

Application for Conditional Use Permit

BELMEADE FARMS, LLC

APPLICANT AND LAND OWNER

BELMEADE CEMETERY AND MEMORIAL GARDENS

OCTOBER 17, 2008

STATEMENT OF VISION

The Belmeade Cemetery and Memorial Gardens will provide a long-term high quality interment solution for the residents of Chatham County and the other residents of the Triangle regional area, who desire historical garden style settings as a place of maintaining their generational burial heritage.

The picturesque cemetery and memorial gardens of Belmeade Farms will be designed in keeping with the natural preservation philosophies embodied in historic rural cemeteries. Belmeade Farms, LLC ("Applicant") is proposing the cemetery for a 194.38 acre site in northern Chatham County, North Carolina.

The cemetery grounds include acres of woodlands and dedicated open space that attract many species of birds and wildlife. In addition, Belmeade Farm's landscape contains notable trees which represent the state's beauty; specifically, flowering dogwood, weeping cherry, tulip, magnolia, white and red oaks, pines, elms and maples.

The Applicant desires to create a pristine, beautiful and peaceful environment so as to allow families to mark the significance of their loved ones' lives for future generations.

In our fast-paced society there must be maintained a resting place of beauty, representing honor and dignity where existing families and the generations to follow may visit their history and the love ones who have paved the road before them. The cemetery and memorial gardens at Belmeade will be such a place, a setting with gardens, dedicated wooded open space and unprecedented natural beauty. Unlike the cemeteries of open fields, often without any reflection of the wonder of creation, Belmeade will uniquely maintain the area of woodlands and streams in a park like setting. Applicant envisions trails for quiet times of meditation and quaint prayer chapels for times of reflection and recounting of priceless memories.

Belmeade intends to establish an ongoing history of the lives upon which the future of our area will be built, preserving for thousands of families in a masterful style natural setting the traditions and sacred values of their lives. This uncompromising cemetery will draw people from near and far as a place of remembrance and natural beauty while providing needed services for the residents in the present and for many decades in the future.

ZONING DISTRICT AND PERMIT REQUEST

Applicant is applying to Chatham County for approval of a Conditional Use District and Permit to allow for use of the Belmeade property as a private cemetery and memorial gardens. The entire 557 acre parcel was previously approved as a 197 lot subdivision known as "Belmeade." Applicant seeks at this time approval of only a 194 acre portion (the "Property") as the site for a cemetery and memorial gardens. In order to allow for the same under the Chatham County Zoning Ordinance, the zoning of the property must be changed from RA-40 to O/I. Thus, Applicant seeks a conditional use O/I district and permit for the Property to allow the cemetery and memorial gardens use of the Property and for uses and structures customarily ancillary to such uses.¹ The proposed site plan is attached as **EXHIBIT A**.

The conditional use permit request is made pursuant to Section 15 of the Chatham County Zoning Ordinance. As is set forth in detail in this application, the proposal is consistent with the provisions of the zoning ordinance and the Chatham County Land Conservation and Development Plan (the "Land Use Plan").

¹ Applicant has contemporaneously applied for an O/I conditional use district for the Property site depicted on EXHIBIT A attached hereto.

APPLICATION FOR
ZONING DISTRICTS
CONDITIONAL USE DISTRICTS
CONDITIONAL USE PERMITS

Chatham County Planning Department
P.O. Box 54
Pittsboro, NC 27312

Tel: 919/542-8204
Fax: 919/542-2698
Email: angela.birchett@ncmail.net

(1) Applicant Information:

Name: Belmeade Farms, LLC _____
Address: 6208 Fayetteville Rd.
Durham, NC 27713 _____
Phone No: (h) _____
(w) 919-806-3262 _____
(m) _____
Email: bluskies@intrex.net _____

(2) Landowner Information (as shown on deed)

Name: SAME AS APPLICANT _____
Address: _____
Phone No: (h) _____
(w) _____
(m) _____
Email: _____

(3) Property Identification:

911 Address: _____

S.R. Name: Highway 64 West _____
S.R. Number: _____
Township: Center Township
Acreage: 194.38 acres _____
Flood map #: 3710972200J and 3710972100J
(7-13-2005)
Flood Zone: AE and X _____

PARCEL#: See Attached_
P.I.N #: See Attached

Deed Book: 1254__ Page: 791 Yr: 2006
Plat Book: 95 Page: 165
Current Zoning District: RA-40
Watershed District: Local Watershed

(4) Requested Zoning District, Conditional Use District, OR Conditional Use Permit:

Applicant requests a Conditional Use Permit for CU-O/I use of the Property to include a cemetery and memorial gardens area as well as associated and ancillary structures and uses.

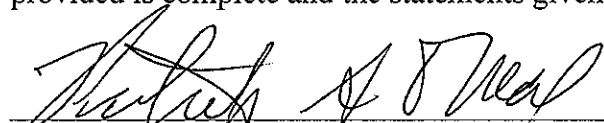
(5) Directions to property: Travel on U.S. Highway 64 W from Pittsboro towrd Siler City. The Property is located on the south side of U.S. 64 just past Adolph Taylor Rd.

(6) Attach the following, if requesting a zoning map amendment:

List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
Written legal description
Map of the property at a scale of not less than 1 inch equals 200 feet
Explanation of request addressing applicable portions of Section 17.3B of the Chatham County Zoning Ordinance

(7) Attach Submission Materials Checklist Information (see Submission Materials Checklist form)

I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.



Belmeade Farms, LLC

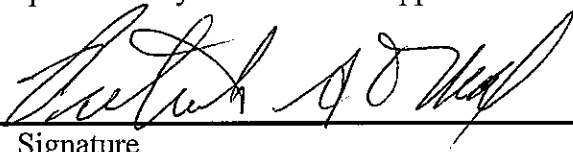
Signature

10/15/08

Date

The owner must sign the following if someone other than the owner is making the application.

I hereby certify that _____ is an authorized agent for said property and is permitted by me to file this application.



Signature

10/15/08

Date

Belmeade Farm Cemetery
PARCEL AND PIN NUMBERS

<u>LOT NUMBER</u>	<u>PARCEL NUMBER</u>	<u>PIN NUMBER</u>
1	86289	9721-69-6620
2	86290	9721-69-4074
3	86291	9721-69-0697
4	86292	9722-50-6056
5	86293	9721-59-3664
6	86294	9721-59-5055
7	86295	9721-58-5518
8	86296	9721-58-4193
27	86315	9721-78-9295
28	86316	9721-78-6535
29	86317	9721-78-0685
30	86318	9721-79-6135
31	86319	9721-88-3896
32	86320	9721-88-9659
33	86321	9721-98-4568
34	86322	9721-98-8267
35	86323	9721-97-7783
45	86333	9731-07-4547
46	86334	9731-08-4483

LOT NUMBER

PARCEL NUMBER

PIN NUMBER

47	86335	9731-09-4047
48	86336	9721-99-9229
49	86337	9721-99-2450
50	86338	9721-89-6503
51	86339	9721-79-8641
52	6000	9721-79-0740

LEGAL DESCRIPTION OF PROPERTY

PROPERTY DESCRIPTION BELMEADE CEMETERY AND MEMORIAL GARDENS

BEGINNING in the southwest corner of the State of North Carolina; thence South 80 degrees 11 minutes 34 seconds East 249.65 feet; thence North 02 degrees 16 minutes 44 seconds East 405.94 feet; thence South 76 degrees 18 minutes 41 seconds East 234.71 feet; thence South 80 degrees 03 minutes 40 seconds East 364.99 feet; thence South 80 degrees 03 minutes 20 seconds East 991.08 feet to a point in the western corner of Manco Dairy Road, S.R. 1514; thence South 03 degrees 57 minutes 59 seconds West 80.50 feet; thence South 86 degrees 01 minute 50 seconds East 90.24 feet; thence North 04 degrees 05 minutes 36 seconds East 85.66 feet; thence South 80 degrees 05 minutes 23 seconds East 131.14 feet to a point in the northwestern corner of Solid Rock Baptist Church; thence South 09 degrees 51 minutes 54 seconds West 246.84 feet; thence South 80 degrees 08 minutes 45 seconds East 435.44 feet; thence South 80 degrees 08 minutes 45 seconds East 165.00 feet; thence North 09 degrees 51 minutes 54 seconds 234.34 feet to the northeastern corner of Solid Rock Baptist Church; South 75 degrees 52 minutes 21 seconds East 37.96 feet; thence South 84 degrees 30 minutes 45 seconds East 200.81 feet; thence South 79 degrees 59 minutes 49 seconds East 105.02 feet; thence South 74 degrees 00 minutes 15 seconds East 196.12 feet; thence South 80 degrees 04 minutes 08 seconds East 448.56 feet; thence South 76 degrees 45 minutes 13 seconds East 325.61 feet; thence South 77 degrees 37 minutes 40 seconds East 201.38 feet; thence South 79 degrees 44 minutes 33 seconds East 221.31 feet; thence South 81 degrees 59 minutes 43 seconds East 172.92 feet; thence South 82 degrees 50 minutes 04 seconds East 107.33 feet; thence South 80 degrees 34 minutes 09 seconds East 181.07 feet; thence South 83 degrees 11 minutes 02 seconds East 143.60 feet; thence South 84 degrees 48 minutes 47 seconds East 355.34 feet; thence South 89 degrees 29 minutes 07 seconds East 120.42 feet to a point in the northwestern corner of Henry W. Emerson; ;thence South 00 degrees 47 minutes 13 seconds West 1,555.65 feet to a corner; thence North 80 degrees 03 minutes 40 seconds West 5,836.74 feet to a corner in the line of B.F. McLeod, et al; thence North 01 degree 20 minutes 50 seconds East 1,125.05 feet to the point and place of Beginning, containing 194.38 acres, more or less.

SCHEDULE OF ADJACENT PROPERTY OWNERS

ADJOINING LANDOWNERS

1. B. F. McLeod, Jr., et al
c/o William Ransdell
809 Yarmouth Road
Raleigh, NC 27607
Parcel #73451 and 12481
2. John F. Graybeal, Trustee, et al.
3396 Alston Chapel Rd.
Pittsboro, NC 27312
Parcel #63865
3. Robert J. Corley
202 Lakewood Drive
Spartanburg, SC 29302-4029
Parcel #5875
4. Judith Lessler Thomasson
97 Plantation Drive
Pittsboro, NC 27312
Parcel 5868
5. State of North Carolina Forest
Forestry Resources Division
US Hwy. 64
Pittsboro, NC 27312
Parcel #68614
6. Jimmie B. Vaughn
Catherine Vaughn
325 Plantation Drive
Pittsboro, NC 27312
Parcel #5876
7. Ralph N. French
Loretta D. French
c/o Lorenzo Cozart, Jr.
128 West Orange Street
Hillsborough, NC 27278
Parcel #77596

8. Solid Rock Baptist Church Trustees
3903 US Hwy. 64 West
Pittsboro, NC 27312
Parcel #68615

9. Henry Wade Emerson
Marion N. Emerson
P. O. Box 626
Pittsboro, NC 27312
Parcel #6054

10. Luby Scurlock Eaves Estate
c/o Paul Eaves, Executor
260 Russells Chapel Road
Pittsboro, NC 27312
Parcel #6038 and #73312

DESCRIPTION OF THE PROJECT

Applicant seeks to create a cemetery and botanical garden pursuant to a site plan as depicted on **EXHIBIT A**.

Location:

- (1) Public Highways. The Property adjoins U.S. Highway 64.
- (2) Private Roads. There is currently a private driveway serving the site. The driveway connection is located on the Property and currently has a driveway that services the Solid Rock Baptist Church on the adjoining property. Applicant has obtained a commercial driveway permit from the NC Department of Transportation in conformity with the driveway depicted on the site plan attached hereto as **EXHIBIT A**.
- (3) Current Zoning. The current zoning of Property is RA-40
- (4) Watershed Classification. The Property is located in the Local Watershed area. Non-residential uses are allowed within the LWA and impervious surface up to 36% is allowed unless there is a curb and gutter system in which case the maximum impervious surface allowed is 24%. The total estimated impervious surface on this project will be 23%, well below the allowable 36% limit.
- (5) Major Wildlife Areas. This site is not in or adjacent to any area designated as a natural area according to the "Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina."
- (6) Size in Acres of Site. The overall tract size is approximately 194 acres.
- (7) Utility or Other Easements. Right of way for U.S. Highway 64 serves the site. The Solid Rock Baptist Church has a driveway easement.
- (8) Current Use. The Property is vacant at this time.
- (9) Current Contents of Site. The Property is Vacant at this time.
- (10) Other Conditional Use Permits Granted for the Site. The Applicant is aware of none. The Property is a portion of a 557 acre tract that is approved as a 197 lot subdivision.

Description of Use:

The proposed use of the conditional use district and permit property will be for operation of a cemetery and memorial gardens, as well as for uses and structures customarily ancillary to such uses.

Site Plan and Drawing:

The site plan attached as **EXHIBIT A** describes the plans for the site in detail.

- (1) Existing Buildings. None.
- (2) New Buildings. See **EXHIBITS A and B**. The new buildings will include a gazebo and a visitor's center similar to those depicted on the plans submitted herewith. An artist's rendering of the current design concept is attached as **EXHIBIT I**.
- (3) Landscape Plan. See Landscape Plan attached as **EXHIBIT B**.
- (4) Screening/Buffering Plan, Setbacks. See Landscape Plan attached as **EXHIBIT B** and also **EXHIBIT G**.
- (5) Natural Preserved Areas. See the buffered areas shown on the landscape Plan attached as **EXHIBIT C** and as **EXHIBIT I**.
- (6) Site Boundaries with Adjacent Properties. The boundaries between the site and adjacent properties are shown on the site plan. The names and addresses of adjoining land owners are provided with this application.
- (7) Parking. The amount of parking available will conform to and exceed Section 12 of the Zoning Ordinance. The current plan allows for one parking space for every 200 square feet in the visitors center.
- (8) Sign Location, Type and Size. Section 13 of the Zoning Ordinance allows for a total square footage of signage for this property in the amount of 7,050 square feet (4,700 l.f. of frontage times 1.5 feet of signage per l.f). The project anticipates a much smaller total amount of signage. The entry sign will be substantially proportioned as shown on **EXHIBIT B (L103)**.
- (9) Areas Reserved for Future Development or Improvements. The site plan shows the typical gravesite cluster layout. The Property will be developed in a similar fashion as the demand dictates.

(10) Lighting Plan. Section 11A of the Zoning Ordinance will be complied with. Very little lighting is needed because the cemetery and memorial gardens will typically be open from dawn to dusk. There will be lighting of the entry sign and minimal lighting of interior directional signage. In addition, there will be landscape lighting used on the interior of the Property. See **EXHIBIT B (L-104)**.

(11) Percentage of Impervious Surface. The property will be developed to approximately 23% of impervious surface, below the allowable limit. The total impervious surface allowed in the Local Watershed Area is 36%.

(12) Topographical Description of Site. A topographical map is provided as part of the stormwater control plan attached as **EXHIBIT C**.

(13) Streams and Wetlands. All streams, wetlands and other sensitive areas have been located, accounted for and buffered in accordance with the new buffering guidelines. See **EXHIBIT G**.

(14) County Road Map. A county road map identifying the location of the property is provided as **EXHIBIT D**.

(15) County Tax Map. A copy of the county tax map of this site is provided as **EXHIBIT E**.

Start and Completion Projections:

It is anticipated that the project will be under construction by October 2010. Completion date will depend entirely on demand.

Reference to Existing County Plans:

This proposed use fits well within the concepts and policies set forth in the Chatham County Land Conservation and Development Plan (the "Land Use Plan"). The Applicant has a desire to create a business in Chatham County that simultaneously succeeds as a business and also honors our history and our agricultural heritage, all the while meeting a local, community need. A drive across Chatham County reveals a landscape that is dotted with small church-owned cemeteries. Churches are starting and maintaining cemeteries less and less these days but the need for burial plots continues to exist. Applicants desire to create a beautiful, environmentally sensitive and appropriate cemetery/botanical garden to fill the void left by dwindling Church maintained cemeteries.

This project simultaneously fulfills several Land Use Plan principles such as preserving rural character, promoting our historic heritage, land conservation and open space. Approval of the proposed uses encourages local, community-based economic development. The owners of Applicant are long-time Chatham County residents.

The Land Use Plan begins by setting out two “fundamental policies.” The first of these fundamental policies is for land development to “reflect balanced growth.” *Land Use Plan, p. 1.* Balance growth is said to be achieved when growth “consists of a mix of different kinds of development” and is “guided to suitable locations and is designed appropriately.” *Land Use Plan, p. 1.* The proposed project is unique and distinguishes itself from the numerous residential subdivisions approved in recent years. It is just the kind of “mix” contemplated because, while it is different from the residential uses, it complements the residential uses both in function and form. That is, the cemetery and memorial gardens will serve the many residents of the nearby area and it will be a beautiful, natural complement to the locality. The location is ideal in that it is close to the Town but not in it, thereby serving both the town of Pittsboro and the surrounding rural areas as well as the other local municipalities. The design has been carefully planned so as to make only positive impacts on the Chatham viewscape while preserving nearby natural assets.

The Land Use Plan makes references (without an adopted map) to seven different types of places or “land conservation and development areas.” *Land Use Plan, p.2.* Office and Institutional uses are allowed in six of the seven areas. The Property comprising this project fits into more than one of those categories or areas including ETJ areas, Economic Development Centers and Agricultural and Rural Development Areas. The plan promotes O/I uses in the Towns, “including ETJs.”

The Land Use Plan emphasizes the desirability of guiding development in or near existing towns and ETJs. In fact, this concept of locating development in or near towns is mentioned approximately 30 times in the Land Use Plan. This project is located just on the edge of the Town of Pittsboro ETJ. In fact, the Property was within the Town ETJ until that was changed to facilitate the oversight by one jurisdiction of the split zoning of the parent parcel. While the Land Use Plan does not specifically mention cemeteries, it does emphasize the value in guiding development to the Towns. This project is perfectly located at the juncture of the Pittsboro bypass so that it is on the Town edge but still conveniently accessible to those who would visit from other spots within the County and beyond. Its location is within the contemplated ETJ of Pittsboro and, as such, is an appropriate location for an O/I use such as the one described herein. The concept of a cemetery on the edge of town is a historically common concept in this Country and the State of North Carolina.

In addition, this Property can easily be recognized as being within the 460 square miles reserved under the Land Use Plan for Agricultural and Rural Areas.

This project squarely meets another policy set out in the Land Use Plan encouraging that projects “preserve both the form and function of rural character – the landscape, agriculture . . .” *Land Use Plan, p. 1*. This project preserves the form and function of the traditional burial ground and even enhances it by assuring acres of undisturbed open space.

The concept of protecting “rural character” is well-defined and prominent in the Land Use Plan. The Plan mentions “rural character” at least 36 times. In fact, “rural character” is defined in the plan to include a backdrop of “. . . barns, churches and silos . . .” *Land Use Plan, p. 16*. Of course, historically, cemeteries have been part and parcel of church properties in Chatham County and, thus, a prominent part of the “rural character.” The concept of dedicating some land to cemetery uses, while preserving significant amounts of open space fits well under the policies of the Land Use Plan.

In referring to “Economic Development Centers,” the Plan requires that the County’s economic development efforts will “explore the feasibility of pursuing environmentally and community compatible business enterprises.” *Land Use Plan, p. 31*. The Plan refers to 8 square miles of economic development centers but never included a map indicating the locations of the same. Thus, our guidance for where economic development centers should be located is supplied by the multiple references to the appropriateness of economic activity in or near the towns. This project is ideal for a cross-roads commercial endeavor, being located as it is at the fulcrum of the western Pittsboro bypass for highway 64.

Further, the Land Use Plan provides that “economic activity can occur almost anywhere in the County, with the exception of conservation areas, but different activities (or uses) would be appropriate in different locations and might be subject to different performance and design standards.” *Land Use Plan, p. 27*. This economic activity is perfectly matched to the location and in complete alignment with the goals and policies of the Land Use Plan.

- It encourages community compatible businesses. *Land Use Plan, p. 27*.
- A broad range of economic activities should be permitted. *Land Use Plan, p. 31*.

The Land Use Plan also sets out benchmarks for establishing appropriate economic development centers such as (1) areas especially suited for particular businesses (this location is ideal from a transportation standpoint and from a conservation standpoint); (2) areas tied to transportation infrastructure (this site is located at the western bypass interchange); (3) areas minimizing impact of businesses on areas of the county (access to this location as a crossroads commercial location is extensive from all directions but will not burden the major thoroughfares nearby); (4) commercial development that pays for itself (this use will not impose any financial burden on the County but will create jobs and will increase local spending). *Land Use Plan, p. 10*.

The Land Use Plan also strongly discourages “strip commercial development” along major highways. This project is the antithesis of “strip commercial development” but it provides similar types of economic benefit to the County plus it preserves significant amounts of open space.

There can be no doubt that this proposal fulfills the specific language of the Land Use Plan and is consistent with and promotes the purposes and intent of the Land Use Plan.

FINDINGS REQUIRED BY ZONING ORDINANCE

The Chatham County Zoning Ordinance provides, in Section 15.1, that: “In considering an application for a conditional use permit the Board of Commissioners shall give due regard that the purpose and intent of this Ordinance shall be served, public safety and welfare secured and substantial justice done.” This application is consistent with all of the purposes of the Ordinance set forth in its preamble.

The Ordinance requires that the Board of Commissioners make five affirmative findings in establishing a conditional use district and in granting a conditional use permit. All five findings are supported by this application.

***Finding #1:** The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.*

(1) Validation of Use in Zoning Ordinance: The subject property would be located within a conditional use district “O/I.” Cemeteries are allowed uses within such a district. *Chatham County Zoning Ordinance, section 10.6 A.* The uses are not only allowed conditional uses but they are generally allowed uses within the district as well.

(2) Land Development Plan Reference: This application is consistent with the Land Use Plan. Please see the discussion under “Reference to Existing County Plans” above.

***Finding #2:** The requested conditional use permit is either essential or desirable for the public convenience or welfare.*

(1) Need and Desirability: The County has expressed its desire to encourage economic development that is locally born. The owners and operators are local residents. The project will provide employment and tax revenue to the local market. See the Economic Impact Analysis attached hereto as **EXHIBIT F**. This kind of contribution to the Chatham economic engine, without commensurate costs of County services is ideal.

Chatham County and the greater Triangle area are in need of a place of remembrance

as a final resting place for the thousands of residents who will be in search of a burial site for themselves or other family members in the coming years.

Our area finds itself in a unique time in its history. We are experiencing a future need to accommodate the eventual interment of our rapidly aging population. Our country currently has over 67,000,000 baby boomers, the majority of whom will depart this world within the next 20 years or sooner. Additionally there are millions of traditionalists between the ages of 70-90 years of age.

In the Triangle alone over 19% (estimated at 247,000) of our population will die within the next 15 years. We will also continue to witness an increase in our number of residents many of which will already be near retirement age as they locate to our area. This is according to the growth predictions and projected trends.

It is the intent of Applicant to facilitate this increasing present and future need with uncompromising quality and sensitivity. Belmeade therefore serves both as an economic resource for Chatham County, as well as preserving creative open space planning, blended with practical solutions in fulfilling the foreseeable local interment needs.

The desirability is also enhanced by the economic impact of the project on Chatham County. See attached economic impact analysis at **EXHIBIT F**.

(2) Survey of Similar Uses: The Applicant is aware of no other similar cemeteries located nearby.

(3) Public Provided Improvements: No additional public improvements will be needed for this project.

(4) Tax and Economic Considerations: The addition of a viable commercial enterprise will result in an approximate new County tax revenue approximately double that presently collected. In addition, it is estimated that the Project itself will create 21 permanent jobs as well as other indirect job creation detailed in the Economic Impact Analysis attached hereto as **EXHIBIT F**. Further, it is estimated that the Project will generate an additional \$2,300,000 of economic activity in Chatham County annually. This increase in the economic benefit to the County will come at almost no expenditure of resources by the County. This use will not significantly increase the County school population, will not require infrastructure improvements from the County and will have no significant impact on County fire, law enforcement or rescue services.

See the entire Economic Impact Analysis attached hereto as **EXHIBIT F**.

(5) Employment: It is anticipated that approximately 21 new, permanent jobs will be created directly. Another 28 jobs are estimated to be created within the County creating a combined \$652,000 of additional personal income to County residents.

***Finding #3:** The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health safety and welfare of the community.*

(1) Emergency Services: The project is expected to make very limited demands on fire and police protection and emergency services. This is certainly true as compared to other possible uses of the subject property, such as residential.

(2) Traffic: Applicant has studied the potential traffic impact and has met with the NCDOT representative at the site. The traffic impact is well within the capacity limit of the roadway. A commercial driveway permit has been obtained.

(3) Visual Impact and Screening: This project will have a minimal impact on neighbors and passers-by. The landscape plan has been reviewed and approved by the Appearance Commission with no recommended modifications.

(4) Lighting: The new lighting ordinance provisions incorporated into the Zoning Ordinance (Section 11A) will be followed. See **EXHIBIT B**.

(5) Noise: There should be no significant type of noise associated with this use.

(6) Chemicals, Biological and Radioactive Agents: The operation will generate no chemical, biological or radioactive agents.

(7) Signs: The signage will be well below the allowed amount and tastefully done in keeping with the use.

***Finding #4:** The requested permit will be consistent with the objectives of the land development plan.*

(1) Land Use Plan Reference: This application is consistent with the Land Use Plan. Please see the discussion under "Reference to Existing County Plans," above.

(2) Watershed Considerations and Flood: The property will be developed to approximately 23% of impervious surface, below the allowable limit. The total impervious surface allowed in the Local Watershed Area is 36%.

Finding #5: *Adequate utilities, access roads, storm drainage, recreation, open space and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.*

(1) Water Source and Requirements: All water necessary for the project will be supplied by water wells.

(2) Wastewater Management: The letters attached as **EXHIBIT H** evidence that the soils for the system necessary to serve the information center are adequate and that the designed system will function for the projected uses.

(3) Water/Sewer Impact Statement: No water sewer impact statement is necessary. Minimal water is necessary and will be obtained from wells on the property.

(4) Access Roads: Access is exclusively from U.S. Highway 64 and the approved commercial driveway.

(5) Storm water Runoff: The stormwater management plan is set out on **EXHIBIT C**.

BRADSHAW & ROBINSON, LLP

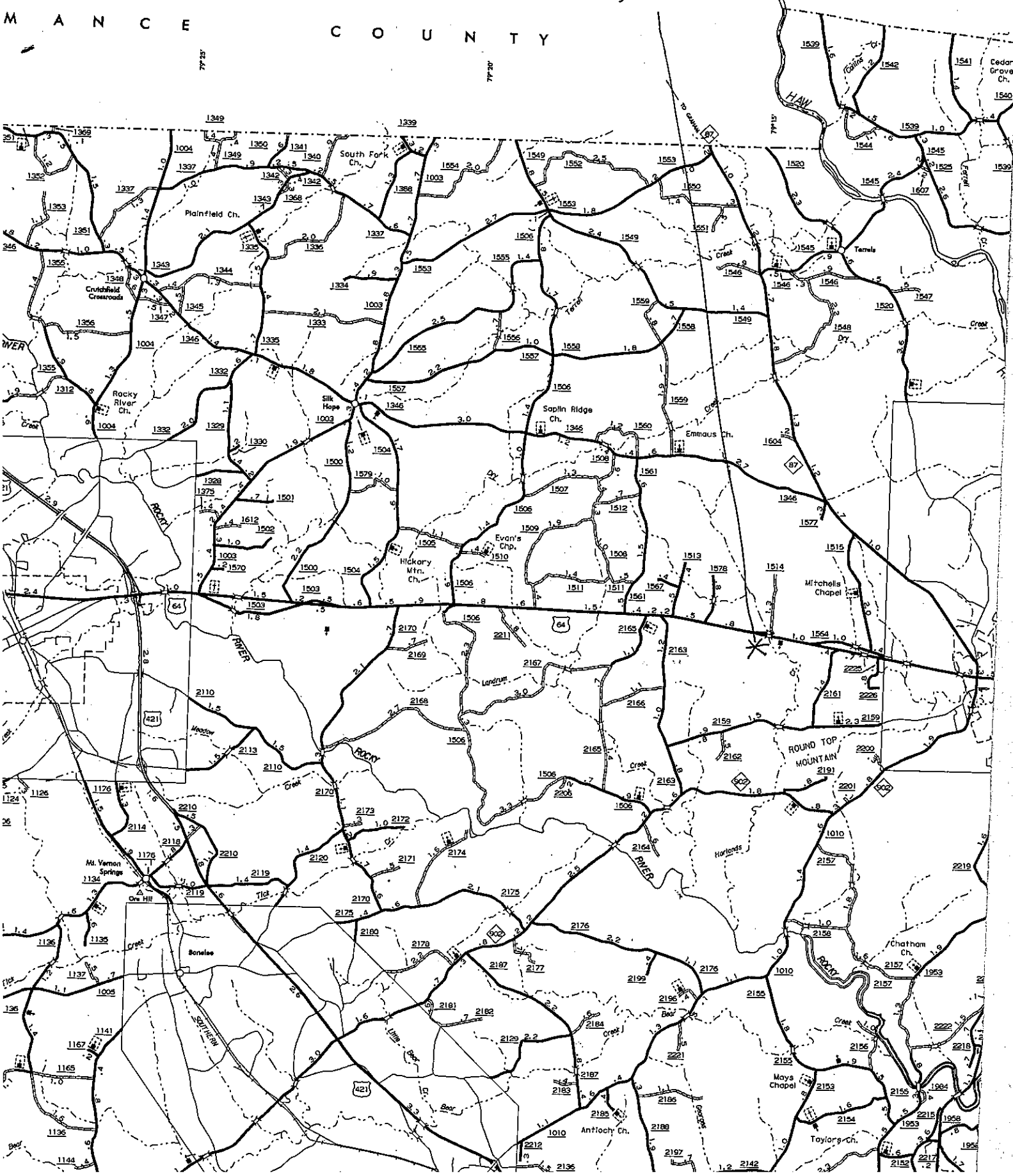
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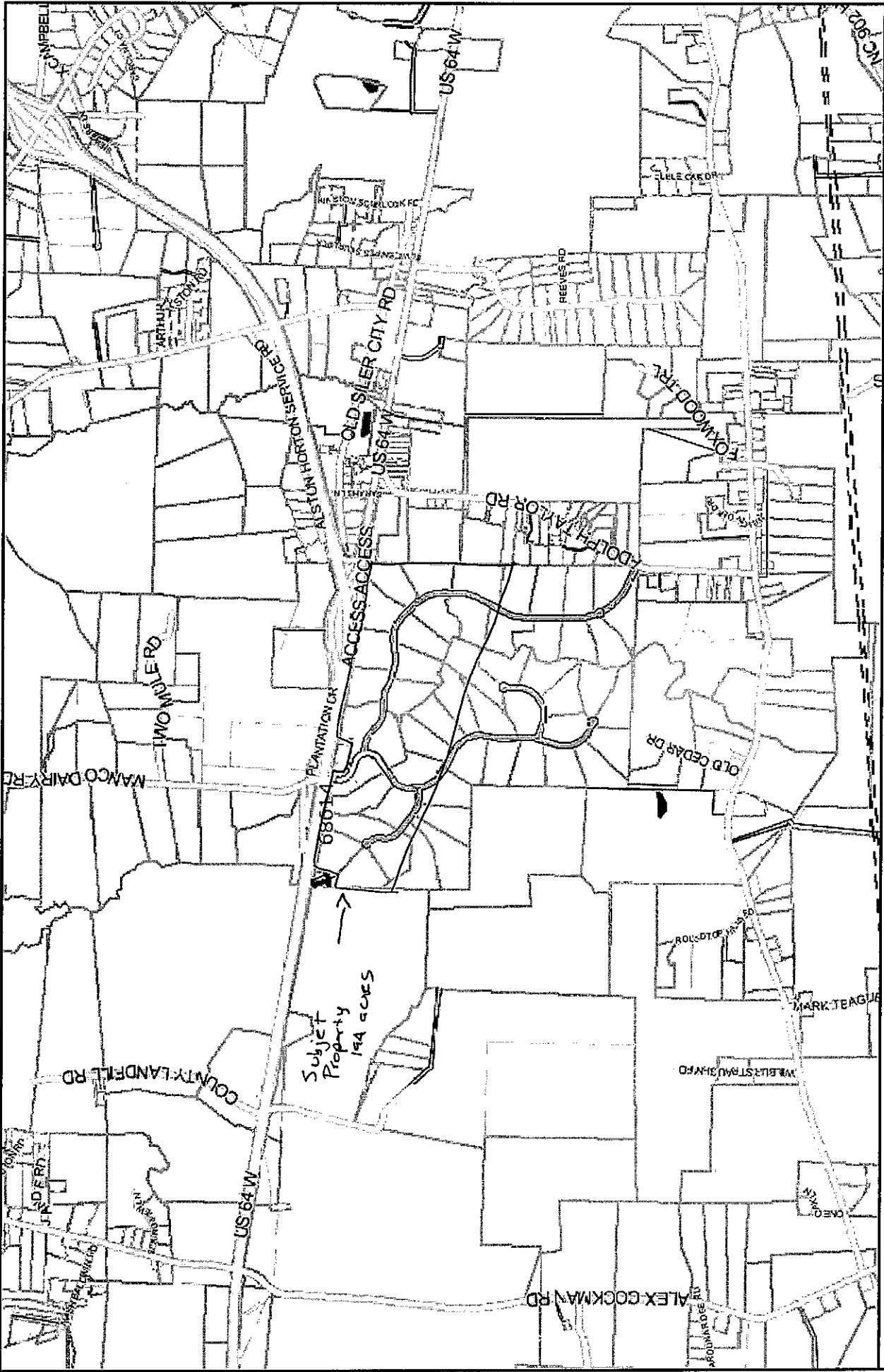


Nicolas P. Robinson
Attorney for Applicant
Post Office Box 607
Pittsboro, NC 27312
(919) 542-2400

Subject Property O R A N G

M A N C E C O U N T Y





CHATHAM COUNTY, NC

PROPERTY MAP



Disclaimer:
 The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.



One Inch = 2305 Feet



Soil & Environmental Consultants, PA

11010 Raven Ridge Road • Raleigh, North Carolina 27614 • Phone: (919) 846-5900 • Fax: (919) 846-9467
www.SandEC.com

October 10, 2008
Project #9894.S4

Belmeade Farm LLC
Attn: Mr. Steve O'neal
6208 Fayetteville Road Suite #104
Durham, NC 27713

RE: Detailed Soil/Site Evaluation of Belmeade Farm Cemetery Information Center- Parcel
Adjacent to Highway 64E, Chatham County, NC.

Dear Mr. O'neal:

Soil & Environmental Consultants, PA (S&EC) performed a detailed soil and site evaluation on the above referenced tract. This was performed at your request as part of the preliminary planning process in order to determine areas of soil that have potential for subsurface wastewater disposal to serve the future Belmeade Farm Cemetery Information Center. Fieldwork was performed in September and October 2006.

S&EC traversed the property and observed landforms (slope, drainage patterns, past use, etc.) as well as soil conditions (depth, texture, structure, seasonal wetness, restrictive horizons, etc.) through the use of hand auger borings. The site was evaluated during moist soil conditions. From these observations, an evaluation of the site relative to subsurface disposal of wastewater was developed. Soil boundaries were flagged in the field and were located by S&EC using a GPS unit. The soil/site evaluation criteria used is that contained in 15 A NCAC 18A .1900 "Laws and Rules for Sewage Treatment and Disposal Systems".

FINDINGS

This site is located in the Slate Belt region of Chatham County. The upland soils on this tract are similar to the Georgeville and Lignum soil series. The Georgeville soil series has a loam surface material over a clay subsoil. These soils are at least 24 inches deep to prohibitive soil characteristics and are generally useable for subsurface septic systems. The Lignum soils exhibit soil wetness prior to 24 inches and are generally unsuitable for conventional subsurface septic systems.

The accompanying preliminary septic system site plan indicates the areas with potential use for subsurface wastewater disposal. The green hatched units indicate areas of soils which are at least 24 inches deep to prohibitive soil characteristics and have potential for a conventional septic system, a modified conventional (shallow placed lines with no fill required over the disposal area) or a low pressure pipe system (LPP) and/or ultra-shallow conventional (shallow placed lines with fill required over the disposal field) system. "UN" on the attached map indicates areas of soils that are generally unsuitable for the type of systems mentioned above. Due to areas of thick vegetation that S&EC encountered on the tract, there may also be additional unsuitable areas (i.e. gullies, drainage patterns) that are not shown on the map.

The site plan for the proposed development must ensure that adequate soil area for system and repair is unaffected by site elements (building placement, driveway, wells, decks, etc.). The area ultimately designated by the health department on the site plan for the septic system and repair

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must remain undisturbed (no mechanical clearing, excavation, heavy traffic or other significant site disturbing activities) until authorized by the health department. A parcel with initially adequate useable soil area may be rendered unusable as a result of improper site planning and/or disturbance. A field layout of the proposed septic systems may be required as part of the septic permitting process.

GENERAL SUBSURFACE WASTEWATER CONSIDERATIONS

Once potentially useable areas are located through vertical borings, the next consideration is the horizontal extent of those areas. The size and configuration of the useable soil area dictate the utility of that area. The size of a subsurface disposal field is determined by: 1) the design flow from the source (25 gallons/ day for businesses), and 2) the long term acceptance rate (LTAR) of the soil (based on the hydraulic conductivity of the soil, a function of the soil's texture, mineralogy, structure, porosity, etc.). The configuration must be such that an efficient layout of disposal lines (on contour) is possible. An additional consideration is the required setbacks for the system from various elements such as wells (100'), streams and ponds (50') or more (depending on watershed regulations), property lines (10'), top of embankment (15'), watershed buffers, etc. (see Attachment 1).

The utility of a potential useable soil area for a subsurface system is most accurately determined by an on-ground layout of the proposed system. The total area needed for system and repair areas will depend upon the system type, the layout of that system and the total design flow (factors mentioned above). Based on preliminary plans, the Belmeade Farm Cemetery Information Center will utilize 8 full-time employees. A typical area needed for a business facility with 8 employees is approximately 8,000 to 10,000 ft² (could be more depending on site features) or 400 to 480 linear feet of conventional line (system and repair) or 960 linear feet of LPP line (system and repair). These estimates reference Laws and Rules for Sewage Treatment and Disposal Systems for North Carolina and use a LTAR of 0.25 to 0.30 gpd/ft² for conventional septic systems (.1955), a LTAR of 0.25 to 0.30 gpd/ft² for modified conventional (.1956) and 0.10 gpd/ft² for LPP septic systems (.1957a). The health department will determine the ultimate LTAR after their lot evaluation. S&EC will be glad to assist in any system layout or sizing calculations if requested.

This report discusses the general location of potentially useable soils for on-site subsurface and surface wastewater disposal and, of course, does not constitute or imply any approval or permit as needed by the client from the local health department. S&EC is a professional consulting firm that specializes in the delineation of soil areas for wastewater disposal, and the layout and design of wastewater treatment systems. As a professional consulting firm, S&EC is hired for its professional opinion in these matters. The rules governing wastewater treatment (interpreted and governed by local and state agencies) are evolving constantly, and in many cases, affected by the opinions of individuals employed by these governing agencies. Because of this, S&EC cannot guarantee that areas delineated and/or systems designed will be permitted by the governing agencies. As always, S&EC recommends that anyone making financial commitments on a tract be fully aware of individual permit requirements on that tract prior to final action.

An individual septic system permit will be required for the Information Center prior to obtaining a building permit. This will involve a detailed evaluation by the local health department to determine, among other things, system size and layout, well, drive and building location. Only after developing this information can a final determination be made concerning specifics of system design and site utilization.

Soil & Environmental Consultants, PA is pleased to be of service in this matter and we look forward to assisting in any site analysis needs you may have in the future. Please feel free to call with any questions or comments.

Sincerely,



Mark B. Allen

10/10/08

Mark Allen
NC Licensed Soil Scientist

Encl: Attachment 1
Preliminary Septic Site plan

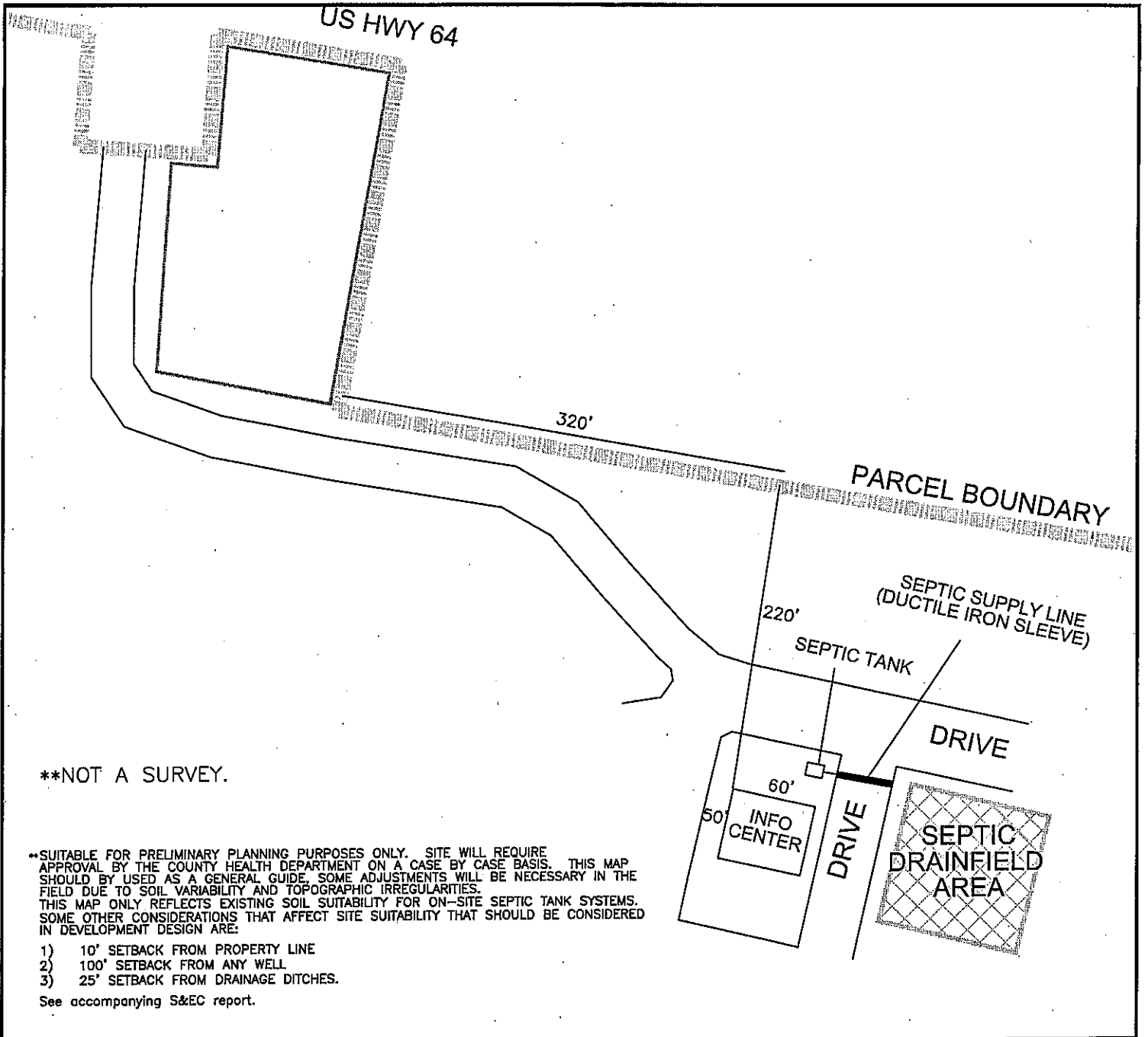
Attachment 1

.1950 Location of Sanitary Sewage Systems

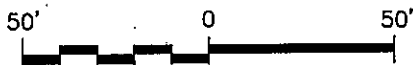
(c) Every sanitary sewage treatment and disposal system shall be located at least the minimum horizontal distance from the following:

- | | |
|--|-------------------------------------|
| (1) any private water supply source including a well or spring | 100 feet |
| (2) any public water supply source | 100 feet |
| (3) streams classified as WS-I | 100 feet |
| (4) water classified as S.A. | 100 feet from mean high water mark |
| (5) Other coastal waters | 50 feet from mean high water mark |
| (6) any other stream, canal, marsh, or other surface waters | 50 feet |
| (7) any Class I or Class II reservoir | 100 feet from normal pool elevation |
| (8) any permanent storm water retention pond | 50 feet from flood pool elevation |
| (9) any other lake or pond | 50 feet from normal pool elevation |
| (10) any building foundation | 5 feet |
| (11) any basement | 15 feet |
| (12) any property line | 10 feet |
| (13) top of slope of embankments or cuts of 2 feet or more vertical height | 15 feet |
| (14) any water line | 10 feet |
| (15) drainage systems: | |
| (A) Interceptor drains, foundation drains and storm water diversions | |
| (i) upslope | 10 feet |
| (ii) sideslope | 15 feet |
| (iii) downslope | 25 feet |
| (B) Groundwater lowering ditched and devices | 25 feet |
| (16) any swimming pool | 15 feet |
| (17) any other nitrification field (except repair area) | 20 feet |
| (b) Ground absorption, sewage treatment and disposal systems may be located closer than 100 feet from a private well supply, except springs and uncased wells located downslope and used as a source of drinking water, repairs, space limitations and other site-planning considerations but shall be located the maximum feasible distance and, in no case, less than 50 feet. | |
| (c) Nitrification fields and repair areas shall not be located under paved areas or areas subject to vehicular traffic. If effluent is to be conveyed under areas subject to vehicular traffic, ductile iron or its equivalent pipe shall be used. However, pipe specified in Rule .1955 (e) may be used if a minimum of 30 inches of compacted cover is provided over the pipe. | |

Note: Systems over 3000 GPD or an individual nitrification fields with a capacity of 1500 GPD or more have more restrictive setback requirements, see .1950 (a) (17) (d) for specifics.



GRAPHIC SCALE
1" = 50'



Areas contain soils similar to Georgeville soil series with 24 inches or more of useable material (clay texture) and have the potential for conventional, modified conventional, ultra-shallow or low pressure pipe septic systems. Total Area = 10,000 sf

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Project: Belmeade Farms Cemetary
Information Center

Project No.: 9894.s4

Project Manager: MA
Drawn: MA

Location: Chatham CO., NC

Client: Belmeade Farms, LLC

Scale: 1:200
Field Work: MA

Sheet Title: Preliminary Septic Site Plan

Sheet No.: 1 of 1