

March 16, 2009

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

VIA E-MAIL AND HAND DELIVERY

Re: Henderson Place (Barber Lands); Request for Extension of Development Schedule

Dear Ms. Richardson;

This is to request an eighteen month extension of the final plat deadline for the Henderson Place Subdivision. I believe that the reasons for this request are compelling and in the best interest of all. Please consider:

1. The gravity sewer line to serve Henderson Place is not yet available. The permit issued by the North Carolina Department of Environment and Natural Resources is for a unified waste water collection system extension serving both The Knolls subdivision (a part of the Fearrington PUD) and Henderson Place. Fearrington Utilities is to extend a gravity sewer line through The Knolls subdivision. Then Henderson Place is to connect at the southern end of The Knolls line. (Please see the attached letter from Alan R. Keith, P.E. of Diehl & Phillips, PA.) Fitch Creations has delayed the development of The Knolls, including the construction of the gravity sewer line. I am advised that the line will not be available in 2009, and may not be ready in 2010. (Please see the enclosed letter from Mr. R.B. Fitch.) The delay in the construction of The Knolls section of this sewer line is beyond my control.
2. Fearrington Village is not yet prepared to absorb these lots. The Fearrington Village community is a PUD. As a PUD, the County appropriately allows it to develop at a sustainable pace that encourages responsible and viable growth in Chatham County. Henderson Place is to be developed and subject to the same restrictions as Fearrington Village. However, since Henderson Place is outside the Fearrington PUD for subdivision purposes, the County code does not provide for the same flexibility. However, since Henderson Place is in fact a part of the Fearrington Village community, it is in the best interest of all, including the County, to allow Henderson Place to also develop at a sustainable pace. Again, this will encourage responsible and viable growth in Fearrington Village, as well as the County.
3. There will be no environmental detriment resulting from the extension. We have not yet cleared or disturbed the soil in Henderson Place. Therefore, there will be no erosion or sedimentation impacts. In addition, changing the deadline from April to October will encourage construction at times when

potential erosion can be better controlled and ground cover more quickly established.

4. The owners of the property and Fitch Creations are in favor of the requested eighteen month extension.
5. Chatham County has granted extensions for similar requests.

For the above reasons, I respectfully request that the current final plat deadline of April 20, 2010 be amended to be October 20, 2011.

In addition to the letters from Mr. Keith and Mr. Fitch, I enclose a schedule of the adjacent property owners. We very much appreciate your review of this request and, hopefully, your recommendation of approval.

Very truly yours,



Wade Barber

CC: Mr. R.B. Fitch (w/enc. via email)
Enclosures



March 13, 2009

Mr. Wade Barber
27 Hillsboro Street
Pittsboro, NC 27312

Dear Wade,

Due to the current pace of development of Ferrington Village, we do not plan construction of the sewer outfall to Henderson Place in 2009. And to be honest, 2010 looks a little iffy....development of the Knolls is dependent on the housing market. As you know, for thirty years we have worked hard to create a sustainable community. That has included carefully planned growth at a pace, which meets the needs of the community and the market.

Also, it appears that we will not be ready for the Henderson Place lots until sometime in 2011.

Best regards,

R. B. Fitch
President

FITCH CREATIONS, INC.

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DIEHL & PHILLIPS, P.A.

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WILLIAM C. DIEHL, P.E.

JOHN F. PHILLIPS, P.E.

ALAN R. KEITH, P.E.

March 12, 2009

To Whom It May Concern

Re: Sanitary Sewer Service to Henderson Place Subdivision
Chatham County

Dear Madam/ Messer:

Henderson Place Subdivision was designed and permitted by the North Carolina Division of Water Quality to receive gravity sewer service as an extension of the Fearrington Utilities system owned by Fitch Creations, Inc. The project is upstream of a proposed development tract in Fearrington P.U.D. known as The Knolls. Henderson Place will discharge into an extension of a sewer main from The Knolls. Since service to Henderson Place relies on an extension through The Knolls, the two projects were permitted as a single extension by Fearrington Utilities.

To date, construction has not started in The Knolls. Therefore, Henderson Place does not have access to sewer service at this time. Once the gravity main is extended through The Knolls, Henderson Place will have sewer service as permitted.

Sincerely,

Diehl & Phillips, P.A.



Alan R. Keith, P.E.