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L A W Y E R S

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*CERTIFIED SUPERIOR COURT MEDIATORS

March 8, 2008

Mr. Keith Megginson
Chatham County Planning Director
P.O. Box 54
Pittsboro, North Carolina 27312

Re: Request for a Revised Time Schedule for the Cooper Subdivision

Dear Mr. Megginson:

As you know, our firm represents Contentnea Creek Development Co. As you also know, Contentnea Creek has submitted plans for the Cooper Subdivision which will be located on approximately 130 acres off Hatley Road, State Road 1714, in New Hope Township. We are requesting revisions to the projected development schedule that was provided at the time of preliminary plat approval for Phase 1 of the Cooper Subdivision.

As background, the Chatham County Board of Commissioners approved our request to rezone approximately 130 acres from RA-5 to RA-90 and for a Conditional Use RA-90 Permit for a 63 lot single family subdivision with a site plan on October 16, 2006. A master plan for the project and the sketch design for 63 lots was approved by the Commissioners as part of the zoning approval on October 16, 2006. Thereafter, we submitted the preliminary plat for Phase 1 of the subdivision (which consists of 10 lots on 23 acres) to the County, along with information that the number of lots in the subdivision had been reduced to 60 and a revised projected development schedule. The Commissioners approved the preliminary plat for Phase 1 and the projected development schedule for the project on November 19, 2007. At the time of preliminary plat approval for Phase 1, Contentnea Creek voluntarily committed to perform an Environmental Impact Assessment ("EIA") for Phases 2 and 3 of the subdivision. (The approval of the rezoning, Conditional Use RA-90 Permit and the sketch design did not require Contentnea Creek to prepare an EIA for the subdivision.) Contentnea Creek committed

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to perform the EIA because it wants to create plans for development of the property in an environmentally sensitive manner.

We are requesting a revision to the time schedule for the following reasons. First, at the time that Contentnea Creek agreed to perform the EIA for Phases 2 and 3 of the project, the amount of time needed to prepare the EIA and to work with the Environmental Review Board ("ERB") in regard to the EIA was not certain. We subsequently learned that the process of preparing the EIA and working with the ERB will take significantly more time than initially anticipated. Also, we are requesting revisions to the time schedule to ensure that we will have ample time to work with the ERB.. In fact, as the EIA is being prepared, Contentnea Creek is reassessing its plans for development of the property in light of what is being learned from the EIA. Specifically, Contentnea Creek is considering redesigning the size and layouts of the lots to create a subdivision with larger and fewer lots than had been previously planned. Furthermore, we are requesting a revision to the time schedule so that we may correct errors that were discovered in the submitted materials (regarding projected dates for completing construction for all phases of the project). The projected construction dates are not required to be submitted by the Subdivision Regulations, and the projected dates are in error as they are clearly not realistic. Therefore, we would like to provide the County with a more realistic and accurate time schedule.

We are requesting that the projected development schedule be revised in accordance with the Time Schedule attached hereto, and that the County approve the attached Time Schedule.

We appreciate your consideration of our request, and we look forward to continuing to work with the County in preparing plans for a subdivision that is designed in an environmentally sensitive manner.

Sincerely,



Karen M. Kemerait

Enclosure

Copy: Ms. Lynn Richardson (w/ enclosure)

Ms. Jonna Birtcher (w enclosure)

Mr. John Harris (w/ enclosure)

Ms. Jennifer Burdette (w/ enclosure)

COOPER SUBDIVISION

PROJECTED TIME SCHEDULE

Phase	Preliminary Plat Submittal	Final Plat Submittal
Phase I	Submitted October 2007	18 months after Preliminary Plat approval
Phase II	April 2009	18 months after Preliminary Plat approval
Phase III	April 2009	18 months after Preliminary Plat approval