

ORANGE COUNTY PLANNING DEPARTMENT  
131 W. MARGARET LANE, SUITE 201  
HILLSBOROUGH, NORTH CAROLINA 27278



**AGENDA**  
**ORANGE COUNTY PLANNING BOARD**

**Wednesday, June 2, 2021**

**Regular Meeting – 7:00 pm**

Due to current public health concerns, the meeting will be virtual. Members of the Planning Board and staff will be participating in the meeting remotely. Interested members of the public can view and participate in the meeting by following the instructions at the end of the agenda. (Please note that pre-registration no later than 3:00 p.m. the day of the meeting is required to speak at the meeting).

| No. | Page(s)      | Agenda Item  |
|-----|--------------|--|
| 1.  |              | <b>CALL TO ORDER</b>   |
| 2.  | 5 – 6        | <b>INFORMATIONAL ITEMS</b><br>a. Planning Calendar for June and July   |
| 3.  | 7 – 16<br>17 | <b>APPROVAL OF MINUTES</b><br>May 5, 2021 Regular Meeting Minutes<br>May 5, 2021 Training Notes  |
| 4.  |              | <b>CONSIDERATION OF ADDITIONS TO AGENDA</b>  |
| 5.  |              | <b>PUBLIC CHARGE</b><br><b>Introduction to the Public Charge</b><br><br>The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner which considers the present and future needs of its residents and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.<br><br><b>Public Charge</b><br><br>The Planning Board pledges its respect to all present. The Board asks those attending this meeting to conduct themselves in a respectful, courteous manner toward each other, County staff, and Board members. At any time should a member of the Board or the public fail to observe this charge, the Chair will take steps to restore order and decorum. Should it become impossible to restore order and continue the meeting, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.<br><br>The Planning Board asks that all electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate.<br><br>Please be kind to everyone. |
| 6.  |              | <b>CHAIR COMMENTS</b>  |
| 7.  |              | <b>ADJOURNMENT</b>   |

## Public Comments / Participation

There are two methods for public comment:

- Written submittals by email or drop-off
- Speaking during the virtual meeting

### Written Public Comments

Members of the public are encouraged to provide written public comments by emailing comments to [planningboard@orangecountync.gov](mailto:planningboard@orangecountync.gov) no later than 3:00 p.m. on the afternoon of the meeting. Please include in the Subject line of the email the title of the agenda item your comment pertains to.

Emails sent to this address are viewable on Google Groups:

<https://groups.google.com/g/ocplanningboard>

Written comments can also be dropped off at the Planning Department's offices at 131 W. Margaret Lane, 2<sup>nd</sup> floor, Hillsborough, NC during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday). If a staff member is not available, please leave your comments in the drop-off box near the front counter. Written comments will be scanned and sent by staff to the email address indicated above.

### Verbal Public Comments

Members of the public must contact Planning Department staff via email at [ocpbpubliccomment@orangecountync.gov](mailto:ocpbpubliccomment@orangecountync.gov) no later than 3:00 p.m. on the afternoon of the meeting and indicate they wish to speak during the meeting.

When submitting the request to speak, please include the following:

- The date of the meeting
- The title of the agenda item you wish to speak on
- Your name, address, email and phone number
  - The phone number must be the number you will call in from if participating by phone

During the meeting, speakers will be called upon in the order in which requests to speak were received. Each speaker may speak once per agenda item and has 3 minutes to address the board. Ceding time to another speaker is not permitted.

In the event a meeting is continued to a future date due to the length of public comments, the date for the continued meeting will be announced before the meeting adjourns. No additional requests to speak will be taken for the continued meeting, only the speakers who signed up to speak at the original meeting and were not called upon will be able to speak at the continued meeting. Written comments continue to be encouraged and can be sent to the email address indicated in the "Written Public Comments" instructions above.

### Zoom Meeting Registration

Both members of the public who wish to **speak at the meeting** and those who wish to **only view** the meeting **must register** to receive a link to the meeting. Persons wishing to speak must register with the same name provided in the email that notified staff you wish to speak. The link to sign up for the meeting is:

[https://orangecountync.zoom.us/webinar/register/WN\\_K6c7NhOATS2IkUV5rd23rQ](https://orangecountync.zoom.us/webinar/register/WN_K6c7NhOATS2IkUV5rd23rQ)

If you do not have internet access, you may participate in the meeting via phone. Please call (919) 245-2575 during regular business hours to receive information on the number to call-in to, the meeting ID, and a password.

### Review Process

The Planning Board is an appointed volunteer advisory board which makes recommendations to the Board of County Commissioners (the elected officials). The Board of County Commissioners holds a formal public hearing and makes decisions. Section 2.8 of the County's [Unified Development Ordinance](#) contains a flowchart depicting the entire review process for rezoning and text amendment applications.

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| June 2021 |   |  |   |  |                |          |
|-----------|---|--|---|--|----------------|----------|
| Sunday    | Monday  | Tuesday  | Wednesday   | Thursday   | Friday         | Saturday |
|           |   | 1  | 2   | 3  | 4              | 5        |
|           |   | BOCC Business Meeting<br>7:00 pm<br><br>Virtual Meeting    | Planning Board Meeting<br>7:00 pm*<br><br>Virtual Meeting | BOCC Budget Public Hearing<br>7:00 pm<br><br>Virtual Meeting |                |          |
| 6         | 7   |  | 9   | 10   | 11             | 12       |
|           |   | BOCC Budget Work Session<br>7:00 pm<br><br>Virtual Meeting |   |  |                |          |
| 13        | 14  |  | 16  | 17   | 18             | 19       |
|           | Board of Adjustment<br>7:00 pm<br><br>Virtual Meeting | BOCC Business Meeting<br>7:00 pm<br><br>Virtual Meeting    | OUTBoard Meeting<br>6:30 pm<br><br>Virtual Meeting        |  | <b>HOLIDAY</b> |          |
| 20        | 21  |  | 23  | 24   | 25             | 26       |
|           |   |  |   |  |                |          |
| 27        | 28  |  | 30  |  |                |          |
|           |   |  |   | Notes:<br>* Planning Board Member Attendance Required        |                |          |

| July 2021   |   |         |   |          |        |          |
|---|---|---------|---|----------|--------|----------|
| Sunday  | Monday  | Tuesday | Wednesday   | Thursday | Friday | Saturday |
|   |   |         |   | 1        | 2      | 3        |
| Notes:<br>* Planning Board Member Attendance Required |   |         |   |          |        |          |
| 4   | 5   | 6       | 7   | 8        | 9      | 10       |
|   | HOLIDAY   |         | Planning Board Meeting<br>7:00 pm*<br><br>Virtual Meeting |          |        |          |
| 11  | 12  | 13      | 14  | 15       | 16     | 17       |
|   | Board of Adjustment<br>7:00 pm<br><br>Virtual Meeting |         |   |          |        |          |
| 18  | 19  | 20      | 21  | 22       | 23     | 24       |
|   |   |         | OUTBoard Meeting<br>6:30 pm<br><br>Virtual Meeting        |          |        |          |
| 25  | 26  | 27      | 28  | 29       | 30     | 31       |
|   |   |         |   |          |        |          |

DRAFT  
 MEETING MINUTES  
 ORANGE COUNTY PLANNING BOARD  
 APRIL 7, 2021  
 REGULAR MEETING

(Due to current public health concerns, this meeting was held virtually.  
 Members of the Planning Board, staff and public participated remotely)

**MEMBERS PRESENT:** David Blankfard (Chair), Hillsborough Township Representative; Adam Beeman (Vice-Chair), Cedar Grove Township Representative; Susan Hunter, Chapel Hill Township Representative; Lamar Proctor, Cheeks Township Representative; Randy Marshall, At-Large Representative; Alexandra Allman, At-Large Representative; Melissa Poole, Little River Township Representative; Carrie Fletcher, Bingham Township Representative; Whitney Watson, At-Large Representative; Charity Kirk, At-Large Representative

**MEMBERS ABSENT:** Kim Piracci, Eno Township Representative; Vacant, At-Large Representative,

**STAFF PRESENT:** Craig Benedict, Planning Director; Perdita Holtz, Planning Systems Coordinator; Molly Boyle, Planner II, Tyler Sliger, Planner I, Michael Harvey, Current Planning Supervisor; Tina Love, Administrative Support

**OTHERS PRESENT:** Warren Mitchell, Applicant; Alaine Pribisko; Albert Lauritano; Andrea Sordean-Mintzer; Angelique Lawyer; Janice Cenci; Helen Booher; Jessamyn Harris; John Tullo; Katherine Pinard; Lucy Harber; Jenny Chafe;

*Perdita reviewed the technical processes and rules for the virtual meeting*

**AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL**

Chair David Blankfard called the meeting to order.

**AGENDA ITEM 2: INFORMATION ITEMS**

- a. Planning Calendar for May and June

**AGENDA ITEM 3: APPROVAL OF MINUTES**

April 7, 2021 Regular Meeting Minutes

**MOTION BY** Randy Marshall to approve the April 7, 2021 Regular Meeting Minutes. Seconded by Sue Hunter.

**ROLLCALL VOTE:**

|                 |     |
|-----------------|-----|
| Randy Marshall  | Yes |
| Adam Beeman     | Yes |
| Susan Hunter    | Yes |
| Charity Kirk    | Yes |
| Lamar Proctor   | Yes |
| Melissa Poole   | Yes |
| Whitney Watson  | Yes |
| Carrie Fletcher | Yes |
| David Blankfard | Yes |

**MOTION PASSED UNANIMOUSLY**

*Alexandra Allman arrived*

**AGENDA ITEM 4: CONSIDERATION OF ADDITIONS TO AGENDA.**

There were none

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**AGENDA ITEM 5: PUBLIC CHARGE****INTRODUCTION TO THE PUBLIC CHARGE**

The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development law of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner, which considers the present and future needs of its citizens and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.

**PUBLIC CHARGE**

The Planning Board pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.

**AGENDA ITEM 6: CHAIR COMMENTS**

There were none

**AGENDA ITEM 7: MAJOR SUBDIVISION CONCEPT PLAN REVIEW** – To review and take action on a Concept Plan application for a Major Subdivision called Pyewacket. The proposal within Orange County is for a 2-lot subdivision on 70.79 acres (PIN 9757-51-3504) located in Bingham Township, south of the junction of Jones Ferry Road and Ferguson Road, straddling the Orange County – Chatham County line. An Orange County major subdivision review process is necessary for this subdivision because a new public road and open space are proposed to be dedicated. The portion of the subdivision within Chatham County contains 128.39 acres and all 93 habitable lots will be in Chatham County.

**Presenter:** Molly Boyle, Planning II

*Molly Boyle Presented the Pyewacket Subdivision Project Application Concept Plan*

*Warren Mitchell, Applicant for the Pyewacket Subdivision presented additional information to the Planning Board*

David Blankfard: When Pyewacket comes out to Jones Ferry, where's the house that is across the way.

Warren Mitchell: I think it's directly across the street from the entrance. Several of these lots have homes on Jones Ferry.

David Blankfard: My concern is at night the cars are going to be putting their bright lights right into their front room. Was that considered?

Warren Mitchell: No, I was really considering the wetlands, streams and the power poles on the property in finding the best way out to Jones Ferry.

Whitney Watson: Is there a minimum output for the wells that would impact the development of Pyewacket?

Warren Mitchell: The only minimum I'm aware of is there has to be a minimum of two wells if you have over 49 houses on a community system. I know Aqua would like to see 20 gallons per minute per well if you have 20 minimum per well that would be 40 on two wells. That would probably be enough for 93 houses.

Whitney Watson: Is this going to be gated in some way off Jones Ferry?



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Warren Mitchell: Definitely not.

Whitney Watson: Is the road and the length of the road sufficient to handle traffic from 93 households.

Warren Mitchell: There's not a lot of homes but DOT would probably require two entrances if they considered it too large and it's not at that level.

Whitney Watson: I know Molly said there are no plans for remaining acreages but I'm trying to imagine what might be placed there and if that is going to impact roadways and traffic in a few years.

Warren Mitchell: It's the same owner as this property and I'm not aware of any plans he has to sell it. The remaining property is on a long stretch of Jones Ferry so there are plenty of places to access Jones Ferry. It's not limited like this piece is for where it can come out.

Whitney Watson: The application says the HOA will be responsible for managing the public spaces in the 11-acre parcel. Is the HOA guided by some principles on how it's managed? I would hope the principle of lowest costs is not the one that guides everything else.

Warren Mitchell: There will be some maintenance of the landscaping at the entrance and the rest of the open space will be left natural. The plan is to put a trail network in the open space and have the trail come up into Orange County not all the way to the entrance but at least to the southern part. The gas line is cleared so that's a good place to have the trail go throughout the neighborhood and connect to the open space.

Carrie Fletcher: I live on a natural gas line and maintenance on it is probably every few, maybe 5 years. It's just going to be an overgrown strip of land?

Warren Mitchell: No, we're intending to mow it and keep it maintained.

Carrie Fletcher: When you are no longer the developer? It goes back to the HOA?

Warren Mitchell: Yes, we'll set that up and have it done and once the houses are done they will keep it mowed. There will be a trail in the easement as well. A natural trail.

Lamar Proctor: What's being proposed to protect the perennial stream and does this subdivision in Chatham connect with Morgan Ridge?

Warren Mitchell: Yes, the preservation/open space does connect with Morgan Ridge open space. As far as protection of the perennial stream, all the land in the jurisdictional stream or the stream buffer is the shaded area and the open space is larger than the stream buffer. All the natural space around the stream will provide protection.

Lamar Proctor: Is traffic going to evidently connect with Morgan Ridge, I know we're not talking about Morgan Ridge but it's right next door and the neighbors at the community meeting voiced concerns about Morgan Ridge being built right next to this one and creating a traffic issue on Jones Ferry Road from all these houses. Looking at a broader map, it seems like if I were a developer, I'd want access to Jones Ferry Road so I could shoot straight up to Carrboro. If I have to go the other way, I've got to go the long way around to get to anything.

Warren Mitchell: Morgan Ridge already comes out at Jones Ferry. The part in back has been approved and it connects to Phase 1 which is already built and comes out in Chatham just past this enclave on Jones Ferry Road.

Lamar Proctor: Will there be roads connecting Morgan Ridge and Pyewacket?

Warren Mitchell: No, there's no road and Morgan Ridge has been approved in Chatham already so there's no access stubouts that connect the two.

Lamar Proctor: Is there a plan to connect them?

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170 Warren Mitchell: No. Morgan Ridge has been approved. It's gone through the Commissioners and there is no connection  
171 between them.

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173 Lamar Proctor: Ok, I assume that two subdivisions being build next to each other with no connection and then a year or  
174 two later, they're connected and now there's a traffic issue so I am trying to look out for the people on Jones Ferry who  
175 voiced that concern. Do you think that it will eventually be connected or this is a permanent situation, one is one and the  
176 other is the other?

177

178 Warren Mitchell: Yes, it is and as well, Morgan Ridge already has a direct public road access to Jones Ferry. There are  
179 no plans to connect but if it was connected it wouldn't provide a better access to Jones Ferry. It wouldn't be easier or  
180 faster, it already has a direct connection. The only access to Morgan Ridge is from Jones Ferry Road.

181

182 Lamar Proctor: Do you need the well in Orange County? Could there be a third well in Chatham County?

183

184 Warren Mitchell: There could, yes. I am trying to plan for something that is hard to predict with the well yields. Honestly,  
185 at the neighborhood meeting, I heard there was a concern to the neighbors so I have been thinking about it. It's  
186 understandably concerning if you have a low yield well, if your well is not tapped into a good aquifer, that's concerning that  
187 you don't have enough. Especially if a community well comes in across the street and is pulling 10 or 20 times what you're  
188 pulling off yours. It doesn't have to go in Orange County. I was trying to provide a third well location and maybe I'll have  
189 to find another one in Chatham County.

190

191 Lamar Proctor: I don't know where water and sewer lines are in Chatham; is there any water and sewer close that  
192 eventually, in the future, will hook up to this area or is that not even in the foreseeable future?

193

194 Warren Mitchell: Chatham, just like Orange, does not have any county sewer but their water lines are good. They are just  
195 too far away. They are about 10 miles away, they took some larger roads where higher density was projected and it was  
196 probably too expensive at the time to come out this way. It's not likely to ever make it this far out.

197

198 Lamar Proctor: This looks like a really nice subdivision and I like the way it is constructed as a conservation thing but the  
199 question that the residents asked is what's in it for Orange County? To add to traffic, to have a well so that's my question  
200 to you Mr. Mitchell, is it just progress and just being nice? I am trying to understand what's in it for Orange County.

201

202 Warren Mitchell: Well there's 9 acres of open space but there are no homes being provided, I don't know if that's a good  
203 or bad thing.

204

205 Lamar Proctor: I appreciate your candor, I think people there will hit Jones Ferry and probably come to Carrboro to spend  
206 money so there's that.

207

208 Charity Kirk: One of the community members was asking why this wasn't connected to Morgan Ridge, one of the roads in  
209 Morgan Ridge, why wasn't that planned for? Why are you trying to have a separate road since you are also the same  
210 developer.

211

212 Warren Mitchell: It's different ownership. I was a partner for Morgan Ridge. When Morgan Ridge was approved, there  
213 was a lot of focus on the upland depression swamp/forest in the middle of the property. We changed the layout to  
214 preserve a unique feature in the middle of the property. There were no plans for this subdivision at that time. It was  
215 natural to connect to Phase 1. This road still would have been needed at the time we did this project to get access to  
216 Jones Ferry.

217

218 Charity Kirk: Where would the nearest school be?

219

220 Warren Mitchell: The nearest elementary is Perry Harrison, about 10 miles. The middle school is Margaret Pollard and  
221 the high school is Northwood which is running into Pittsboro. Chatham schools are excellent. It will probably a mix of  
222 family and empty nesters and first time buyers, a little bit of everybody that want to live here.

223

224 Charity Kirk: What is this going to cost Orange County, as far as road maintenance or anything of that nature?

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226 Molly Boyle: The road is to be built to a public standard and the County doesn't maintain roads. It will be the North  
227 Carolina Department of Transportation (NCDOT) there wouldn't be any cost of maintenance or upkeep to Orange County.

228

229 Charity Kirk: So a suggestion that you review the house across the street for how this road may affect them and plan  
230 accordingly. As far as water goes, what is the aquifer status in this area? Do we know? Or do we just have rumors that  
231 wells are running dry?

232

233 Warren Mitchell: I live in a house on a couple of acres with a well and I put the well in a convenient location so a lot of time  
234 with a single family, where you can put a well is limited versus a larger piece of property. It depends, if you tap an aquifer.  
235 On the concept plan, there is a well in Chatham County and I'm trying to get them closer to where the streams are without  
236 being in the stream itself but nearby there is a stream. I've also considered moving them down, I'm trying to get close to  
237 where an aquifer might be. My well yield at home is not great, it's enough for the house but I think that is what happens,  
238 you drill your well and you get enough for a house and then in dry periods the yield might be less, the groundwater level  
239 can drop in summer.

240

241 Charity Kirk: So what water conservation measures are you including in the project since that is a concern in the area?

242

243 Warren Mitchell: I think the appliances today use a lot less.

244

245 Charity Kirk: So you don't have don't have any special plans for water conservation, you're just going with current  
246 standards?

247

248 Warren Mitchell: Why don't I present this to you when I come back with the first plat, the preliminary plat.

249

250 Charity Kirk: I would be interested in water conservation measures and at one of the community meetings someone  
251 suggested disallowing swimming pools, private swimming pools. Have you thought about that any more?

252

253 Warren Mitchell: I have and I think it's a great idea and I'm going to enforce that and make it part of the HOA.

254

255 Carrie Fletcher: Why the decision to have community wells as opposed to homeowners getting their own wells? Is it  
256 acreage?

257

258 Warren Mitchell: I think that it's more efficient and I think a lot of people that do not live on wells and are not familiar with  
259 them are more comfortable having a public utility or entity manage the water. I think it's more efficient than drilling 93 wells  
260 on the property and I don't know why individual wells would be considered better.

261

262 Carrie Fletcher: What happens if these wells don't come through?

263

264 Warren Mitchell: We will keep looking; we could drill several locations and we're going to have a storage tank; not one up  
265 in the air, it will be on the ground. We might have to add an extra storage tank.

266

267 Alexandra Allman: Can you speak to the income for the housing that you trying to attract?

268

269 Warren Mitchell: We don't have that information at this time.

270

271 Alexandra Allman: Is that something that you can provide at the next meeting?

272

273 Warren Mitchell: I don't believe that we are required to do that, not something the County can ask. We're really just not at  
274 that point.

275

276 Molly Boyle: To clarify, generally speaking, the County, and my supervisor and I talked about this today because that  
277 question has come up, but the County is not making subdivision determinations based on the proposed value of the  
278 homes going in. That's not something that we ask for as part of the application process in terms of the subdivision.

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280 Alexandra Allman: You were saying that these homes are around \$500,000 that I read somewhere?

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282 Warren Mitchell: I don't know exactly, it might start at that.  
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284 David Blankfard: How many square feet is being planned for the whole subdivision, and can the septic system handle it?  
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286 Warren Mitchell: The septic systems are all to be designed by how many bedrooms are in the house. At this time, we're  
287 guessing 3 and 4 bedroom homes.  
288  
289 Lamar Proctor: Do these wells feed just Pyewacket or will they also feed Morgan Ridge? Does Morgan Ridge have its  
290 own wells?  
291  
292 Warren Mitchell: Just Pyewacket, Morgan Ridge has a possible well site but we have not put in wells for Morgan Ridge  
293 yet. The well in Orange County will only serve Pyewacket.  
294  
295 Adam Beeman: Regarding the well in Orange County, I can't tell where the utility poles are located but if you did move  
296 that well off the Orange County property, you said the lot across the street is well back off the road so you could move the  
297 driveway down in front of that property instead. Traffic and headlights wouldn't affect them as much since they are well  
298 back from the road.  
299  
300 Warren Mitchell: I think that's a good idea. If I get really close to this wetland, that just starts here (indicated on map), I  
301 think I can make it work. I think we're doing a good thing even if I slightly impact this wetland on the very edge. I think  
302 that's a worthwhile pursuit.  
303  
304 Adam Beeman: What is the plan if, say, the subdivision is sold out and everybody is moved in and our wells are running  
305 dry? What is your backup to supply water to the homeowners?  
306  
307 Warren Mitchell: Every house in the County has wells, I just think it's expecting we all manage. You can go deeper.  
308  
309 Adam Beeman: I know there was a development in Raleigh that was having issues where they were running out of water.  
310 I have a well so I understand about conserving and not wasting water. I'm just curious if there is a plan long-term for if  
311 there was an issue.  
312  
313 Warren Mitchell: I think maybe we could have a few locations in reserve on the property where another well could be  
314 drilled. I don't know that wells run dry too often; luckily this area is kind of spread out. If you tap a good aquifer, you're in  
315 good shape. I think you run dry when you're in an aquifer that doesn't produce enough. I guess you would know early on  
316 if that were the case. It's definitely something that I want to get answered early.  
317  
318 Whitney Watson: I believe you said the water supply was going to be managed by a private utility company; will they or a  
319 similar entity manage the septic systems?  
320  
321 Warren Mitchell: The septic systems are all individual. There will be a couple that are combined in an area but they will still not  
322 fall under a public utility. The HOA might have a consultant that looks after those systems. Most of them will be on each  
323 lot, just a standard system.  
324  
325 Whitney Watson: Are sufficient repair fields being allowed for the development? Maybe that really falls to Chatham  
326 County since the sewer fields are going to be in Chatham but it's an operational concern down the road.  
327  
328 Warren Mitchell: Chatham has the same rules that Orange has to follow as far as septic.  
329  
330 Molly Boyle: You're correct, there is no septic proposed in Orange County so the review authority would be Chatham  
331 County on that.  
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333 Lucy Harber: I want to thank the Planning Board members for your careful review of the comments that we sent in and I  
334 did send in written comments but also felt compelled to speak as well because I feel pretty passionate about water and  
335 traffic. I didn't think I could communicate that as easily in letter or email but I also wanted to thank you. Historically,  
336 Orange County is pretty careful in its approach to planning and development because it has protected the environment

## DRAFT

337 and natural resources that we enjoy out here. I really appreciate being able to do country living out here for the last 35  
 338 years. We've seen a lot of change during that time but this is a lot of change that is happening very fast. In addition to the  
 339 Pyewacket, there is also Morgan's Ridge which is adding another close to 50 houses so we basically have a small city  
 340 mushrooming out here near our quiet rural area. It's kind of a concern in the fact that they have to supply water to all of  
 341 these homes both in Pyewacket and Morgan's Ridge which is a big draw on the existing ground water. I am not a  
 342 hydrologist and I don't propose that I understood the reports that I was reading, but for what I read, it seems like there is  
 343 not actually an aquifer in this part of Orange County. In terms of well yields, this is one of the parts of the County where  
 344 the well yields are the lowest and that is because of the rock formations underground, you're not actually tapping into an  
 345 aquifer, you are getting cracks in the rock. The further down you go, you don't necessarily hit more water because the  
 346 weight of the ground compresses the crack so there are fewer cracks. The small yield wells that we have which most of  
 347 my neighbors also deal with on a daily basis, drilling deeper doesn't necessarily help you. The most recent neighbor who  
 348 drilled a well had to go 700 feet and it was a very expensive endeavor. I don't know how much more water they are  
 349 getting out of it but I think it's the geology of this part of the County. One of the things that I requested in my brief  
 350 comments, was hopefully someone from the North Carolina ground water state agencies could come in and answer  
 351 questions for us or provide us with data from some of the monitoring wells there in Orange County. The maps that I  
 352 looked at did not seem to have any wells that were very close to here but in the statistics it did have there is a lot of  
 353 variability in wells in Orange County. In the summer and winter you really start to panic about if there is going to be  
 354 enough water.

355  
 356 Helen Booher: I live on Jones Ferry Road not too far down from the intersection with Ferguson and I'll second everything  
 357 that Lucy said with the wells. We've had our wells run dry lots of times during the summer and we've been told that this  
 358 area of Orange County and over into Chatham is just kind of how it is. I'm concerned that with the number of houses that's  
 359 proposed for this development that houses really would need to conserve water and how do you get that number of  
 360 households to work together and do that? I think that we'll be drilling all over the place trying to find enough water for that  
 361 number of households. Also, traffic is a big concern with everyone commuting in the morning over the University Lake, I  
 362 think traffic is going to get very backed up. Also, as mentioned before, the section of Jones Ferry Road this is at is a very  
 363 straight section so it's the first straight stretch of road and people really speed up right at this part of the road. That's going  
 364 to be a dangerous situation for having more cars entering on and off the road here. People use Jones Ferry to bike a lot  
 365 there on a curvy road with more traffic, I think that is going to be a dangerous situation as well.

366  
 367 Warren Mitchell I think that most of the issues have to do with water and traffic and I am going to work on both of those  
 368 and talk to NCDOT regarding Jones Ferry and what can be done. It is an existing problem and people are speeding up  
 369 there. I don't have any thoughts about it at this time.

370  
 371 David Blankfard: Do they have to have a traffic study?

372  
 373 Molly Boyle: That's going to be up to NCDOT to determine. Attachment 6 is the ITE Trip Generation data. They haven't  
 374 fully submitted to NCDOT yet. Mr. Mitchell was waiting to see if the Concept Plan was feasible before moving forward with  
 375 the cost associated with applying with NCDOT. It is possible based on the Trip Generation data that they will required to  
 376 have a Traffic Impact Analysis (TIA) but I'm not sure yet. I did talk to Jennifer Britt who is the Assistant District Engineer  
 377 for Highway Division 8, District 1 which is the one that oversees Chatham County and she is aware of the project. She  
 378 saw the ITE Trip Generation Report and she's seen the Concept Plan but they are still reviewing. They haven't gotten the  
 379 formal submittal yet in order to determine if a TIA is required but it is possible. If that is required, then NCDOT review and  
 380 approval would be required as part of the Preliminary Plat, not the acceptance of it but their review would be part of the  
 381 Preliminary Plat that would come before you next time.

382  
 383 Charity Kirk: What realistically, can we do? I appreciated Lucy's aquifer/not really aquifer status so I would find it helpful  
 384 to me to know more about the water status for the area. Can this be postponed until Morgan Ridge is further along? Right  
 385 now there are 50 houses going in and now we are going to be bumping it up to 150 houses in a pretty non dense area so  
 386 what realistically can we do at as a Board right now? Is that to approve it we would like this in the future or what can we  
 387 do?

388  
 389 Michael Harvey: So I think that the straightforward answer is you can ask the applicant if they are willing to delay. In my  
 390 opinion, you are being asked to approve what would normally have been an exempt subdivision in Orange County and the  
 391 only reason you are reviewing it at all is because, as Molly has already pointed out and as detailed in your abstract, is

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392 because of the public road being proposed. That is the only reason why we are seeing it. I don't say that to diminish your  
393 desire to look for more information, I just want to be factual.

394  
395 Charity Kirk: But we can squelch it by not approving it.

396  
397 Michael Harvey: As Molly pointed out, and it's in your abstract, you have three options. You can approve and what the  
398 approval does is it allows the applicant to move forward, the approval of the Concept Plan does not guarantee a  
399 Preliminary Plat gets approved, it just allows the applicant to continue. There are a lot of factors that might impact Mr.  
400 Mitchell being able to move forward that have nothing to do with Orange County, or Chatham County for that matter.  
401 There may be DOT issues or well issues. There are a slew of things that could occur. You could approve this with  
402 conditions. Those conditions could range from you want more information from Chatham County on the septic permitting  
403 process and their review of the septic locations; you want Mr. Mitchell to provide more detail on water usage and ways that  
404 water could be conserved; you can ask for additional traffic impact data prior to the Preliminary Plat so that it will help you  
405 make a final decision; or your current option is to say that you are not comfortable approving it because you think that the  
406 impacts outweigh the benefits and there is a vote. I certainly think that the Board has flexibility on one level to impose  
407 some reasonable conditions to ask for more data. I think some of the answers are going to be answered as Mr. Mitchell  
408 continues through his review in Chatham County, assuredly I think the Department of Transportation is going to weigh in  
409 on any necessary traffic improvements and I think that there can be a condition or request for more water usage data as  
410 well as if there is any preliminary well testing or drilling that is done to figure out what water flow is in this area. Those are  
411 your three options and I think it is conceivable for you to discuss some conditions with the applicant and either approve,  
412 approve with conditions or you can deny. If you do deny then I would ask that you are explicit in your rationale so that Mr.  
413 Mitchell has an understanding of what you might need if he chooses to bring this up again after the statutory time has  
414 passed to re-propose the development.

415  
416 Melissa Poole: Since there are so many new people and we haven't done one of these in a long time, to help understand  
417 that this is preliminary concept, this still comes back before us at a later date in more detail.

418  
419 Molly Boyle: Yes, that is correct, this is just the Concept Plan and then the applicant would have to come back and apply  
420 for a Preliminary Plat and that is when you will see something that looks more like the plat that you are used to with the  
421 metes and bounds and certifications. Also at that point you would have more concrete data and review from NCDOT in  
422 terms of the public road, any improvements they might require. You are correct once this is the Concept Plan, assuming  
423 approved, then Mr. Mitchell would have to apply for a Preliminary Plat and that would go to the Development Advisory  
424 (DAC) again and would then come before you again and then it would go on to the Board of County Commissioners.

425  
426 Adam Beeman: I would propose since the water is an issue that the developer take the well off Orange County's property  
427 all together and find another location in Chatham. That takes it out of our decision-making. Then all we are doing is  
428 deciding on a road.

429  
430 Charity Kirk: I would still...Orange County and Chatham is just a line. I would still want to know the well status.

431  
432 Adam Beeman: We don't control that, that's the definition; we don't have control of that.

433  
434 Charity Kirk: We can still approve or deny the road.

435  
436 Adam Beeman: I don't agree with that. But I would like to shift the driveway to the left of the utility pole so it doesn't affect  
437 the neighbors and move the well off the Orange County parcel. That is my request from the developer, I don't know if the  
438 rest of the Board agrees with me.

439  
440 Melissa Poole: I agree with Adam. In the conditions for the Preliminary, I would like to see more information about the  
441 shifting that road.

442  
443 David Blankford: Will the Orange County residents be able to comment on the Chatham County proposal for  
444 development?

445  
446 Molly Boyle: I believe anyone within the notification boundary there, in terms of the neighborhood information meetings.  
447 Some of the people in Orange County were captured in that so I would assume so but I'm not 100 percent that if they were

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448 in the notification boundary they would be able to speak. I believe their notification radius is 500 feet from the property  
449 which is the statutory requirement. Orange County doubles it and goes to 1,000 feet but at the bare minimum it's 500 feet.  
450 [staff note, in retrospect, the distance required by statute was stated incorrectly; state statutes do not require notifications  
451 for subdivisions as statutes allow subdivisions to be approved administratively (no public notice required). In cases of  
452 zoning changes, state statutes require that abutting property owners receive mailed notification; local regulations can  
453 contain a larger notification boundary, as Orange County does.]

454  
455 Carrie Fletcher: My concern, and I agree with Charity, is that just because technically we call it Orange County and our  
456 concern is only with Orange County and we can move the well off Orange County so it's not our problem; we are talking  
457 about a development that concerns Orange County and Chatham County and my concern is with the people buying these  
458 homes and making sure they have access to water and that the people around them also have access to water and you're  
459 not cutting off someone's nose to spite your face just because it's not our jurisdiction and that we would leave these people  
460 high and dry. I agree with what Lucy said about how the aquifers are tapped because that is my problem on my property  
461 is that I am going down among different layers of rock not into an aquifer. I was wondering if the developer could give us  
462 some kind of preliminary water drilling information as was proposed. I would be very concerned about that and I would like  
463 to feel more comfortable about not impacting water availability to neighborhoods nearby.

464  
465 Charity Kirk: I'm willing to approve it moving forward on the condition that we get more information about the status of the  
466 water. I'm willing to potentially have a well in Orange County as long as there's information about the wells in that area  
467 and the quality.

468  
469 David Blankfard: What I've heard so far is we would like the developer to look at headlight beams for the entrance onto  
470 Jones Ferry; a traffic study, and the well, water quality and quantity, for wells in this area.

471  
472 Whitney Watson: The other thing was water conservation measures for the homes.

473  
474 Lamar Proctor: I'm like, I'm on an Orange County Planning Board and I am bringing detriment to Orange County citizens  
475 to increase traffic and water use with no benefit to Orange County. I don't understand why I would vote for this. I don't  
476 have any incentive to vote for it. I just tell that to Mr. Mitchell, because I appreciate his candor but I want to be candid too.  
477 I don't see what Orange County benefits from this.

478  
479 David Blankfard: Not to put words in your mouth but didn't you say that they would be shopping in Carrboro?

480  
481 Lamar Proctor: That's not a direct benefit, that's a potential benefit, some shopping but that comes with detriments. It  
482 comes with increased traffic on Jones Ferry; it comes with increased population growth. As Chatham blows up, if Orange  
483 doesn't do anything and it's just a wall of Chatham along the line, I don't see how that benefits Orange County in any direct  
484 way. Is the property going to be preserved as the rest of the 60 acres? Is there going to be something else, another  
485 development with expensive homes that would provide a tax base? Yes, there is potential benefit of going to Carrboro and  
486 spending money but once again, that's going to benefit Carrboro, I don't know that's going to benefit Orange County. My  
487 constituents are Orange County. I'm trying to look at it holistically but if there is no benefit and Orange County is not  
488 getting anything out of it then I don't have any incentive to vote for it.

489  
490 Randy Marshall: My only comment is that Orange County is bordered by several different other counties and it is  
491 incumbent upon us to be as considerate of developments on the other side of the county line as it is for them to be  
492 considerate of Orange County developments so I think this is an implied sharing of responsibility when developments  
493 cross county lines. I don't think we need to be particularly selfish in terms of looking out for only Orange County because  
494 there may be times when we want Chatham County or Durham County or Alamance County to give us some slack and  
495 help us approve a development that we would like to have in our County. I am not necessarily in favor of going strictly by  
496 what is in it for us. I think you could send it for Chatham to decide as many of the issues we brought up today are issues  
497 that Chatham County has to deal with because a lot of those issues are not going to be part of the portion of Orange  
498 County that being developed.

499  
500 David Blankfard: I think it benefits Wendell Merritt who is an Orange County resident who going to sell this piece of  
501 property and he gets to keep the rest of his property to do whatever he wants to do with it.

502

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503 Lamar Proctor: I understand Mr. Marshall's point but it's a commercial development, it's not a public development. It is a  
 504 completely moneymaking, profiteering, enterprise. I don't know if Chatham or Alamance would do the same, I really don't.  
 505

506 Warren Mitchell: Something I like to mention Mr. Proctor, it's not a big revelation but it is being developed in the manner  
 507 that Orange County would develop. It's 50% of open space, its 93 lots where the zoning allows 130. I also don't believe  
 508 Chatham will blow up like you think. There is definitely growth happening in Chatham. Their watershed rules are strict,  
 509 they are not as strict as University Lake, which has really saved a lot of growth on Jones Ferry but the Chatham rules  
 510 really guard Jordan Lake. They are very protective of Jordan Lake and Jordan Lake Rules. There is no sewer in Chatham  
 511 County whatsoever so that really controls Chatham a lot and you have to do a private water system. There has been a  
 512 few like Governor's Club, Fearington Village, and Briar Chapel they had their wastewater treated. It's going to be  
 513 developed in the same way that rural Orange County would develop. Like Molly said, it's one lot for 40,000 square feet so  
 514 the zoning on this property is the same as the zoning in Orange County. That's just an alternate perspective, it's not to say  
 515 there is a benefit to Orange County but they are also not running wild across the border. I live in Chatham, I was born in  
 516 Chapel Hill, I've got perspective in both counties. They just passed their Land Use Plan four years ago and they are trying  
 517 to create the UDO to implement the Land Use Plan. If you look at it you'll see nothing but green. They are protecting  
 518 farmland in Chatham, they are protecting all the open space. You would be very impressed with their Land Use Plan. I  
 519 am proud to live in Chatham and I think they are doing an excellent job.  
 520

521 Melissa Poole: Just to clarify, again, our voting on this is a vote to allow the developer to move forward in the process. It  
 522 is not a vote of yes on the development itself.  
 523

524 David Blankfard: That's correct. To restate the 4 conditions, 1<sup>st</sup> is the headlights, investigate the headlights from the exit  
 525 onto house in front of entrance on Jones Ferry Road. 2<sup>nd</sup> is the traffic study; 3<sup>rd</sup> is the information on geology for the  
 526 aquifer and wells for these two parcels and 4<sup>th</sup> is the water conservation measures.  
 527

528 **MOTION** by Randy Marshall to recommend approval with the 4 added conditions . Seconded by Adam Beeman.  
 529

530 Adam Beeman: Yes  
 531 Susan Hunter: Yes  
 532 Charity Kirk Yes  
 533 Carrie Fletcher Yes  
 534 Lamar Proctor Yes  
 535 Melissa Poole: Yes  
 536 Whitney Watson Yes  
 537 Randy Marshall: Yes  
 538 Alexandra Allman Yes  
 539 David Blankfard: Yes

540 **MOTION PASSED UNANIMOUSLY**  
 541

542

543

543 **AGENDA ITEM 8: ADJOURNMENT**

544 Meeting was adjourned by consensus at 8:30 p.m.  
 545  
 546  
 547  
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 549

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David Blankfard, Chair



DRAFT  
SUMMARY NOTES  
ORANGE COUNTY PLANNING BOARD  
MAY 5, 2021  
TRAINING SESSION

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NOTE: A quorum is not required for Planning Board Training Sessions.

*Due to current public health concerns, the training session was virtual. Members of the Planning Board and staff participated in the meeting remotely.*

**MEMBERS PRESENT:** David Blankfard (Chair), Hillsborough Township Representative; Adam Beeman (Vice-Chair), Cedar Grove Township Representative; Susan Hunter, Chapel Hill Township Representative; Lamar Proctor, Cheeks Township Representative; Randy Marshall, At-Large Representative; Charity Kirk, At-Large Representative; Alexandra Allman, At-Large Representative; Whitney Watson, , At-Large Representative;

**STAFF PRESENT:** Craig Benedict, Planning Director; Perdita Holtz, Planning Systems Coordinator; Michael Harvey, Current Planning Supervisor

**AGENDA ITEM 1:**     **PLANNING BOARD TRAINING SESSION** – Staff will lead training on various materials aspects of land use planning in Orange County  
                                  **PRESENTER:** Craig Benedict, Planning Director

Craig Benedict conducted a training session on various land uses in Orange County