



3M Pittsboro

Blake Arnett  
4191 Hwy 87 South  
Moncure, NC 27559  
[blarnett@mmm.com](mailto:blarnett@mmm.com)  
919-642-4011

July 21, 2016

Jason Sullivan  
Planning Director  
80-A East Street- Dunlap building  
Pittsboro, NC 27312-0054  
[jason.sullivan@chathamnc.com](mailto:jason.sullivan@chathamnc.com)  
*Via U.S. Mail and E-mail*

Re: 3M Pittsboro Zoning Map

Dear Jason:

As a follow up to the 3M Pittsboro Zoning Matter letter I sent out on June 23, 2016, we wanted to provide 3M's proposed rezoning map. As we move into the future as a good neighbor and an industrial leader in our community, 3M wants to make sure we are zoned correctly for the future growth of our company. 3M proposes the Chatham County "IND-H" zoning designation be applied to most of the 3M owned property for the following reasons:

1. 3M is currently in the process of gaining approval to utilize a large area within the permitted acreage for future raw material supply needs, which will expand the limits of heavy industrial operations on the property.
2. The "IND-H" zoning designation is more congruent with any future expansions and processing plant opportunities that 3M may pursue on the property.
3. 3M proposes to maintain a new buffer line of approximately 1,000 feet (versus 1500 feet that the County is proposing) from the eastern edge of the IND-H designation to Moncure-Pittsboro Road. We will identify and survey the 1000 foot boundary on the eastern edge when our future expansion reaches that boundary line.
4. 3M plans on developing a future site access road from our facility to the Moncure-Pittsboro road on the south-east corner of the property. This was agreed upon by the Board of Commissioners in 2009.

Attached is the 3M Pittsboro Property masterplan showing the proposed IND-H zoning and the Proposed R-1 zoning along Moncure-Pittsboro Road.

We appreciate your consideration of this matter. Should you have any questions or require any additional information regarding this request or our operational plans for the future.

Sincerely,  
Blake Arnett

A handwritten signature in black ink, appearing to read "Blake Arnett", with a stylized flourish at the end.

3M Pittsboro Plant Manager

CC:

Jim Zieglmeier (3M Company Manufacturing Services Manager)

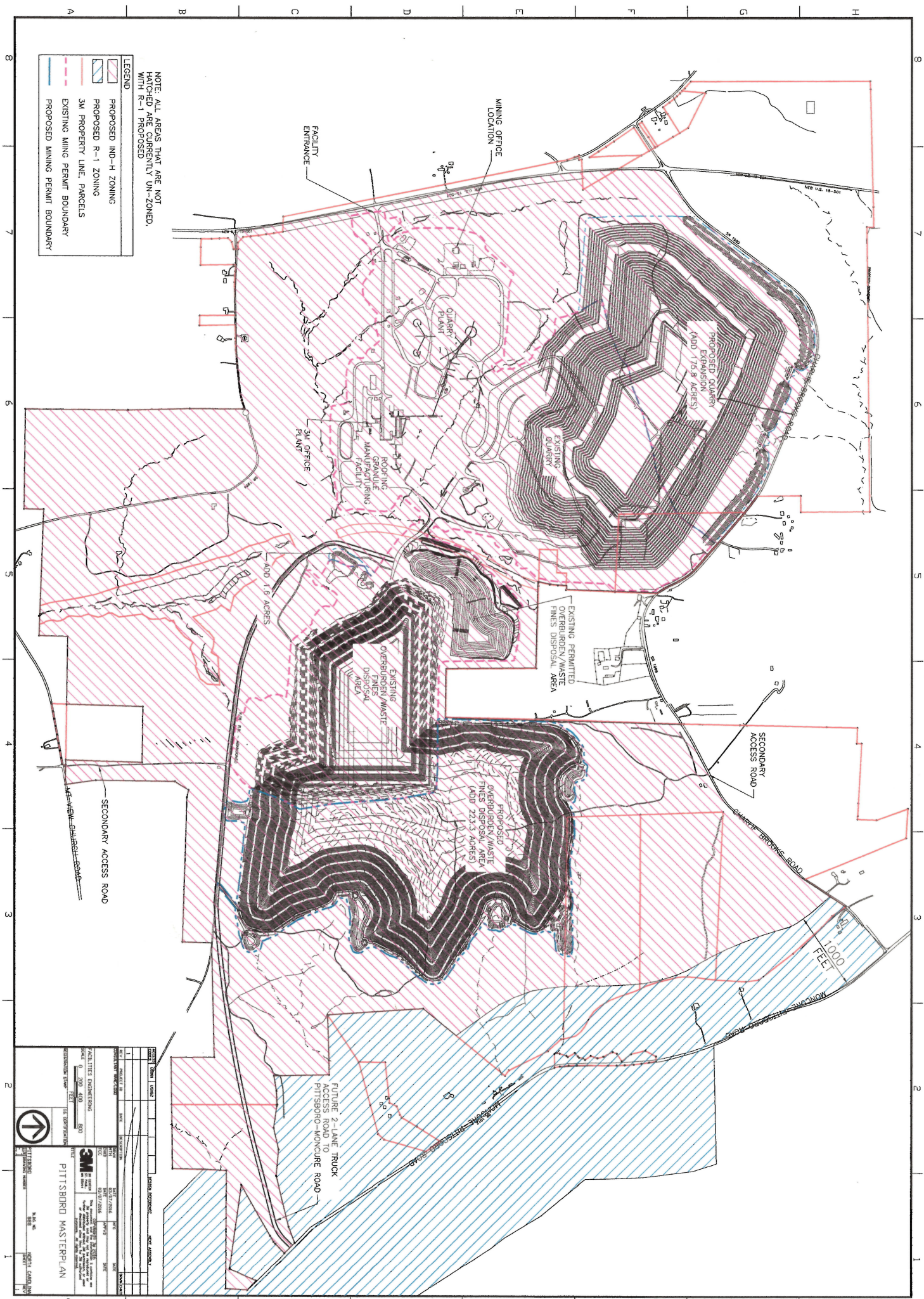
Anna Zanko (3M Company Real Estate Attorney)

Wade Barber (Local Legal Counsel)

Jamie Vaughn (Vice President EDC)

Anton Van Der Merwe (3M Office of General Counsel)









Rosemont Homeowners Association, Inc.

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July 25, 2016

Chatham County Board of Commissioners  
12 East Street  
PO Box 1809  
Pittsboro, NC 27312

Chatham County Planning Department  
Attention: Jason Sullivan, Planning Director  
80-A East Street – Dunlap Building  
PO Box 54  
Pittsboro, NC 27312

Dear Madams and/or Sirs:

We are writing to you in response to the Planning Board's vote of 7-4 on July 12, 2016 in favor of recommending to the Board of Commissioners the New County Wide Zoning Plan as proposed. The Board of Directors of the Rosemont Homeowners Association requests the following:

1. The **amendment** of the Chatham County Zoning Ordinance to include a new category called "Watershed Protection District" that specifically addresses the lands in Chatham County that are labeled as a "Critical Area" in the Chatham County Watershed Ordinance and shown as such on the Watershed Protection Map of



Chatham County, North Carolina prepared by the Chatham County Planning Division  
September 2010. (Attachment A – Map and Present Chatham County Zoning  
Ordinance Districts)

2. The **omission** of any Federal property at B.E. Jordan Lake under the jurisdiction of the US Army Corps of Engineers (USACE) from the New County Wide Zoning Plan as proposed. As stated in a letter dated July 12, 2016 from the USACE to Mr. Jason Sullivan, Chatham County Planning Director (Attachment B), "...the County's zoning of this federal property will not change how the lands and waters are managed by the USACE. Local zoning ordinances are typically not applicable on Federal property as they may conflict or interfere with the Federal purpose for which the property was acquired and operated. The waters of Jordan Lake and the surrounding Federal lands are managed for congressionally authorized purposes including public drinking water supply, fish and wildlife conservation, natural resource based public recreation, water quality, and flood storage. **The residential zoning of R-1 over land around Jordan Lake is not compatible with the allocations and designations in the Jordan Lake Master Plan.**" An 11-0 vote by the Planning Board on July 12, 2016 recommended to eliminate the R-1 and maintain the R-5 Residential district zone for all USACE lands in the proposed plan; furthermore, since there were no other zoning categories that were appropriate for these lands the Planning Board members also voted in the same motion to consider the creation of more suitable zoning categories.
3. The **inclusion** of any land managed by the USACE in Chatham County in the requested new zoning category "Watershed Protection District" in the New County Wide Zoning Plan.

Thank you for your time and consideration. If you wish to discuss our requests please contact Kathy Shipman, President of the Rosemont Homeowners Association at 919-599-7668.

Sincerely,

The Board of Directors

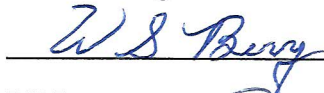
Rosemont Homeowners Association

  
\_\_\_\_\_

Kathy Shipman

  
\_\_\_\_\_

Robert Keegan

  
\_\_\_\_\_

Bill Berry

  
\_\_\_\_\_

Dan Burch

  
\_\_\_\_\_

Mary Blondy



[illegible]

LQ



# Chatham County Zoning Ordinance

## **SECTION 4 DISTRICTS ESTABLISHED**

In order to achieve the purposes of this Ordinance as set forth above, the jurisdictional area subject to this Ordinance is hereby divided into general use districts of which there shall be 10 with the designation and purposes as listed below:

### **R5 Residential district**

Primarily for very low density residential developments along the County's rivers and streams which are compatible with protecting the water quality of the rivers and streams.

### **R2 Residential district**

Primarily for low density residential development to protect water supply watersheds

### **R1 Residential District**

This district is primarily for low to moderate density residential development within the residential-agricultural areas of the jurisdiction.

### **O&I Office and Institutional District**

Primarily for office and institutional type uses along with residences

### **B-1 General Business District**

Intended for retail trade and consumer services dealing with the general public; the old district has been split into 3 new districts (NB, CB, and RB, below) that are intended for retail and consumer services, but are scaled to better fit different needs around the County.

### **NB Neighborhood Business District**

This district is meant to serve a small retail market, roughly equivalent to the trade area of a small (40,000 square foot) grocery store and limited ancillary services. No building within this district shall exceed 40,000 square feet and the cumulative building square footage shall not exceed 160,000.

### **CB Community Business District**

This district is similar to the Neighborhood Business District, but at a slightly larger scale, roughly equivalent to a 80,000 square foot grocery store and ancillary services. No building within this district shall exceed 80,000 square feet and the cumulative building square footage shall not exceed 320,000.

### **RB Regional Business District**

This district is similar to the old General Business District in that a wider array of uses is allowed and there are not limitations on single-occupant, single-use structure sizes or outdoor storage and display of merchandise.

### **IL Light Industrial District**

Primarily for wholesale activities, warehouses, and light manufacturing operations which do not involve heavy processing activities and which are not likely to create noise, smoke, dust, vibration, heat, odor or other obnoxious effects, controlled or uncontrolled.

## Chatham County Zoning Ordinance

### **IH** Heavy Industrial District

Primarily for manufacturing operations involving heavy manufacturing processes such as dyeing, chemical mixing, melting, and stamping but which control such processes so as not to exceed the environmental performance standards of this Ordinance. IH also permits all uses as permitted in the IL District.



Attachment B  
**DEPARTMENT OF THE ARMY**  
**WILMINGTON DISTRICT, CORPS OF ENGINEERS**

**FALLS LAKE**  
11405 FALLS OF THE NEUSE ROAD  
WAKE FOREST, NORTH CAROLINA 27587

July 12, 2016

Mr. Jason Sullivan  
Chatham County Planning Director  
PO Box 54  
Pittsboro, NC 27312

Dear Mr. Sullivan:

These comments address the May 12, 2016 email from you regarding the county's proposal to zone previously un-zoned areas in Chatham County. The zoning initiative appears to include all Federal property at B.E. Jordan Lake in Chatham County under the jurisdiction of the U.S. Army Corps of Engineers (USACE).

Much of the federal property is leased to the State of North Carolina which has assigned management to several State agencies including the NC Division of Parks and Recreation, NC Wildlife Resources Commission, and the NC Forest Service. These lands are managed for multiple purposes including recreation areas, game lands, and forest and wildlife management areas depending upon the managing agency's goals and the way the land is classified in the Jordan Lake Master Plan.

The intent of this letter is to communicate that the County's zoning of this federal property will not change how the lands and waters are managed by the USACE. Local zoning ordinances are typically not applicable on Federal property as they may conflict or interfere with the Federal purpose for which the property was acquired and operated. The waters of Jordan Lake and the surrounding Federal lands are managed for congressionally authorized purposes including public drinking water supply, fish and wildlife conservation, natural resource based public recreation, water quality, and flood storage. The residential zoning of R-1 over land around Jordan Lake is not compatible with the allocations and designations in the Jordan Lake Master Plan.

As the lands adjacent to Federal property are developed in the future we continue to recommend a buffer of at least 100 feet of undisturbed vegetation be left on private land adjacent to the government boundary wherever possible. Buffers provide aesthetic benefits to residents while screening them from changes on public lands that may result from forestry practices such as prescribed burns and timber harvests; and from public recreation activities. This buffer of undisturbed vegetation also helps to protect water quality in the lake impacted by nearby development.




We appreciate the opportunity to comment on this rezoning initiative. If we can provide any additional information, please contact Dana Matics at the Jordan Lake Visitor Assistance Center (919) 542-4501 extension 23.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol M. Banaitis". The signature is fluid and cursive, with a long horizontal stroke at the end.

Carol M. Banaitis, R.F.  
Operations Project Manager  
Piedmont Operations

# New County Zoning Districts

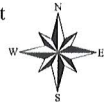
-  New R-5
-  New R-1
-  Currently Zoned
-  Roads
-  Major Roads

0 4 8 Miles

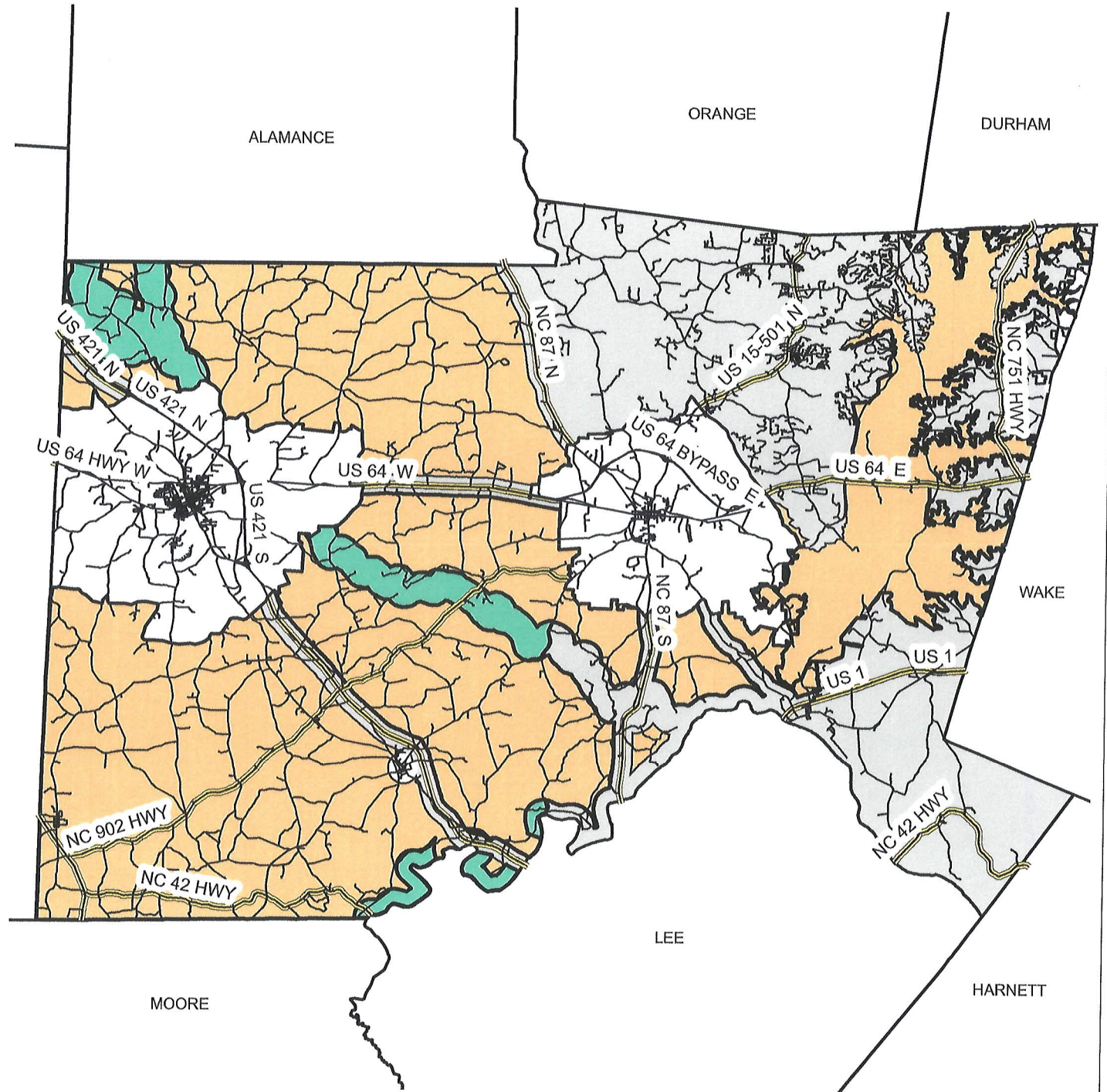
Prepared by the  
Chatham County  
Planning Department  
March 2016



GIS DATA DISCLAIMER  
FOR CHATHAM COUNTY NC



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**DEPARTMENT OF THE ARMY  
WILMINGTON DISTRICT, CORPS OF ENGINEERS**

**FALLS LAKE**  
11405 FALLS OF THE NEUSE ROAD  
WAKE FOREST, NORTH CAROLINA 27587

July 12, 2016

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Chatham County Planning Director  
PO Box 54  
Pittsboro, NC 27312

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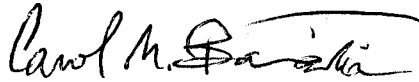
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Carol M. Banaitis, R.F.  
Operations Project Manager  
Piedmont Operations



HOWARD, STALLINGS,  
FROM, HUTSON,  
ATKINS, ANGELL  
& DAVIS, P.A.

Telephone: 919.821.7700 | Facsimile: 919.821.7703 | PO Box 12347, Raleigh, NC 27605

ATTORNEYS at LAW

www.HowardStallings.com

July 12, 2016

**Via U.S. Mail and Hand Delivery**

E. Cader Howard  
I. Allan From  
Joseph H. Stallings  
John N. Hutson  
Beth F. Atkins  
James B. Angell  
B. Joan Davis  
Brian E. Moore  
Michael A. Burger  
Kathleen B. Coyle  
Brooke L. Dalrymple  
Nicholas C. Brown  
Douglas D. Noreen  
Robert H. Jessup  
Elizabeth C. Buckley

Of Counsel  
Edwin P. Friedberg  
(Deceased 2009)

Chatham County Board of Commissioners  
12 East Street  
P.O. Box 1809  
Pittsboro, NC 27312

Chatham County Planning Department  
Attn: Jason Sullivan, Planning Director  
80-A East Street-Dunlap Building  
P.O. Box 54  
Pittsboro, NC 27312

**RE: Objection to Chatham County's Proposed Rezoning of Jordan  
Lake Area to R-1/R-5 Residential Zoning**

Dear Madams and/or Sirs:

On behalf of Rosemont Homeowners Association, Inc. ("Rosemont HOA"), I am writing to you with regard to the pending request by the Chatham County Board of Commissioners ("Board of Commissioners" or "Board") to apply R-1 and R-5, Residential zoning, to approximately 388 square miles of the county that are currently unzoned ("Request").

Rosemont HOA is the governing body for a residential subdivision community comprised of approximately sixty-five homeowners residing in Chatham County. These homeowners and Rosemont HOA have serious concerns regarding the impact of the Board's Request and, specifically, how the Request purports to rezone the land immediately surrounding the B. Everett Jordan Dam and Lake ("Jordan Lake"). Accordingly, please consider this letter as Rosemont HOA's formal objection to the Board's Request, insofar as it proposes to rezone the land surrounding Jordan Lake to R-1 and R-5 Residential.

As I am sure you are aware, Jordan Lake and certain land that surrounds it is owned by the U.S. Army Corps of Engineers ("USACE") and operated through a partnership between USACE and the State of North Carolina. As stated on the website for USACE at Jordan Lake, **"The purposes of B. Everett Jordan Dam and Lake are to provide flood damage reduction, water supply, water quality control, fish and wildlife conservation and outdoor recreation."** Rosemont HOA's

**RALEIGH OFFICE**

5410 Trinity Road  
Suite 210  
Raleigh, NC 27607  
Telephone: 919.821.7700  
Facsimile: 919.821.7703  
Toll Free: 800.822.4182

**OTHER LOCATIONS**

New Bern, NC  
Morehead City, NC

July 12, 2016

Page 2

concern is that the Board's Request and proposed rezoning of Jordan Lake to R-1/R-5 Residential will adversely impact the preservation of Jordan Lake and its surrounding land as R-1/R-5 zoning is completely inconsistent with the existing use and express stated purpose of the land.

Moreover, as the USACE is a federal entity, the USACE is exempt from state and local zoning laws. This exemption stems from the Supremacy Clause of the United States Constitution (Clause 2 of Article VI), which provides that the Constitution and the laws of the United States made in pursuance thereof shall be the supreme law of the land. There is a plethora of federal case law that supports this premise and has repeatedly held that the federal government does not need to comply with state or local zoning laws. Therefore, the Board's Request, as it pertains to Jordan Lake, appears to be without any sound purpose because even if the proposed rezoning were to take place, the USACE cannot be compelled to comply with Chatham County's zoning requirements. Through a telephone conversation with a representative of the USACE, we have been told that the USACE is aware of the Board's Request, that the USACE has explained to Chatham County that it does not need to comply with the county's zoning requirements and that the USACE does not have any plans for any residential development at or around Jordan Lake.

It would appear in light of the foregoing, that the only result that rezoning Jordan Lake will achieve is to cause unnecessary stress, confusion and anxiety to residents of Chatham County including, without limitation, those residents represented by the Rosemont HOA, as to whether development inconsistent with the purpose of Jordan Lake will be encouraged and allowed within the subject property. Accordingly, Rosemont HOA requests that you deny the Request of the Board, insofar as it pertains to Jordan Lake. In closing, nothing set forth herein shall be deemed to waive or prejudice the right of Rosemont HOA to take appropriate legal actions to protect the interests of its members and Rosemont HOA expressly reserves all such rights.

Sincerely,

**HOWARD, STALLINGS, FROM, HUTSON,  
ATKINS, ANGELL & DAVIS P.A.**

A handwritten signature in black ink, appearing to read "B E Moore".

Brian E. Moore

BEM/rc



## Jason Sullivan

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**From:** Dylan Paul  
**Sent:** Monday, July 11, 2016 11:13 AM  
**To:** Jason Sullivan  
**Subject:** FW: Zoning Comment Sheet

**From:** Lisa Baaske [mailto:bauskaknights@gmail.com]  
**Sent:** Sunday, July 10, 2016 1:40 PM  
**To:** Dylan Paul <dylan.paul@chathamnc.org>  
**Subject:** Zoning Comment Sheet

Hello Dylan-

I didn't see the 'Zoning Comment Sheet' on-line, so I'm sending this email to be counted with the rest of the community comments.

First, I would like to know how the zoning will apply to covenanted areas. For example, our neighborhood covenant doesn't allow for subdividing our 10 acre plots, and includes other housing type restrictions. How then will the zoning regulations apply?

In general, I am in favor of zoning, but I'm not in favor of the zoning assignments being done prior to the County's Comprehensive Plan. A more thoughtful and future visionary stance would be to wait until the comprehensive plan is completed (with community input). Then decide on zoning the remaining areas of the County based on the Comprehensive Plan. That is why communities engage in comprehensive plans--to provide direction and guidance for how to plan for the future (not the other way around).

Thank you for including my comments and I look forward to your response to my question.

Lisa Baaske  
332 Little Creek Lane  
Siler City, NC 27344

## Jason Sullivan

---

**From:** Kimberly Israel <kac15228@yahoo.com>  
**Sent:** Friday, July 01, 2016 5:01 PM  
**To:** Jason Sullivan  
**Subject:** comment on R1/R5 rezoning

Dear Mr. Sullivan,

I am writing to submit my comment on the request by the Chatham County Board of Commissioners to apply R-1 and R-5, Residential zoning, to approximately 388 square miles of the county that are currently unzoned. Although I am not myself a resident of Chatham County, I know people who live and work in the unzoned area near Pittsboro and I value the unique character of that part of the state.

Zoning such a large swath of land as R-1 and R-5 all at once doesn't adequately address the needs of the people who already live there. If nothing else, people who live in those areas will surely need access to grocery stores and other businesses, so some areas will need commercial zoning. Why make zoning decisions where it's known at the outset that they'll need to be rezoned?

Most importantly, though, the R-1 and R-5 zoning does not meet the needs of people who have lived and worked in that area for the past ten years or more. The unzoned land has allowed residents to pursue a variety of occupations on their land, including animal breeding and training, horticulture, art, machine repair, furniture construction, and many others. Essentially anything that one can learn through hands-on practice can be included as part of one's business. This gives the residents of the unzoned areas of Chatham County the ability to make their living by their own hands, adjusting their business focus as needed, and it benefits both residents and nonresidents by creating a vibrant community and by maintaining a cultural repository of skills and expertise.

The current plan protects "bona fide" farms, but the "bona fide" requirements do not actually meet the needs of many residents. For example, many do not meet the ten-acre requirement, even though they work very hard on the land they do have and may have been saving to purchase more land, which, under the proposed zoning, they may end up unable to use for their businesses.

For many residents of unzoned Chatham County, the only way to keep their businesses would be to apply to be grandfathered in for every type of business they might conduct on their property, now or in the future. This creates an undue burden because of the nature of these home-based businesses. As mentioned above, resident entrepreneurs add new businesses as they develop new skills and as the need for additional income or the market for their skill arises. A prediction of every income-generating activity they might engage in on their property for the rest of their lives is unrealistic, stifles innovation and creativity, and reduces the opportunity for both Chatham County residents and residents of local counties to benefit from their expertise.

Furthermore, the proposed loss of grandfathered status with a year of business inactivity is unjust and lacks compassion. People get sick, have crises, become disabled, care for loved ones who are suffering, and sometimes need to take a leave of absence from their business. If someone becomes disabled and it takes a year to reconfigure their business, they shouldn't lose their business. If someone has the opportunity to take a sabbatical and travel for a year, they shouldn't lose their business. If someone needs to care for an elderly parent and finds keeping up the business to be just too much for a year, they shouldn't lose their business.

I ask that you allow areas in Chatham County where residents are carrying varied home-based businesses to remain unzoned in order to preserve their way of life and allow their skills to continue providing a benefit to us all. I further ask that you reconsider the entire plan of large scale R-1 and R-5 zoning and instead take a careful look at what type of zoning or lack of zoning will actually meet the needs of Chatham County residents. Thank you for your time.

Sincerely,  
Kimberly Israel



3M Pittsboro

Blake Arnett  
4191 Hwy 87 South  
Moncure, NC 27559  
[blarnett@mmm.com](mailto:blarnett@mmm.com)  
919-642-4011

June 22, 2016

Jason Sullivan, (Director)  
Planning Dept.  
P.O. Box 54  
Pittsboro, NC 27312  
[jason.sullivan@chathamnc.org](mailto:jason.sullivan@chathamnc.org)  
***Via U.S. Mail and E-mail***

Re: 3M Pittsboro Zoning Matter

Dear Planning Director Sullivan:

3M has enjoyed being a corporate citizen of Chatham County since 2002. 3M Pittsboro employs or creates employment opportunities for about 146 people (including Luck Stone, SIC, Contingent Workers and Modern Drivers) on our 2,200 acre site. 3M employees average \$31.98/hour plus benefits. In addition to providing quality, high-paying jobs to the area, 3M has donated 52 acres of land to the Town of Pittsboro, for use as a beautiful park.

When the County zoned the 15-501 corridor, it zoned the 3M property Heavy Industrial ("IH"). We respectfully request that the County also zone the remaining unzoned portion IH. A small area of the 3M property in the Pittsboro Moncure Road Corridor is residential; it is for access and we are not requesting rezoning of that.

3M Pittsboro is a mine for andesite rock that is used to manufacture roofing granules used to make a variety of asphalt shingles. Our quarry operation, managed by Luck Stone, requires drilling and blasting, and the use of large mining equipment. The 3M plant facility is an industrial operation that requires large processing equipment for rock crushing, dyeing and kiln firing of ceramic coating processes and bulk truck shipments. The current use falls squarely within the definition of a Heavy Industrial District.

We are concerned that, should the 3M property be zoned residential, even if 3M's current use is "grandfathered," it might jeopardize our significant investment in 3M Pittsboro, including our talented workforce, land and facilities. 3M, as well as some of our employees (approximately 71% of whom have been on our team for over 10 years) relied on Chatham County's long term commitment when we made our initial investment in the 3M Pittsboro mine. Residential zoning of the 3M property could hamper 3M's ability to continue to mine the site long term.

In determining the appropriate zoning for 3M Pittsboro, please also consider:

1. **Current Zoning.** On May 18, 2009 the Chatham County Board of Commissioners determined that the proper zoning for the 3M property is IH. The boundaries of the IH zoning are Hwy. 15-501 on the west, the 3M property boundaries on the north and south, and the boundary of the zoning corridor limits on the east. Now that the corridor zoning limit is being removed, the IH district logically extends to the 3M boundaries. We also note that having an existing zoning classification distinguishes the 3M site from most of the other properties being zoned for the first time.
2. **Mining permits.** Our mining operations are highly regulated by the State. 3M Pittsboro is in the process of seeking permits to expand its active mining operations. Mining permits require setbacks, environmental controls and numerous other conditions designed to protect the environment and minimize an adverse impact.
3. **Residential, “grandfathered.”** Unlike many business and industrial operations, mining by its very nature is forever expanding beyond its current bounds. 3M’s investment is too significant to rely on grandfathering to protect its future.
4. **Regulatory compliance.** 3M often makes representations to investors, lenders, and others that it complies with applicable regulations. Residential zoning could make it appear that our use of the property is non-compliant.
5. **Unified Site.** The 2,200 acres is one contiguous industrial property. A significant portion is zoned IH and the zoning classification should not be split. 3M intends to utilize the entire 3M Pittsboro site for expansion of the mined area with additional property for buffering. (Our surveyor is preparing a boundary survey plat of the mining and operations site so that the county tax records will show it as one parcel.)
6. **Good business.** We respectfully suggest that to zone part of the 3M site to make the current use non-conforming is not a good business policy for the County.
7. **Future Impact.** The proposed zoning determination may limit 3M's ability to bring other types of manufacturing (and top paying jobs that go along with it) to the area.

3M has enjoyed a very positive relationship with the Pittsboro community and we hope that this will continue well into the future. We are asking that you work with us to ensure the long-term success of 3M Pittsboro and approve the zoning classification of the site that accurately reflects both the current and future uses of the 3M Pittsboro property.



3M Zoning Letter  
June 22, 2016  
Page 3 of 3

Should you have any questions or require any additional information regarding our operations, I would be happy to speak with you.

Sincerely,

Blake Arnett  
3M Pittsboro Plant Manager

CC:  
Jim Zieglmeier (3M Company Manufacturing Services Manager)  
Anna Zanko (3M Company Real Estate Attorney)  
Wade Barber (Local Legal Counsel)  
Jamie Vaughn (Vice President EDC)  
Dave Schmitt (3M Office of General Counsel)  
Anton Van Der Merwe (3M Office of General Counsel)



Gregory A. Bowles  
Director of Real Estate, Environment, & Geology

GENERAL SHALE BRICK, INC.  
P.O. Box 3547 / 3015 Bristol Highway, Johnson City, TN 37602  
Ph. (423) 282-4661 / FAX (423) 952-4160

June 6, 2016

Honorable Chatham County  
Board of Commissioners  
P.O. Box 1809  
12 East Street  
Pittsboro, NC 27312

Re: County-wide Zoning Proposal; General Shale, Inc. and General Shale  
Brick, Inc.

Dear Honorable Commissioners,

This letter is to request that the parcels owned by General Shale, Inc. (AKPAR Parcel # 10156) and General Shale Brick, Inc. (AKPAR Parcel # 67072) (collectively, the "General Shale Parcels"), if they are to be zoned at all, be zoned as Heavy Industrial rather than the proposed R-1 designation.

Both of these properties have been and are currently in use as shale mining sites (mining by surface removal method). See enclosed Business Listing Forms for each property. Zoning them to a residential classification (R-1) would be discordant with their current actual use and their likely use for the foreseeable future. We do not agree that designating these properties as "non-conforming uses" is appropriate or fair under the circumstances.

In 2007, the County undertook a similar zoning process for certain highway corridors in Chatham County, seeking to apply residential zoning to these the corridors. Two of those parcels were owned by affiliates of General Shale. As part of that process, the County initiated a process by which affected land owners with existing businesses could have their land zoned to a corresponding zoning classification matching the existing use. In both cases, the General Shale affiliate chose to have their affected land be zoned as Heavy Industrial. If the County does determine to zone these two properties, General Shale respectfully requests that their land be accorded the same treatment and that General Shale be given the option to agree to Heavy Industrial zoning for these two parcels.

As a significant employer and tax payer in Chatham County, we appreciate your consideration and seek your approval of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gregory A. Bowles", written over a printed name.

Gregory A. Bowles

Enclosures

3959730-740-2-2\*

Planning Department  
Post Office Box 54  
80-A East Street - Dunlap Building  
Pittsboro, NC 27312-0054



Phone: 919-542-8204  
Fax: 919-542-2698  
[www.chathamnc.org/planning](http://www.chathamnc.org/planning)

## BUSINESS LISTING FORM

Mail to: Chatham County Planning Department

Property Information:  
Parcel Number (AKPAR) 10156  
GENERAL SHALE INC  
3015 BRISTOL HWY  
JOHNSON CITY TN 37601-1511

I, GREGORY A. BOWLES (printed name of  
property owner), certify that I am the owner of Parcel No. 10156. I hereby verify  
that this property is being used for the following non-residential use(s)  
SHALE MINING BY SURFACE REMOVAL METHOD (include a  
description of the use or uses).

GREGORY A. BOWLES  
Landowner Printed Name

[Signature]  
Landowner Signature

5/27/16  
Date

Phone Number: 423-282-4661

Email Address: greg.bowles@generalshale.com

\_\_\_\_\_  
Date Received by Planning Dept.

\_\_\_\_\_  
By



Planning Department  
Post Office Box 54  
80-A East Street - Dunlap Building  
Pittsboro, NC 27312-0054



Phone: 919-542-8204  
Fax: 919-542-2698  
[www.chathamnc.org/planning](http://www.chathamnc.org/planning)

## BUSINESS LISTING FORM

Mail to: Chatham County Planning Department

Property Information:

Parcel Number (AKPAR) 67072  
GENERAL SHALE BRICK INC  
PO BOX 3547  
JOHNSON CITY TN 37602-3547

I, GREGORY A. BOWLES (printed name of  
property owner), certify that I am the owner of Parcel No. 67072 <sup>AND PARCEL NO. 10156</sup> I hereby verify  
that this property is being used for the following non-residential use(s)  
SHALE MINING (MINING BY SURFACE REMOVAL METHOD) (include a  
description of the use or uses).

GREGORY A. BOWLES  
Landowner Printed Name

[Signature]  
Landowner Signature

5/24/16  
Date

Phone Number: 423-282-4661

Email Address: greg.bowles@generalshale.com

\_\_\_\_\_  
Date Received by Planning Dept.

\_\_\_\_\_  
By

Tues. morning  
May 25, 2016

Dear Sirs;

I don't think that the County should tell you what you should do with your land or should not do with your land in the County. I think that the land owners should be able to do what they want to with their <sup>own</sup> land. To me that is Communism and nothing but it.

I am very strongly against this.  
Please take this very serious from me.

Thank you,

Mary L. Gilmore Martha <sup>W.</sup> Gilmore



## Cara Coppola

---

**From:** Deborah And Pat Gallarelli <webbgall@embarqmail.com>  
**Sent:** Monday, June 06, 2016 2:13 PM  
**To:** Cara Coppola  
**Cc:** Robert.Reives@ncleg.net; Valerie.Foushee@ncleg.net  
**Subject:** Rezoning Comments

Hi Cara,

Thanks for talking with me this morning. As we discussed, I have another obligation tonight and can't attend the Chatham Co zoning meeting so please forward to the power that be my concerns regarding the proposed zoning of Jordan Lake Corp of Engineers land R-1. It seems to me the land adjacent to Jordan Lake, in the spirit of setting an example for the region and state that shows Chatham Co is serious about protecting the watershed and its own drinking water, should be given the most restrictive zoning. Assuming R-1 and R-5 are the only two zoning designations that are applicable to the lake, it appears that R-5 zoning is more restrictive than R-1 as far as allowable lot size is concerned, so R-5 should be the preferred zoning. If there is a zoning option more restrictive than R-5 that's what it should be.

As a side note, I was and am very disturbed that Chatham Co and Cary have built dense subdivisions so close to the lake that include spray septic systems on land that doesn't perk that well. Not to mention the future effects of approved Briar Chapel and Chatham Park development. In addition, our state legislature's actions, by virtue of their stonewalling common sense upstream protections via solar bees that didn't work, trying to stall again until 2020 by proposing the introduction of mussels to filter the water (that I'm guessing are non native) and the proposed elimination/reduction of riparian buffers that are meager to begin with, I fear the future of the only significant water supply for this region is in dire jeopardy. Maybe not immediately but 20-50 yrs from now. With that said, I understand the attitude of upstream stakeholders, if I had to pay the cost of protecting a water source I don't use when the folks using the water don't do their best and err on the side of caution to protect their own drinking water I would push back too. So, please do what you can to protect and clean Jordan Lake.

Sincerest Regards,

Pat Gallarelli  
1337 Searforth Rd  
Pittsboro, NC 27312



I strongly support zoning all of Chatham County

Clyde/Sonny Keisler,

A handwritten signature in dark ink, appearing to read "C. Keisler", written in a cursive style.

SAMUEL & SYLVIA A. STRICKLAND  
6709 NEW STRICKLAND LANE  
RALEIGH, NC 27603  
PHONE 919-772-3497  
FAX 919-772-7716

CHATHAM CO. PLANNING DEPT.  
P.O. BOX 54  
PITTSBORO, NC 27312-0054

TO WHOM IT MAY CONCERN:

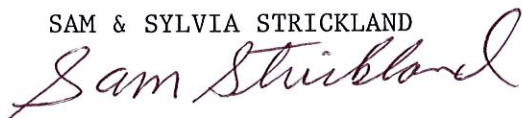
RE: ZONING FOR PARCIL 79040,79041,79042

THIS PROPERTY HAS BEEN IN FORESTRY TREE GROWING LAND FOR APP: 10 YEARS & LIES ON BETWEEN TWO CATTLE FARMS & A POULTRY FARM.  
WE PURCHASED THIS TREE FARM FOR GROWING TIMBER & NOT FOR HOMES OR RESIDENTIAL USE.  
WE CAN NOT AFFORD TO PAY TAXES ON RESIDENTIAL USE TO GROW TREES  
THIS AREA IS MOST IN FARMING & MOST HOMES ARE FARM HOUSES  
PLEASE CONSIDER THIS MATTER,AS WE WANT TO KEEP AREA GREEN & NOT DISTURB GROUND IN AREA.

THANK YOU FOR YOUR CONSIDERING THIS MATTER:

SINCERLY.

SAM & SYLVIA STRICKLAND

A handwritten signature in dark ink, reading "Sam Strickland". The signature is written in a cursive, flowing style. The first name "Sam" is written in a larger, more prominent script, and "Strickland" follows in a similar but slightly smaller script. The signature is positioned below the printed name "SAM & SYLVIA STRICKLAND".

I HAVE LIVED ON THIS PROPERTY SINCE 1977 AND  
ESTABLISHED MY FARM IN 1980.

I JUST WANT TO SAY THAT I HAVE EXISTED HERE  
FROM 77 WITHOUT ANY HELP FROM THE COMMISSIONERS  
AND NOW WE HAVE ELECTED IDIOTS THAT THEY  
KNOW HOW TO USE OUR LAND BETTER THAN  
US. IF THEY WANT ALL THIS REGULATION THEY  
NEED TO LEAVE CHATHAM AND GO BACK TO  
WHERE THEY CAME FROM. THIS IS MY LAND THAT  
I PAID FOR WITH MY OWN MONEY AND MY  
NAME IS THE ONLY NAME ON THE DEED. UNTIL  
THEIR NAME IS ON THE DEED THEY WILL NOT  
TELL ME WHAT TO DO WITH MY OWN LAND.

John STRICKLAND



My name is Debra Haiduven and I live on Old Country Rd. in the unzoned area of Chatham County. I am here to voice strong support for zoning.

My family moved to Chatham County from the metro DC area six years ago, and we have fallen in love with it. We deliberately chose an area of the county that was sparsely populated, and predominately a farming community. The quality of our lives has improved dramatically since moving here, especially by getting to know our neighbors who make their living from farming.

We understand that growth is inevitable and that others like us will seek to locate in the rural areas. We are not against that, but fear that without appropriate zoning protection, our area will be vulnerable to sprawl in the coming years. We know that could mean the end of the farming traditions and the rural character of our community, as happens in many parts of the country.

It is our understanding that R1 is a placeholder zoning and hope that in the future the board will consider zoning designations that provide greater protections for rural lands.

Thank you for your consideration of this matter. We appreciate the Board of Commissioners and staff being willing to tackle such a complex issue in a thoughtful and careful manner.

June 6, 2016

I WAS BROUGHT UP IN A WORKING CLASS FAMILY,  
THE YOUNGEST OF 3 CHILDREN, SO I GENERALLY  
DO NOT LIKE TO BE TOLD WHAT I CAN + CAN'T DO.  
I HAVE TO BELIEVE THAT COMMON SENSE REGS WILL GO ALONG  
WAY TOWARD PRESERVING WHAT IS BEST ABOUT C. COUNTY WHILE  
FACING UNPREC. GROWTH.

## Jason Sullivan

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**From:** Jesse Degraff <jdlabrab@embarqmail.com>  
**Sent:** Monday, May 23, 2016 6:00 PM  
**To:** Jason Sullivan  
**Cc:** Dylan Paul; angela.birchett@chatahmnc.org; Jesse Degraff  
**Subject:** Input for public hearing June 6, 2016

Greetings,

With regard to the rezoning of Chatham County in the immediate vicinity of Jordan Lake- According to the CC Watershed map, much of the land that is proposed to be zoned R-1 appears to be in the "Critical Area" and should be protected from development.

Any land bordering the lake or State Land around the lake should be zoned R-5. Chatham County needs to protect its resources for the future, including Jordan Lake Reservoir and it's watershed. Any development around the immediate lake area will affect is stability as a resource, including erosion and run off into the lake. The quality of the lake water is already bad enough.

Sincerely,  
Jesse DeGraff  
70 Old Chestnut Crossing  
Moncure, NC

## Jason Sullivan

---

**From:** Denise Dunn <ddunn1956@earthlink.net>  
**Sent:** Monday, June 06, 2016 9:06 PM  
**To:** Karen Howard; Mike Cross; Diana Hales; James Crawford; Walter Petty; Lindsay Ray; dylan.paul@chathamnc.org; Angela Birchett; Jason Sullivan  
**Cc:** rigsbee@thechathamnews.com  
**Subject:** Letter to commissioners and letter to Chatham News.

6 June 2016

Board of Commissioners, Lindsay K. Ray, Dylan Paul, Angela Birchett, Jason Sullivan,

I attended the meeting tonight at the courthouse, (the very poorly planned meeting). I stood in a hallway for over an hour and a half listening to your proposal and then to some comments that were made. Let me say first that I believe in zoning, I spent several months on a committee writing up a proposal of zoning for the Town of Goldston. It is hard to believe that you as commissioners would even think that you can zone the unzoned parts of Chatham County with just two categories. This means that all of your major corridors in Chatham, Highway 64, Highway 15/501, Highway 421 will all be zoned R-1 or R-5, this tells me that any new businesses will be in the Town of Pittsboro, Siler City and their ETJ's (and Goldston should they adopt the zoning proposal) you also have not planned for any multi-family complexes, shopping centers, industrial, or growth of any kind other than residential. According to the meeting tonight my family farms will turn into R1 zoning should we ever sell them. Apparently you have never been to this side of the county because unless you plan on providing sewer and water we cannot sustain 1 acre lots. You have just killed the real estate market in any area other than those areas already developed, why would a small business want to invest in an area where they have to go through zoning and rezone property. For example when my parents die and their small farm goes up for sale it will no longer be a small farm but 10 one acre lots that we can only get one perk on...oh wait you must be planning on providing sewer. The small farm is no longer a viable property, in most communities a property such as this would be zoned RA, residential agricultural.

Now with all of the new R-1 lots with all the new people moving into this area where are they going to work, not in Chatham County because you can't build a business here! Maybe you should go back to the drawing board visit the county, the whole county, look at how other counties like ours have provided zoning, do a few neighborhood meetings, put zoning maps in some local areas so people can look at them.

I am very disappointed in your plan and in your showing as County Commissioners, I would be ashamed to call myself a Commissioner at this point...you are supposed to represent the people and I think you have forgotten how many people live in this county.

Sincerely,  
Denise D. Dunn  
919-548-3458  
Ddunn1956@earthlink.net

Denise Dunn  
919-548-3458

1. My name is Gary Moon, 3665 Moon-Lindley Road, Albright Township
2. I am not opposed to zoning where needed, but am opposed to having it forced on me, without hearing from the people that it affects.
3. You (BOC) were elected to represent the people of Chatham County, not to force your opinions and desires on us. Ms. Hales and Ms. Howard stated @ the last hearing that they campaigned on zoning the county and that they were going to force zoning on us whether we want it or not.
4. The BOC also stated early on that they would do what the Planning Board recommended which was no further zoning at this time. However, you did not do what you said.



My name is Janet Abreu and I live at 2068 Otis Johnson Road, Pittsboro, in the currently unzoned area.

I support the planning initiative to zone my part of the county.

I retired to rural NC from southern California 11 years ago to be near family. Rural Chatham with its natural beauty and farming traditions is located on the fringe of a fast growing urban area and if we have any hope of maintaining some semblance of country we must implement wise planning policies at this time.

The R1 zoning offers property owners a protection from commercial and industrial uses that would be incompatible in their communities. However it is not enough protection from suburban style housing developments that are incompatible with farming operations.

I hope that as the land use plan is developed there will be enactment of planning policies and zoning that will specifically protect and preserve farmland.

Having lived in Southern California many years I have seen first hand how an area becomes densely urbanized and agricultural land is gobbled up. Chatham has an opportunity to guide and manage growth in such a way that reflects the values of the community. I believe those values support preservation.

Thank you.

**Limited to 3 minutes.**

NAME: JEFF BEAVERS  
TITLE DIRECTOR OF LIVE OPERATIONS  
REPRESENT: MOUNTAIRE FARMS / Property Owner

COMMENTS TO READ INTO RECORD for Chatham County Planning Commission

In response to the three notices of rezoning received by Mountaire Farms Inc. ("Mountaire"), Mountaire filed written comments. We appreciate the county advising it has determined hatcheries can be considered as bona fide farm uses and therefore exempt from zoning regulations which should cover our Siler City and Mt. Vernon hatcheries.

We understand this classification does not include any uses involved in the processing, packaging, or other such activities not associated directly with the hatchery side of the business.

Properties 82280 and 82281 are improved as support for the contiguous Siler City hatchery and contain a large subsurface wastewater system supporting the hatchery, and we believe are exempt as an integral part of the bona fide hatchery farm's use.

We are concerned the contiguous sites if placed in residential R1 could create challenges and uncertainty for expansion or alteration over these contiguous acres.

Thank you.

**Comments on county wide zoning – Jeffrey Starkweather, 590 Old Goldston Rd. Pittsboro, 44 year resident of Pittsboro**

During your initial public hearing to authorize interim countywide zoning, I testified this was way past due.

Unlike some who will say you are going too far in this proposal to zone the remainder of the county, I say that this proposed zoning does not go far enough to prevent sprawl development and to preserve our rural character, agriculture, and natural resources.

Fifteen years ago the county adopted our current Comprehensive Land Development Plan, whose principle goal was to promote smart growth by concentrating new development in our towns and compact community centers along our highways while preserving our rural character by keeping major residential and commercial development out of agricultural and environmentally sensitive rural areas. The community plan map that was unfortunately never formally adopted called for protecting nearly 80% of the land outside of our Town's and their ETJ as mostly rural agricultural land, along smaller natural conservation and resource protection areas. Unfortunately, some subsequent county board majorities ignored that plan and allowed significant rural sprawl development, primarily east of Highway 87 North.

I was a member of the Chatham EDC strategic plan committee that utilized a form scenario planning to develop a combined conservation/farmland preservation and targeted employment conceptual land use plan. That plan was approved by the county commissioners on July 15, 2013. It essentially recommitted to county to protecting the rural character and agriculture areas of the county, particularly the unzoned rural areas west of Highway 87 North, essentially the same recommendation for these areas that the 2001 land use plan called for.

I understand the current proposed zoning is a form of interim zoning designed to protect rural areas until the land use plan has been approved and implemented in a new zoning ordinance.

Unfortunately, what has been proposed – R-1 or one acre minimum zoning – is the essence of rural sprawl zoning. Two acre zoning would be better, but even that would not provide the interim protection we need from residential sprawl.

I would prefer a form of rural agriculture zoning that would protect existing agricultural uses, allow for farm related business and a small number of residential lots on farms and limit residential development to conservation subdivisions. However, I understand our planning department indicated this was not feasible because it would take them too long to map all the current agricultural uses.

Thus, I recommend implementing R-5 as interim zoning all unzoned rural areas, where subdivision lots can be as small as 3 acres but subdivision lots must average 5 acres. All current uses and lots would be grandfathered and anybody wanting to locate a commercial business or a large residential in these could request a rezoning or approval of a conditional use permit, respectively. This would give neighbors and surrounding farmer greater control over their rural neighborhoods than have now or would get with R-1 interim zoning. This could be done now without requiring a text amendment or the mapping of existing agricultural uses. Moreover, it would be much easier to make a transition from this R-5 interim zoning to rural agricultural zoning because there could be no objection that folks' are having their land down-zoned.

So again, I support interim zoning of these unzoned rural areas, but I do not feel this proposal goes far enough to provide the protection these rural agricultural areas need now.

I have also heard folks this evening say we should have a county-wide referendum on this interim zoning proposal. That is not allowed under North Carolina state law. Moreover, we already had a referendum on this issue in November 2014 when the three county commissioners who promised to implement countywide zoning defeated three incumbents who opposed it. And we will have another referendum on this issue this November. You will have an opportunity to vote on county commissioner candidates who differ sharply on this issue.





Gregory A. Bowles  
Director of Real Estate, Environment, & Geology

GENERAL SHALE BRICK, INC.  
P.O. Box 3547 / 3015 Bristol Highway, Johnson City, TN 37602  
Ph. (423) 282-4661 / FAX (423) 952-4160

June 6, 2016

Honorable Chatham County  
Board of Commissioners  
P.O. Box 1809  
12 East Street  
Pittsboro, NC 27312

Re: County-wide Zoning Proposal; General Shale, Inc. and General Shale  
Brick, Inc.

Dear Honorable Commissioners,

This letter is to request that the parcels owned by General Shale, Inc. (AKPAR Parcel # 10156) and General Shale Brick, Inc. (AKPAR Parcel # 67072) (collectively, the "General Shale Parcels"), if they are to be zoned at all, be zoned as Heavy Industrial rather than the proposed R-1 designation.

Both of these properties have been and are currently in use as shale mining sites (mining by surface removal method). See enclosed Business Listing Forms for each property. Zoning them to a residential classification (R-1) would be discordant with their current actual use and their likely use for the foreseeable future. We do not agree that designating these properties as "non-conforming uses" is appropriate or fair under the circumstances.

In 2007, the County undertook a similar zoning process for certain highway corridors in Chatham County, seeking to apply residential zoning to these the corridors. Two of those parcels were owned by affiliates of General Shale. As part of that process, the County initiated a process by which affected land owners with existing businesses could have their land zoned to a corresponding zoning classification matching the existing use. In both cases, the General Shale affiliate chose to have their affected land be zoned as Heavy Industrial. If the County does determine to zone these two properties, General Shale respectfully requests that their land be accorded the same treatment and that General Shale be given the option to agree to Heavy Industrial zoning for these two parcels.

As a significant employer and tax payer in Chatham County, we appreciate your consideration and seek your approval of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gregory A. Bowles".

Gregory A. Bowles

Enclosures

## Jason Sullivan

---

**From:** Dale Olbrich <olbrichd@gmail.com>  
**Sent:** Wednesday, June 01, 2016 7:53 AM  
**To:** Jason Sullivan  
**Cc:** Angela Birchett; Dylan Paul  
**Subject:** Re: The Zoning Letter I Received

Jason, thank you for your note and answers to my questions. I appreciate the quick turn around. I cannot make the June 6 public hearing so will pass along my comments via this email. It seems to me that zoning federal land when there really is no need has the potential for those unintended consequences down the road. The Corp of Engineers does sell property and having it already zoned Residential will enhance the value and restrict the ability to challenge the use of the buyer. The zoning of the 399 acres of unzoned land in the county maybe an fine objective but when it includes federal land it just may not be necessary. I think the county and certainly the users of the water from the lake would hate to have houses no matter how far apart all round the lake.

Thanks again for your prompt answer. This is not an easy task.

Dale Olbrich

> On May 31, 2016, at 9:40 AM, Jason Sullivan <jason.sullivan@chathamnc.org> wrote:

>

> Dale,

> Your property is zoned R-1 and you received the letter because the Board of Commissioners is extending zoning to approximately 388 square miles of the county that is currently unzoned. In your situation your property adjoins Corps of Engineers property, which is currently unzoned. The R-1 zoning that is proposed for the Corps property is consistent with the zoning that is already in place for a majority of the adjoining property. As an aside, the county cannot enforce zoning regulations on federally owned property, but in this situation zoning is being applied for uniformity on the county zoning map. Therefore, there won't be any effect from the application of zoning to the Corps property and shouldn't have any effect on your property. Please let me know if you have any additional questions.

>

> Jason Sullivan

> Planning Director

> Chatham County

> P.O. Box 54

> 80-A East St.

> Pittsboro, NC 27312

> Office: 919/542-8233

> Fax: 919/542-0527

>

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>

> Chatham County's 25-year vision plan is underway! Check out more information at [www.chathamnc.org/comprehensiveplan](http://www.chathamnc.org/comprehensiveplan)

>

>

> In keeping with the NC Records Law, emails, including attachments, may be released to others upon request for inspection and copying.

>

> -----Original Message-----

> From: Dale Olbrich [mailto:olbrichd@gmail.com]

> Sent: Saturday, May 28, 2016 1:45 PM

> To: Angela Birchett

> Cc: Jason Sullivan

> Subject: The Zoning Letter I Received

>

> Hello. I am writing to get clarification of the letter I received that starts with Dear Adjacent Landowner. It states that our property adjoins a property located within the area under consideration to be zoned R-1 or R-5. I believe our property is already zoned R-5 and since we have land on both sides joining our property I would think it has to be already zoned the same. The back of property is adjacent to the Army Corp land around Jordan Lake.

>

> Therefore I have two questions. Is our property zoned R-5 now? If it is not then I believe I would be directly impacted by the zoning activity ongoing. And second, what property are we adjacent to that maybe zoned that is not now?

>

> We are located at: 1830 Farrington Rd, Apex, 27523.

>

> Looking forward to your reply.

>

> Edmund D Olbrich

>From: [ddowens@mindspring.com](mailto:ddowens@mindspring.com)

>Sent: Jun 6, 2016 4:21 PM

>To: [dylan.paul@chathamnc.org](mailto:dylan.paul@chathamnc.org)

>Subject: Proposed Zoning

>

>Dear Mr.Paul:

>

>Attached is a .pdf version of the business listing forms for two portions of Walstone Farm, a farm currently operating in the area proposed to be zoned as residential. In addition to these two parcels, a third parcel (#0067669, listed under the names of Dora & Daniel Owens) is a part of this one farm; all three parcels are owned by members of the same family.

>

>We are disappointed that Chatham county has chosen to take the route of zoning the vast majority of the county as "residential". This action will ensure that other uses, especially farming, will become marginalized and will soon disappear altogether from the county. Farming activities, particularly those, like ours, that involve livestock, are frequently found to be inconvenient to new residents moving to the "residential" zoned areas, and the farmers are usually the ones forced out. In addition, with most of the county designated as solely "residential", our county will become dependent on the economies of the surrounding counties, as the county will become merely a bedroom community for people employed in Wake, Orange, Durham, and Randolph counties. Is this what we truly want? I don't think so.

>

>Please reconsider this zoning plan. We hope to be able to continue farming here for many years to come in Chatham county, our home, and would be devastated if we were no longer allowed to do this.

>

>Yours,

>

>

>

>

>

>Dora Owens



From: John S. Morrison Jr.  
489 Ben Smith Rd.  
Siler City, NC. 27344  
336-622-3814

6 June 2016

To: Chatham County Board of Commissioners

Ref: Planning Dept. letter of 20 May 2016. Hearing announcement  
IRT request to apply R-1 and R-5 residential zoning.

I moved here 18 years ago because of the affordable, lightly populated, quiet rural setting. I intend to stay here for those same reasons.

I am opposed to the Board of Commissioners request to apply R-1 and R-5 residential zoning to the unzoned areas of Chatham County.

The timing of this rezoning proposal suggest an intent to develop the area with housing developments in support of the Randolph Megasite (of which I am also opposed). Some would argue that development increases property values and brings jobs and prosperity, but often it results in a wasteful spending of tax dollars. Ask the people of Kinston how the Global Transpark megasite has improved their lives.

I feel this development would destroy the rural landscape, create crowding, noise, traffic congestion, more roadside garbage and crime. It would further overburden local schools, law enforcement, emergency services and require expansion of other infrastructure. all of which would lead to a significant increase in property taxes.

In other words I feel this proposal would eventually destroy every reason I have for wanting to call Chatham County home.

Reducing Chatham County to being a bedroom community for Greensboro and Raleigh-Durham will not make this a better place to live. I moved here to get away from the city, don't bring the city to me. Thank you.

  
John S. Morrison Jr.

Linda Moquin  
1048 Pittsboro-Goldston Rd.  
Pittsboro  
E-mail: Linda.Moquin@yahoo.com  
Cell: 805.501.1503

Greetings,

Following is a list of questions and concerns that I have with regards to the new zoning proposal. It would be appreciated if the concerns could be addressed either at tonight's meeting or in writing returned to the e-mail provided above.

How will changing the zoning to R-1 affect or impact the following?

1. The ability for businesses, wireless or other providers to provide internet access to existing & new home developments. Our internet access is currently substandard and needs to be addressed with modern technology. Will business be allowed to provide & expand their services?
2. Will shooting fire arms, target practice be allowed in the R-1 area?
3. Will hunting be allowed in the R-1 area?
4. Will people be allowed to have livestock, chickens, goats etc. in R-1 area if they currently do not have them but wish to add some in the future?
5. Will all land/housing improvements now be required to pull (and pay) for permits?
6. Why do you feel a need to zone this area that has not been zoned in the past?
7. By carpet zoning the entire area as R-1 it would appear you are trying to deter business from coming into Chatham County. Is this true? If so to what end?

## Lindsay Ray

---

**From:** Charlotte Mays <charlotte.ann.mays@gmail.com>  
**Sent:** Monday, June 06, 2016 7:04 PM  
**To:** Lindsay Ray  
**Subject:** Feedback for commissioners

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I would like to communicate my concerns about the zoning proposal presented at the June 6 hearing. I am a resident of the triangle region, currently residing in Wake but looking to move. Pittsboro had held my interest as an area where I could have flexible-use land. If it is zoned as discussed, it will be completely removed from my consideration as that benefit would no longer be present to balance the downside of the distance to the convenience of the larger cities in the triangle.

Sincerely,  
Charlotte Mays

## **Lindsay Ray**

---

**From:** Ursulav <ursulav@gmail.com>  
**Sent:** Monday, June 06, 2016 7:35 PM  
**To:** Lindsay Ray  
**Subject:** Zoning issues

I currently live in Chatham, in county land outside Pittsboro. In its current state, the zoning regulations are extremely restrictive to farmers. The one year window of unprofitability does not allow for illness among farmers, for the painful transition period following death, nor for the sort of small farm operations that don't generate 10K a year.

My farmer friends are panicked by this. This will hurt them badly. There are arguments in favor of zoning, but this is being badly handled. Farmers need far more of a buffer in order to maintain its character. Wetlands need greater protection. This whole process is being badly handled--I had to hear about it on Twitter, and having information about the issue not available on line before the hearing was very poorly done.

Please reconsider the current state of the proposal. Give farmers bigger buffers.

Thank you,

Ursula Vernon

## Lindsay Ray

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**From:** Jeanette Ragland <Jeanette.Ragland@globalknowledge.com>  
**Sent:** Monday, June 06, 2016 8:51 PM  
**To:** Lindsay Ray  
**Subject:** Questions, 2

Hi,

Questions:

Why are there only 2 Zone Types? Expand it out to R-2, R-3, R-4

Did I hear that after zoning, the people would be allowed to submit for a process, the process would carry out and then 1 commissioner would then decide the final decision? (Hoping I mis-heard)

Thank you.

Warmest regards,  
Jeanette Ragland



## Lindsay Ray

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**From:** Denise Dunn <ddunn1956@earthlink.net>  
**Sent:** Monday, June 06, 2016 9:06 PM  
**To:** Karen Howard; Mike Cross; Diana Hales; James Crawford; Walter Petty; Lindsay Ray; dylan.paul@chathamnc.org; Angela Birchett; Jason Sullivan  
**Cc:** rigsbee@thechathamnews.com  
**Subject:** Letter to commissioners and letter to Chatham News.

6 June 2016

Board of Commissioners, Lindsay K. Ray, Dylan Paul, Angela Birchett, Jason Sullivan,

I attended the meeting tonight at the courthouse, (the very poorly planned meeting). I stood in a hallway for over an hour and a half listening to your proposal and then to some comments that were made. Let me say first that I believe in zoning, I spent several months on a committee writing up a proposal of zoning for the Town of Goldston. It is hard to believe that you as commissioners would even think that you can zone the unzoned parts of Chatham County with just two categories. This means that all of your major corridors in Chatham, Highway 64, Highway 15/501, Highway 421 will all be zoned R-1 or R-5, this tells me that any new businesses will be in the Town of Pittsboro, Siler City and their ETJ's (and Goldston should they adopt the zoning proposal) you also have not planned for any multi-family complexes, shopping centers, industrial, or growth of any kind other than residential. According to the meeting tonight my family farms will turn into R1 zoning should we ever sell them. Apparently you have never been to this side of the county because unless you plan on providing sewer and water we cannot sustain 1 acre lots. You have just killed the real estate market in any area other than those areas already developed, why would a small business want to invest in an area where they have to go through zoning and rezone property. For example when my parents die and their small farm goes up for sale it will no longer be a small farm but 10 one acre lots that we can only get one perk on...oh wait you must be planning on providing sewer. The small farm is no longer a viable property, in most communities a property such as this would be zoned RA, residential agricultural.

Now with all of the new R-1 lots with all the new people moving into this area where are they going to work, not in Chatham County because you can't build a business here! Maybe you should go back to the drawing board visit the county, the whole county, look at how other counties like ours have provided zoning, do a few neighborhood meetings, put zoning maps in some local areas so people can look at them.

I am very disappointed in your plan and in your showing as County Commissioners, I would be ashamed to call myself a Commissioner at this point...you are supposed to represent the people and I think you have forgotten how many people live in this county.

Sincerely,  
Denise D. Dunn  
919-548-3458  
[Ddunn1956@earthlink.net](mailto:Ddunn1956@earthlink.net)

Denise Dunn  
919-548-3458

## Lindsay Ray

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**From:** Kate Dunlap <katedunlap@gmail.com>  
**Sent:** Monday, June 06, 2016 10:02 PM  
**To:** Lindsay Ray  
**Subject:** Comments on zoning - June 6

Below are comments I had intended to give in person at the public hearing on June 6, 2016. Unfortunately, I was not able to get into the courtroom. Please submit for the public record. Thank you.

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My name is Kate Dunlap. I live at 1322 Mt. Olive Church Rd, Pittsboro. I've been a Chatham County resident for about 35 years.

I support an updated and comprehensive land-use plan for Chatham County. I understand that zoning is a necessary interim step while a new plan is being developed. Therefore, I am in favor of this zoning initiative.

There has been a great deal of misinformation and confusion about the zoning process – what it means and whom it affects. There is also a significant lack of understanding about what some of the zoning terminology means in theory, and what it will mean when applied in practice.

I respectfully submit that it would be very helpful for citizens to have a fact sheet that explains the meanings of different zoning designations; how zoning relates to future land use; and why such ordinances are essential for logical and sustainable growth that preserves the characteristics that make Chatham County a desirable and unique place to live.

Thank you.

## Jason Sullivan

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**From:** stephanie talbott <chathamtalbott@yahoo.com>  
**Sent:** Monday, June 06, 2016 2:41 PM  
**To:** Dylan Paul; Angela Birchett; Jason Sullivan  
**Subject:** R-1 & R-5 zoning

I will not be able to attend the zoning hearing, but I did want to send my support for this zoning plan. I have lived in Chatham County over 30 years and I have long awaited a zoning plan to better insure property value protection and planned areas for business growth and development. This is just one tiny voice sending a loud support for this zoning plan!

Thank you!

Stephanie Talbott  
72 Two Mule Road  
Pittsboro NC 27312

With respect to the rezoning:

Why does the rezoning apply to gamelands, to Corps of Engineers property, and to land covered by the Chatham County –Town of Cary Joint Land Use Plan? Moreover, it also would apply to lands that lie primarily within the 100-year flood plain for Jordan Lake. The lake has enough pollution now; the development of even low-density housing can only make it worse. There does not appear to be a zoning category appropriate for these lands. Please create a new category if you zone.

William Lane  
544 Nickel Creek Circle  
Cary, NC 27519

**Comments on county wide zoning – Jeffrey Starkweather, 590 Old Goldston Rd. Pittsboro, 44 year resident of Pittsboro**

During your initial public hearing to authorize interim countywide zoning, I testified this was way past due.

Unlike some who will say you are going too far in this proposal to zone the remainder of the county, I say that this proposed zoning does not go far enough to prevent sprawl development and to preserve our rural character, agriculture, and natural resources.

Fifteen years ago the county adopted our current Comprehensive Land Development Plan, whose principle goal was to promote smart growth by concentrating new development in our towns and compact community centers along our highways while preserving our rural character by keeping major residential and commercial development out of agricultural and environmentally sensitive rural areas. The community plan map that was unfortunately never formally adopted called for protecting nearly 80% of the land outside of our Town's and their ETJ as mostly rural agricultural land, along smaller natural conservation and resource protection areas. Unfortunately, some subsequent county board majorities ignored that plan and allowed significant rural sprawl development, primarily east of Highway 87 North.

I was a member of the Chatham EDC strategic plan committee that utilized a form scenario planning to develop a combined conservation/farmland preservation and targeted employment conceptual land use plan. That plan was approved by the county commissioners on July 15, 2013. It essentially recommitted to county to protecting the rural character and agriculture areas of the county, particularly the unzoned rural areas west of Highway 87 North, essentially the same recommendation for these areas that the 2001 land use plan called for.

I understand the current proposed zoning is a form of interim zoning designed to protect rural areas until the land use plan has been approved and implemented in a new zoning ordinance.

Unfortunately, what has been proposed – R-1 or one acre minimum zoning – is the essence of rural sprawl zoning. Two acre zoning would be better, but even that would not provide the interim protection we need from residential sprawl.



I would prefer a form of rural agriculture zoning that would protect existing agricultural uses, allow for farm related business and a small number of residential lots on farms and limit residential development to conservation subdivisions. However, I understand our planning department indicated this was not feasible because it would take them too long to map all the current agricultural uses.

Thus, I recommend implementing R-5 as interim zoning all unzoned rural areas, where subdivision lots can be as small as 3 acres but subdivision lots must average 5 acres. All current uses and lots would be grandfathered and anybody wanting to locate a commercial business or a large residential in these could request a rezoning or approval of a conditional use permit, respectively. This would give neighbors and surrounding farmer greater control over their rural neighborhoods than have now or would get with R-1 interim zoning. This could be done now without requiring a text amendment or the mapping of existing agricultural uses. Moreover, it would be much easier to make a transition from this R-5 interim zoning to rural agricultural zoning because there could be no objection that folks' are having their land down-zoned.

So again, I support interim zoning of these unzoned rural areas, but I do not feel this proposal goes far enough to provide the protection these rural agricultural areas need now.

I have also heard folks this evening say we should have a county-wide referendum on this interim zoning proposal. That is not allowed under North Carolina state law. Moreover, we already had a referendum on this issue in November 2014 when the three county commissioners who promised to implement countywide zoning defeated three incumbents who opposed it. And we will have another referendum on this issue this November. You will have an opportunity to vote on county commissioner candidates who differ sharply on this issue.

## Jason Sullivan

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**From:** Angela Birchett  
**Sent:** Tuesday, June 14, 2016 8:16 AM  
**To:** Jason Sullivan  
**Subject:** FW: zoning restrictions

FYI

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**From:** Thomas Zima [mailto:tom@zimaprojects.com]  
**Sent:** Monday, June 13, 2016 6:22 PM  
**To:** Angela Birchett  
**Subject:** RE: zoning restrictions

Dear Angela,

Zoning our properties is an unacceptable intrusion into our liberty, freedom and privacy. We are not zoned in my part of Chatham....which means the government has no business intruding into my affairs. I do not seek approval from the commissioners if I wish to engage in free enterprise and start my own business.....

What the commissioners of Chatham County have done is sell out our private property rights to investors. They have betrayed us. They have not protected our rights, they sold them out. Zoneing us should be the VERY LAST option....instead, its turning out to be the easiest.

This is a case of EXTREME government overreach, Ms. Birchett. This is against the founding principles of our Constitution and Bill of Rights. I'm sorry that I have to take a stand against those who would abuse their power in office, and place an ugly stain of contempt upon our fair county.

There is great sadness in Chatham County.

Tom Zima

On Mon, 13 Jun 2016 18:00:47 +0000, Angela Birchett <[angela.birchett@chathamnc.org](mailto:angela.birchett@chathamnc.org)> wrote:

Mr. Zima,

Zoning would not regulate you continuing to use your property for hunting purposes or uses you currently enjoy on your property. If you should decide to start operating it as a business, there may be regulations or permitting requirements that may be needed but otherwise you should see no effect.

Just as a point of clarification, the Chatham County Board of Commissioners made the decision to move forward with zoning the remainder of the county in an effort to have uniformity across the county and to protect landowners from the intrusion of uses that otherwise may not be suited for a certain locations. The public hearing was held on Monday, June 6, 2016. No final decision has been made and it will be at least until August 2016 before one is.

Thank you for your comments and if you have anything else please feel free to contact us or your commissioners again.

*Angela Birchett, CZO*

*Zoning Administrator*

*Chatham County Planning Dept.*

*PO Box 54*

*Pittsboro, NC 27312*

[www.chathamnc.org/planning](http://www.chathamnc.org/planning)

*(O) 919-542-8285*

*(F) 919-542-2698*



Chatham County's 25-year vision plan is underway! Check out more information at [www.chathamnc.org/comprehensiveplan](http://www.chathamnc.org/comprehensiveplan)

*In keeping with the NC Public Records Law, e-mails, including attachments, may be released to others upon request for inspection and copying*

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**From:** Thomas Zima [<mailto:tom@zimaprojects.com>]  
**Sent:** Friday, June 10, 2016 10:11 AM  
**To:** Angela Birchett  
**Subject:** Fwd: zoning restrictions

Mr. Paul is out of the office.

----- Forwarded message from Thomas Zima <[tom@zimaprojects.com](mailto:tom@zimaprojects.com)> -----

Date: Fri, 10 Jun 2016 10:06:48 -0400  
From: Thomas Zima <[tom@zimaprojects.com](mailto:tom@zimaprojects.com)>  
Reply-To: Thomas Zima <[tom@zimaprojects.com](mailto:tom@zimaprojects.com)>  
Subject: zoning restrictions  
To: [dylan.paul@chathamnc.org](mailto:dylan.paul@chathamnc.org)

Mr. Paul,

Will hunting still be allowed on Chatham County land after the rezoning?

Please don't rezone our land and homes out here, Mr. Paul.

Please protect the rights, freedoms and liberties of us ordinary Americans.

I have hopes and dreams of the future, too.. To assault my private property rights with this overreach of zoning and government regulations is wrong on any level.

Please don't sell out the citizens of Chatham County.

I guarentee we did not vote for this.

Tom Zima

[zimaprojects.com](http://zimaprojects.com)

----- End forwarded message -----

[zimaprojects.com](http://zimaprojects.com)

[zimaprojects.com](http://zimaprojects.com)



## Zoning Comment Sheet

Please provide comments below and return to the Chatham County Planning Department at PO Box 54, Pittsboro, NC 27312.

Tues there was information on zoning. Thurs there is no information on zoning. The explanation given by Lynn Richardson was 1) having both zoning and the comprehensive plan in the same place was confusing 2) this venue is looking for comments on comprehensive planning.

- Zoning is part of comprehensive planning!
- I was NOT confused by the zoning information,

I suspect it was taken down to keep out comments on zoning.

## Zoning Comment Sheet

Please provide comments below and return to the Chatham County Planning Department at PO Box 54, Pittsboro, NC 27312.

We should not consider the  
Zoning issue until the  
Comprehensive Plan is in place.  
This would save time, money &  
nerves