

Kimberly Tyson

From: Lynn Richardson
Sent: Monday, August 05, 2013 8:41 AM
To: Kimberly Tyson
Subject: FW: Comments n request for modifications of deadlines for development abutting our land

-----Original Message-----

From: Debby Wechsler [<mailto:wechslerbrooks@gmail.com>]
Sent: Sunday, August 04, 2013 3:52 PM
To: Karl Ernst Chair; B.J. Copeland Vice-Chair; Philip Canterbury; Philip Bienvenue; James Elza; Mike Grigg; Deepa Sanyal; Donna Kelly; Cecil Wilson; Brian Bock; Tom Glendinning
Cc: Walter Petty; Mike Cross; Sally Kost; Pam Stewart; Jason Sullivan; Lynn Richardson
Subject: Comments n request for modifications of deadlines for development abutting our land

Dear Planning Board,

As adjoining landowners, my husband and I received a letter notifying us of the request from The Estates at Laurel Ridge, The Bluffs, Shively/Banner, The Glens, and Harris Subdivision for a modification of plat deadlines and a unified development schedule to give an extension until 2020. We only received the letter late this week, as were out of town, but we have several concerns and questions.

Principally, we are concerned that allowing an extension has the effect of "grandfathering in" a number of inadequate environmental protections. Since these developments were first approved, the County has adopted new Watershed Protection Ordinances with much improved stream and wetlands buffering requirements. These new ordinances are good for all of us and good for the long-term environmental health of Chatham County. As adjacent landowners we are specifically affected in reference to intermittent and ephemeral streams along our property with the Shively/Banner land. As we see greater and greater population pressure in the area, as more and more development occurs, as we see more frequent drought, and as proposed fracking operations threaten to make vast quantities of water unusable, protection of watersheds and water resources becomes of ever greater importance.

We understand that economic conditions have somewhat mercifully prevented the development of these properties according to their original schedule -- but the expiration of the original permits is an appropriate opportunity at which you can require that they now be brought up to code and take into account both new scientific understandings and the changing needs and conditions in Chatham County.

While this will require additional effort and expense on the part of the developers, they will not be starting from scratch. And indeed, they may find that a re-design of their plans may make it more attractive to potential buyers and well worth the effort.

I hope that you will not feel pressured to decide at this meeting on Tuesday, but will take the time to let others provide input to read and consider it. And I urge you, as representatives of Chatham County's citizens and guardians of our land, to use the opportunity that the expiration of these permits represents to apply our current requirements to these properties.

Sincerely,
Debby Wechsler
1138 Rock Rest Rd.
Pittsboro, NC

Kimberly Tyson

From: Lynn Richardson
Sent: Tuesday, August 06, 2013 9:07 AM
To: Kimberly Tyson
Subject: FW: Extension deadline for Old Graham Rd Developments
Attachments: Concern for Dry Creek from Chapel Ridge-1.pdf

From: Elaine Chiosso [mailto:echiosso@gmail.com]
Sent: Monday, August 05, 2013 6:47 PM
To: Karl Ernst Chair; B.J. Copeland Vice-Chair; Philip Canterbury; Philip Bienvenue; James Elza; Mike Grigg; Deepa Sanyal; Donna Kelly; Cecil Wilson; Brian Bock; Tom Glendinning
Cc: Walter Petty; Mike Cross; Sally Kost; Pam Stewart; Jason Sullivan; Lynn Richardson
Subject: Extension deadline for Old Graham Rd Developments

Dear Members of the Planning Board:

I am writing to strongly urge you to not approve the request from re[representatives of The Bluffs, The Estates at Laurel Ridge, Shively/Banner, The Glens, and Harris Subdivision" *to extend the final plat submittal deadline for each subdivision to June 30, 2020.*" as a unified development schedule.

I am a resident of Rock Rest Road and live across Dry Creek from property that is part of the Estates at Laurel Ridge. Although my land does not extend to the banks of Dry Creek, I have deeded access to Dry Creek. I have long enjoyed, and been a steward of Dry Creek, and have monitored water quality on it since 1995. Some of the developments listed above, surrounding Rock Rest, are properties that drain directly (or through small tributaries) to the Haw River. Others; including The Estates at Laurel Ridge and The Glens will impact Dry Creek.

I have seen a slow decline in water quality in Dry Creek as more development has been built upstream, and of course I was witness to the rapid (see attached photo) degradation of the stream following the massive sedimentation erosion from construction of Chapel Ridge in 2005. Over a foot of mud was measured in the creek bottom, including the area near me which is a much treasured swimming and fishing hole on Dry Creek. That incident prompted violation notices and fines from both the Division of Land Quality and the Division of Water Quality for the damage done to Dry Creek. Eight years later, there is still evidence of this sediment and damage caused by loss of aquatic habitat. This incident was often cited when the county studied and passed new, more protective ordinances for subdivision regulations.

I believe strongly that these developments should not be allowed the extension they are requesting, as that will allow them to build out these properties under the older, weaker ordinances. Chatham County's current riparian buffers, steep slopes and other regulations to protect our waters were passed after much debate and scrutiny in order to *not* see a repeat of the kind of damaging muddy waters in Chatham during the construction boom of the last decade. Many of the developments that were beginning to be built, including land disturbance for roads and infrastructure, under those old regulation also violated sediment and water quality standards. It would be a great mistake to allow new construction to be built under these rules that have been proven to be insufficient to protect water quality.

Another important question to consider is that Chatham County will look like in 2020? There are so many unbuilt lots in the combined Chapel Ridge and Parks at Meadowview developments. Where 1400 houses were envisioned there are probably only 50? And what will be the impact of the mega-development, Chatham Park

to the east? Will the trend towards people moving closer to urban amenities continue, further depressing the market for suburban living in rural outlying areas like Old Graham Rd?

As planners, wouldn't you want to evaluate all the new information that will be available when these projects on Old Graham move forward again, and not be locked into the rules and ideas of a decade ago?

Thank you for consideration of my comments. I will not be able to attend the meeting on Tuesday August 6, due to a prior commitment, but would be happy to discuss any of the points I made above if you wish to contact me.

Sincerely,

Elaine Chiosso
1076 Rock Rest Rd.
Pittsboro NC 27312
919 542- 5790

- Conditions in our area have changed and will continue to change over the next years. The permitting process is intended to give predictability and stability to developers, but it still needs to be time-limited, not open-ended, and it needs to follow current regulations and use current information.
- For example, the following conditions should be considered: increased development and planned development throughout the greater Chatham area; likely pressures on water supply from this and proposed endeavors such as fracking; the cumulative effect of environmental impacts; improved watershed assessment methodology and scientific understanding of stream protection.
- Some other points we could re-make: We are very concerned about the **cumulative effect** of all the rapid development planned for our home. We want **slow growth** consistent with the current rural character of this place. We want to **protect surface and ground water quality** from pollution in the form of sediment, fertilizer and pesticide runoff, improper functioning of the waste water system, and storm water runoff from impermeable surfaces. We want Old Graham Road to remain a **safe place to drive**, even to walk and bicycle. We want Chatham's **schools to be adequate** for its population. We want to **minimize light and noise pollution** in this country setting.
- For adjacent landowners (or nearby landowners), talk about specific impacts you will experience from development on your border, for example, stream degradation. You can also talk about problems you have already experienced due to the building of these developments to date.
- If you are an adjacent landowner, mention that in your letter.
- If you are unable to come to the meeting and want any of the points in your letter to be raised at the meeting, please email Cynthia <crossen@mindspring.com>.
- Ask them not to decide this matter at this upcoming meeting. We need more time to get questions answered and provide more input; and the Planning Board needs more time to receive and consider this input. This was short notice for many of us, in summer vacation season.

Questions you can ask (add others you may think of):

- Has the developers' plan for wastewater treatment and disposal changed, given the very slow build-out of Chapel Ridge, and the suspension of The Parks at Meadowview?
- How many times can they ask for an extension and allow inadequate protections to be grandfathered in? What happens, for example, as they near the 2020 deadline--might they ask for another extension, and might they be granted it?
- Are these developments needed and advantageous to the county? If Chatham Park goes in, will these development go unfilled?

- Considering the oversupply of housing we are currently experiencing in this area, could these subdivisions be re-designed to provide housing that might actually be needed or wanted?
- Were these subdivisions originally approved separately, and what does combining their deadlines into the "unified development schedule" they are asking for imply, both for what they are required to do and what they are allowed to do?
- What does the 2020 deadline for final plat approval really mean?

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8654 (20130806)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Concern for the Water Quality of Dry Creek during Chapel Ridge Construction



Construction at Chapel Ridge, Spring 2005 (photo by Catherine Deininger)



Dry Creek at Old Graham Road Bridge (a short ways downstream of Chapel Ridge tributary) after storm event, April 13, 2005 (photo by Cynthia Crossen)



Tributary draining Chapel Ridge bringing water into Dry Creek after rain, April 9, 2005 (photo by Cynthia Crossen)



Water from tributary draining Chapel Ridge (on left) flowing into Dry Creek after rain, April 9, 2005 (photo by Cynthia Crossen)

From: Cynthia Crossen [<mailto:crcrossen@gmail.com>]

Sent: Sunday, August 04, 2013 7:06 PM

To: Karl Ernst Chair; B.J. Copeland Vice-Chair; Philip Canterbury; Philip Bienvenue; James Elza; Mike Grigg; Deepa Sanyal; Donna Kelly; Cecil Wilson; Brian Bock; Tom Glendinning

Cc: Walter Petty; Mike Cross; Sally Kost; Pam Stewart; Jason Sullivan; Lynn Richardson

Subject: Regarding extending plat approval for The Glens

Dear Chatham County Planning Board,

As adjacent landowners to the proposed development called The Glens, we have concerns and questions about the developers' request to allow The Glens, along with other nearby developments, *"a unified development schedule to extend the final plat submittal deadline for each subdivision to June 30, 2020."*

Our main concern now, as it was in 2006 through 2008 when we commented on this subdivision, is the impact of The Glens (as it is currently approved) on the creeks flowing onto our land. We felt then that there were inadequate protections in place for our creeks.

Since these sub-divisions were approved, new stream buffering requirements and other environmental protections have been adopted for Chatham County. Given that these subdivisions are part of an already threatened watershed (Dry Creek, which is now on the State's Impaired Stream list), and given that ephemeral and intermittent streams running through The Glens flow directly onto our land, we ask that these subdivisions now be required to comply with the current ordinances, including the Watershed Protection Ordinance's stream and wetlands buffering requirements, the current stormwater ordinance, and the revised soil erosion and sedimentation control ordinance. These ordinances were adopted based on increased scientific information about how to assess and protect streams, and we ask that they be required of the developers in order to give our streams the most protection possible from these developments' impact.

We made this request in 2008, when The Glens' deadline was in consideration for extension (and was extended) for the first time. We also asked then that an Environmental Impact Assessment be required before approving this land to be divided into 1 acre lots. The Glens would be the densest development anywhere in our vicinity, and would definitely change the rural character we so appreciate about our home place of nearly 40 years. This amount of density will bring more impermeable surfaces to our watershed, increasing the volume and velocity of stormwater runoff; more fertilizer and pesticide runoff from lawns; more sediment flowing into our streams during development; more light and noise pollution to our woods and fields; more traffic on our road. We request that the deadline for plat approval *not* be extended, and that the protections provided by the current ordinances be now required of the developer.

If this second extension to The Glens *is* granted, we ask that the stream buffering promised to us by the developers in 2008, along each of the three ephemeral and intermittent streams running from The Glens onto our land, remain part of their revised development plan as they promised when their extension was granted in 2008.

Some questions we have are:

What does a deadline of June 30, 2020 for final plat approval mean?

Given that the plat for The Glens was originally approved separately, what does combining its deadlines into the "unified development schedule" imply, both for what the developers are required to do and what they are allowed to do?

Given the current oversupply of housing in our area, as well as other extremely large proposed developments, could these subdivisions be re-designed to provide housing that might actually be needed or wanted? In particular, I am thinking about the extreme density of over 100 1-acre lots in The Glens. The cumulative effect of this and the other proposed subdivision will change our rural character so extremely. I don't know any one of my neighbors who welcomes this.

Please consider postponing your recommendation on this matter for at least another month, to give concerned landowners more time to get questions answered and provide input, especially as it is summer vacation season when many are out of town; and to give the Planning Board time to receive and consider this input.

Thank you for your consideration,
Cynthia and Ken Crossen, adjacent landowners to the proposed "The Glens"
1116 Marshall Road
Pittsboro, NC 27312
919-542-3827

Kimberly Tyson

From: Lynn Richardson
Sent: Monday, August 05, 2013 2:34 PM
To: Kimberly Tyson
Subject: FW: unified development schedule to extend the final plat submittal deadline for each subdivision to June 30, 2020

From: abellest@aol.com [mailto:abellest@aol.com]

Sent: Monday, August 05, 2013 1:30 PM

To: karl@ernst4chatham.com; bjjvc@emji.net; ppcanterbury@yahoo.com; pwtpppiodlx@yahoo.com; elzajl@earthlink.net; mikegrigg@yahoo.com; deepasanyal@gmail.com; djk457@embarqmail.com; anewvision@yahoo.com; Brian Bock; goaglen@embarqmail.com

Cc: Walter Petty; Brian Bock; Mike Cross; Sally Kost; Pam Stewart; Jason Sullivan; Lynn Richardson

Subject: unified development schedule to extend the final plat submittal deadline for each subdivision to June 30, 2020

Dear Planning Board Members and Chatham County Commissioners:

I am writing to express my concerns over extending the deadlines for several proposed developments in the Dry Creek watershed of northern Chatham County. These subdivisions were approved years ago, and are no longer in keeping with current conditions and environmental regulations for the area.

Allowing these subdivisions to endlessly hang on to outdated plans and approvals is not a responsible path and holds the county back from maintaining appropriate protections to our county. We should be moving forward with current regulations based on current situations and knowledge, not by hanging on to plans which may have been applicable seven years ago.

All development within the county should be held the same current standards. We don't know what issues the county will be facing in another seven years; giving approval to these subdivisions to build out on what are already obsolete planning regulations is not the sort of development that moves the county forward and protects all residents.

I would appreciate a vote against any further extensions of the development schedule for these outdated subdivision plans. They should comply with current regulations and approval processes, same as all county growth.

Sincerely,

Annabelle Stein
997 Rock Rest Road
Pittsboro, NC

Information from ESET NOD32 Antivirus, version of virus signature database 8653 (20130805)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Lynn Richardson

From: sebbc Casey@cox.net
Sent: Tuesday, August 06, 2013 2:54 PM
To: Walter Petty; Brian Bock; Mike Cross; Sally Kost; Pam Stewart; Jason Sullivan; Lynn Richardson
Subject: Opposition to the proposed deadline extension for "The Estates..."

Shannon Casey
98 Jessamine Lane
Pittsboro NC, 27312

8/6/13

Dear Chatham County Planning Board and Others:

My name is Shannon Casey and I am a property owner at 98 Jessamine Lane, off Rock Rest Rd in Pittsboro. My land directly abutts the subdivisions of "The Estates at Laurel Ridge, The Bluffs, Shively/Banner, The Glens, and Harris Subdivision".

I am strongly opposed to proposed deadline extension to June of 2013 of the final plat submittal for these developments. The site plans for these subdivisions were developed according to the planning rules and regulations of 2006, the date of their original submittal. Since this date, improved knowledge and understanding of our local environment and waterways have led the Chatham County Planning division to implement new, and often more stringent, regulations to protect both the land and its inhabitants. Approving a second extension will grant these developers the right to implement site plans according to regulations developed nearly 15 years earlier, without regard to any changes and improvements made since that time. It would be the equivalent of allowing them to build the homes in these subdivisions according to the building codes in place 15 years earlier! It is hard to imagine county planning inspectors approving homes built without the safety, electrical, plumbing, and energy efficiency features found in today's building codes, but lacking in the codes 15 years prior.

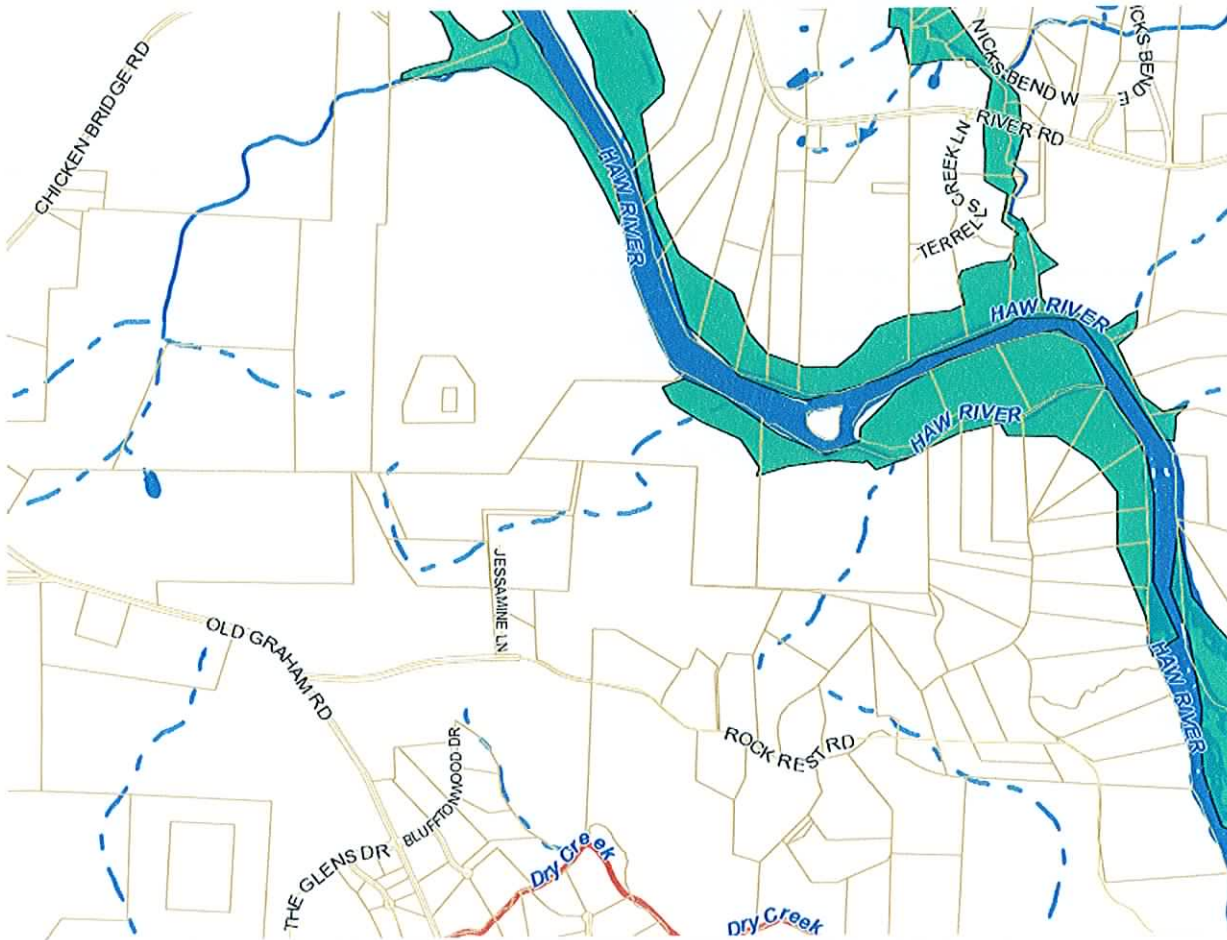
Extending the final plat submittal deadline is of particulat concern to me because of the damage that I have already seen caused by site development within these subdivisions. Even the minimal amount of site development that has already taken place--a small fraction of what is ultimately planned--has caused significant environmental disruption. I am a frequent visitor to the swimming and fishing hole on Dry Creek located adjacent to and accessed from Elaine Chiossos' property, and observed the huge amount of mud, silt, and debris washed into the creek from the adjoining subdivision development. A large beaver colony, consisting of at least 2 large dams, was forced to relocate from the water pollution. These are just a few small example of direct environemental damage I have observed.

New rules and regulations are implemented by the Chatham County Planning Board for a number of reasons: previous regulations have been found inadequate or unnecessary; new information and knowledge suggests better ways to plan subdivisions and develop sites; the goals and values of Chatham County and its residents change over time. All of the factors are important and should influence the development of subdivisions in Chatham County. Extending the proposed deadline and allowing these subdivisons to be developed according to site plans developed nearly 15 years previously, without regard to changes made in planning regulations, make no sense at all. Approval of this extension has the potential to cause great harm to the environment and inhabitants of land close to these subdivisions and to all of Chatham County.

Thank your for your attention to this matter.
Shannon Casey

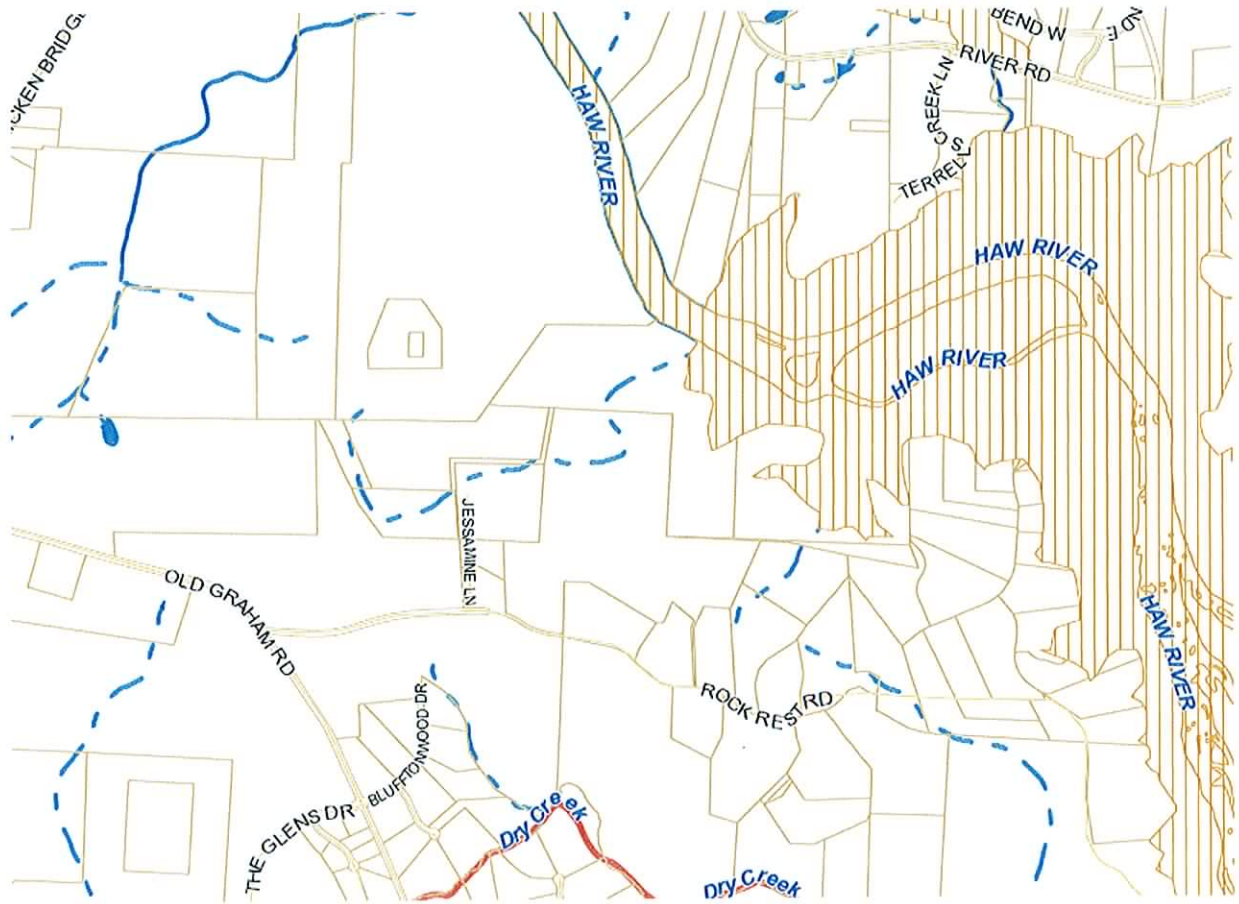
Natural Heritage

Core Areas – Polygons representing areas identified by the NC Natural Heritage Program as priorities.



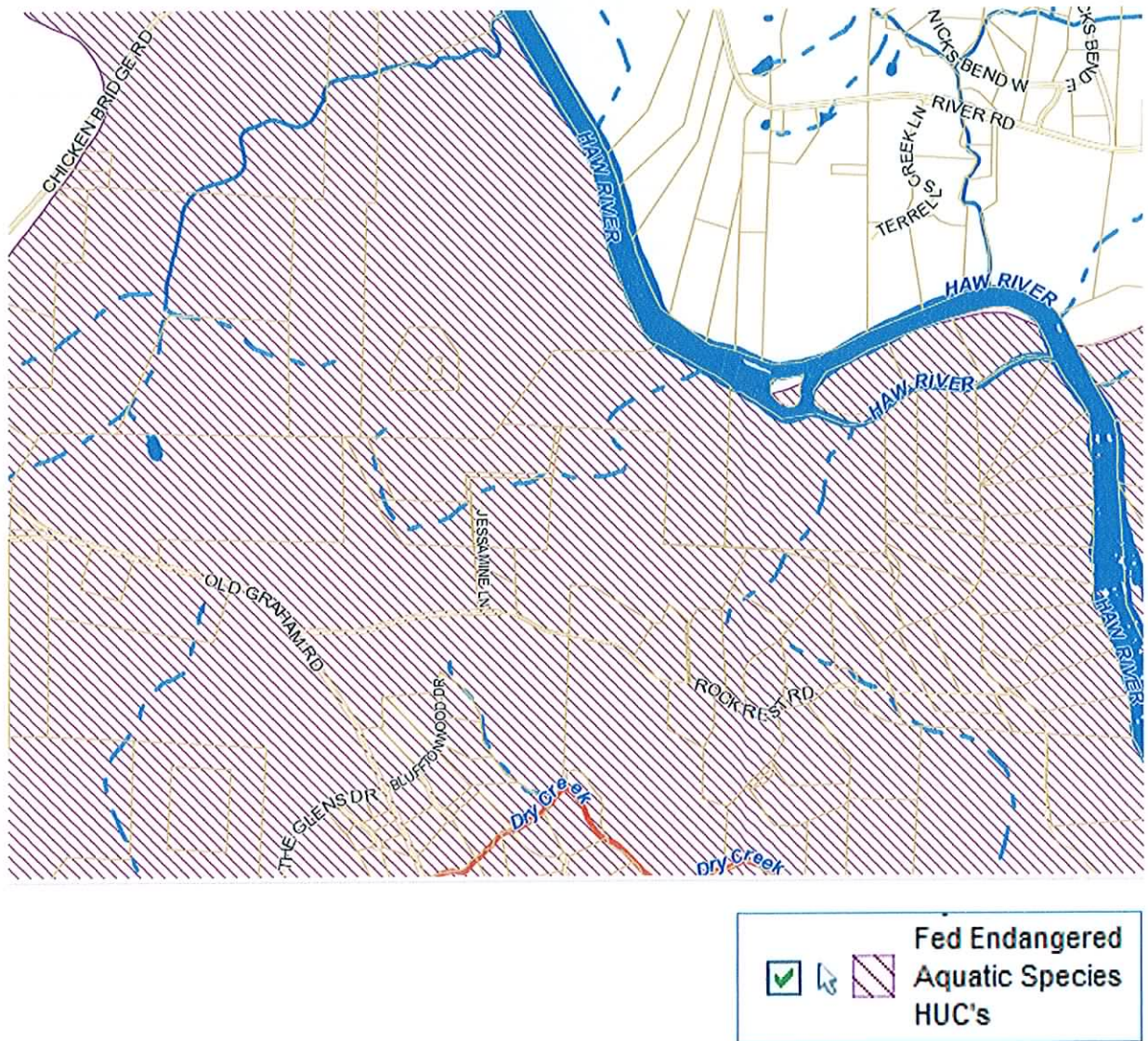
Natural Heritage

Significant Natural Heritage Areas (SNHA) - Polygons representing areas identified by the NC Natural Heritage Program as Significant Natural Heritage Areas.



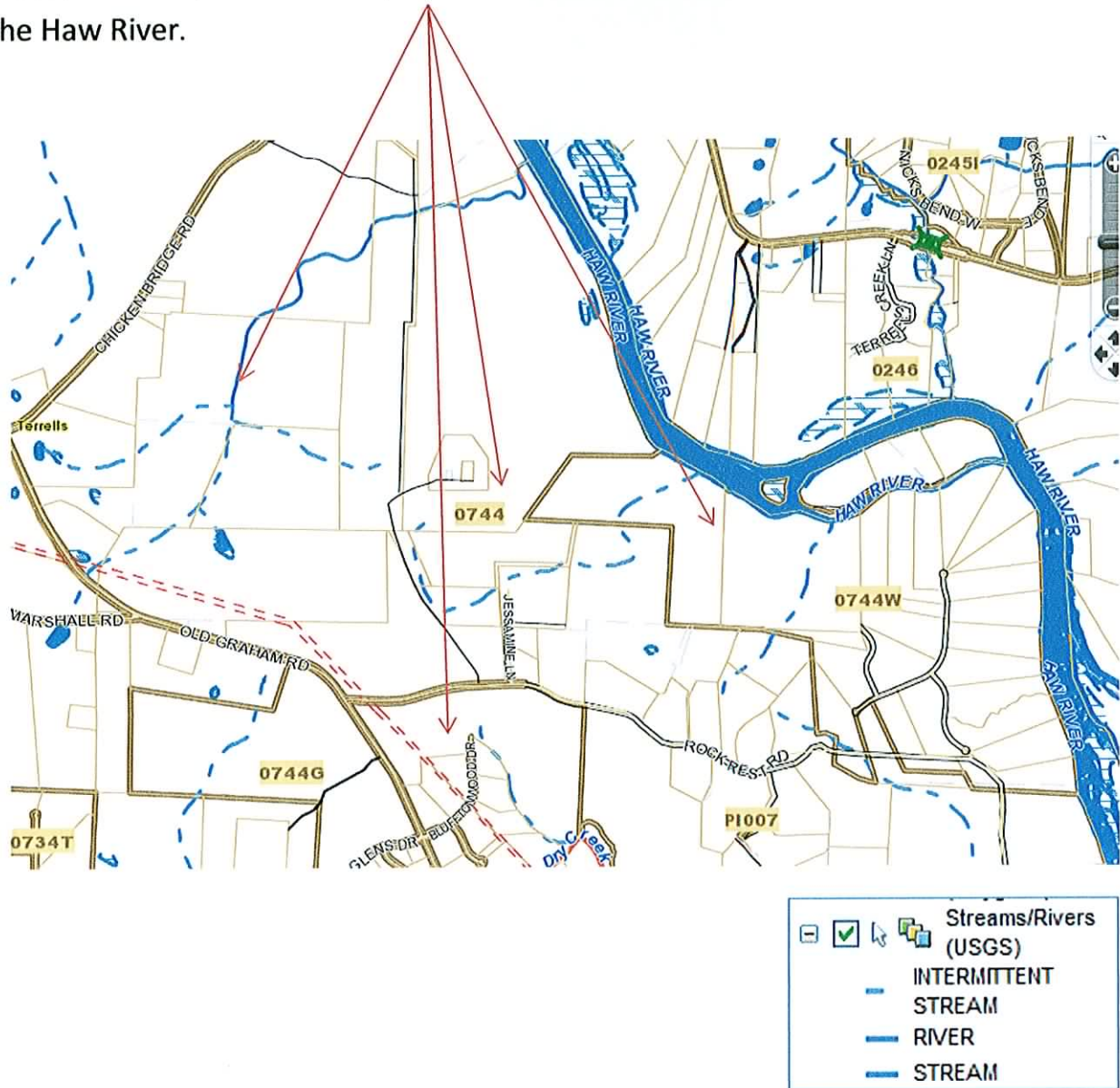
Wildlife Resources Commission

Fed Endangered Aquatic Species HUC's – Polygons representing hydrologic units containing aquatic species listed as endangered by the US government.



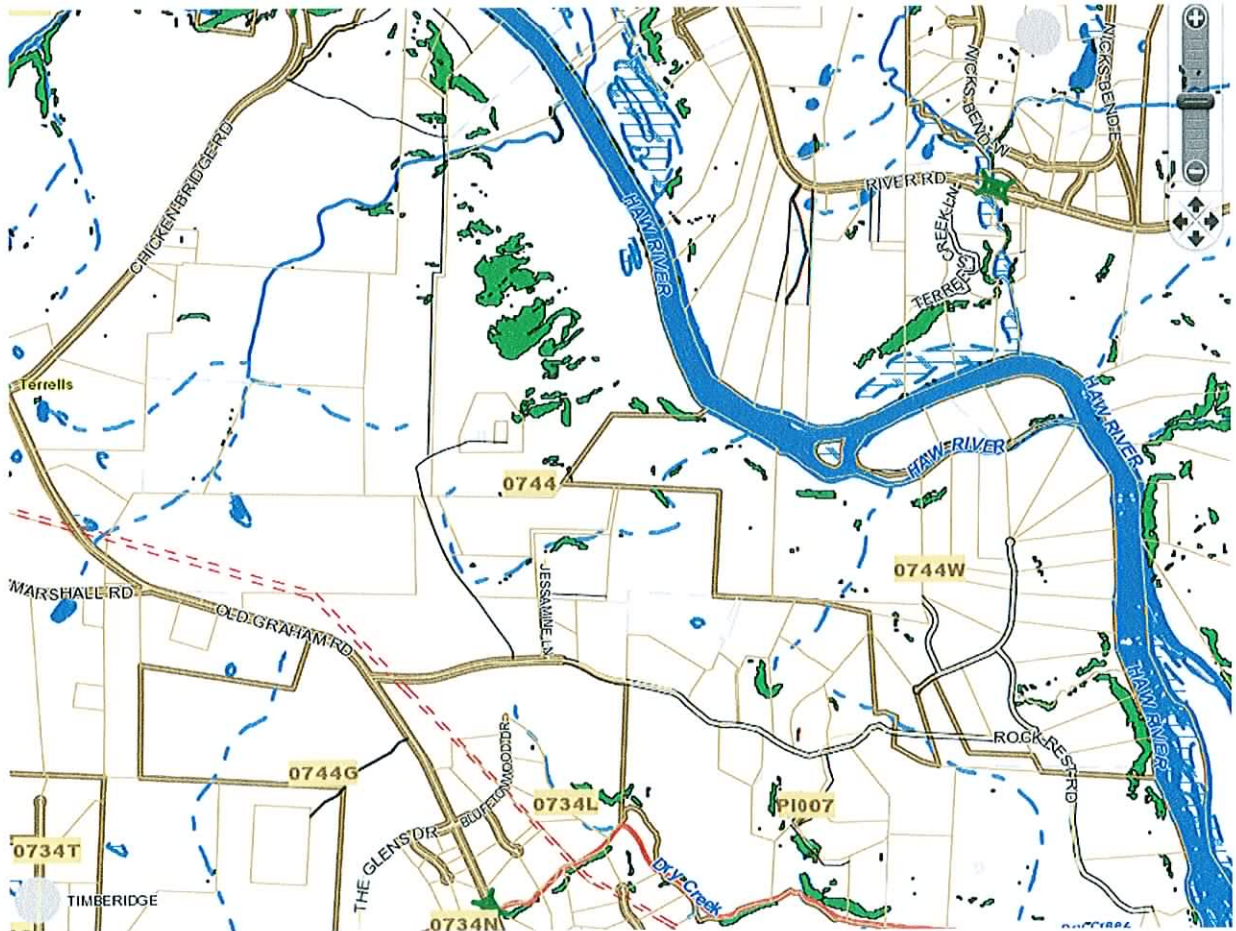
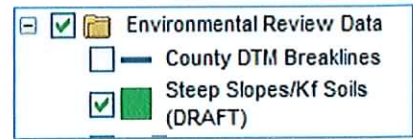
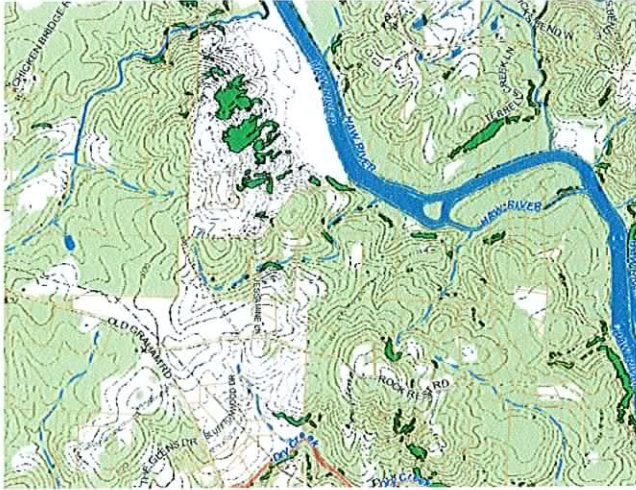
Dry Creek and Intermittent Streams

In addition to Dry Creek which the North Carolina Department of Natural Resources has designated as an impaired stream, this area has several intermittent streams with flow into the Haw River.



Environmental Review Data – Steep Slopes

Slopes % (Image) – Image depicting areas of steep slopes.

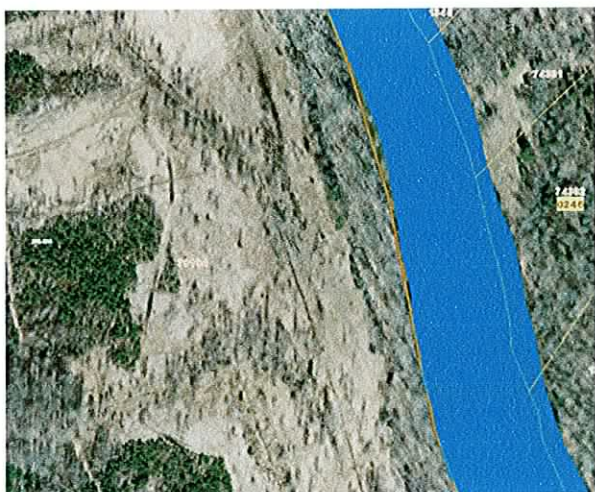
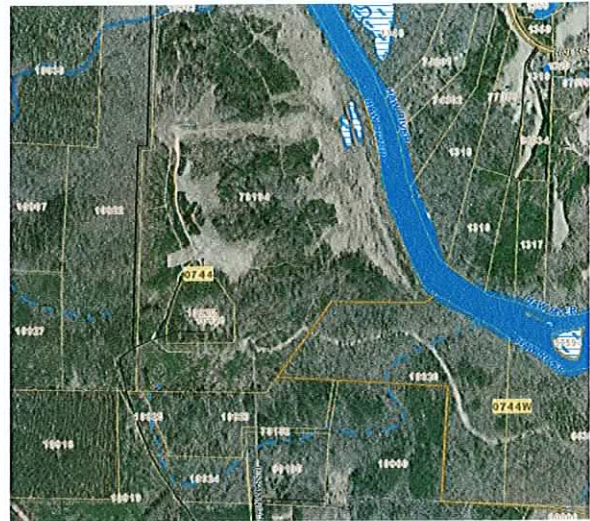


Developer's Demonstrated Lack of Protection of Sensitive Areas

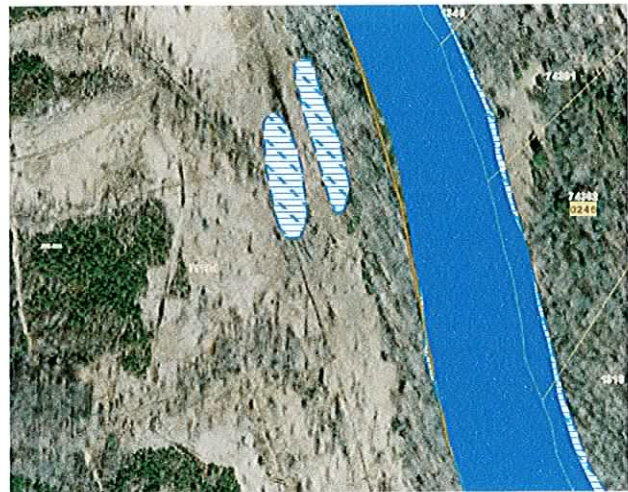
Clearing done on steep slopes above the Haw River and around wetlands.

1997

2010

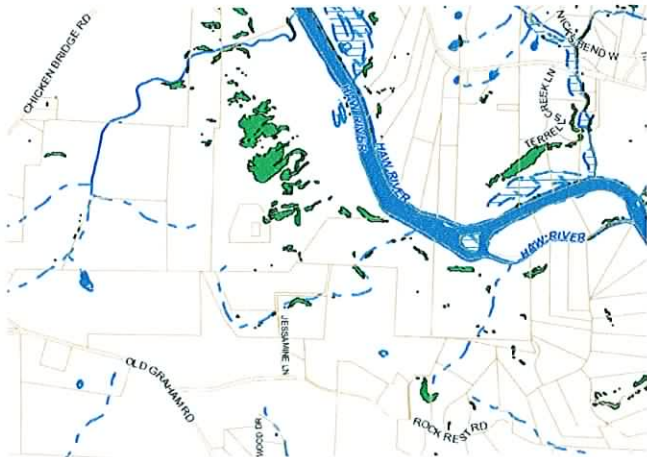
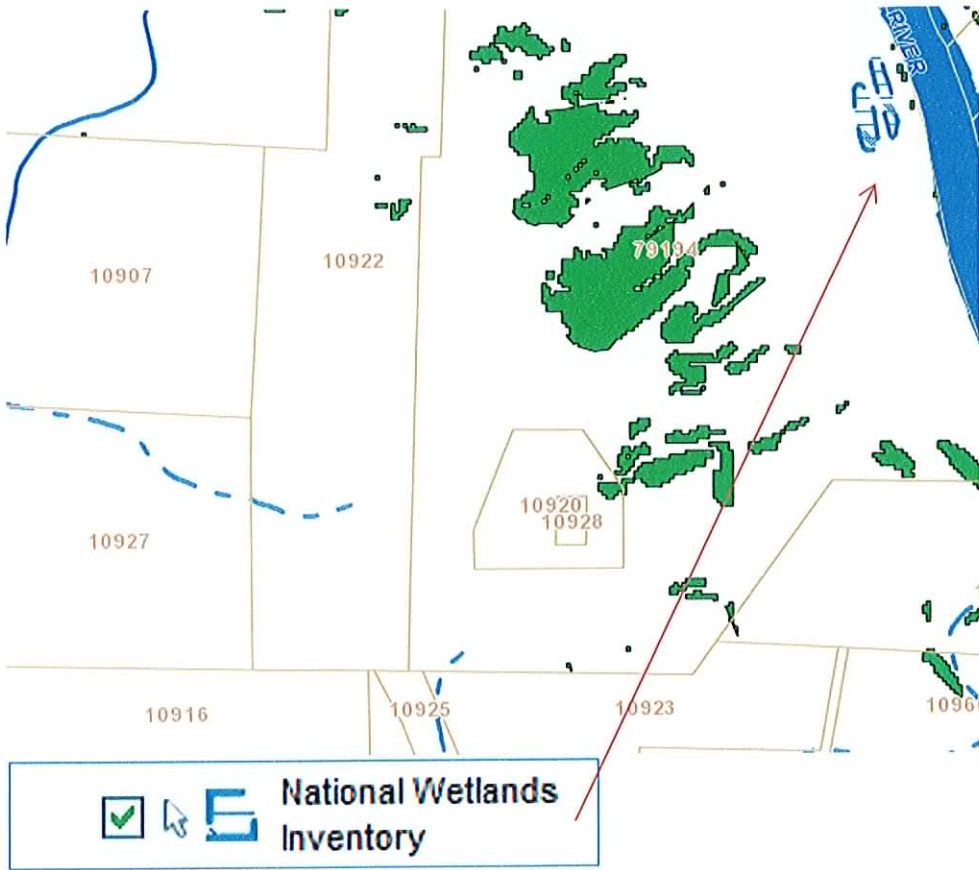


W



Water Resources

National Wetlands Inventory – Polygons depicting wetlands as mapped by the National Wetlands Inventory (NWI).



Conservation Planning

TNC Freshwater Conservation Areas – Polygons of watersheds identified as being priorities by The Nature Conservancy's 2004 Piedmont Eco-regional Planning effort.

