

Planning Board Minority Report
The Glens - 109 Lots on 159 Acres, Old Graham Road

Request by Community Properties, Inc. on behalf of Hilda McBane for subdivision preliminary design approval of "The Glens" (fka McBane Property Subdivision), consisting of 109 lots on 159 acres, located off Old Graham Road, Hadley Township

Submitted March 8, 2007

Barb Ford, Jim Hinkley, Del Turner, Warren Glick, Judy Sharman

Planning Board March 6, 2007 Action: Voted to Recommend Approval 6 for; 5 against

The Board of Commissioners has asked the Planning Board to do a **rigorous review of applications for development and apply the principles of the land use plan.**

Although the current Subdivision Ordinance does not make a provision for request for Environmental Impact Statement at Preliminary Review under 5.2A, and an EIS was not requested by the Planning Board at Sketch, we believe The Glens still does not meet the conditions for approval for preliminary design based on the following criteria.

1. North Carolina General Statute and 153A in subdivision regulations... "will create conditions that substantially promote health, safety and general welfare". And
2. Under policies in our Land Conservation and Development Plan. #5. Ensure the long-term quality and availability of groundwater and surface water resources.

Based upon the testimony by Elaine Chiosso and Cynthia Crossen both on March 6, 2007 and July 2006, and site visits by Planning Board members, there is clear evidence of concern for further impairment of Dry Creek if the Glens is built out per preliminary plans.

Adjoining properties, Parks at Meadowview and Chapel Ridge have both received Notices of Violation and Fines by DWQ and DLQ for sediment erosion pollution. Dry Creek became impaired in 2005 by the amount of mud in the stream due to construction and was a degraded habitat for many aquatic species. This was after the assurance by the Developer's representative that there would be no impairment of Dry Creek by either development. This same developer's representative, Nick Robinson, again now states the Glens would not create a sediment erosion problem in Dry Creek.

Streams on the Glens property and adjoining properties are currently providing clean water to help the recovery of Dry Creek that leads into the Haw River.

S&EC's site visit and analysis by Todd Tugwell of US Army Corp of Engineers showed they did not recognize some of the wetlands and streams to be under the State's jurisdiction. However, S&EC admitted the streams were noted to be 18' (instead of the required 19' for Jurisdictional Determination) and that the site visit was held in July in very dry weather.

We would request for an independent review by DWQ to see if the streams are 19' so they will be classified under the jurisdiction of the state for intermittent streams. We'd also like an adequate determination of wetlands on the site - whether and how they are buffered.

Due to the nature of the land, high terrain, intermittent and ephemeral streams and the impact of cumulative development on Dry Creek leading to the Haw River, we are very concerned about the future impact to water quality if "The Glens" is built as proposed. **Is there really sufficient drinking water to supply this development? Will the demand of 2100 new homes (combined developments) on the water infrastructure overburden the Haw River, especially during dryer times of the year?**

In addition we are concerned about the cumulative impact on our already overcrowded schools and the growing traffic danger on a windy, 2-lane road like Old Graham.

We believe it is time to do a cumulative study of the effects of all the developments on Old Graham Road before any new developments are considered for approval. We ask that you consider denying this Preliminary Plat for approval until the studies are done.

Thank you for your consideration

Respectfully submitted by:

Barb Ford, Jim Hinkley, Del Turner, Warren Glick, Judy Sharman