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September 29, 2008

Ms. Lynn Richardson  
Chatham County Planning Department  
Post Office Box 54  
Pittsboro, North Carolina 27312

VIA HAND DELIVERY

RE: The Retreat on Haw River, Phase 2 (formerly known as "Williams Pond" and "Sanctuary at Haw River"); Conditions of Conditional Use Permit

Dear Lynn:

You asked that I send a summary of the status of compliance with the conditions to the conditional use permit issued for this project by resolution of the Board of County Commissioners dated March 21, 2005. I will handle them in the order they are set out in the resolution:

1. The first condition relates to the applicable standards for the private roads. The roads will be built according to the standards set forth in the first condition.
2. The second condition relates to a preliminary field reconnaissance archeological survey. That survey was performed and submitted to the Planning Department. By e-mail dated November 28, 2005, the Planning Director confirmed that the archeological reconnaissance survey satisfied the second condition.
3. The third condition relates to working with the Chatham County Historical Association ("Historical Association") in connection with any historic structures and cemeteries on the property. The structures (now deconstructed) and the cemetery were all located in Phase 1A and have been addressed in cooperation with the Chatham County Historical Association.
4. All wetland areas as designated on maps and in the field have been protected in the manner described by the fourth condition and, in most cases, the buffer area has exceeded the required amount.
5. The fifth condition was satisfied when the developer provided the required buttercup phacelia survey for the development property, which survey was approved by Planning staff on July 21, 2005.

**To assist in review of the buffers described in conditions 6-8, I have enclosed a map of the original lot numbers. I have added the new lot numbers by hand.**

6. With regard to the buffer areas described in condition #6, those limitations affect the lots as follows:

200' buffer from the bank of the Haw River: Lots 128 through 135

Additional 100' landward area: Lots 128 through 136

Additional 100' landward area: Lots 128 through 139

The required buffer zone areas are shown on the preliminary plat submitted. Further, the exact language of condition #6 is reproduced on the face of the plat in order to explain the 200' to 400' buffer areas.

7. Condition #7 requires the developer to donate to the State of North Carolina the area along the existing upper trail along the Haw River where it is located on the developer's property and a minimum of 20' along the landward side of the trail on certain lots. The condition also specifies that the developer shall donate a 20' strip along the landward side of the trail on Lots 10 through 21 (now Lots 128 through 139) and Lots 135 and 136. Lots 10 through 21 are now shown as Lots 128 through 139. Lots 135 and 136 are now shown as Lots 58 and 59 but were addressed as part of Phase 1A. The upper trail portion referred to and the 20' strip landward of the trail will be donated at or before the time of recordation of the final plat.

8. Condition #8 refers to a 200' buffer from the bank of Pokeberry Creek for certain lots. The lots referred to as Lots 21, 22 and 31 are the only lots that are in Phase 2 and those are now referred to, respectively, as Lots 139, 140 and 149. The rear lot lines of Lots 139 and 140 are significantly more than 200' from the edge of Pokeberry Creek. With regard to Lot 149, there was a very small section of the rear corner of Lot 149 that would fall inside the 200' buffer. We have modified the lot line to keep the lot outside 200 feet. C E Group will forward a pdf of the map revision. With respect to the sentence in condition #8 that requires a 50' buffer along the back property line of the other lots along the creek and the State lands, please note that the sketch design plat had the lots running all the way down to the edge of the creek. The revised (and currently shown) rear lot lines are all well beyond 50' from the edge of the creek as you can see on the plat. Therefore, this condition is met.

9. Condition #9 shall be complied with (lighting).

10. Condition #10 was satisfied as construction commenced prior to the second anniversary of the permit issued.

11. The plat is in compliance with condition #11.

12. This condition (regarding watershed management) requires approval of certain plans regarding impervious surface prior to issuance of the zoning determination permit (i.e., at the time of residential construction and issuance of a building permit). These plans would be due

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much later in the process. However, we have provided a letter from C E Group, Inc. giving a good picture of the watershed management and impervious surface plans.

13. See paragraph 12 above.

Conditions 14 through 19 relate to a later stage of the process.

Condition #20 has been met by submission of the approved erosion control plan with this application.

Conditions 21 through 26 are general conditions all of which have or will be complied with.

If you have questions regarding the above, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nicolas P. Robinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

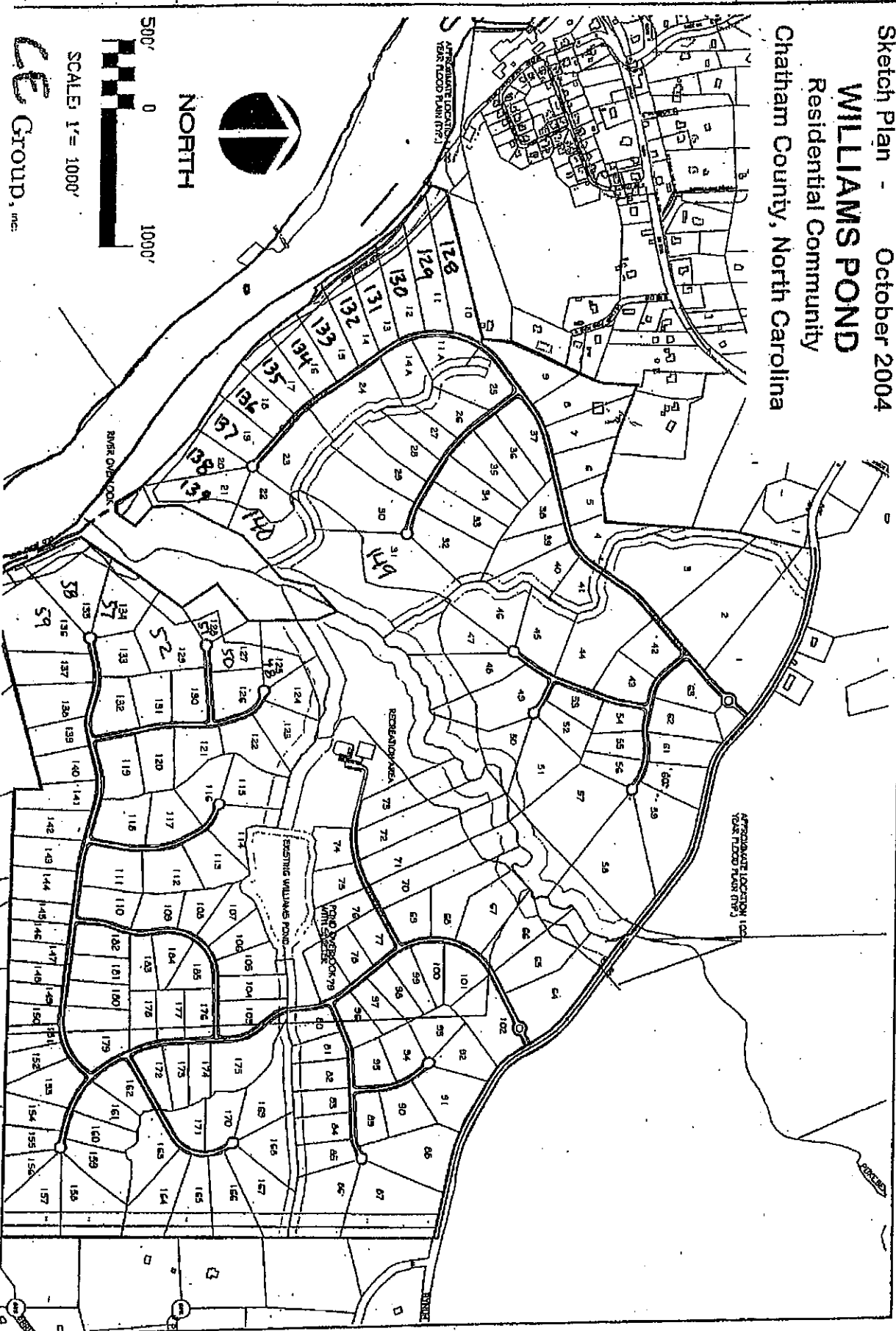
Nicolas P. Robinson

NPR:jbs

c: Scott Munday  
Michael Zaccardo

Sketch Plan - October 2004  
**WILLIAMS POND**  
Residential Community  
Chatham County, North Carolina

LOT # REPERBNCE



500' 0 1000'

SCALE 1" = 1000'

CE Group, Inc.