

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW
NICOLAS P. ROBINSON
ANDREW T. SLAWTER

(919) 542-2400

FAX 542-0496

robinson@bradshawrobinson.com

July 1, 2015

James Crawford, Chairman
Chatham County Board of Commissioners
80-A East Street
Pittsboro, North Carolina 27312

Via Hand Delivery &
Electronic Mail

RE: Briar Chapel: Request for Compact Community Ordinance ("CCO") Waiver to Ratify Previously Installed Drainage Structures and Minimal Grading

Dear Board of Commissioners:

This letter serves as an update and revision to the May 22, 2015 formal request by NNP-Briar Chapel, LLC for a Waiver under the CCO to ratify the location of two previously installed drainage pipes and outlets, as depicted on Attachment 1 (the "Pipes") and also for approval of a grading solution approved by NCDOT, as depicted on Attachment 2.

The Pipes were installed approximately ten years ago in accordance with approvals from DENR prior to delegation of the erosion control process to the County. The as-built locations of the Pipes encroach on a ten foot no-build zone in one case and on the no-build zone and buffer in the other case. Upon joint review, it is the opinion of the NNP engineers and the County Staff that, based on the length of time the Pipes have been in place, it would do more harm than good to the applicable buffers to extricate the Pipes and re-install them outside the buffer(s).

In addition, NNP seeks to obtain this waiver to approve the grading approach approved by NCDOT, as shown on Attachment 2.

As I am sure you recall, the Compact Communities Ordinance ("CCO"), Section 15, authorizes the Board of Commissioners to adjust, modify, reduce or waive requirements of the CCO. There is a reasonable nexus between the request and the impact of the compact community.

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Based on the foregoing, the enclosed proposed Order of the Board of Commissioners allowing the relief requested is submitted to the Board of Commissioners for a vote at its meeting of July 20, 2015. This is to request of the County Manager that the request be placed on the Commissioners Agenda for their meeting on July 20, 2015.

Please let me know if you have any questions or concerns regarding the above.

Very truly yours,



Nicolas P. Robinson

NPR:amm

Enclosure

c: Charlie Horne, County Manager
Jason Sullivan, Planning Director
Lee Bowman



