

..TITLE

Vote on a request by Chuck Lewis, on behalf of Lewis Metty Development, Inc. for subdivision final plat approval of Cedar Mountain, Phase III, consisting of 10 lots on 21.03 acres, located off SR-1540, Jones Ferry Rd, Baldwin Township, parcel #1721 and 1611.

..ABSTRACT

Action Requested:

Request by Chuck Lewis, on behalf of Lewis Metty Development, Inc. for subdivision final plat approval of Cedar Mountain, Phase III, consisting of 10 lots on 21.03 acres, located off SR-1540, Jones Ferry Rd, Baldwin Township, parcel #1721 and 1611.

Introduction & Background:

Zoning: R-1

Watershed: WSIV-PA

Water Source: private wells

Septic: on-site and off-site private

Within 100 year flood plain: No

Cedar Mountain Subdivision, consisting of 65 lots, received preliminary plat approval by the Board of County Commissioners on 7/16/07. To date 24 lots have received final plat approval in Cedar Mountain Phases 1 and 2, 18 lots have completed homes and 3 are under construction. The roadway is being built to the NCDOT public, state maintained standards and the lots range in size from 1.50 acres to 8.40 acres with a 2.3 acre average. The 10 lots in this phase will average 2.1033 acres. The current preliminary plat approval will expire on January 16, 2016. The developer currently has a request before the Board of Commissioners for a twenty-four month extension to extend the expiration date for the remaining 41 lots from January 16, 2016 to January 16, 2018. The Board of Commissioners will review the request on September 21, 2015. The request is reviewed under the pre-2008 Subdivision Regulations.

Discussion & Analysis:

This request is for final plat approval of Phase 3 consisting of 10 lots with a financial guarantee for the completion of the roadway and erosion control measures. Samir Bahho, P.E. has certified that 60 percent of the required infrastructure has been completed. A minimum of 40% of the total cost of the required work must be completed before submitting for a final plat under the pre-2008 Subdivision Regulation. The engineer may submit an updated cost letter prior to recording of the final plat certifying that additional work has been completed and reducing the dollar amount necessary to be bonded. The county attorney must review and approved the form of the financial guarantee and the contract prior to final plat recordation.

Thomas Boyce, Chatham County Lead Soil Scientist, has evaluated the soils and sent an e-mail to staff stating that "Evaluations for Cedar Mountain Lots 34-43 have been completed. Improvement permits will be issued for these lots". As of this date, staff has not received the written Improvement Permits for the file. As shown on the final plat, there are four (4) lots that require an off-site septic area. The off-site areas will be considered a portion of the house lot. In 2007, during the preliminary plat review, the developer met with Andy Siegnor, Chatham County Environmental Health Division Director, regarding the off-site septic areas. It was agreed that the developer would install all of the supply lines at one time; use only systems without gravel, have one contractor complete all of the work; install the supply lines at least 30 inches deep, and increase the utility easement width from 15 feet to 30 feet for the utility easements serving more than one off-site septic lot. The final plat is showing a 15 foot wide private septic supply line easement and will need to be revised to show a 30 wide private septic supply line /utility easement. A condition was added to the preliminary plat approval which read "Prior to recordation of the final plat, the developer shall install all of the supply lines for the off-site sewage treatment systems at one time, use only gravel less systems, have one contractor complete all of the work, and install the supply lines at least 30 inched deep". Staff recommends that the final plat not be recorded until the septic Improvement Permits have been received.

The developer found it necessary to slightly realign the roadways, Cedar Grove Road and Pheasant Court, serving the lots and was required to obtain a revised NCDOT roadway permit and a revised Erosion Control Permit. The permits have been obtained and can be viewed on the Planning Department webpage at www.chathamnc.org/planning. Rezoning and Subdivision Cases, 2015, Cedar Mountain, Phase 3. As of this date, the roadways within Cedar Grove and Cedar Mountain are not yet being maintained by NCDOT. Once the roads have been built to the NCDOT standard; NCDOT has issued a Built-to-Standards letter; and the density requirement has been met, the developer or the homeowners association can petition that the roads be taken over for maintenance.

The Planning Board met on October 6, 2015 to review the request. Planning staff provided an overview of the application and Kirk Metty was in attendance representing the developer. There was a brief discussion by the Planning Board regarding installation of the discharge lines for the off-site septic systems and no concerns were raised.

Recommendation:

The Planning Board, by unanimous vote (9 members) and Planning Department recommend granting final plat approval of Cedar Mountain, Phase 3 with the following six (6) conditions:

1. Prior to recordation of the final plat, the developer shall install all of the supply lines for the off-site sewage treatment systems at one time, use only gravel less systems, have one contractor complete all of the work, install the supply lines at least 30 inches deep, and provide certification of installation.
2. The final Mylar shall be revised to show a 30 foot wide private septic supply line /utility easement.
3. Prior to recordation of the final plat, staff shall receive copies of the septic Improvement Permits.
4. Prior to recordation of the final plat, the county attorney shall approve the form of the contract and financial guarantee.
5. Prior to final plat recordation, staff shall receive certification from the engineer that the roadways are accessible to emergency vehicles and the Fire Marshal has approved.
6. Plat must include a note indicating what entity will be responsible for road maintenance prior to NCDOT taking the road over for maintenance.