From: Lynn Richardson
To: Jason Sullivan;
Subject: FW: The Glens Extension Request
Date: Wednesday, December 31, 2008 10:10:46 AM
Attachments: 120-16 Prelim Plat Rev 12 01 2008.pdf

Jason, please post to The Glens extension request. Thanks, Lynn

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From: Nick Robinson [mailto:robinson@bradshawrobinson.com]
Sent: Wednesday, December 31, 2008 9:53 AM
To: Lynn Richardson
Cc: Keith Megginson
Subject: The Glens Extension Request

Dear Mrs. Richardson,

This to update you on our progress since the December Planning Board meeting on the requested three year extension of the development schedule for The Glens. The discussion at the December meeting was wide-ranging with various items raised.

Attached is a map showing the revisions the developer will be able to make if the extension is granted. These concessions include buffering stream channel B (running through lots 45-50 and between lots 54 and 55), shortening the cul-de-sac and eliminating two lots. This concession is significant because that channel required no buffer under the old regulations. Under the current regulations, it would require a 30 foot buffer on both sides but the developer is willing to impose a mandatory 50 foot buffer on both sides. The impact of this buffer is that two lots have to be eliminated from the subdivision.

The reason the extension request and the buffering changes are linked together is that, if the request is denied, the developer will be required to build out this subdivision very quickly in order to comply with the current development schedule. Doing so will cause the developer to incur substantial expense and carrying cost that will not allow it to forgo revenue associated with the loss of two lots. A more moderate and appropriate development schedule will allow it to build the infrastructure deliberately over time, thereby allowing the developer to impose the voluntary buffer and eliminate the two lots. It seems to us that a more moderate development pace also would be well-received by the planning board.

This additional buffer, in combination with the other previously agreed-to voluntary buffers (that could not have been required under the applicable ordinances) means that this subdivision vastly exceeds the requirements that existed at the time of its approval. So, the extension allows a very positive solution for all involved. Here is a summary showing how the developer has, in good faith, agreed to buffer well in excess of the requirements:

Water Feature	**Applicable Buffering Requirements**	**New Buffering Requirements**	**Buffers Voluntarily Agreed-To By Developer**
Dry Creek (Perennial)	50 Feet	100 Feet	100 Feet
Intermittent Channel between lots 104 and 96	None (not on USGS)	50 Feet	50 Feet
Ephemeral Channel (from lot 33-57)	None	30 Feet	50 Feet
Ephemeral Channel (lots 54 and 55)	None	30 feet	50 Feet
Ephemeral Channel (lots 45-56)*	None	30 Feet	50 Feet

* All buffers referred to except this one have previously been voluntarily imposed by the developer before the current regulations were adopted. This buffer will be voluntarily imposed by the developer if the extension is approved. Otherwise, the economics require it to keep as many lots as possible.

To summarize:

Granting the extension request costs the County nothing unless the County's objective is to stimulate the developer to develop this subdivision in its approved form as rapidly as possible. On the positive side, not only does the extension not cost the County but it benefits both the County and the developer in that the County gets more voluntary buffers and the developer gets the extension it is requesting. The extension of time will allow the wastewater infrastructure issues raised in our prior letter to be resolved. This is a true win-win for the County and the developer.

I appreciate the thorough review by the planning board and hope for a positive exchange on January 6th.

Thanks, Nick

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Nicolas P. Robinson
Bradshaw & Robinson, LLP
P.O. Box 607
128 Hillsboro Street
Pittsboro, NC 27312
919-542-2400
(f) 919-542-0496