final plats shall read "50 'water hazard setback / vegetative stream buffer". *This condition has been met. See preliminary plat.*
- 2) That the applicant will move the road, if necessary, to accommodate any wetland designations. *This condition was removed by The Board of County Commissioners on September 18, 2007 and deemed not necessary since the determination was made by the U.S. Army Corps of Engineers that the area in question was not a jurisdictional wetland.*

Recommendation: The Planning Department and Planning Board (by a vote of 7-1-2) recommend granting approval of the road names 'Fieldstone Lane', 'Linda Lee Circle', 'Clarence Lane', and 'Runa Court' and recommends granting the request for preliminary approval of "Fieldstone" as submitted.