

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



**AGENDA  
ORANGE COUNTY PLANNING BOARD  
Wednesday, September 2, 2020**

**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 persons can view and participate in the meeting by pre-registering at:

[https://orangecountync.zoom.us/webinar/register/WN\\_uU53nV\\_rQ3uewJow-4Bsxx](https://orangecountync.zoom.us/webinar/register/WN_uU53nV_rQ3uewJow-4Bsxx)

Not clickable: [https://orangecountync.zoom.us/webinar/register/WN\\_uU53nV\\_rQ3uewJow-4Bsxx](https://orangecountync.zoom.us/webinar/register/WN_uU53nV_rQ3uewJow-4Bsxx)

After registering, Zoom will email registrants additional information and a link which must be used to access the meeting.

No.	Page(s)	Agenda Item
1.		<b>CALL TO ORDER</b>
2.	3 – 4	<b>INFORMATIONAL ITEMS</b> a. Planning Calendar for September and October
3.	5-34 35-60	<b>APPROVAL OF MINUTES</b> August 5, 2020 Regular Meeting Minutes August 19, 2020 Special Meeting Minutes
4.		<b>CONSIDERATION OF ADDITIONS TO AGENDA</b>
5.		<b>PUBLIC CHARGE</b> 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 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.

**Public Charge**

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

<u>No.</u>	<u>Page(s)</u>	<u>Agenda Item</u>
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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.

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.

Please be kind to everyone.

**6. CHAIR COMMENTS**

**7. ADJOURNMENT**

**IF AN EMERGENCY OCCURS, OR IF YOU ARE RUNNING LATE FOR THE MEETING, PLEASE LEAVE A VOICE MAIL FOR PERDITA HOLTZ (919-245-2578).**

September 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 BOCC Business Meeting  Virtual Meeting	2 Planning Board 7:00 pm*  Virtual Meeting	3	4	5
6	7 HOLIDAY OFFICES CLOSED	8	9	10 BOCC Work Session  Virtual Meeting	11	12
13	14	15 BOCC Business Meeting  Virtual Meeting	16 OUTBoard Meeting  Virtual Meeting	17	18	19
20	21	22	23	24	25	26
27	28	29	30	Notes: * Planning Board Member Attendance Required Virtual Meeting		

October 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
		BOCC Business Meeting  Virtual Meeting	Planning Board 7:00 pm*  Virtual Meeting			
11	12	13	14	15	16	17
18	19	20	21	22	23	24
		BOCC Business Meeting  Virtual Meeting	OUTBoard Meeting  Virtual Meeting			
25	26	27	28	29	30	31
30	31					
				Notes: * Planning Board Member Attendance Required - Virtual Meeting		

## DRAFT

MEETING MINUTES  
 ORANGE COUNTY PLANNING BOARD  
 AUGUST 5, 2020  
 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; Kim Piracci, Eno Township Representative; Susan Hunter, Chapel Hill Township Representative; Patricia Roberts, Cheeks Township Representative; Randy Marshall, At-Large Representative; Hunter Spitzer, At-Large Representative; Alexandra Allman, At-Large Representative; Melissa Poole, Little River Township Representative; Carrie Fletcher, Bingham Township Representative

**MEMBERS ABSENT:** Gio Mollinedo, At-Large Representative; Vacant, At-Large Representative

**STAFF PRESENT:** Craig Benedict, Planning Director; Perdita Holtz, Planning Systems Coordinator; Tom Altieri, Comprehensive Planning Supervisor; Michael Harvey, Current Planning Supervisor; Brian Carson, GIS Tech III, Tom Ten Eyck, Transportation/Land Use Planner, Christopher Sandt, Staff Engineer; Tina Love, Administrative Support; Steve Brantley, Economic Development Director, Amanda Garner, Assistant Economic Development Director;

**APPLICANT AND ASSOCIATES PRESENT:** Bill Aucoin, Vice President - Avison Young; Chris Bostic, Project Manager – Kimley-Horn and Associates, Inc.; Jack Graham, Principal – Avison Young; Michael Birch, Partner – Longleaf Law Partners; Christa Greene, Senior Principal – Stantec; Frank Csapo, CEO – Barrister Commercial Group; Wes Hall, Civil Engineer Analyst – Kimley-Horn; Matt Peach, Senior Transportation Engineer – Stantec; Rick Ogburn, Director of Construction – Barrister Commercial Group; Doug Short, Partner – Manning Fulton

**OTHERS PRESENT:** Penny Rich (BOCC Chair); Sarah Shore; Joseph Shore; Stephen Williams; Frederick Tapp; Kaila Mitchell; Brandon Sneed; Gerald Scarlett; Leslie Robert; Ellen Mayer; Jayse Sessi; Myra Gwin-Summers; Franklin Garland; Isabel Garland; Clare Brennan; Karen Fernandez; Theresa Gilliam; Maryanne Ross; Jill Bauer; Dennis Hagerman; Ronald Sieber; Jared Jurkiewicz; Matthew Kostura; Jon Lorusso; Richard Wagoner; Ted Bryant; Bob Bundschuh; Allen Rynish; Brian Lapham; Steve Kaufmann; Gina Rhoades; Doug Short; Betty Garland; Kevin Nicholson, Jonathan Espitia, William Clayton, Beatrice Brooks, Rowdy and Kim Walker, Beth Rosenberg, Diane and Erik Dunder; Noah Chase; Cedar Eagle; Jack Rupplin; Tammy Grubb; 3 callers

**AGENDA ITEM 1:       BRIEF SUMMARY BY STAFF ON TECHNOLOGY PROTOCOLS FOR MEETING**  
**PRESENTER:** Perdita Holtz, Planning Systems Coordinator

*Perdita reviewed the technical processes and rules*

**AGENDA ITEM 2:       CALL TO ORDER AND ROLL CALL**  
 Chair David Blankfard called the meeting to order.

**AGENDA ITEM 3:       INFORMATION ITEMS**  
 a. Planning Calendar for August and September

**AGENDA ITEM 4:       APPROVAL OF MINUTES**  
 February 5, 2020

**MOTION** by Randy Marshall to approve the February 5, 2020 Meeting Minutes. Seconded by Hunter Spitzer.  
**VOTE:** Unanimous

## DRAFT

56  
 57 **AGENDA ITEM 5: CONSIDERATION OF ADDITIONS TO AGENDA.**  
 58 There were none

59  
 60  
 61 **AGENDA ITEM 6: PUBLIC CHARGE**

62  
 63 **INTRODUCTION TO THE PUBLIC CHARGE**

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

72  
 73 **PUBLIC CHARGE**

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

80  
 81  
 82 **AGENDA ITEM 7: CHAIR COMMENTS**  
 83 There were none

84  
 85  
 86 **AGENDA ITEM 8: PROPOSED AMENDMENTS TO THE TOWN OF HILLSBOROUGH/ORANGE COUNTY CENTRAL ORANGE**  
 87 **COORDINATED AREA (COCA) LAND USE PLAN AND TO THE ORANGE COUNTY COMPREHENSIVE PLAN**  
 88 **FUTURE LAND USE MAP (FLUM) -** To review and make a recommendation to the BOCC on County-  
 89 initiated amendments to the COCA and FLUM in the vicinity of the southern portion of the  
 90 Hillsborough Area Economic Development District. The amendments related to COCA affect 17  
 91 parcels (in whole or part) encompassing 84 acres. The amendments related to the FLUM affect 20  
 92 parcels (in whole or part) encompassing 89 acres. The COCA proposed land use category is  
 93 Suburban Office and the FLUM proposed category is Economic Development. This item is  
 94 scheduled for BOCC public hearing on September 15, 2020.

95 **PRESENTER:** Tom Altieri, Comprehensive Planning Supervisor

96  
 97 *Tom Altieri reviewed the abstract and proposed changes*

98  
 99 Hunter Spitzer: The first question that I have, no residential zoning will be permitted under this new County Land Use  
 100 under the Economic Transitional correct?

101  
 102 Tom Altieri: As part of these amendments, there is no associated rezoning at this time. The residential structures,  
 103 the homes that are there now will continue to be conforming, the planning term, because the Rural Residential or R1  
 104 Zoning District will remain in place.

105  
 106 Hunter Spitzer: So could these properties potentially be rezoned to say medium or low intensity residential  
 107 development is my question, are those allowable zonings under this new land use?

108  
 109 Tom Altieri: Yes

## DRAFT

110  
111 Hunter Spitzer: I noticed in the Comprehensive Land Use map that there are protected areas identified in green but  
112 in the areas selected to be rezoned as Suburban Office, there are no protected areas and I was wondering why not  
113 but they are identified as protected in the County Land Use map. I suppose I know why, because we don't want to  
114 restrict development but I was wondering if you could lend anything to that.

115  
116 Tom Altieri: It's really for no particular reason, it's just a matter of the Town took the initial step in the development of  
117 the Joint Land Use Plan and it used the Land Use categories that it already had in its existing plan and it is just not  
118 shown on the map in the Joint Land Use Plan. Those areas there certainly exist, I did mention that if or how  
119 development occur in those resource protection areas is really handled through our Zoning Ordinance with stream  
120 buffers and so forth. I think the resource protections area is really shown on the County's Future Land Use map as  
121 more, let's just say, a reminder, if you would. That layer that land use category does not have a direct companion-  
122 zoning district or applicable zoning districts that would be applied in a resource protection area. It's more or less just  
123 an overlay just to show where there is a high likelihood of wetlands or steep slopes and so forth.

124  
125 Hunter Spitzer: Ok, thank you.

126  
127 David Blankfard: I have a question, so Orange County Comprehensive Plan map says it's 20 parcels and 89 acres  
128 and Hillsborough says it's 17 parcels and 84 acres. Is that just the Town and Orange County finally coming together  
129 to make the map match up?

130  
131 Tom Altieri: That is correct. There are just a few parcels that are addressed in the COCA Land Use Plan on the  
132 north side of the amendment area that are also covered in the County's Future Land Use map so there's a little  
133 overlap there. That's why when we're looking at amendments to the COCA Land Use Plan the acreage amount is  
134 different from the County's Land Use Plan. I can point those out if you'd like to see the differences, I know you have  
135 the maps in your packets but there is just a few parcels and a few acres difference between the two amendments  
136 and that's right along the northern boundary of the amendment area.

137  
138 Melissa Poole: Will you flip back – I think it was 17, one of the maps where it had the star. (Map was shown) This is  
139 currently Rural Residential and the star is where the RTLP is planned to go.

140  
141 Tom Altieri: Correct.

142  
143 Melissa Poole: So, I guess my questions is that it seems like we are doing this backwards, for me if this is Rural  
144 Residential then why is RTLP planned to go there but we are only now talking about rezoning? It seems like we are  
145 doing this backwards. Am I misunderstanding?

146  
147 Tom Altieri: What we are doing is responding to the Town's expansion of its Urban Services area and we are  
148 reflecting that on the Joint Land Use Plan with Hillsborough and when that's done, we need to apply a Future Land  
149 Use category to the map and that is the addition of the Suburban Office Complex. We also need to add a County  
150 Land Use classification which is Economic Development District. The County is not proposing rezoning so this 12  
151 acres would stay R1. However, there is another item on your agenda tonight where the developer is initiating a  
152 process to also amend the zoning, not just for the 12 acres where the star is, but for a couple of the parcels to the  
153 north as well. I hope that answers your question. These are really separate amendments. We have a County  
154 initiated amendment to implement the expansion of the Town's Urban Services Area that is different and separate  
155 from the developer's proposal and the rezoning required for RTLP. It's just a matter of the two amendments share 12  
156 acres. Does that help?

157  
158 Melissa Poole: Yes, thank you.

159  
160 David Blankfard: Ok, we will take comments from the public. Please say your name and if you received a letter from  
161 the County about this amendment. Thank you.

162  
163 Franklin Garland: My name is Franklin Garland and I live off of Ode Turner Road. It seems like this was tried  
164 already and I have a lot to say. Some people have ceded their time to me because I have spent the last two weeks  
165 actually doing research. Nobody on the south side of the I-40 wants this, ok, the residents. There's approximately

## DRAFT

166 2000 residents that get involved in this. I know that you're looking at just one particular piece of land out there but  
167 what does the public, what do the people of Orange County have to say about this? I am looking at the Code of  
168 Ethics, I'm looking at the Mission Statements, it says here "serve the residents of Orange County" "our residents  
169 come first". Now the residents don't want this, ok. I know that, I personally put out 2000 flyers last week and it's  
170 unanimous out there that nobody wants it. So how can you force this on us, ok. Even though we don't want it. That's  
171 another question for the Planning and Inspections Board out here. I have many, many questions that go along here  
172 and I'm going to read a statement later on that maybe clarifies a whole lot but right now, my main question is what  
173 give you the right to just force this on us? Anybody? Want to care to answer? Who's win?

174

175 David Blankfard: Your elected officials, they are the ones that started this with the Town... (interrupted)

176

177 Franklin Garland: So our elected officials...

178

179 David Blankfard: Hold on, let me finish, your elected officials are the ones that started this land use planning, years  
180 and years ago so I don't know what to tell you.

181

182 Franklin Garland: in 1991, this was planned as an EDD, actually all this area out here was rural, and it was  
183 designated possibly as an Economic Development Area because I-40 wasn't in place then. Once I-40 went in place,  
184 I believe in 1984, actually you said 1981. It actually was designated as is and this is 39 years ago. This whole area  
185 has grown to be residential now. It's no longer open space and rural and like I said it's a whole lot of people out  
186 there. If our elected officials are choosing to do this, why are they going in there with perceived ideas, and already  
187 made up their mind that this is going to happen. That's not the democratic way. That's called a fascist way when you  
188 do it that way. It's very offensive, most people are offended by this and we're trying to put a stop to this. By the way,  
189 I think this is a ridiculous way to hold a meeting. I am going to add that, that we have 42 attendees where in person  
190 you would probably have several thousand today, ok. It's not valid for anybody in there, we actually are trying to take  
191 some legal action on this as well. I will have more to say, I have a statement that I mailed out to the Commissioners  
192 already, I hope that they have the courtesy to read it, I asked them to actually reply via email, text, call any which way  
193 that they had actually received the email. I have one of the Commissioners actually respond, that said they received  
194 it, not that they had read it, it would be nice if they actually went with how their constituency actually feels. I think  
195 they are the ones that count out here. Again, like I said earlier, as that our residents come first and you're putting the  
196 Town of Hillsborough first. You're putting the Planning Board first, what the whims are there. We are perfectly happy  
197 with our wells, we don't want city water necessarily out here. We don't want city sewer, we are out of the Town, we  
198 don't want to be annexed and this is not just me. I happen to hold a chunk of property that is immediately adjacent to  
199 this that I'm structure out there that basically, 2.5 million square feet big. This is about 3 times the size of Carter  
200 Findlay Stadium and you say that doesn't have an impact. You're putting this in middle of an area that is completely  
201 at this point basically residential. So you're going to put an industrial park for lack of a better word, because this light  
202 manufacturing, any manufacturing as you actually look carefully in there, warehousing and logistic center. That  
203 translates into industrial park, this is a pretty hefty size industrial park. It would actually, just to give you a couple  
204 comparison numbers, the PNC Center is 700,000 square feet including all the levels, so that's 700,000 this is 2.5  
205 million that you want to put in there. Carter Findlay Stadium is 107,000 square feet. How can this not going to have  
206 an impact on this whole area, doing this.

207

208 David Blankfard: I think your comments, most of the stuff you are wanting to talk about is going to be held up in the  
209 later item. Right now we're talking about something else. Thank you.

210

211 Franklin Garland: I know you're trying to approve something that is going to be the infrastructure for something else.

212

213 Craig Benedict: Good evening, my name is Craig Benedict, Orange County Planning Director. Just a little bit about  
214 how we can answer some questions from the public in how we will handle it moving forward. If staff can address with  
215 a quick answer, if it's a or b we will provide that during this meeting, if it is a more lengthy question, we will make  
216 note of the public comment and we can provide in writing the justification of the goals of the County and how the  
217 process has come forward.

218

219 Franklin Garland: (background discussion of a personal nature)

220

221 Perdita Holtz: I have gone ahead and muted Franklin Garland

## DRAFT

222  
223 Randy Marshall: I was just going to say that since we have a number of people who want to speak tonight, it seems  
224 to me we want to try to institute some limit to the amount of time that people have to speak. Otherwise, we're going  
225 to be here terribly late. The other thing is in the past, it's never been quite productive to have Planning Board  
226 members respond to presenters individually. I agree with what Craig had to say in that we need to take the  
227 information that people are offering to us and we can get back to them or staff can get back to them at an appropriate  
228 time.

229  
230 David Blankfard: Thank you Randy.

231  
232 Perdita Holtz: We have asked for folks to limit comments to no more than 5 minutes.

233  
234 Ronald Sieber: This is Ronald Sieber speaking; I live in the New Hope Springs neighborhood, which is along David  
235 Road. I have two short comments to make and a question. My first comment is that the signs that have been  
236 provided by the Planning Department to announce these meetings are too small, the print on them is too small, and  
237 they are placed in dangerous venues that if a person such as myself wants to stop and try to interrupt what is on  
238 them, we'll get run over by cars. This actually happened to me on Davis Road when I stopped to photograph one of  
239 the signs because it was really too small to read. As I was doing that, a truck came up behind me and almost hit my  
240 car which was parked by the side of the road. I would ask the Planning Department to please come up with a sign  
241 that's got larger print in it, is more intelligent in its presentation and doesn't present a danger to us folks who want to  
242 read what's going on. My second comment is that the July 21<sup>st</sup> meeting invited only those people within a 1000  
243 square feet of the affected area along David Road, which is a mile and a half long, there are 100s of homes,  
244 thousands of people who live on Davis and Ode Turner and all of us are going to be effected by this change. Not  
245 only from the development itself in parcels one and two but also the proposed change of planning along Davis for  
246 that little 12 acre parcel that the RTLP is planning to incorporate as part of their zoning change. That goes to my  
247 questions, my questions is if this is a rural neighborhood of farms, legacy businesses and homes, why are we  
248 allowing a major corporation come in and annex this piece and make it part of their monstrosity of a development.  
249 This is just going to change everything not only in our neighborhood but on the road itself on Old 86 and potentially  
250 on Davis Road. That's the end of my question. Thank you for taking it.

251  
252 Richard Wagoner: My question is more of a question than a comment. I was unable to attend the earlier July  
253 meeting for the public and my question is about the residential areas right when you come off I-40 onto Old 86. Right  
254 now, I think it is in the Neighborhood Mixed Use on one map but on another map, it's the Economic Development  
255 Transition so I am trying to get an idea of what is proposed for that area in the future. My mother-in-law lives when  
256 you are coming off 86 on the right hand side, my wife is the property owner along with my mother-in-law so we are  
257 trying to find out what is proposed for that area.

258  
259 Tom Altieri: The parcels you are inquiring about are to the north of the amendment area that I discussed in my  
260 presentation. They are addressed in that Central Orange Joint Land Use Plan as well as the County's  
261 Comprehensive Plan it is located in an area that would have the potential for economic development. The properties  
262 there that are residential if zoned for non-residential uses those parcels are allowed to continue to be there to have  
263 residential uses. They are what's called non-conforming uses meaning that it may be a house if it's rezoned to non-  
264 residential it's not within the conforming zoning district but those houses are certainly allowed to stay. We did receive  
265 a question at our public information session about would it increase potentially the developers interests in purchasing  
266 those houses and the response at that time was that yes it could so it is possible there could be some transitioning  
267 there if property owners want to willingly sell their property to developers for non-residential uses in the future.

268  
269 Richard Wagoner: There would be no requirement at this time, you could stay there if you wanted to or sell if you  
270 wanted to?

271  
272 Tom Altieri: Absolutely, that is correct. I know it's hard to really separate the development proposal from some of the  
273 land use amendments that I've been discussing but things like buffer requirements around the development to  
274 provide buffers between it and adjacent residential uses will certainly be discussed later this evening.

275  
276 Richard Wagoner: Ok, thank you.

277

## DRAFT

278 Clare Brennan: Hi, Clare Brennan, like one of my neighbors earlier, I also live down Davis Road in the New Hope  
279 Springs subdivision. I wanted to specifically talk about that little parcel of land that had the star on it. That's of  
280 concern to me and I think a lot of my neighbors since we live down Davis Road. As I see it, I think this big planned  
281 economic development is likely going to happen but I would like to sort of try to get a win out of this somehow and  
282 maybe will a battle but lose the war. My position is that we need not be rezoning or annexing that little parcel that  
283 had the star on it. I think that was 17 acres that was on the west side of 86 and adjacent to Davis Road. I think there  
284 was plans to change that zoning from Rural Residential to an Economic Development Transitional Zone, I am totally  
285 opposed to that, and speaking for my neighbors, I think we all are in the subdivision. I also want to step back and  
286 remind people that Old 86 is one of 57 scenic byways in the State of North Carolina and appeared on colonial maps  
287 of this state dating back to 1770 so we've had 250 years of living off of Old 86, families, generations enjoying this  
288 rural life so it is really with a lot of dismay and disappointment that we are seeing the plans for this huge rezoning  
289 here right at the corner of our neighborhood. I also take a bit of issue with the term RTP Logistics Park. We are at  
290 least 30 miles from RTP, surely this is a bit of a misnomer should we maybe consider calling this the Hillsborough  
291 Manufacturing District, it's kind of what we are looking at, right? This is not a RTP associated park in any way shape  
292 or form. Also this might go onto the next agenda item but I have a real concern about the PIN 9862-99-8894 that is a  
293 warehouse that has an access road off of Davis Road and this is planned to be 300,000 square feet again according  
294 to my math that is some sort of building that would be 300 ft. by 1000 ft. right as you turn off of Old 86 onto Davis  
295 Road. Quite frankly, that is really unacceptable. We moved out here to this lovely part of Hillsborough and Orange  
296 County for the luxury and the privilege of living in the country and that is really just going to totally deface the whole  
297 entryway into what is supposed to be our gateway into historic Hillsborough. I also want to mention in this COVID  
298 environment, that Davis Road has really become a place that our neighbors cherish. We cycle out there and walk out  
299 there you see families walking hand in hand with children on Davis Road especially because people are home now  
300 and not able to go out and socialize. Folks cycle out there this is a great place to ride bikes and again that quality of  
301 life that we're used to maybe gone if this huge development comes to fruition so my pitch again is to remove any  
302 service road, any development from encroaching down that Davis Road corridor and let's leave Davis Road in as  
303 much of the pristine condition as we can. My last question is once this large manufacturing and industrial  
304 warehousing site is approved, will residents be notified about the potential new owners of these facilities and what  
305 sort of manufacturing and industrial plans do we have for these parcels are we looking at a rubber tire plant, a swine  
306 pig manufacturing site, pharmaceuticals what are we really approving here? It's quite nebulous in my mind and a little  
307 frightening so I'll stop now and just take any questions if need be. Thank you.

308  
309 David Blankfard: Thank you.

310  
311 Randy Marshall: How far is your development from 86?

312  
313 Clare Brennan: 1.75 miles, it's right the Ode Turner fork, go left at the fork.

314  
315 Randy Marshall: Ok, so you'd have to go 1.7 miles down Davis Drive from 86 to get to your development?

316  
317 Clare Brennan: Correct.

318  
319 Randy Marshall: Thank you.

320  
321 Hunter Spitzer: My question was if we do not approve this Land Use Plan amendment, can this area still be rezoned  
322 in the following amendment or would it be passed to the Board of County Commissioners? The one for the Research  
323 Triangle Logistic Park if we don't change our land use map?

324  
325 Tom Altieri: Any rezoning needs to be consistent with the Land Use Plan. If it is not consistent with the Land Use  
326 Plan then the Land Use Plan needs to change concurrently. So the answer to your question is no.

327  
328 Craig Benedict: I can add on to that. North Carolina State Law allows rezoning to proceed and independent and if  
329 the rezoning is approved in an area such as this then we would have to, as Tom said, go back and change the Land  
330 Use Plan.

331  
332 Hunter Spitzer: So it would be inconsistent but because our Land Use Plan didn't agree with this, it wouldn't  
333 necessarily stop it?

## DRAFT

334  
335 Craig Benedict: That's correct.

336  
337 Jared Jurkiewicz: My name is Jared Jurkiewicz; I live down Davis Road as well just past the New Hope Subdivision.  
338 I'm actually in the Windsong Subdivision, which is a tenth of a mile from them. I am also the president of the  
339 homeowners association for the Windsong Subdivision representing approximately 15 households on this call and I  
340 would just like us all to go on record saying that we oppose making these changes here all of us are extremely  
341 concerned about the detrimental effects it will have to our community, to the traffic on Davis and to the overall  
342 lifestyle of the area. It has been summarized by Franklin and several others beforehand that many of us moved out  
343 here specifically because it was a rural area and we wanted to be outside of the city. We did not come here to  
344 suddenly have a massive manufacturing facility and warehouse district pop up in our back yards. A lot of us are  
345 incredibly unhappy about this and I don't know if it is true or not but I know it has been discussed among people here  
346 as we feel like this is being snuck in and hidden with the things such as the signs that are unreadable on the road  
347 unless you stop and endanger your life to read them. That the stuff is being done very under the table and sort of an  
348 underhanded fashion and it is breeding a lot of resentment with the residents of this area. I can that's true for my  
349 entire subdivision, it's come up in our homeowners association meetings several time now and as Franklin said, it  
350 really feels like, even though the statute said or the creed said that Hillsborough residents come first, it feels like we  
351 are all coming last. That this corporation, which is from out of state, is getting more preferential treatment than the  
352 2000 + citizens that live here and that's pretty much my entire comment. Thank you.

353  
354 Hunter Spitzer: New question, I know that the Town is planning to expand sewer service area to the north of this  
355 parcel that's in question right now and they will provide services to the proposed RTLP development but I remember  
356 reading the plan that they're also planning a long term vision to build a sewer loop that will return back across 86 and  
357 I wondered if the Town needs this area to complete that project?

358  
359 Craig Benedict: Tom, I can handle that one. The loop that they would be providing would be for a water system and  
360 not a sewer system. So it's likely that in order to get the fire flows for development of this type, that a loop would  
361 occur back from I-40 near the service road through the development and back out to Old 86 where there is presently  
362 a large water line in 86 now. As far as the sewer system, this area even this additional 12 acre area and the other  
363 roughly 70 acres on the east side all flows by gravity naturally to the sewer systems within Hillsborough. That's why  
364 this both could be served easily by the sewer system and also water main loop that would go back to the existing  
365 facilities along Old 86.

366  
367 Hunter Spitzer: Right, the Town doesn't necessarily need this area to complete the water loop.

368  
369 Craig Benedict: There's multiple engineering solutions. One of them would be a loop system so it's something that's  
370 being explored to provide those fire flows that are necessary.

371  
372 David Blankfard: I think the other way they could do it is to have a fire pump inside each room and each building  
373 could generate the flows that they would need for a sprinkler system but those are costly.

374  
375 Bob Bundschuh: My name is Bob Bundschuh; I also live in New Hope Springs, a couple of miles down Davis. I'll try  
376 to keep this to this particular amendment. The first question I have is when did Hillsborough actually approve this?  
377 You said that this is the next step the County has to then follow suit but why now? What made it pertinent this month  
378 to actually start doing this and is it related to the second part of the agenda? Looking at your first five slides, you  
379 looked at all the areas that are slated for development, there are a lot of areas that are slated for development,  
380 already zoned for development and aren't developed yet. So why the push to do this right now, why don't we wait  
381 until we actually let the demand start catching up with the supply. Or as some people have said is this a quick way to  
382 get this kind of rezoned and then call it the master plan which back when Settler's Point was going on this was phase  
383 3 and some type of retirement place and we're going to go ahead and table that as kind of a negotiation tactic that  
384 was used back then. So why is it suddenly become a thing to, it's not a rezoning but we're going to match it up with  
385 the master plan for the Suburban Office. The second one is the 12 acre parcel at the northwest corner, it's kind of  
386 funny that it is connected to the redrawing of the lines to say, we need that little 12 acre parcel to become part of this  
387 complex across the way. So we had 89 acres and 12 of it is across the street. Is it really realistic that someone  
388 would actually go in and get that 12 acres, develop it you said, a walkable office building without drive up traffic or is  
389 that a way to let's get this little corner across the street, and Hunter even eluded to it, do we have to do it in the right

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390 order to say yeah we do the land use first and then we can go and rezone it. Is that a way of saying let's get this first  
391 because somebody wants to rezone that later. It's not, it doesn't make sense that we have to put that little 12 acre  
392 piece in there, it's just a way to get it in line so that in your next agenda you can then rezone it. Like other people,  
393 that connection to Davis, and we'll talk about that more in the second one, it makes no sense. Davis is a two-lane  
394 road where the white line actually will go into the gravel sometimes it's so narrow. The development on Davis is not  
395 where you want to put it. And lastly, so how do we change it? Every time we come to one of these meetings, we  
396 want to change the master plan of the development to zone it more industrial and take away rural and you said well  
397 that's been the plan for 20 years. Well obviously, it can be changed so how do we change it back. Do we go to the  
398 zoning board? Do we go to the County Commissioners? How do we put restrictions as the people that live out here,  
399 so that every year we don't have to keep doing this and that a decision made 20, 30 years, is not going to come up  
400 all the time. One last comment, and Randy with all due respect, you said earlier that we have to make this quick or  
401 we'll be here terribly late. I understand we got to make it quick but we live here. We're the one that have to deal with  
402 the decisions being made so if people have to stay up a little later, I think that's a small sacrifice for those of us who  
403 have to live with being up terribly late with development so with all due respect, I'm ok with staying up a little late and  
404 I think everybody else is to. Thank you.

405  
406 Maryanne Ross: Hi, thank you for having this meeting and thank you Bob for that. We are community members and  
407 with all due respect, if we are here later, this is our neighborhood. The last meeting that we attended it was put off to  
408 a later date and they waited until we forgot, they waited until something else happened and they passed a rezoning.  
409 It's the same thing that Ronald said, the sign was put out and it was so small, the meeting had passed, it was only for  
410 a few people and then the next thing I knew, I drove by and there were like 20 signs out. And then the meeting  
411 happened a week later. So, speaking to David and Hunter and Melissa, welcome, the OCPB charge is that  
412 'harmonious development, future needs, homes, homestead, wildlife habitat' we have deer, we have endangered  
413 bluebirds, we have many wildlife that are living in this neighborhood community. Whether or not we live 1.75 miles,  
414 2.3 miles, we live on Davis, we live on Ode Turner, we live in this neighborhood. This is where we live now. We  
415 didn't live here 20 years ago this is where we live this is where our families are this is our harmonious development  
416 we are your constituents we would appreciate you listening to what we have to say. I'm talking to you Hunter, I'm  
417 talking to you Melissa, I'm talking to you David. Apparently, you weren't here when we had this meeting two years  
418 ago and they wanted to rezone yet again these same areas and that fell through and what Mr. Altieri described  
419 earlier, the whole kit and caboodle was this is an example of the Town giving an inch and a developer taking a mile  
420 because there's a little bit of an extra parcel and that's what they want to do. And we implore you to please put a  
421 stop to it. Let us have our green area. Let us live our lives where we live it best. I do not need nor do we want to  
422 have this traffic, this green space taken away, Thank you.

423  
424 Jon Lorusso: Good evening, I don't have a lot to say. I wanted to voice my opposition to this. I also live off Davis  
425 Road across from the New Hope Springs Subdivision. I am against this I concur with previous speakers about the  
426 signs. I almost got into an accident myself trying to read information off a sign. It does feel like this is being done  
427 without the, no one voices their opposition. I came in from a meeting late tonight and I missed the meeting in July. I  
428 wasn't at the meeting a few years ago that the previous speaker mentioned. I don't know how long in the process we  
429 are but once it's done you cannot undo it. You cut down a tree the tree is gone it's not coming back you can't just put  
430 a new one there. If this is done, it's permanent. It will change forever the place that we live. The phrase Not in My  
431 Back Yard comes to mind. I don't know how many of the County Commissioners live in this area if this was being  
432 done on the other side of the County, I probably wouldn't care but it is being done in my backyard like the previous  
433 speakers have said, I didn't move here so that I could live next to a giant manufacturing district. This is just not why I  
434 moved here not why I live here. I would also like to reiterate what speakers said about the potential use. What's  
435 going to go on here? No idea. I think she mentioned a rubber tire factory, who knows? It's really none of our  
436 business right? It's private property, they can do whatever they want. I am very upset by this and I really wish you  
437 wouldn't do this to us. That's all I have to say.

438  
439 Stephen Williams: I just wanted to voice my concerns and many people have already spoken on the topics I was  
440 concerned about. I am wondering why the residents in this area haven't be given any results as to if traffic studies  
441 have been done on the impacts that this facility might have on traffic as well as green space. I spent one day this  
442 week putting up my new mailbox because I am in the process of building on a property 3 acres that will border this  
443 potential development and life others have said, as I was putting up my mailbox, bikers went by, people walking,  
444 cars, it's just unimaginable what the impacts will be on Davis Road to allow an entrance or exit to a facility of this  
445 size. I am also confused as to why the 12 acres is so important. We keep saying that it's, we'll talk about something

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446 separate but really they go hand and hands. I really thought it would have been best in the interest of everyone if this  
447 had been addressed and then questions had been asked. There's a major and no one has mentioned this, there are  
448 major power lines that separate that 12 acres from the rest of this development. I don't know if that has been brought  
449 to anyone's attention, I'm sure the planning committee is aware of that it just seems illogical that those 12 acres are  
450 essential to them putting this development in. I concur the signs are super small, many people at the July meeting  
451 voiced their concerns there weren't many of us but there were a few there. I do feel like it's absurd that we're talking  
452 about changing the zoning of a residential area with residents and people's homes and lives that in and of itself  
453 should say. What are we doing here? Why are we doing this? Are we doing this for money? I chose to buy land in  
454 Orange County and pay the higher taxes because I wanted some space, I wanted 3 acres, I wanted some woods. I  
455 didn't know at the time that all this was going to be occurring or I would have changed my mind. I could have bought  
456 in a different county and paid a lot lower taxes so I hope the planners here will hear our voices and as it's been said,  
457 we do the voting and I guess we'll need to remember that when we vote again. Again, time is of the essence but I'm  
458 hearing a lot of questions from people on the planning committee so we might want to direct the time to constituents  
459 and residents if we want to save time and save those planning committee questions for when you guys meet at a  
460 later time. Thank you.

461  
462 Leslie Roberts: Thank you for letting me speak, this is Leslie Roberts and I live on Old 86 about a half a mile from  
463 the Davis/86 intersection. I am opposed to this and I have some concerns that have not been mentioned yet. One of  
464 them being that traffic on Old 86 is picking up quite a bit since I've moved here I've noticed and I think would be  
465 erroneous to assume that the traffic will stay between this warehouse and 40 since 40 is right there. I think that traffic  
466 will probably increase along Old 86 to New Hope Church Road as people bypassing go another to the interstate. I  
467 think that is something that should be considered also considering the narrower parts of Old 86 out here as well as  
468 cyclists and just people just trying to get out of their driveways. I am also concerned because I know that this is a  
469 long time coming people have not heard that this has been in motion for many many years but the world we live in  
470 now is not the same world we were in when this was thought of and I think it would behoove us to really take a step  
471 back and consider the footprint that we are looking at leaving with this industrial complex. Many businesses are  
472 opting to work from home options that may be permanent. They are finding that automation can make smaller  
473 spaces for warehouses and not as big warehouses are needed. So I think it's frivolous at this point to consider such  
474 a big industrial impact when we're very clearly seeing that in two or three years from now the same resources may  
475 not be necessary and so I think that's really important to consider that what we're doing here will have a lasting  
476 effect. I have a question to be considered for later, are there plans to consider that is there a pivot that can be made  
477 if we realize that this is not going to be fruitful. So that's where I'm coming from. I appreciate you taking my  
478 questions, thank you.

479  
480 Matthew Kostura: Just a couple of comments. First there have been a lot of question about what might go in here. I  
481 think it's pretty clear what going to go in here, a very large warehousing distribution center, manufacturing is probably  
482 not in the cards here. You are really talking about the big impacts is traffic and with all due respect to Randy about  
483 asking where people live on Davis Road, 1.8 miles away, whatever. Last I heard cars move they are going to be  
484 coming down this way and a point that I want to make is that for everybody out here on Davis Road, all the  
485 comments about the biking and the walking and such are true and here's the reason why, in 20 years' time since I've  
486 been living here based on North Carolina's own annual average daily trip data, the traffic on David Road has not  
487 increased one bit it's been stuck around 800 trips a day. So this is not a road for us, it's a driveway. We don't view it  
488 as a road it's our driveway that we come home to. Now at the top of it, you're going to be putting the traffic bog of  
489 basically four years' worth of trips on this road, four years 3000 trips. That just doesn't make any sense. Secondly, I  
490 want to go back to Melissa Poole's question because I think it's really important. It seems like this rezoning is  
491 backwards. How I interrupt Tom Altieri's commentary is basically this way, we can rezone it because in the future we  
492 have it marked for rezoning. So we can rezone it now. That's basically how I'm interrupting this, I think it's true but  
493 it's really just as a way, an ad hoc way to say, we're going to get this way in that is critical for this development. They  
494 need a second egress from that site and that land is for that. Oh and by the way, they're putting a 300,000 square  
495 foot building there too. Right next to a bunch of homes, which they are free, to sell to anybody who wants to come in  
496 and put up fence. It seems to me, I really want to address that issue of how this lays out because it seems to me like  
497 this a very ad hoc exercise. I really like some explanations on how that works out because it seems to me what  
498 you're justifying a present change because the future overlay that's going to occur. Really, that cuts back to Melissa  
499 Poole's comments. Thank you, I'm done.

500

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501 Adam Beeman: I am just wondering if we can just get past this first amendment, a lot of the problems and questions  
502 would be addressed and answered in Mr. Harvey's presentation over the rezoning of the MPZ-CD. We're going  
503 through stuff that they will get answers to once Mr. Harvey give his presentation. I don't know if there is a way we  
504 can vote on this first amendment and move along but a lot of the stuff will be answered once we get to that next  
505 presentation, I believe.

506  
507 Gerald Scarlett: I will speak specifically to Item 8 let it be known that I am not in favor of any of this. I have been here  
508 for 65 years; my family has been here for over 200 years. When you look at your map, West Scarlett Mountain Road  
509 is my driveway. It's a half a mile long and I personally maintain all of it, all the expense and all the work. What I  
510 would ask of the Board is that you recommend to the County Commissioners that Item 8 not be approved. I'd like for  
511 all this to go away but I've been fighting this stuff since Interstate 40 took part of my property so I know how some of  
512 it will turn out but we do not need to approve Item 8. If you look at that map, the change that you are making, I know  
513 it's not yet a rezoning, seems to be just because the Town wanted to do it and we want to match that. I think we  
514 need to make everything as hard as possible for anybody to do anything in that section other than the R1. Part of my  
515 reasoning for that is if you look at my driveway, that is the beginning of the Rural Buffer. My property is in the Rural  
516 Buffer. There are a lot of things I cannot do with my property that people on Davis Road can because I'm in the  
517 Rural Buffer. Some of my tax money has been spend over the last couple of years to put up signs that say 'Entering  
518 the Rural Buffer'. Some people love it, I personally don't, it rubs my nose in the fact that I can't do something on the  
519 piece of property my family has been paying taxes on for 150 – 200 years but none of that matters at this point but if  
520 you look at that map and you look at my driveway, it does not make sense to me that you have a Rural Buffer that  
521 limits the use of property so that it has to stay the very rural, more rural than the rest of the County but I would have  
522 to pass businesses and retail potential down the road to get off of my Rural Buffer property. If we are going to make  
523 development, there has got to be a buffer between a Rural Buffer and the beginning of the Retail and Industrial. It  
524 makes no sense to make a hard line to the Rural Buffer, don't cut your trees, you can't divide your property, right over  
525 to here's an industrial zone. If you are going to this and recommend to the County Commissioners that they do this  
526 and approve this then you need to do away with the Rural Buffer. That needs to be forgotten about so I guess if  
527 there is a question in all that, is there any intention of providing any kind of buffer between my driveway and the  
528 changes that this might allow and the zoning that it might allow down the road and I know that the answer to that is  
529 no. So, I would beg you please recommend to the Commissioners at least for Item 8 and of course, I think so for the  
530 rest of it too, recommend to them that they do not change that. Let's not make it easy for people to come in and ruin  
531 what we've done here. Thank you.

532  
533 Sarah Shore: My name is Sarah Shore. Randy, I just want to let you know that my land backs up to this so we are  
534 directly affected by this amendment. This proposed amendment that was snuck in, that was completely different for  
535 Settler's Point, is really upsetting because I will have a warehouse in my backyard, about a 100 yards away from my  
536 children's playset. I moved here to keep my kid's childhood simple with the woods and being able to run around and  
537 have fun and you are now telling me there will be a semi going past my backyard because of the is one little parcel of  
538 land and I understand that we can't fight it all but whoever said it earlier, fighting and winning this battle and losing  
539 the war is looking like it might be but please do not put a semi in my backyard and this warehouse. One thing Randy,  
540 this is my backyard, I don't live down Davis Road, I live on Old 86. Thank you.

541  
542 Cedar Eagle: Hello, I have a question regarding the zoning basically. Can the constituents create a petition to keep  
543 the zoning as Rural and Residential and if so, how many signature would be required on a petition like that before the  
544 Town would have to address it? That's my only question.

545  
546 Craig Benedict: There is a public hearing process that is part of these amendments. You are welcome to attend and  
547 bring signatures or petitions if you would like to that public hearing and that will be part of the consideration for the  
548 amendment so that's the process within the laws of the County that are put up in the Unified Development  
549 Ordinance.

550  
551 Cedar Eagle: Ok but there's no set amount of signatures that is necessary. You can't give me any kind of numerical  
552 data to show how much outcry we would need to make it strongly ... I mean I understand the County Commissioners  
553 what this approved but pretty much everything I've heard from every resident wants it to keep agricultural and  
554 residentially zoned so if had a public outcry of thousands of petitions saying they don't want it how much impact  
555 would that have?

556

## DRAFT

557 Craig Benedict: We regularly, as part of the public hearing process, take a look at the input that comes from  
558 residents and it is gauged against our Comprehensive Plan. There is not a numerical limit that makes it go one way  
559 or the other. There is a public hearing process.

560

561 Cedar Eagle: Ok, thank you that's all I needed to know.

562

563 Tom Altieri: If I might add, what you are describing sounds a little bit like a reference to annexation law in that when  
564 an area is proposed for voluntary annexation, a majority of the property owners have to agree to that annexation.  
565 That could be what you are referring to. Annexation of course is not proposed here and there is no rezoning part of  
566 Item 8.

567

568 Jack Rupplin: Good evening, I appreciate the opportunity to talk to you about this issue. I was ignorant about it until  
569 a few days ago until Franklin Garland told me about it because I noticed the little signs but they didn't mean much to  
570 me. He briefed me on this and I realized the impact that this would have on the total area and I was totally shocked. I  
571 thought that this amount of time that he described was totally short fused especially on circumstances we are living  
572 now with the COVID and so I contacted my attorney and he referred me to another attorney and in turn they referred  
573 me to Morningstar Law and they are a very good group of attorneys who specialize in this sort of issue. I spoke with  
574 them and I asked them what it would take for them to represent us in this case which I will oppose with all ingenuity  
575 and money I can muster to stop this because it is totally a rough plan. It's a plan without any thought there is no  
576 special use zoning in here, it's just all very broad stroked and that makes it very dangerous and very unpredictable  
577 and we will suffer the consequences for a long time and I am personally very happy where I'm near and I will want to  
578 continue living where I am. So, as to what I want from you all is a voluntary deferment or delay of any action so we,  
579 the residents of this area, we can organize and we can retain legal counsel and we can prepare a plan or a counter  
580 plan and suggest some modifications to the zoning or the rezoning and suggest some modifications to the RTLP and  
581 come up with something that is reasonable. This is our area not the Planning Board's area. We want to work with  
582 you and we want to organize we are not going to be run over and we are not going to be forced into this so I would  
583 like to ask you to consider postponing this and give us the time to organize and to get legal counsel. Hereby, I  
584 pledge \$1,000 dollars of my money as seed money to begin this action. I thank you very much for your attention and  
585 God bless you.

586

587 Betty Garland: I just wanted to say that this is going to be in my backyard. We do a brisk agritourism business in  
588 general here and this is going to have a very negative impact on that. Also, regarding petitions and signatures we  
589 had about 5000 against the Summit project but it got voted in anyway so like if we had 30,000 signatures would that  
590 get somebody's attention? I would like to get that really clarified if I can. That's it.

591

592 Kaila Mitchell: I'm Kaila Mitchell, I live on Jedi Way my parents live on one side and then my in-laws live on the other  
593 we are about a quarter of a mile down the road from Old 86. Before we move here, at the end of 2017, my husband  
594 Matt Mitchell spoke with Michael Harvey asking about the development plans as far as that expansion that plot that  
595 will come up to Davis. He was told that there was no appetite for it and so we were under the impression that it would  
596 not happen. If we had known that it would have, of course we would have chosen not to move here. Some of our  
597 concerns, just like many of our neighbors that I agree with, we are concerned about light, and noise, pollution, air  
598 pollution and of course safety because of the increase traffic, especially the big trucks. I'd also, the potential for the  
599 decrease in the value of our property being so close to a warehouse district. So I wanted to make my concerns  
600 known as well and that I stand in solidarity with my neighbors being 100% opposed to this. Thank you.

601

602 Jon Lorusso: I spoke earlier, I'd just like to say that if this meeting were in person, the attendees, the residents would  
603 have the opportunity to meet and meet each other in person a lot of my neighbors, share contact details and organize  
604 in a way that Mr. Rupplin was speaking about. We don't have the opportunity to do that because this is being done  
605 virtually but if, I was made aware of this through Mr. Garland, Mr. Franklin Garland, I would say, just to keep it simple,  
606 I am going to email him and see if he has any means of organizing the rest of us. Perhaps a Facebook group or  
607 something along those lines would be useful. Mr. Rupplin if you have any ideas, I can't really share my email with  
608 you right now but I will try to get in touch with you through Mr. Garland and hopefully we can organize something that  
609 way. That's all I have thank you.

610

## DRAFT

611 Franklin Garland: Thank you for taking my questions again, I know I am using a lot of the time out here. Somethings  
612 that haven't been asked yet and I know this will come up later on in the meeting but are any Commissioners present  
613 today for this meeting. That's one question, ok.

614

615 Perdita Holtz: Can I go ahead and answer that and say that Commission Chair Penny Rich is on the call as an  
616 attendee.

617

618 Franklin Garland: She the only one.

619

620 Perdita Holtz: Yes, it is not typical that BOCC members attend Planning Board meeting.

621

622 Franklin Garland: So this is moot, what we're discussing the decision everything we're saying.

623

624 Perdita Holtz: Well this the Planning Board meeting and there will be a public hearing before the Board of County  
625 Commissioners at a future date.

626

627 Franklin Garland: It's my understanding, and everybody that has spoken so far that this was in fact an information  
628 meeting with the Commissioners present and once again it seems to me that the Planning Board is trying to sweep  
629 everything under that rug. Ok, again pulling the wool in front of our eyes. Big questions for you guys, there is the  
630 Research Triangle Logistic Park Company out there Terra Equity did a presentation for a hand full of people because  
631 nobody else was notified and Planning Board has made it a point of not notifying all the people that really get  
632 involved but just the ones that are in contact with the property. Ok, so sort of devious, ok because there are, like I  
633 said, thousands of people that get affected by this not just the 12 parcels around it. However, big big question, we  
634 did have an informational meeting on July 15<sup>th</sup> I believe it was and they said it was going to create 4500 jobs. The  
635 same argument used by the planning that was going to create this jobs for from Northern Orange County. So, this  
636 was with Summit Corporation. If we have 4500 new jobs out here and that are being created for the people who live  
637 in Northern Orange County, that means we're going to have approximately 4500 cars coming through Hillsborough  
638 additional to the traffic that is a mess already there, in the morning and those cars are going to be returning in the  
639 afternoon ok. I don't think that is exactly good planning by the way. I mean we really need a different way other than  
640 Churton to get through Hillsborough and that's never going to happen but let's go ahead and double the traffic out  
641 there. 4600 people that almost the population of Hillsborough that you actually adding to the traffic conditions out  
642 there ok. I don't know if you guys have considered that apparently not because certainly that would require putting in  
643 four lanes or at least 2 lanes in every direction and that's not in the plans either. I understand that DOT doesn't have  
644 money to convert the roads at this one and to the work and Hillsborough doesn't either ok. I also, actually good  
645 question out here, everything we got pretty much blindsided with Summit and it got approved. I will ask someone  
646 who is in the know, Summit got approved pretty much they just blew us away and said we're going to do whatever we  
647 want anyhow and you did and then they pulled out. Why did they pull out, when did they pull out, what did Terra offer  
648 you that is making you do it. When did they let you know that they were going to do this and why weren't we  
649 informed that this all had happened? Any care to comment on that, it is planning, this is you know obviously  
650 somebody planned Summit and decided to get out of it. Somebody now trying to just pull another one over us. I  
651 wouldn't mind if Mr. Harvey or Mr. Benedict answered this one cause apparently they're the one in charge of this and  
652 I hope they're present because they are the planning commission and if they're not there why are we even having  
653 this meeting?

654

655 Craig Benedict: I can give you a brief answer; we will provide something in writing. The developer of Settler's Point  
656 received approval in January 2018. At times, developers do not stay with the project and we are not privy to why they  
657 left the project, cease to exist. Another project did pick that up.

658

659 Franklin Garland: Have you seen the damage they did back there already? And the wildlife that the displaced? I  
660 mean they literally raised it and then abandoned it.

661

662 David Blankfard: I think that was the tornado.

663

664 Franklin Garland: No, no, no, no, no we're talking about 90 + acres that are devastated back there not tornados.  
665 Raised, cut down and raised and leveled with grading already having started on it. I am just curious why they pulled  
666 out. It seems like you guys would know. There would be some agreement that there have to do it since they went

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667 forth and everything and they pulled out and you guy pulled out from who knows where this other mega corporation  
668 that is not even in North Carolina that one of the stipulations is here that it's going to help North Carolinians. This  
669 company is from Kentucky for crying out loud. They gonna get their own crews in here and that is supposed to help  
670 us? Orange County residents? I mean I don't see where you guys are deciding this and pulling this out from and you  
671 literally putting this whole thing in middle of a residential area. You look around your development zone and it is all  
672 residential. It might be by I-40 but that doesn't keep it from being residential.

673

674 David Blankfard: I think Michael Harvey has something to say.

675

676 Franklin Garland: I'd be surprised.

677

678 Michael Harvey: The applicant for Settler's Point did not engage in any land clearing. The land clearing that Mr.  
679 Garland is referring to was actually carried out, as I understand it, as part of a timber operation and consistent with a  
680 forest management plan to harvest the timber. The land disturbance activity did not occur as result of any actual  
681 development activity for the Settler's Point project.

682

683 Franklin Garland: Why did Settler's Point pull out Harvey. I mean you should know you're in charge of this.

684

685 Michael Harvey: Well, Mr. Garland, I responded to your email request. The Settlers Point applicant has not pulled  
686 out of anything and the properties have been rezoned. As I understand it the applicant for the project chose not to  
687 move forward with initiation of development plans activities due to utility extension issues. We have a new applicant  
688 proposing a new project that is being processed in accordance with the provision of the Unified Development  
689 Ordinance.

690

691 Franklin Garland: So if Summit hasn't done anything that doesn't mean they're out of the picture, they just have not  
692 done anything yet. You gonna try to sell this to the second customer, how about we go ahead and do a proposal of  
693 our own to put up whatever we want our community and try to counter that, would that fly too then.

694

695 David Blankfard: You're welcome to do it.

696

697 Franklin Garland: If our proposal calls for farmland for example, we want it rezoned to pasture. I mean that's a  
698 perfectly legitimate thing and that's then, you'd have to accept it right if the people, if that's what we want.

699

700 Jayse Sessi: My name is Jayse Sessi, I live a little further away but I drive by that area all the time. We moved here  
701 almost 14 years ago and we chose to live in a semi-rural area. Since we've been here that parcel that corner has  
702 been put up for several different situations and I think it's a little upsetting that the rural area, if that 12 acres, will  
703 impact the neighborhoods that are nearer than I am but it also would have a negative impact, I think, for this area.  
704 It's not just that immediate, those immediate houses those people have mentioned but it's further away that has an  
705 impact as well. I am just basically wanting to voice my concerns and I am against it and my support to the local  
706 community.

707

708 David Blankfard: Ok, I think that's everybody from the attendees. Does anybody on the Board have any further  
709 questions or comments or anything?

710

711 Perdita Holtz: There are two people with their hands up. They have already spoken and as is normal during an in-  
712 person meeting, normally people are able to speak once so I'll have to let the Planning Board make a decision on  
713 whether they want to hear from Cedar Eagle again and Franklin Garland again.

714

715 David Blankfard: So what does the Board think?

716

717 Hunter Spitzer: I think it's time for a motion.

718

719 Adam Beeman: I believe I've heard enough.

720

721 David Blankfard: Yeah, they'll have time to talk about what they really want to talk about in the next couple of items.  
722 Ok, so can I get a motion.

723  
724 Adam Beeman: Motion to approve the item – I don't have it in front of me. A motion to approve the amendment for  
725 the zoning for the COCA and FLUM.

726  
727 Tom Altieri: In the motion, sorry for interrupting, the motion would be to approve the resolution that is provided in  
728 your packet as attachment 3 and that outlines the amendment and the parcels to be amended if indeed the Planning  
729 Board wants to recommend approval they would do so by virtue of approving the resolution that you have.

730  
731 Adam Beeman: I move to approve Tom's resolution.

732  
733 Kim Piracci: Wait a second, I really... I would like to hear from Michael Harvey before I vote on anything. Do I have to  
734 vote to hear from Michael Harvey?

735  
736 David Blankfard: You can ask Michael anything.

737  
738 Kim Piracci: Isn't he going to present tonight?

739  
740 David Blankfard: Yes, the next one.

741  
742 Craig Benedict: The next two items.

743  
744 David Blankfard: We've got a long way to go. Tom spoke on this item.

745  
746 Tom Altieri: I'm sorry, I did not hear. I think the motion on the floor is to approve the Land Use Plan amendments  
747 through the resolution. I believe Mrs. Piracci's question is with regard to the rezoning and there are actually two  
748 rezonings on the agenda but I think the one that she is referring to is Item 10, the MPD-CZ that Michael Harvey has a  
749 presentation to introduce that item. This is for the Land Use Plan amendments and does not include the rezoning.

750  
751 Randy Marshall: I am prepared to read the proposal if you want to hear it from the agenda packet.

752  
753 **MOTION** by Randy Marshall to approve the amendment. The requirements of Section 2.8 of the UDO have been  
754 deemed complete pursuant to Sections 1.1.5 and 1.1.7 of the UDO and Section 153a to 341 of the North Carolina  
755 General Statutes the Board finds sufficient documentation within the record denoting that the amendment is  
756 consistent with the adopted 2030 Comprehensive Plan. The amendment is reasonable and in the public interest  
757 because it supports modifying existing non-residential zoning designations in an effort to provide each property  
758 owner with an opportunity/path forward for the reasonable development of their property. I would recommend that  
759 the Planning Board recommend to the Board of County Commissioners that they consider adoption of the proposed  
760 Zoning Atlas amendments. Seconded by Adam Beeman.

761  
762 **ROLLCALL VOTE:**

- 763 Carrie Fletcher: No
- 764 Adam Beeman: For it
- 765 Hunter Spitzer: No
- 766 Melissa Poole: No
- 767 Randy Marshall: Yes
- 768 Kim Piracci: No
- 769 Patricia Roberts: Yes
- 770 Susan Hunter: Yes
- 771 Alexandra Allman: Yes
- 772 David Blankfard: Yes

773 **MOTION PASSED 6-4**

774  
775  
776 **AGENDA ITEM 9: ZONING ATLAS AMENDMENT (GENERAL USE REZONING)** - To review and make a recommendation to  
777 the BOCC on a County-initiated action to rezone 8 parcels totaling 45.96 acres from MPD-CZ  
778 (Settler's Point) to EDH-4 (Economic Development Hillsborough Office/Retail) (1 parcel 32.76

DRAFT

779 acres in size) or EDH-2 (Economic Development Hillsborough Limited Office) (7 parcels totaling  
780 13.2 acres). The parcels are located in Hillsborough Township, south of Interstate 40 and east of  
781 Old Highway 86. This item is scheduled for BOCC public hearing on September 15, 2020.

782 PRESENTER: Michael Harvey, Current Planning Supervisor

783 *Michael Harvey reviewed the abstract and proposed changes to the Zoning Atlas Amendment*

784

785 David Blankfard: Anybody from the Board have any questions or comments?

786

787 Hunter Spitzer: My first question is in rezoning these parcels back to what they were prior to this, particularly on the  
788 east side of 86, could I recommend or ask for consideration to rezoning to low intensity to medium intensity  
789 residential in this area? It seems as though the industrial land uses are not very in line with the vision that the  
790 residents have and I would add this zoning in addition to the ones that you already have recommended and in place  
791 of Rural Residential this would allow for a more transition, a different opportunity for development in the area that I  
792 think would be more in line with what some people have voiced.

793

794 Michael Harvey: Thank you for the question, that suggestion in my opinion is inconsistent with the Comprehensive  
795 Plan, which identifies this area as Economic Development Transition. I also think that these property owners would  
796 object to (their property being) the down zoning of their property and loss of potential development value. These  
797 parcels have been zoned Economic Development for several decades. That it is not something that I am comfortable  
798 with recommending or supporting. If you have an interest in restudying the area, that statement needs to be made to  
799 the County Commissioners who would need to take it under consideration. What I will say is that, as with other  
800 projects in this general area, there has been an interest in expanding our current Hillsborough Economic  
801 Development District and increasing economic development opportunities in this area. I also do not think it's the best  
802 planning idea to put low intensity residential right up against an Interstate. I think that the current land use categories  
803 and zoning that we have recommended would allow for purposeful development and expansion consistent with  
804 current County policy.

805

806 Hunter Spitzer: I have another, more of a comment and this is pertaining to the analysis section of the introduction of  
807 this amendment. 'It finds that this is consistent with land use goal 3, a variety of land uses that are coordinated within  
808 a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts,  
809 supported by an efficient and balanced transportation system.'" This is not mentioned again in the actual motion or I  
810 believe the resolution we have to recommend to the Board. So if that will not be included over in summary words  
811 those things that we've accomplished then I have no further objections but I do find that land use goal in itself a little  
812 bit contradictory and not applicable to this situation.

813

814 David Blankfard: All right, anybody else have any comments? Ok, again I'd like to ask people from the community to  
815 say if they received a letter from the planning department.

816

817 Stephen Williams: I did receive a letter from the County Planning Board. I just want to reiterate something that the  
818 gentleman just said that was speaking. He said that he didn't think that the residents or the owners, I'm sorry, the  
819 owners of the property that we are discussing now would appreciate a rezoning that would devalue their property and  
820 I think that that's something that every resident here is concerned about. It's interesting that we're concerned about  
821 these particular parcels and the owners of them and worried about decreasing the value they have in their property  
822 but I think it should be noted that rezoning these areas and putting in this development which is the goal here, is also  
823 going to devalue the properties of the residents that are around those areas. Thanks.

824

825 Bob Bundschuh: I have a question if these go back to their old zoning and they're allowed to develop independently,  
826 two questions. Is water and sewer does the loop have to be supplied to them before they can do that and secondly, if  
827 someone decided to develop again can you reiterate what steps they would have to take. Would it go through zoning  
828 and then the County Commissioners again or since it is zoned does it just go to the zoning board?

829

830 Michael Harvey: I think I can answer that question. Any development of this property will have to be done in  
831 compliance with the Orange County Unified Development Ordinance. Development would be under staff's  
832 administrative review, it would not go back to the Planning Board or the County Commissioners. If these properties  
833 remain Settler's Point, MPD-CZ it would also not have to go back to the County Commissioners or the Planning

## DRAFT

834 Board it would develop under site plan review. There are standards in the Unified Development Ordinance dealing  
835 with shared driveway access that any development on these properties would have to abide by, but the rezoning of  
836 these parcels would mean that the concept access management strategy developed as part of the Settler's Point  
837 MPD-CZ would not have to be followed and from our standpoint, it is more appropriate to give these individual  
838 property owners a path forward to development of their property as compliant with the various 18 or so pages of  
839 conditions associated with the Settler's Point MPD-CZ would be difficult for them to abide by.

840

841 Bob Bundschuh: And water and sewer?

842

843 Michael Harvey: I'm sorry sir; I forgot the water and sewer (question). These parcels are not intended nor are they  
844 slated to be served by water and sewer. In order for any of these eight parcels to get water/sewer, it is my opinion  
845 they would have to request annexation of the Town of Hillsborough. My apologies for that. This rezoning does not  
846 somehow give them the ability to tap onto water/sewer inconsistent with what the Town's original reaction was back  
847 when Settler's Point was being reviewed.

848

849 Franklin Garland: So, Mr. Harvey, it's my understanding with these eight parcels and pretty much everything else out  
850 there that what you decide goes and even though the ethics part of our webpage out here says that you can't do that,  
851 you just gonna railroad everything through no matter what as you saying this is not going to go to the Board of  
852 Commissioners, what you're doing right now. That they would have no say, they can't tell you no, and hold on hold  
853 on, I'm not done....

854

855 Michael Harvey: No sir, this Zoning Atlas amendment has to go to the County Commissioners for eventual approval,  
856 the development of these properties, as individual parcels would be handled by the staff consistent with the  
857 requirements of the Unified Development Ordinance as all permitted land uses would be handled.

858

859 Franklin Garland: Ok, so if you spending all this time and energy and all this money on it and all the people out here,  
860 I can get 20 or 30 thousand people to go against what you're trying to propose, you have wasted all this money and it  
861 will go to the Board of Commissioners and they gonna say, well we agree with the community, maybe they will this  
862 time. Apparently, you don't. You don't live here, I don't know where you live, you know. I don't know where the  
863 Commissioners live, I don't know where the rest of the Board lives but apparently they're not being affected by this  
864 because they could care less, including you, ok. I would really appreciate it if actually some of the Commissioners  
865 and some of these planning people came and looked at these properties. I will gladly let you on my property and  
866 show you what I mean. I have a drone I can fly over so you can see it because apparently you going by maps and  
867 that's good enough and that's not good enough for the people that live here by the way. You know what's good  
868 enough is for you to leave us alone.

869

870 David Blankfard: Thank you Mr. Garland

871

872 Steve Kaufmann: Can I have video too. My name is Steve Kaufmann and I did receive a letter from the County for  
873 this. First, let me introduce myself as a resident of Hillsborough for 25 years. I moved here to be a school teacher  
874 here and I moved on Davis Road and like everyone else has spoken about Davis Road, I just love this road it's like a  
875 dream come true moving here and I opened up a martial arts school here. I've been teaching martial arts in  
876 Hillsborough for 25 years also. Driving on Old 86 on my way to work, I saw some land for sale on the east side right  
877 near 40 and I wanted to build a martial arts school so I purchased that land that was actually zoned for schools at  
878 that time. Unfortunately, there as a moratorium for six months going on while I was purchasing it and once the  
879 moratorium was over I was no longer able to build a school on it. So I've been waiting for 20 years and I had the  
880 opportunity to have a school on it when Settler's Point was approved because basically the codes changed a lot  
881 during that time which they're present still. Because of what Michael Harvey explained, it's impossible for anyone to  
882 do anything with that property given that everyone has to work together because there's traffic ordinances and lots of  
883 details that take lots of money to do anything within any of that property. So, I don't want people to inflate those  
884 properties on the east side with the this humongous thing that's going on with the west side. They are very very  
885 different things. I purchased this property exactly 20 years ago; I'm like a newcomer there. I purchased it from a  
886 family who had lived there for generations and all my neighbors have lived there for generations, I mean, I'm  
887 definitely the new guy there after 20 years. All those people have had property for many years and I don't know what  
888 they are planning to do with it but I don't see anyone eager to build with it, they are just sitting on it, including myself  
889 at the moment. We're very very close to I-40 there's already Dodson's Construction is already a business right near

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890 40 that's been a business there ever since I've been there and that's right next door to my house. Whatever is going  
891 to go on there, those are like four to six acres lots. Once again, don't inflate it with the these humongous warehouses  
892 that are happening on the west side an especially that 12 acre lot on Davis Road which I'm definitely against. Those  
893 are very very different things that are happening on the same night tonight so I just wanted to air my concerns. It  
894 would definitely be a setback to me to have that as residential only, I purchased it to build the school on and I've  
895 been struggling for 20 years to try to get a school on it and I've been in conversations with Orange County for 20  
896 years about how to build a school on it and believe me it's not easy to build anything in Orange County without going  
897 through lots of red tape. If you are a very large building company and you have lawyers and you have architects and  
898 you have designers and you have site planners and you have lots of money to work with you can get things done but  
899 as a small mom and pop operation that I have it's very very very difficult to get anything done so I just want to assure  
900 you that there aren't going to be all these things popping up on the east side of that street. There's no water and  
901 sewer there, it's almost like it's impossible to build there the land doesn't perk well and we don't have water and  
902 sewer. It's probably going to be sitting there for a good many years still. Ok, that's all I have to say, thank you very  
903 much.

904  
905 Craig Benedict: Michael Harvey, can you confirm that these rezonings would facilitate him being able to do  
906 something on his property besides the Settler Point district two.

907  
908 Michael Harvey: Yes, as I alluded, if the rezoning is approved then development of the individual parcels would have  
909 to be compliant with the County Unified Development Ordinance but they would be developed and could be  
910 developed independently from one another consistent with applicable standards including the Table of Permitted  
911 Land Uses contained in Section 5.2.

912  
913 Perdita Holtz: Franklin Garland has put his hand up for a second time; it will be up to the Board whether you want to  
914 allow additional comments from Mr. Garland.

915  
916 David Blankfard: I don't think we need to hear anything else from Mr. Garland on this agenda item.

917  
918 Gerald Scarlett: I'm Gerald Scarlett again from West Scarlett Mountain Road. I just have a quick question. I think I  
919 know the answer but I want to make sure. Item 9 on the agenda, the only thing that is doing is reverting the zoning  
920 for the property on the east side of Old 86 back to its previous zoning before the development for Settler's Point, is  
921 that correct?

922  
923 Michael Harvey: You are correct sir.

924  
925 Gerald Scarlett: Thank you.

926  
927 Randy Marshall: Ready to make a motion if that's the desire of the Planning Board.

928  
929 David Blankfard: Yes

930  
931 **MOTION** by Randy Marshall this would be an ordinance amending the Orange County Zoning Atlas as established in  
932 Section 1.2 of the Orange County Unified Development Ordinance and whereas the proposed rezoning consists of  
933 the eight property owners and whereas the proposal has been found to be consistent with the 2030 Orange County  
934 Comprehensive Plan and whereas the requirement of Section 2.8 of the UDO have been deemed complete and  
935 whereas the Board has found that the proposed zoning atlas amendment to be reasonably necessary to promote the  
936 public health, safety, and general welfare, we recommend that the Board of County Commissioners rezone the areas  
937 described above and depicted on the attached maps.

938  
939 Michael Harvey: Chair Blankfard, this is Michael Harvey, can I ask for a clarification. Randy so your motion is that  
940 you make a recommendation to approve the Statement of Consistency as contained in attachment 3 and the  
941 proposed ordinance, which you have just summarized as contained in attachment 4 to the County Commissioners, is  
942 that correct?

943  
944 Randy Marshall: My presumption was we had already approved the attachment 3 by our earlier vote and I was  
945 recommending approval of attachment 4.

## DRAFT

946  
947 Michael Harvey: No sir, this is a different item, so it's both items.

948  
949 Randy well then I recommend both 3 and 4.

950  
951 **MOTION** by Randy Marshall to recommend approval of the Statement of Consistency and the ordinance amending  
952 the Orange County Zoning Atlas. Seconded by Hunter Spitzer.

953  
954 **ROLLCALL VOTE:**

955 Carrie Fletcher: Yes  
956 Adam Beeman: Yes  
957 Hunter Spitzer: Yes  
958 Melissa Poole: Yes  
959 Randy Marshall: Yes  
960 Kim Piracci: Yes  
961 Susan Hunter: Yes  
962 Alexandra Allman: Yes  
963 David Blankfard: Yes  
964 Patricia Roberts: Yes

965  
966 **MOTION PASSED UNANIMOUSLY**

967  
968  
969 **AGENDA ITEM 10: ZONING ATLAS AMENDMENT (MASTER PLAN DEVELOPMENT APPLICATION – RESEARCH TRIANGLE**  
970 **LOGISTICAL PARK)** - To review and make a recommendation to the BOCC on a developer-initiated  
971 application for an MPD-CZ (Master Plan Development Conditional Zoning). The proposed project  
972 encompasses approximately 180 acres in the Hillsborough Economic Development District (EDD)  
973 south of Interstate 40 and west of Old Highway 86, within Hillsborough Township. 168 acres are  
974 currently zoned MPD-CZ (Settler's Point) and 12 acres are currently zoned R-1 (Rural Residential).  
975 This item is scheduled for BOCC public hearing on September 15, 2020.

976 **PRESENTER:** Michael Harvey, Current Planning Supervisor

977 *Michael Harvey reviewed the abstract and proposed changes to the Zoning Atlas Amendment*  
978 *The Applicant for the RTLP proposal give a presentation*

979  
980 Randy Marshall: I read in some of the material here that you are likely going to consider putting left turn only from  
981 that service road onto Davis Drive, I didn't see it in your presentation. Is that something you're considering doing, left  
982 turn only coming out of the service drive onto Davis?

983  
984 Michael Birch: Correct, we have added a condition that is part of the case that requires the developer to install  
985 signage essentially stating 'left hand turns only' there at that access point. That is part of the conditions.

986  
987 Randy Marshall: I think that would help address some of the residents concern that there'd be a lot of increased  
988 traffic going down Davis Road or at least intending to try to control traffic and encourage them to turn left, that might  
989 allay some of their concerns.

990  
991 Michael Birch: Absolutely, and that access point is approximately 1000 feet from the intersection with 86 and as I  
992 mentioned, the traffic engineers have been working with the County and the State to really anticipate only about 5%  
993 of the site trips to come or to go on Davis Drive to the west, or coming from the west. We think that signage will  
994 assist with that.

995  
996 Adam Beeman: My biggest concern is the traffic coming off of 40 or especially coming from Mebane. How do you  
997 plan on solving that problem because it's only a single lane coming down the ramp and there is no lights so right now  
998 anybody that comes off that ramp could sit there for minutes before they can make a left turn to go towards the  
999 hospital. I only see that increasing with all those, the developments that they put in over across the street from the

## DRAFT

1000 hospital and you want to add how many tractor-trailers coming off of that ramp? So, I'm just curious to know what  
1001 your plan is for the light situation coming off the ramp.

1002  
1003 Matt Peach: Hello everybody, my name is Matt Peach with Stantec Consulting Services; I'm the engineer of record  
1004 for the traffic impact analysis. Mr. Beeman, I did hear your question and I think your concern regarding the amount of  
1005 traffic coming from Mebane and using I-40, that's correct? We're currently in the process of recommending and  
1006 coordinating improvements with NCDOT. We know that the applicant has recommended improvements, particularly  
1007 installing a traffic signal at the I-40 eastbound ramps there at Old NC 86. In addition to that, we're trying to  
1008 coordinate with NCDOT regarding two projects they have in the area along I-40 and to the north on Churton Street  
1009 trying to make sure that our recommendations are in line with their future projects as well. That was the, part of the  
1010 information that they had requested previously, that we supplied them today.

1011  
1012 Adam Beeman: So there's no intention to add any extra lane, widen any lanes coming off the ramp or turning that  
1013 corner towards your service road?

1014  
1015 Matt Peach: That's what we're coordinating with NCDOT right now. We would definitely try our best to work within  
1016 the existing pavement to have turn lanes there at the service road. In terms of lanes at the ramps, we are not  
1017 proposing any at this moment but that's exactly what we're coordinating with NCDOT.

1018  
1019 Adam Beeman: I come off of that ramp from Mebane, I go to the hospital, and I can sit there from minutes trying to  
1020 take that left. I just imagine if someone is trying to take the left and that ramp's not any wider when you start stacking  
1021 up trucks behind those people, you are going to be up on the highway before long so I am just curious. I know,  
1022 understand you're within the footprint but that right hand turning lane would be really nice so that the truck could just  
1023 roll off and not have to sit there and stack up.

1024  
1025 Matt Peach: I certainly understand that and the purpose that and the purpose of putting a traffic signal in there would  
1026 be to allow the side street to move more efficiently. In theory, that delay would be reduced.

1027  
1028 Adam Beeman: Well that's my biggest concern; I mean all the other stuff is secondary. My biggest concern is just  
1029 that whole intersection is a nightmare and I don't if it's going to be on you guys to deal with it or because the hospital  
1030 is expanding, they're building all those houses across the street from the hospital and all that development, that  
1031 intersection is going to be a nightmare before long so I was just hoping that you guys would try to address it  
1032 preemptively rather than reactively.

1033  
1034 Matt Peach: Our current recommendation to NCDOT is to install a signal at that location so we are right in line with  
1035 you there and just to point upon the point you made regarding the hospital, we made sure to account for traffic for  
1036 future phases of Waterstone in our analysis.

1037  
1038 David Blankfard: I have a question, so what kind of traffic is going to be coming out from the building onto David  
1039 Drive? Is that going to be trucks or is it going to be automobiles or a combination?

1040  
1041 Matt Peach: We do foresee both. Really as we had kind of been mentioning previously, the trucks would be using  
1042 Old NC 86 to get up to I-40 primarily. We see very little traffic going to and from the west on Davis Road. If traffic is  
1043 on Davis Road it's trying to get from that driveway to Old 86 for that 1000 feet and that's about it.

1044  
1045 David Blankfard: What about when they get to Davis Road and it's backed up from I-40? What prevents them from  
1046 taking a right on Old 86 going down to the stop sign and then turning onto New Hope to get onto 40?

1047  
1048 Matt Peach: Another recommendation we made in the traffic study was to install a signal at Davis Road as well at  
1049 Old NC 86 so again the delay on the side street having no longer stop control will be reduced in this scenario.

1050  
1051 David Blankfard: But there's nothing to stop them from turning right and going further into the rural...going toward  
1052 Carrboro.

1053  
1054 Matt Peach: There will be no physical barrier, to answer that question specifically, but they would be losing time and  
1055 which I don't believe truckers, it's in their best interests.

## DRAFT

1056  
1057 David Blankfard: I guess, I'm just saying if it gets backed up where you're proposing, over near the service road, if it  
1058 gets backed up there then they would go the other way. Is there going to be a lot of stacking between the service  
1059 road and I-40?  
1060  
1061 Matt Peach: I don't believe that would be any longer, to answer your question. We do foresee some queues going  
1062 back from the ramp but that's just normal for the installation of a traffic signal and quite frankly, we need that traffic to  
1063 stop for brief periods so we can let the ramp move but our analysis show that the stacking would go back a couple  
1064 hundred feet certainly nowhere near Davis Road and certainly not long enough to really deter anybody from taking 40  
1065 up that way off Old 86.  
1066  
1067 David Blankfard: Ok, so what you're saying is it's faster just to go down to towards the service road as opposed to  
1068 taking a right?  
1069  
1070 Matt Peach: Correct sir.  
1071  
1072 David Blankfard: Now what about once they get to 40 and say they are going on 85 northbound, would it be faster to  
1073 for them to get on 40 west and then looping around to 85 or to keep going straight past Waterstone to get to 85.  
1074  
1075 Matt Peach: I'd imagine the faster way would be I-40 but that would be an individual decision that every individual  
1076 driver would have to make.  
1077  
1078 David Blankfard: Ok, so we don't know?  
1079  
1080 Matt Peach: I can't say definitively what behavior individuals will choose. It depends on time of day, depends on  
1081 their individual preferences. In my view, I would take I-40 to 85.  
1082  
1083 David Blankfard: Ok, my next question is what the outcome of the high electric line going over the existing or one of  
1084 the proposed buildings?  
1085  
1086 Chris Bostic: Good evening, I'm Chris Bostic with Kimley-Horn; I'm the civil engineer of record for his project. To  
1087 answer your question, Duke Energy does have regulations as to what is allowed underneath those transmission  
1088 lines, no buildings are allowed within the easement of those transmission line, however, they do allow parking and  
1089 our current conceptual plan does contemplate putting parking underneath the power lines and keeping the proposed  
1090 structure the required distance away from the easement.  
1091  
1092 David Blankfard: Ok, the entrance onto Davis Drive, there's a parcel of land that's very close and their house is very  
1093 close to where the proposed driveway is or the road access. Is there concern about, I mean you've got the 100 foot  
1094 setback but is it going, what kind of impact is that going to have for that property owner?  
1095  
1096 Michael Birch: (*Showed an exhibit*) So, I think you are talking about this area (*pointed out on exhibit*) down here  
1097 along Davis, so we really only have within that 100 foot area, really only have kind of the drive aisle and maybe a little  
1098 bit of parking in that area with the building setback 60 feet. Excuse me the building setback with a maximum height  
1099 of 60 feet but outside of that 100 foot setback line, in terms of impact, I was trying to see if there is a better image to  
1100 try to get a sense of it there but I think with a mix of landscaping that we anticipate in that area that is a mitigating part  
1101 of the transition.  
1102  
1103 David Blankfard: There is a similar part on the east side. That person's home is quite close to the property line. I  
1104 am just wondering is their backyard going to be your driveway and parking lot.  
1105  
1106 Michael Birch: No, there was anticipate likely having a stormwater control facility in that area and then only outside of  
1107 that, again, we are kind of showing a 100 foot buffer on this exhibit that the parking and drive aisle would be outside  
1108 of that, largely outside of that 100 feet.  
1109  
1110 David Blankfard: Is this going to be phased construction; are you starting with Building A and then going to Build B,  
1111 C and then finishing up with D?

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1112  
1113 Michael Birch: Likely, it will be phased. I don't know exactly if it's a Building A, B, C, D but we do anticipate that it  
1114 would be phased. The building likely off the service road to be part of that initial phase.  
1115  
1116 David Blankfard: Are they all one story, or are they going to be multiple stories or high bay?  
1117  
1118 Michael Birch: Anticipated to be one story.  
1119  
1120 David Blankfard: So, high bay?  
1121  
1122 Michael Birch: Yes.  
1123  
1124 David Blankfard: Are you going to put any photovoltaics on the roof?  
1125  
1126 Hunter Spitzer: I was going to ask how far away is the nearest Duke Energy substation?  
1127  
1128 Michael Birch: I want to make sure I heard the two questions to make sure we get the response for you. One, how  
1129 far away are we from the closest Duke Energy substation and then two, are we planning to include any photovoltaic  
1130 cells or panels on the roofs. Just from the developer it's likely that some will be included. We don't have the answer  
1131 on what the distance is to the substation.  
1132  
1133 Hunter Spitzer: Would the developer be willing to submit to a condition requiring roofs not to install solar immediately  
1134 but to be readily available to solar installation? If that makes sense? Designed with the intent to install solar.  
1135  
1136 Michael Birch: Yes, I think that's something that the developer would be willing to agree to.  
1137  
1138 Hunter Spitzer: Additionally, would the developer be willing to commit to electrical vehicle charging stations in  
1139 addition to this?  
1140  
1141 Michael Birch: Yes.  
1142  
1143 Hunter Spitzer: I know for the Settler's Point development we had, I am be confusing this with a different Special Use  
1144 Permit, but we had agreed to a particular number of stations per parking spaces. I am sure one of the staff can  
1145 remember because it was based on the parking deck for the Orange County Municipal Building downtown. What  
1146 would be acceptable ratio?  
1147  
1148 Michael Birch: My senses given the nature of this development and how different it is both from Settler's Point and  
1149 the project that was used as a reference point for that Settler's Point ratio, my sense is we would not be agree on a  
1150 ratio basis. I think we could discuss a flat number of station.  
1151  
1152 Hunter Spitzer: I see and are you intending to provide stations or availability to electrical fleet management  
1153 particularly in the context of developing the distribution center?  
1154  
1155 Michael Birch: Sorry, just to kind of answer your question, our sense is that something like that or having that  
1156 available will be driven by the end user, a particular end user that we don't have in mind right now or don't have at  
1157 the table. So I think it would be hard for us, difficult for us to commit to providing that and then there's the potential,  
1158 again if it's not a warehouse, distribution use. Kind of having those and nothing to use it so I think given that is  
1159 somewhat of a trend being driven by some of those types of users, if there is that type of use there, I would expect  
1160 them to be there but I think not knowing who the users are going to be or what type of user there is going to be, I  
1161 don't think we can commit to that as a condition.  
1162  
1163 Hunter Spitzer: Are you anticipating any fuel storage on the premises, gasoline, diesel or otherwise for backup  
1164 generation or vehicle fueling? I'm not sure where the nearest gas station is immediately to this but I imagine if you  
1165 are expecting a lot of traffic it wouldn't be unreasonable.  
1166  
1167 Michael Birch: There might be some diesel storage for backup generation but that's really all that is anticipated.

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1168  
1169 Hunter Spitzer: This is more of a question for the planning staff. There are UDO regulations to control that correct?  
1170 Fuel storage.

1171  
1172 Michael Harvey: It's actually regulated by the North Carolina State Fire Code, not necessarily by zoning. In terms of  
1173 distance from structure, how stored, how protected, and how maintained it's actually going to be addressed through  
1174 compliance with the fire code and what I want to remind everybody that site plans that are submitted have to go  
1175 through the development review process with Orange County, which requires the fire marshal's office to sign off on  
1176 them. That is going to be a component of any and all review. So this will come up at the appropriate time by the  
1177 appropriate entity if proposed.

1178  
1179 Hunter Spitzer: Can I simply request that the developer agree as a condition not to put fuel storage adjacent to their  
1180 vegetative buffer of the flood plain.

1181  
1182 Michael Birch: Yes, we can agree to that.

1183  
1184 David Blankfard: This is a question for Michael, is the building height determined by how tall the fire department can  
1185 raise their ladder?

1186  
1187 Michael Harvey: So Mr. Blankfard let me answer that question this way, obviously there are height limits enforced  
1188 under Orange County General Use Zoning Districts and 60 feet is the potential building height that would be allowed  
1189 (for this MPD-CZ). You are correct that building height is usually determined by available ... or I should say one of  
1190 the factors in determining allowable building height ... is available infrastructure to fight fire. I think that without  
1191 putting words in the applicant's mouth or stealing their thunder, one of the reasons this site has so much traction is  
1192 because of the availability of water and sewer service and the potential for sprinklered buildings addressing some of  
1193 these concerns as well. There's also, in their narrative discussions about the potential to allow for water towers on  
1194 the property that might be used in addressing that very particular issue as well.

1195  
1196 David Blankfard: Is there any requirements for high beams on the trucks and cars spilling over our property line?  
1197 Something similar to what happens in parking decks?

1198  
1199 Michael Birch: I think that's likely addressed through the vegetated buffer around the perimeter. I think largely, I  
1200 think Michael Harvey can correct me if I'm wrong, largely the County's Lighting Ordinance with regard to site lighting  
1201 but again I think we anticipate that vegetated buffer around the perimeter of the site would mitigate those headlights.

1202  
1203 Michael Harvey: Chair Blankfard, this is Michael Harvey, Mr. Birch is correct our lighting regulations particularly  
1204 address outdoor lighting, building security lighting and whatnot they don't address or they are not designed to  
1205 address lights from vehicles.

1206  
1207 David Blankfard: Would the developer be willing to try to mitigate those high beams?

1208  
1209 Michael Birch: I think we're trying to through the use of those perimeter buffer yards and also one, the vegetation  
1210 and two the distance and also the location of where our parking area are or anticipate them to be. I think it would be  
1211 hard for us to articulate an objective standard but just to answer your question more broadly, I think yes we will try to  
1212 mitigate that but it's hard for me to think of an objective standard that we could apply as a condition.

1213  
1214 Melissa Poole: So you don't have actual companies going into this location into this space yet, is that correct?

1215  
1216 Michael Birch: That's correct.

1217  
1218 Melissa Poole: Ok, so if you're looking at manufacturing and possibly laboratory and research are you looking at that  
1219 they would have the ability to operate multiple shifts?

1220  
1221 Michael Birch: Yes, potentially a building user could have multiple shifts that is correct?

1222

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1223 Melissa Poole: So, back to, I want to jump back to just to a moment to David, when he talking about particularly the  
1224 residents most closely situated towards the lines, I mean I guess my question is how can you guarantee this will not  
1225 disrupt their life if you are running multiple shifts. That's 24 hours, could be 7 days a week 24 hours and you don't  
1226 know what kind of businesses are going in there.

1227  
1228 Michael Birch: Right but they are indoor activity in these buildings. In terms of like the primary use is inside, again  
1229 building setbacks, vegetative buffers around the perimeter, and I mentioned earlier, those distances between just our  
1230 property line in some of the closer structure to our west from the larger parcel over 1100 feet. To our south from that  
1231 larger parcel over 800/900 feet so I think we are well buffered on the subject property but also a lot of the lots that  
1232 surround us are deep lots with the houses situated far from the common boundary line.

1233  
1234 David Blankfard: Can you have the traffic engineer explain what is going on at Davis Drive and Old 86. Specifically,  
1235 what the current traffic is and then when this is functioning what happens what will the new traffic pattern be.

1236  
1237 Matt Peach: Thank you, appreciate the question. Obviously, we recommended a traffic signal there at that location  
1238 and I believe was touched on previously in the presentation but what we were concerned with at the intersection of  
1239 Davis Road and Old NC 86, quite frankly, is sight distance. What our concern was traffic coming along Davis Road  
1240 coming to a stop and being able to see in both direction down Old NC 86 for a sufficient distance to allow them to  
1241 turn safely onto Old NC 86 to make sure there is a sufficient gap in traffic. We didn't feel that it was there in terms of  
1242 site distance so we had recommended a traffic signal to that end in addition to helping facilitate movement to and  
1243 from the site. In terms of traffic today, we had full traffic counts. Currently on Davis Road at Old NC 86 there's about  
1244 170 cars along Davis Road in the morning peak hour. In the evening peak hour there is roughly 91 cars coming  
1245 along Davis trying to turn onto Old NC 86. On Old NC 86 there's a 300 northbound cars approximately in the  
1246 morning and this is consistent with the evening rush hour southbound is similar about 300 in the morning and  
1247 evening rush hour.

1248  
1249 David Blankfard: That's current?

1250  
1251 Matt Peach: That's correct.

1252  
1253 Hunter Spitzer: I have a question for the County staff; does the Town's sewer line currently follow along Cate's  
1254 Creek? Both sewer and water connections?

1255  
1256 Craig Benedict: I can answer that, yes the sewer line is known as the Cate's Creek outfall and it would roughly follow  
1257 those elevation changes flowing to the north. The water doesn't have to follow the topography and it would be along  
1258 the service road and there is an existing 16 inch water main on Old 86 now at Davis Road all the way into  
1259 Hillsborough and there is actually an emergency interconnect all the way down Old 86 to the Orange Water and  
1260 Sewer Authority facility. The Old 86 line is in operation with the Town of Hillsborough now and it would be those two  
1261 areas, Old 86, service road and then some sort of loop through the project would be likely with the final engineering.

1262  
1263 Hunter Spitzer: I was thinking less about water and sewer and more along the lines of co-locating some sort of  
1264 pedestrian trail but then I remembered that you have to build a bridge over I-40, which would probably border on  
1265 impossible. Maybe that should be a development .... If they are planning on redoing 40 in this area anyway which I  
1266 think is the case. Ah, maybe we should see if the developer will build us a bridge, what do you say guys?

1267  
1268 David Blankfard: I still have a question for the traffic, what is going to be when it's build out what are the numbers  
1269 going to be?

1270  
1271 Matt Peach: When we put the development in, we're looking at very little traffic coming from the south on Old NC 86.  
1272 We're looking at, we had estimated that being a maximum of 37 vehicle per hour. That's particularly in the morning  
1273 and it's similar for the southbound on Old NC 86, that is a maximum of, we had estimated that at 28 that's in the  
1274 evening rush hour. Along Davis Road, since we are directing trucks to turn left out of this site and onto Davis for that  
1275 short 1000 foot section to get to Old 86, we're seeing a little bit higher, so we're looking at staff, 62 in the morning  
1276 traffic, an additional 62 and up to 200 vehicles per hour in the evening.

1277

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1278 David Blankfard: One of the comments was, did your, the traffic study was only for a.m. and p.m. was that the high  
1279 times? The other times were fewer these were the maximums?

1280

1281 Matt Peach: That's correct, the other hours of the day we're forecasting much less traffic. What NCDOT requires us  
1282 to do is basically run the traffic study imagining that a shift change or some other operation were to occur during the  
1283 rush hour on the road already. So, kind of trying to get that worst-case scenario, that's what we ended up studying.  
1284 We didn't study any of the off-peaks where traffic would be less both at the development and along the roads within  
1285 the study area.

1286

1287 David Blankfard: Ok, on this slide that is being shown at the service road there is a right out only so how do the  
1288 trucks get to I-40?

1289

1290 Matt Peach: That's correct. The back and forth that we are currently having with NCDOT right now is NCDOT had  
1291 expressed concerns over whether queues at the interchange would extend past the service road and what they had  
1292 requested we analyze and those are the numbers I was just quoting you, would be if left turns were prohibited out of  
1293 the service road and if that traffic were relocated down to Davis but to get back over to Old NC 86 for that 1000 feet.  
1294 That's why you see that right turn there, that was at the request of NCDOT.

1295

1296 David Blankfard: So the trucks leave the service road they take a right on Old 86 they go down to Old 86 and how do  
1297 they turn back around?

1298

1299 Matt Peach: So trucks would go through the site, they would exit at Davis go to Old NC 86 that way.

1300

1301 David Blankfard: Ok, so they would go through, ok. They wouldn't be exiting from the service road the trucks would  
1302 be diverted towards David Road and then they take a left on Old 86 towards I-40.

1303

1304 Matt Peach: That's correct.

1305

1306 Melissa Poole: So, with regards to manufacturing and the laboratory, I'm sorry to jump back to this, when we went  
1307 through the list of prohibited, and this might be a question for Craig and Michael Harvey, when we went through the  
1308 list of prohibited businesses, I did not see like biodefence or anything like that in that list. So, if it doesn't come back  
1309 to Planning Board once we go through this and it doesn't go to Board of County Commissioners everything just kind  
1310 of goes through. What are the protections for residents, not just nearby but Orange County in general, for things like  
1311 insuring biodefence manufacturing in there or biodefence research is going in there?

1312

1313 David Blankfard: I think the building codes, I'm not, hopefully, I'm not speaking out of turn Michael. I think the  
1314 building codes would limit the amount of toxic chemicals and based on what is going on there. That would be ...

1315

1316 Melissa Poole: It doesn't have to be chemical, it could be research on Corona, it could be research on, you know, it  
1317 doesn't have to emit a toxic chemical. You see what I'm saying?

1318

1319 David Blankfard: Then it wouldn't be lethal, right? If they're just doing research?

1320

1321 Melissa Poole: I have a client in Maryland who's doing the vaccine for COVID and everybody in the company's got  
1322 COVID. I'm just telling you.

1323

1324 Michael Harvey: This is Michael Harvey, let me just provide Ms. Poole an answer. The permitted uses that the  
1325 applicant put in their narrative are various general land use categories with sample or anticipated uses for  
1326 development within the project. The narrative also provides a prohibited use list as well. The direct answer to your  
1327 question is if a proposed activity falls into those general uses and is similar to the uses listed, much like the current  
1328 County's Table of Permitted Uses, it would be permitted. You could have an activity consistent with research and  
1329 development activities that, not to make a judgement call, you may not necessarily find viable as other similar uses  
1330 (other research and development activities) but it could be developed within the project because you're allowing  
1331 research and development. That goes directly to your example that there may be research and development  
1332 activities that you are not comfortable with. We wouldn't have the authority to say no you can't do that as there is no  
1333 specific prohibition. David is correct there would be building and other regulatory standards that the applicant would

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1334 have to comply with, but if they meet the standard proposed by the applicant and approved by the County  
 1335 Commissioners staff would not have the authority to prohibit it (proposed land use) if it falls in the approved use  
 1336 category. That would be the same answer with the enforcement of the current Table of Permitted Uses.  
 1337

1338 If you are, for example, proposing a rec amenity and while you as an adjacent property may not like the actual  
 1339 amenity someone has chosen to develop, if the proposed use qualifies as an allowable use and meets applicable  
 1340 development requirements and criteria then it gets developed, it's permitted as an allowable rec amenity. The  
 1341 Planning Board and County Commissioners wouldn't have any ability to, I hate to use the word challenge but I'm  
 1342 going to, whether or not the validity of that land use is consistent with the approval. I will also say that every decision  
 1343 that the County makes as it relates to the enforcement of the UDO and as it relates to the enforcement of the  
 1344 conditions imposed on this project, is subject to appeal to the Orange County Board of Adjustment. That's not a  
 1345 great answer but that is the answer, part of the answer I'm going to give you to try to address your question.  
 1346

1347 Ronald Sieber: Hello, this is Ronald Sieber again and first of all, I'm just trying to process the change from 800 cars  
 1348 per day traveling on our road, Davis Road, to 200 per hour. I mean that is a stunning, I repeat that is a stunning  
 1349 change in numbers. I want the Planning Board to think about that, you work for us. This is unreal that you are  
 1350 allowing this development to go forward. I just can't believe it so therefore, I've prepared several and a couple of  
 1351 questions and I'd like to just run them by you and you don't need to respond, I would just like you to hear, record and  
 1352 react to it at a later date.  
 1353

1354 David Blankfard: Ronald, before you start, can you tell us if you received a letter from the Planning ...  
 1355

1356 Ronald Sieber: No, I receive no letter because I live, as Mr. Marshall would point out, 1.7 miles away from this  
 1357 development so therefore, I'm not relevant, so you know.  
 1358

1359 David Blankfard: I didn't say that but thank you.  
 1360

1361 *\*\*Planning Board Member Melissa Poole left the meeting\*\**  
 1362

1363 Ronald Sieber: Yes, ok, thank you Mr. Blankfard and I'll proceed. First of all, I just want to point out that the  
 1364 developer does not seem to supportive of electrical charging stations. We're at a point, and I've followed the  
 1365 automotive industry because that's what I write about, I'm a professional writer. We're at a point where fleets, I'm  
 1366 talking about fleets of trucks are developing electrical charging stations to charge and support their electrical fleets. I  
 1367 think it's time that developers, especially those who are putting warehouses up for such facilities to be used by fleets  
 1368 of trucks. They need to start providing the infrastructure for these folks to attract them as businesses. I think that  
 1369 also, I'd like to point out, that on amendment 8 and I know this goes back to 8 and we're talking about 10 but 8 is  
 1370 involved with 10. Four members of the Planning Board voted against amendment 8 and I do appreciate their  
 1371 support, however, I just want to put it on, put the remainder on notice that that property that you want to rezone from  
 1372 rural to something else is along a road that is inhabited by 100s of people, some of them are legacy businesses,  
 1373 some of them are farms, and many of them are residents who moved out here without any knowledge, like myself,  
 1374 without any knowledge of some sort of planned economic development section that is going to change our lives  
 1375 forever. We did not move out here to be next to an industrial park, we moved out here to be in a rural neighborhood  
 1376 and that's what we want to preserve and I think it's high time we change that development or designation and I'm  
 1377 going to work every way I can to change that if we can have a chance to do that but apparently it seems like the dice  
 1378 and the deck is stacked against us. Nevertheless, we as a community are going to fight this every way we can. We  
 1379 are opposed to this proposed change. Having said all that this community is not opposed to intelligent development.  
 1380 That's in sync, that somehow aligns with some of the goals of this community, which is to have a nice place to live, a  
 1381 Rural Buffer. Now Steve Kaufmann had an intention to build a school and he's going to get that zoning returned to  
 1382 him so he can do that. That's an example of the kind of development that we can support as a community not a  
 1383 warehouse. Come on guys think about it. In closing I would just like to say we are totally opposed to an access road,  
 1384 as I mentioned, the number of trips on this road are going to be drastically increased. The size of the vehicles are  
 1385 going to be on this road which is Davis Road are going to be drastically changed. Planning Board will you think  
 1386 about what you are deciding on, you work for us. That's the end of my comments. Thank you.  
 1387

1388 Joseph Shore: Hi everyone my name is Joseph Shore, I live on Old 86 between Davis and 40 most of the  
 1389 conversation tonight has been about the effect on 40 but this going to completely alter my life and I can't emphasize

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1390 that enough. If it's impossible to get out of my driveway with 300 cars during rush hour as the traffic engineer  
1391 mentioned and you double that it means cars are going to be coming by my driveway every 5 to 6 seconds, 18  
1392 wheels are going to be coming by every 5 to 6 seconds. That will literally make my property worthless because I  
1393 won't be able to access my own home anymore I won't be able to get to work or I'll have to stay in my travel lane for I  
1394 don't even know how long to try to get in and out. There's a preschool right down the road, there's a preschool by  
1395 the corner of Davis and Old 86. I can't imagine trying to be a parent to drop off my 3 or 4 year old there when there's  
1396 18-wheelers coming by every 10 seconds or 5 seconds. Just imagine the traffic trying to turn in and out of the  
1397 preschool in the morning. To the previous gentleman's quoting, we aren't opposed to development but this is the  
1398 absolutely wrong thing for this area. I can't emphasize that enough this is a residential area. In the 1980s when this  
1399 plan was originally developed, my house was a cow pasture so sure put a warehouse there it doesn't matter to them  
1400 but things have changed dramatically, it doesn't make sense to have this development here any longer so Planning  
1401 Board please hear me I'm begging you, oppose this. Please don't make my family collateral damage from this  
1402 economic development building.

1403

1404 Jon Lorusso: Hello, it's quite late thank you for giving me a chance to speak. I wrote down a few notes of what I'd  
1405 like to say before I get to them I just want to agree with previous speaker this really does come down to a 40 year old  
1406 plan that is no longer relevant and yet the Planning Board feels that they need to stick with it because it's on the  
1407 books so we might as well, I'm almost tempted to say that there is some kind of conspiracy going on some kickbacks  
1408 because there really, this is the Planning Board, you are supposed to plan for the communities and the people who  
1409 live here. Not for out of state businesses, not for lawyers in Raleigh this is for the people, you work for us the people  
1410 who live here. Yes, the people here need jobs but not at the expense of their fellow citizens, this is absurd. So just  
1411 to go through a few points. The traffic engineer mentioned that is would be up to the individual truck drivers whether  
1412 or not they took 40 west to get to 85 north that's absurd no one would ever do that. People who live here know that  
1413 you wouldn't do that, you are obviously going to take Churton to get 85 north. We've already had, the Planning  
1414 Board has a plan in action to extend 70 from Orange Grove because of already existing traffic issues. They already  
1415 exist the traffic issues this is going to make it so much worse and yet are we planning or are we reacting. We're going  
1416 to allow this to be built and then react later on. We'll figure it out 20 years from now when people are fed up. So, this  
1417 neighborhood, one if the improvement that Mr. Birch mentioned was oh we get a traffic signal at the end of Davis  
1418 Road and all we have to do it to get it is build a 2.1 million square foot warehouse inside of our neighborhood. Great  
1419 thanks a lot thank you for that wonderful improvement. The left only sign coming out of the place onto Davis Road,  
1420 are there any laws that, is there going to be a cop stationed there and if they make a right are they subject to a  
1421 summons? A ticket? No, it's really just up to the individual driver if they see that the traffic is backed up to the light  
1422 on Old 86 you know maybe I'll just make a right and take Orange Grove up or maybe I'll make a left on Orange  
1423 Grove and go down to Arthur Minnis, who cares right? Who cares about the people who live here, who cares. 200  
1424 vehicles per hour additional on Davis Road that is absurd an average tractor-trailer is 72 feet. How many tractor-  
1425 trailers can fit between Old 86 and 1000 foot entrance on Davis Road? I don't know what the math is divide 1000 by  
1426 72 it's somewhere around 14. If you have 200 per hour, it sounds to me like it's going to get backed up. It sounds to  
1427 me like there's a lot of conjecture, a lot of estimates based on businesses that we don't even know what kind of traffic  
1428 they'll have. I think Michael Birch again that the primary use is indoor yet he doesn't actually know what kind of  
1429 business is going to be there. How does he know they're going to be indoor? They're asking for approval when  
1430 they're still back and forth with NCDOT how can you approve something when things haven't even been settled? We  
1431 are not talking about little things; we're talking about huge changes. Oh, the traffic is backed up on 40 west, on the  
1432 40 east who cares if there's an ambulance that can't get to the hospital, who cares right? It's all at the expense of  
1433 business, who cares, who cares if people are backed up on the highway, who cares? I mean this is absurd; it's  
1434 absurd that our Planning Board the people who are supposed to plan this are the ones that are selling up the river.  
1435 It's crazy. I could expect it from the lawyers in Raleigh who don't care what happens here because they don't live  
1436 here. They're going to get this signed and they're done they get their check but from our own Planning Board the  
1437 people who are supposed to protect the citizens of this county they are the ones who are selling us up the river. It's  
1438 insane, it really is insane. That's all I have to say.

1439

1440 David Blankfard: One thing, did you receive a letter from the planning department?

1441

1442 Jon Lorusso: No I did not.

1443

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1444 Perdita Holtz: David as you can see there are 12 people with their hands up and it now 11 p.m. I don't know if there  
1445 wants to be any discussion among the Planning Board on how to handle the rest of the meeting, what some options  
1446 might be.

1447  
1448 Hunter Spitzer: I do recall that Michael had some comments that he wanted to make pertaining to us making  
1449 recommendation. So I would like to hear those at the very least before we move forward.

1450  
1451 Michael Harvey: As I indicated, your abstract had suggested that the Board, if they felt comfortable, make a  
1452 recommendation in time for the County Commissioner's September 15<sup>th</sup> hearing. Obviously the applicant will also  
1453 need to weigh in on this. As I see it, there's a couple of different options and scenarios here. Through no fault of the  
1454 applicant, we got comments from the Department of Transportation on this project Friday, July 31<sup>st</sup> and again that is  
1455 not anything that staff or the applicant could control. The applicant has responded to the Department of  
1456 Transportation and we are waiting for a response to those comments. We've heard tonight from Planning Board  
1457 members related to potential conditions that you all would to see vetted before you make a final decision. We have  
1458 obviously heard some comments from the public and there's going to be some additional comments as we continue  
1459 discussion.

1460  
1461 So as I see it the Board technically has a couple of options. The Board could table any decision providing the  
1462 applicant with areas of specific focus that they want answers to, I've heard loud and clear and in my note the primary  
1463 concerns is traffic impact and more review of the DOT comments and the applicants responses and what DOT says  
1464 to some of the traffic concerns I've heard. So you could certainly delay any decision til or table the item until your next  
1465 regular meeting, which would be September 2<sup>nd</sup> to wait for that information. Craig and I have had a texting  
1466 discussion about this very topic over the last hour, you could identify areas where you have less concerns or you are  
1467 satisfied with the conditions and the applicant's responses and identify specific conditions you'd like to see fleshed  
1468 out, you could adjourn this meeting to a date and time certain in a couple of weeks conceivably to revisit this  
1469 discussion or the Board could vote either to make a recommendation to approve or make a recommendation to deny  
1470 this evening.

1471  
1472 I'm not trying to say you don't have any of those options but staff was going to recommend was that we're still waiting  
1473 on DOT to get us some documentation as is the applicant and hearing some of the discussion tonight, I think that  
1474 there is a comfort level lacking with the transportation component from staff, the applicant who is waiting on DOT and  
1475 you all and that might need some discussion. Whatever you all's decision is, I would like to strongly urge you to  
1476 identify any specific areas of concern be it traffic, be it alternative energy conditions, whatnot so that the applicant  
1477 and staff have a clear understanding of what we need to be working on in the interim to provide you the feedback  
1478 you're asking for so you can make an informed decision. If that makes sense and thank you Hunter for asking.

1479  
1480 David Blankfard: So what does everybody have a concern with?

1481  
1482 Adam Beeman: My biggest concern is I want to see whatever the DOT is come to them with and determine whatever  
1483 steps necessary to rectify, my biggest concern is coming off of the highway and right there at the highway. I am not  
1484 so concerned as Davis Road as much as the highway but that's all part of the study so I'd like to see what DOT's  
1485 response was.

1486  
1487 Hunter Spitzer: I would like the applicant to consider removing access to Davis Road as they move forward with the  
1488 process cause I suspect that we will probably vote to delay at least until our Planning Board meeting and potentially  
1489 until we, until you end negotiations with the DOT. Conditionally, I would like a more concise proposal on electrical  
1490 vehicle charging. I will just put the number out there at 1 station per 100,000 square feet of space to be built. Those  
1491 are my largest concerns at the moment.

1492  
1493 Michael Harvey: Chair Blankfard, if I could interject quickly. I'm sorry I know that Ms. Poole lost her internet access if  
1494 I recall what Perdita said. One of her concerns was more specificity in land uses. In terms of what would fall into this  
1495 categories and what would not. At least that's what I have in my notes.

1496  
1497 Hunter Spitzer: If I may say one more thing, particularly to the residents that are listening. A lot of what we've been  
1498 doing over the past hour has been talking about conditions that we would like to request from the developer, that's  
1499 the nice part about this master planning conditional zoning is that we can ask for certain conditions to be met and so

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1500 if you all and I understand that you are all very opposed to this but in the off chance that it can't be stopped, you do  
1501 have the opportunity to shape this development through this process and so I encourage you to consider what you  
1502 might want to put in as conditions if at all possible.

1503  
1504 David Blankfard: I have a huge concern about the traffic being dumped onto Davis Drive. Not just some of the traffic  
1505 but everything is going to be dumped onto Davis Drive because NCDOT does not want anybody to come out the  
1506 service road. So I don't know if anybody else feels that way or if we want to see if the applicant can come up with a  
1507 better way of getting access to the site. Are we comfortable making a decision now or wanting to wait?

1508  
1509 Hunter Spitzer: I move that we delay a decision on our recommendation until our next meeting on September 2<sup>nd</sup>.

1510  
1511 Michael Birch: This is Michael Birch, the applicant, I think the outstanding issues that appear to be out there are one  
1512 responses from DOT but I want to reiterate that whatever DOT comes back with in terms of requested improvements,  
1513 those will be made. So it's not really a negation in that respect. Second with regard to some of the comments about  
1514 Davis Drive, I just think it is not possible for us to prohibit access onto Davis Drive. Third, with regard to some of the  
1515 comments or requests for the conditions the design of the buildings with intent to accommodate solar, providing  
1516 some electric vehicle charging stations and no fuel storage adjacent to the flood plain. I am comfortable with we can  
1517 craft those conditions and extremely short order and so I would respectfully ask but because of the date of the next  
1518 Planning Board meeting being on the 2<sup>nd</sup> essentially eliminates our opportunity to get to the Board of Commissioner's  
1519 meeting on the 15<sup>th</sup>. I would ask that the Planning Board please consider meeting or adjourning to a date certain  
1520 possibly 2 weeks from today on the 19<sup>th</sup>.

1521  
1522 David Blankfard: I think we could do the 19<sup>th</sup> to reconvene.

1523  
1524 Adam Beeman: I was going to ask Craig or Michael Harvey, with what Mr. Birch said about whatever DOT comes  
1525 back and they're going to rectify whatever DOT says they need to do. Do you guys feel comfortable with moving  
1526 forward knowing whatever DOT may say or would it be better to meet a date later once the DOT issues have been  
1527 straightened out?

1528  
1529 Craig Benedict: Let me just give a brief introduction about NCDOT is in charge of the roads within Orange County so  
1530 they are the ultimate authority on what improvements are made because counties in North Carolina are not in the  
1531 road business so they take, their recommendations are of prime importance and as the developer said they will have  
1532 to do whatever NCDOT says. We work with DOT and we will take the comments that we have from tonight and  
1533 impart them to NCDOT for any alternatives that there may be but NCDOT is also in the business to use taxpayer  
1534 money to use the roadways to their best ability. My opinion if you want to call it that is that we will be satisfied with  
1535 what NCDOT suggest as improvements for the project.

1536  
1537 Kim Piracci: I just want to say that it seems to me that the traffic that's being talked about, even if it could be  
1538 arranged in such a way that the traffic only comes and goes from 40 to Old 86 and never hits Davis it just seems like  
1539 an enormous amount of traffic even just for Old 86. Even though I understand there'll be road expansion and  
1540 whatnot so I just, I feel like the scope of the project is just too big for this space in Orange County. Maybe smaller  
1541 warehouses or two instead of three. I don't know but in any case it just seems like too much. To me it seems all  
1542 that's too much.

1543  
1544 Hunter Spitzer: Do you have an expected return date from NCDOT on those comments? An anticipated time?

1545  
1546 Michael Harvey: Hunter, let me jump in and Mr. Birch may be able to also provide some detail. I don't know if it's fair  
1547 to say if we have any expectation from DOT. They obviously took a prolonged period of time to get us the comment  
1548 they got us on Friday and we can obviously impress to Mr. Edwards who is our district engineer the need for  
1549 expediency but I can't and will not tell you that I can guarantee that within two weeks we'll have an answer. I can't  
1550 guarantee that within two weeks we'll have an answer. But I think it's reasonable for us to try if the Board sees fit to  
1551 adjourn to at date and time certain in two weeks. We'll do the best we can to address this concern as best we can  
1552 and I know so will the applicant but I do think it's also important for me to make clear one think to the Board. It's been  
1553 sort of danced around but I think it's important to say it. One of the, this same issue came up with Settler's Point, the  
1554 Department of Transportation is not satisfied with the current condition of service road which parallels (Interstate) 40  
1555 and they had requested or indicated that in order for Settler's Point to be developed they had to have secondary

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1556 means of ingress/egress. At Settler's Point chose to try and secure access off Old NC Hwy 86 directly. That was a  
1557 gamble they took and unfortunately it didn't pay off at the time they had the approval they couldn't negotiate an  
1558 access point. I know that this applicant has looked for alternative access points and I'm not telling you this to say, it's  
1559 a fait accompli, but I'm telling you this that one of the reasons there's two access points is because DOT has  
1560 mandated it from day one. This applicant is obviously proposing Davis Road there's obviously concerns about that  
1561 and there's request for more information and that needs to be processed to move forward but I think the Board just  
1562 needs to be put back in the loop that the reason there's two is because DOT is mandating it.

1563  
1564 Michael Birch: This is Michael Birch, the applicant just to reiterate on the timing of DOT responses. We will hound  
1565 them as best we can to get responses so we can this resolved in advance of a possible meeting on the 19<sup>th</sup>.

1566  
1567 Randy Marshall: I'm not sure we are going to continue to be productive tonight so I'd like to make a recommendation  
1568 that we adjourn or postpone or continue the meeting until two weeks from tonight at 7 p.m.

1569  
1570 Hunter Spitzer: Seconded.

1571  
1572 Adam Beeman: I vote going ahead and solving the problem tonight if anybody else is ready to vote. I'm ready to  
1573 vote. I'm got my choices made so if everybody else wants to shelve it that's fine but I'm ready to move forward  
1574 tonight.

1575  
1576 Kim Piracci: I would like to postpone voting but to me it doesn't make sense to meet in two weeks if we haven't  
1577 heard from the DOT though it could be a conditional two weeks from tonight sort of thing.

1578  
1579 Michael Harvey: Kim, let me just interject that it unfortunately can't be conditional you are going to be adjourning to a  
1580 date and time certain so there will be a meeting if you all elect to do it this way on the 19<sup>th</sup> and if we don't have the  
1581 response unfortunately we don't have the response and I hate to say it that way but it's the truth. The two options  
1582 you have are to adjourn this meeting matter or table this matter until the September meeting which obviously the  
1583 applicant I know has a concern with or to say you're going to attempt to do a special meeting on the 19<sup>th</sup>. If there's  
1584 Board consensus to try that and we don't have answers, we don't have answers. That's the unfortunately blunt way  
1585 I'm going to have to put it to you.

1586  
1587 Randy Marshall: Part of my thinking was that we still have a number of people who wanted to address this some of  
1588 them we may have already have heard from and understand what their positions are but there may be others that  
1589 we've not heard from at all and I'm not sure we want to start listening to them at this late time. The other things is  
1590 we've not been able to address the DOT issues and nothing may change as Michael suggests in two weeks but at  
1591 least in two weeks we will have a little bit more information and can get a little bit more input from the public and  
1592 make an informed decision at that time. I can vote tonight, I know where I stand but I just want to make sure that  
1593 everybody feels like they've had enough opportunity to get all the information they need or to provide all the  
1594 information they need.

1595  
1596 David Blankfard: I think that we should postpone it to the 19<sup>th</sup>. I guess we'll have to have a motion again. But we'll  
1597 wait and until the 19<sup>th</sup> we can listen to more of the constituents, the public right because they were saying they were  
1598 not notified this will give them more time to rally their forces and then if the DOT isn't there, we'll just listen to the  
1599 public and if the DOT we can finish it then and there.

1600  
1601 Craig Benedict: Perdita how many people do you have still want to speak tonight?

1602  
1603 Perdita Holtz: There are 14 people that have their hands raised.

1604  
1605 Adam Beeman: I have a question if we come back on the 19<sup>th</sup> and we don't have the information from DOT are we  
1606 going to push it out again.

1607  
1608 David Blankfard: We'll just listen to the public.

1609  
1610 Adam Beeman: I understand that but are we going to push the vote out again or are we going to vote on the 19<sup>th</sup>?

1611

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1612 Randy Marshall: I suggest that we have a vote on the 19<sup>th</sup> we'll have all the information available and I think we  
1613 should go ahead and vote then and I would also recommend for people who want to speak, to try not to continue to  
1614 repeat yourselves and to provide us with new information or insight which will help us get closer to making a decision.

1615  
1616 Michael Harvey: Chair Blankfard, just to remind the Board that if you adjourn the meeting to a date and time certain  
1617 and adjourn to a specific format, we will not be resending out notifications because this is a continuation of the  
1618 meeting. We will not be sending out new notices, we're not obligated to send out new notices because you are  
1619 adjourning to a date time certain. We will post it on the website as we have done with tonight's meeting but we will  
1620 not be sending out notices to everyone within 1000 feet.

1621  
1622 **MOTION** by Randy Marshall to adjourn the Planning Board meeting to August 19, 2020 at 7:00 PM via Zoom.

1623 Secoded by Hunter Spitzer.

1624 **VOTE:** 9-2 (Adam Beeman and Kim Piracci opposed)

1625  
1626 Craig Benedict: Staff will be making a summary of some of the questions.

1627  
1628  
1629 **AGENDA ITEM 11: ADJOURNMENT**

1630 Meeting was adjourned by consensus

1631  
1632  
1633  
1634  
1635

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David Blankfard, Chair

## DRAFT

MEETING MINUTES  
 ORANGE COUNTY PLANNING BOARD  
 AUGUST 19, 2020  
 SPECIAL 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; Kim Piracci, Eno Township Representative; Susan Hunter, Chapel Hill Township Representative; Patricia Roberts, Cheeks Township Representative; Randy Marshall, At-Large Representative; Hunter Spitzer, At-Large Representative; Alexandra Allman, At-Large Representative; Melissa Poole, Little River Township Representative; Carrie Fletcher, Bingham Township Representative

**MEMBERS ABSENT:** Gio Mollinedo, At-Large Representative; Vacant, At-Large Representative

**STAFF PRESENT:** Craig Benedict, Planning Director; Perdita Holtz, Planning Systems Coordinator; Tom Altieri, Comprehensive Planning Supervisor; Michael Harvey, Current Planning Supervisor; Brian Carson, GIS Tech III, Christopher Sandt, Staff Engineer; Nish Trivedi, Transportation Planner; Tyler Sliger, Planner; Molly Boyle: Planner; Tina Love, Administrative Support; Steve Brantley, Economic Development Director, Amanda Garner, Assistant Economic Development Director;

**APPLICANT AND ASSOCIATES PRESENT:** Bill Aucoin, Vice President - Avison Young; Chris Bostic, Project Manager – Kimley-Horn and Associates, Inc.; Jack Graham, Principal – Avison Young; Michael Birch, Partner – Longleaf Law Partners; Christa Greene, Senior Principal – Stantec; Frank Csapo, CEO – Barrister Commercial Group; Rick Ogburn, Director of Construction – Barrister Commercial Group;

**OTHERS PRESENT:** Penny Rich (BOCC Chair); Earl McKee, (BOCC); Ronald Allen; Joy Alvis; Diane Anderson; Daniel Arneman; Gina Arnone; Susan Attermeier; David B.; Jill Bauer; John Boxter; Clare Brennan; Jessie Brinson; Dana Brinson; Ronda Buchanan; Bob Bundschuh; Stephanie Caler; Jocelyn Carbonara; Samantha Carney; Stuart Carr; Christina Casa; EJ Caughlin; Annie Caulkins; Tom Caulkins; Gayane Chambless; Susan Cheek; Michael Childress; Karla Childress; John Clayton; Carolina Colbert; Karen Coulter; Linda Crabill; Kaye Crawford; Vincent Credle; Betsy Crittenden; James Curtis; Beth Daniel; Jane Davis; Mary Therese Deegan; Dennis DeJianne; John Dempsey; Nora Dennis; Anne Derby; Adam Dickens; Cindy DiLiberti; Mike Dodson; Maria Dowle; DC Dowmont; Rebecca Drapp; Diane and Erik Dunder; Cedar Eagle; Marguerite Eaton; Richard Eckberg; Jeremy Edmondson; Dale Edwards; Brika Eklund; Robb English; Williams Evans; James Farrin; Kenneth Fath; Phyllis Fath; Clairece Feagin; Joe Feagin; Karen Fernandez; Larry Fernandez; Beverly Ferreiro; Hope Folsom; Andy Freeman; Madelyn Friedman; Nan Fulcher; Florence Garland; Franklin Garland; Lisa Garland; Isabel Garland; Betty Garland; Kris Garvin; Beth Gerall; Andrew Gillespie; Aleta Gillespie; Theresa Gilliam; Tom Gilliam; Joel Gillis; Amira Glaser; Sascha Godfrey; Tammy Grubb; Dore Gruener; Myra Gwin-Summers; Barrett Hahn; J Mathew Hamlett; Parviz Hatami; Bonnie Hauser; Charles Hecht; Jeanne Hecht; Amy Henes; James Henninger; Sarah Henshaw; Michael Henson; Lauren Herman; Melissa Hinson; Tom Howe; Teresa Howell; Lucas Howerter; Janet Huebner; Matt Hughes; Mark Hulbert; Anthony Isley; Marilyn Jacobs Preyer; Chloe Johnson; Frederic Jordan; Jared Jurkiewicz; Joan Kalnitsky; Andrea Kalokitis; Gloria Kammerman; Tony and Gail Kane; Jesse Kaufmann; Jeb Kelly; Shelley Kennedy; Michael Kennedy; Jay Kennedy; Claire Kern; Stephen King; Brenda Knowles; Matthew Kostura; Brenda Kross; Ed Kushner; Pattie Kushner; Margo Lakin; Wilson Lamb; Becky Laudicina; Laura Lipps; Traci Little; Jeff Lloyd; Jon Lorusso; Ashley Lorusso; Keith Luck; Laura Maile; Bradley Manton; Andi Mariategui; Janet Marks; Jeffrey Marks; Ralph Marshall; Margaret Matheis; Nicole Mayer; Ellen Mayer; Adam McGovern; Jane McMullen; Kathryn Mentz; Karin Michel; Joelle Miller; Matt Mitchell; Justin Mitchell; Bill Mitchell; Rena Mitchell; Kaila Mitchell; Amy Morrow; Erin Mullaney; Amy Mullenix; Miguel Munoz; Alice Murdoch; Virginia Nadworny; Wanda Neville; Sandy Newton; Kevin Nicholson; Davia Nickelson; Kailey Norman; Wendy Novicenskie; Eric Nowicki; Lynn Occhiuzzo; Colin OConnor; Amira Oguntoyinbo; Kelly Owensby; Tami Pfeifer; Keith Poole; Christine Poole; Kristi Price; Marcos Prieto; Lauren Procopio; Jean-Francois Provost; Erik Reavely; Linda Reed; Kim Reiman; L.A. Renn; Victoria Reynolds; Carl Richardson; William Riedel; Leslie Roberts; Nicole Robertson; Chris Rodermond; Stephanie Rogers; Payton Rose; Beth Rosenberg; Maryanne Ross; Andrew Rouse; Victoria Roy; Korinn Saker; John Saylor; Jennifer Saylor; David Scanga; Lori Scanga; Gerald Scarlett; Tracy Schaeffer; Kathleen Schenley; Mark Schueller; Geoff Sebesta; Patricia Sena; Jayse Sessi; Amanda Shakhoulou;

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56 Michael Shannon; Claudia Shapiro; Karen Shelley; Sarah Shore; Joseph Shore; Doug Short; Ronald Sieber; Stanley  
 57 Smith; Lily Smith; Katie Smith; Angela Sneed; Brandon Sneed; Rich Sodemann; Bruce Spencer; Kathy Stanford; Lisa  
 58 Sutton; Frederick Tapp; Alison Taylor; Blake Tedder; Thelma Thomas; Paul Thomas; Bernard Thomas; Chip  
 59 Thrasher; Lee Thurston; Jane Thurston; Merideth Tomlinson; Ashley Trahan; Edward Triplett; Elizabeth Turnbull;  
 60 Catharine Vaughan; Rowdy Walker; Susan Walser; Sophie Wang; Judy Weinstock; Paul Werner; Deborah White;  
 61 Mary Whortan; Stephan Williams; Erika Williamson; Phyllis Wright; Edward Wright; Jeffery Wysocki; Dana Xiao;  
 62 Jenifer Yarnelle; Kenneth Yowell; Kurt Kulberg; Declan Cambey; "jdmmc"; "homevet"; 16 callers  
 63  
 64

65 **AGENDA ITEM 1: BRIEF SUMMARY BY STAFF ON TECHNOLOGY PROTOCOLS FOR MEETING**  
 66 **PRESENTER:** Perdita Holtz, Planning Systems Coordinator

67 *Perdita reviewed the technical processes and rules*  
 68  
 69

70 **AGENDA ITEM 2: CALL TO ORDER AND ROLL CALL**

71 Chair David Blankfard called the meeting to order.  
 72  
 73

74 **AGENDA ITEM 3: INFORMATION ITEMS**

- 75 a. Draft Minutes for the August 5, 2020 Regular Meeting (to be approved at the next regular  
 76 meeting; provided here for information purposes)  
 77  
 78

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

80 There were none  
 81  
 82

83 **AGENDA ITEM 5: PUBLIC CHARGE**  
 84

85 **INTRODUCTION TO THE PUBLIC CHARGE**

86 The Board of County Commissioners, under the authority of North Carolina General Statute,  
 87 appoints the Orange County Planning Board (OCPB) to uphold the written land development law of  
 88 the County. The general purpose of OCPB is to guide and accomplish coordinated and  
 89 harmonious development. OCPB shall do so in a manner, which considers the present and future  
 90 needs of its citizens and businesses through efficient and responsive process that contributes to  
 91 and promotes the health, safety, and welfare of the overall County. The OCPB will make every  
 92 effort to uphold a vision of responsive governance and quality public services during our  
 93 deliberations, decisions, and recommendations.  
 94

95 **PUBLIC CHARGE**

96 The Planning Board pledges to the citizens of Orange County its respect. The Board asks its  
 97 citizens to conduct themselves in a respectful, courteous manner, both with the Board and with  
 98 fellow citizens. At any time, should any member of the Board or any citizen fail to observe this  
 99 public charge, the Chair will ask the offending member to leave the meeting until that individual  
 100 regains personal control. Should decorum fail to be restored, the Chair will recess the meeting  
 101 until such time that a genuine commitment to this public charge is observed.  
 102  
 103

104 **AGENDA ITEM 6: CHAIR COMMENTS**  
 105

106 David Blankfard: Please everyone in the public please be kind to everybody else. We are all citizens of  
 107 Orange County. If you have any comments, please direct them to the Planning Department and they  
 108 will get them to us. Contacting us through Facebook, LinkedIn, telephone calls is not appropriate.  
 109  
 110

111 AGENDA ITEM 7: CLARIFICATION OF PLANNING BOARD ACTIONS ON PROPOSED AMENDMENTS TO THE TOWN OF  
 112 HILLSBOROUGH/ORANGE COUNTY CENTRAL ORANGE COORDINATED AREA (COCA) LAND USE PLAN  
 113 AND TO THE ORANGE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP (FLUM) - To review  
 114 and make a recommendation to the BOCC on County-initiated amendments to the COCA and  
 115 FLUM in the vicinity of the southern portion of the Hillsborough Area Economic Development  
 116 District. To clarify the motion made at the August 5, 2020 Planning Board meeting and revote on  
 117 the clarified motion regarding County-initiated amendments to the COCA and FLUM in the vicinity  
 118 of the southern portion of the Hillsborough Area Economic Development District. This item is  
 119 scheduled for BOCC public hearing on September 15, 2020.

120 PRESENTER: Tom Altieri, Comprehensive Planning Supervisor

121  
 122 David Blankfard: Item 7 is to clarify a vote that we took on the 5<sup>th</sup> and any comments need to be in regards to this  
 123 clarification. Comments pertaining to the RTL application are going to be at a later time which is up next. Can I get  
 124 a new motion for Item 7?

125  
 126 Randy Marshall: I believe the motion would amend Orange County's zoning atlas as established in Section 1.2 of the  
 127 Orange County UDO and whereas the proposed rezoning consist of the 8 property owners and whereas the proposal  
 128 has been found to be consistent with the 2030 Orange County Comprehensive Plan and whereas the requirement of  
 129 Section 2.8 of the UDO has been deemed complete and whereas the Board has found that the proposed zoning atlas  
 130 amendment to be reasonably necessary to promote the public health, safety and general welfare we recommend that  
 131 the Board of County Commissioners rezone the areas described above and depicted on the attached map.

132  
 133 Tom Altieri: Chair Blankfard, Tom Altieri, Orange County Comprehensive Planning Supervisor. Good Evening, if I  
 134 could just say a few words about this item. I think it would be helpful and I can reference page numbers that are in  
 135 your packet that I think would be helpful as well. So thank you for your service to the Planning Board members. The  
 136 purpose of this item is to clarify the motion that was made at the August 5<sup>th</sup> Planning Board Meeting and to revote on  
 137 the County initiated amendments to the Land Use Plans. In your agenda packet, this item is on pages 33-38. While  
 138 the intent of the Boards' action was clear on August 5<sup>th</sup> , through review of the meeting recording, staff discovered  
 139 that the motion included reading from materials related to the a subsequent agenda item. Planning staff is not  
 140 suggesting that the Board revisit its discussion but rather to repeat the correct motion and revote so that the minutes  
 141 of tonight's meeting can be crystal clear. The draft minutes are an informational item in your in your packet. This item  
 142 is discussed on pages 15 to 16, which would be the discussion that you had on this item at your August 5<sup>th</sup> meeting.  
 143 The Planning Director's recommendation is included in your abstract which is on page 34 and that is to approve the  
 144 resolution contained in attachment 1 which is right after the abstract, pages 35 – 37. What we need from the Board  
 145 this evening is to recommend to the County Commissioners approval of the resolution, which is attachment 1,  
 146 reflecting the proposed Land Use Plan Amendments. We need a second to that motion and then a roll call vote.  
 147 That concludes my introduction.

148  
 149 *(Randy Marshall nodded head in agreement to this clarifying language)*

150  
 151 David Blankfard asked for a second to the motion, as clarified by Mr. Altieri. Adam Beeman seconded.

152  
 153 **ROLLCALL VOTE:**

- 154 Melissa Poole: No
- 155 Randy Marshall: Yes
- 156 Adam Beeman: Yes
- 157 Susan Hunter: Yes
- 158 Patricia Roberts: Yes
- 159 Carrie Fletcher: No
- 160 Hunter Spitzer: No
- 161 Alexandra Allman: Yes
- 162 Kim Piracci: No
- 163 David Blankfard: Yes

164 **MOTION PASSED 6-4**

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165  
 166 **AGENDA ITEM 8: ZONING ATLAS AMENDMENT (MASTER PLAN DEVELOPMENT APPLICATION – RESEARCH TRIANGLE**  
 167 **LOGISTICAL PARK)** - To continue review and make a recommendation to the BOCC on a developer-  
 168 initiated application for an MPD-CZ (Master Plan Development Conditional Zoning). The proposed  
 169 project encompasses approximately 180 acres in the Hillsborough Economic Development District  
 170 (EDD) south of Interstate 40 and west of Old Highway 86, within Hillsborough Township. 168  
 171 acres are currently zoned MPD-CZ (Settler's Point) and 12 acres are currently zoned R-1 (Rural  
 172 Residential). This item was continued from the August 5 regular meeting and is scheduled for  
 173 BOCC public hearing on September 15, 2020.

174 **PRESENTER:** Michael Harvey, Current Planning Supervisor

175 *Michael Harvey reviewed the abstract and proposed changes to the Zoning Atlas Amendment*

176  
 177 Craig Benedict: Good evening, just for the help for the Planning Board, when the Planning Board suggests  
 178 conditions, it is good to make sure there's consensus amongst the Planning Board that these are newly imposed  
 179 conditions that go beyond what was in the original abstract. If one of your thoughts is to vote on the three conditions  
 180 at are on page 17 of the abstract and those three new conditions that were suggested by the Board at the last  
 181 meeting, it wasn't necessarily a vote. We want to make sure that when the vote does occur that these conditions are  
 182 clearly included in the other 50 plus conditions that are there. Of those 3 conditions that you mentioned a couple of  
 183 weeks ago, as Michael said, energy for the building, fuel storage more than 30 feet away from a flood plain area and  
 184 EV stations at the buildings. So, at some point in your deliberations or possibly now, you could at least make a  
 185 motion that the Planning Board is in agreement to add these to the other 50 plus conditions we have for the project.  
 186 That is one topic; another topic is tonight there is a lot of people that are participating in the meeting. It is up to the  
 187 Board to listen to proposals, it's also up to the Board if there is some repetitiveness you can say that is clearly noted  
 188 in the record and we will take that under consideration. The motion that is available in the agenda package that is on  
 189 page 41 for this item talks about the Planning Board coming to a determination in enough time that it can reach a  
 190 public hearing in September. Please keep that in mind. It is not unlimited in your time to have to make decisions on  
 191 this item. If the Board feels like it would like another meeting to hear additional input from the public that is their  
 192 prerogative. It would probably be just one more opportunity to do that before we need to conclude this item, approval  
 193 or denial and move it on; and get the draft minutes of the meeting to move onto the formal public hearing which is  
 194 schedule to occur in mid-September. Those are just some additional items and we will help guide you through as  
 195 deliberations continue. The first item I brought up is just to get some clarity to get that behind us so that we do not  
 196 lose those additional conditions that were suggested by the Board on August 5<sup>th</sup>.

197  
 198 David Blankfard: Is everyone ok with the first condition about the fuel or chemical storage not occurring within 30 feet  
 199 of the floodplain?

200  
 201 *Planning Board Members were in consensus*

202  
 203 David Blankfard: The next one is at least two electrical vehicle charging stations per building.

204  
 205 *Planning Board Members were in consensus*

206  
 207 David Blankfard: Ok, Hunter what did you say about the third one?

208  
 209 Hunter Spitzer: I would like for it, instead of reading unnecessarily preclude, read necessarily prepare for  
 210 incorporation.

211  
 212 David Blankfard: So you want them to ...

213  
 214 Hunter Spitzer: Necessarily prepare for incorporation of alternative energy systems.

215  
 216 Adam Beeman: What does that mean?

217  
 218 Hunter Spitzer: Well as it stated, they could necessarily preclude incorporation of alternative energy systems and it  
 219 seems if they so choose they can make up any reason why they can necessarily preclude. I would like for it to be a

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220 little bit more forceful than that. So necessarily prepare would mean that I would like for them to design an idea, I  
221 would like for them to propose their site plan with provisions for how solar will be incorporated at such time as they're  
222 prepared.

223  
224 David Blankfard: So you're saying that you want them to design for it. Not necessarily install it?

225  
226 Hunter Spitzer: Yes, I think that pretty much at least heavily encourages them to install at that point.

227  
228 Adam Beeman: I am not understanding what you mean, during design for it? Would you like them to lay conduit and  
229 put disconnects? Or are you just talking about, I'm not understand ...

230  
231 Hunter Spitzer: During the architectural planning. Whether or not they lay the conduits at the time of construction or  
232 after the fact it at their choice.

233  
234 Adam Beeman: I still don't understand design for, any building if in the right sun location, we can put solar panels on  
235 it and run conduit down the disconnects, that can all be done after the fact. I'm not sure what you mean about  
236 planning for it ahead of time.

237  
238 Kim Piracci: I want to back up what Hunter is saying. Building can be built in such a way that they don't have solar  
239 panels today but it would be a lot cheaper to put solar panels on them tomorrow if that is desired, it just makes sense  
240 to build building that way. Now, having said that I'm not an architect or an engineer or an electrician, it's just  
241 something that seems to me makes sense to do in 2020. And so therefore, I feel like Hunter verbiage, his college  
242 degree is in this so I feel like if he thinks that's what the verbiage should be, I kind of want to support him on that. I  
243 would simply say, design would allow for future solar panel installation but the technology, the verbiage, I'm not an  
244 attorney and so maybe we just need guidance on this.

245  
246 Adam Beeman: I am an electrician and that is why I'm saying I'm not quite understanding what you're going after? If  
247 you want to have like holes and penetration put through the roof so you can slide pipes through later, maybe I could  
248 understand what you're saying.

249  
250 Hunter Spitzer: That is what I'm, design and construction shall necessarily prepare for the incorporation.

251  
252 David Blankfard: You could also design the roof for an extra 15 lbs. per sq. ft. to accept the panels for future loading  
253 and they wouldn't even have to put in the conduit. The conduit could be put in later.

254  
255 Adam Beeman: That I could understand and get behind. I just want clarification as to what we're talking about as far  
256 as design. I can understand what you're talking about as far as rood load.

257  
258 Kim Piracci: I just believe, you're an electrician, so you understand that part, wires going through pipes. I'm sure  
259 there are other aspects of this we, Planning Board Members, don't and so if they're kind of required to be able to put  
260 solar panels on in the future then that will take place at the architect level. And David came up with roof load  
261 brilliantly, I didn't think of that and there are probably other considerations beyond our scope.

262  
263 Randy Marshall: Can I just make a very simple rewording suggestion that says, building design/construction shall  
264 allow for the incorporation of alternative energy systems such as solar panels. That gets the double negative out of it  
265 and make it a positive but doesn't really change the gist of what's being said.

266  
267 Michael Birch: On behalf of the applicant, we are absolutely amenable to that suggested word change.

268  
269 Hunter Spitzer: I would still prefer necessarily prepare.

270  
271 Randy Marshall: It shall allow for incorporation. Take out not necessarily preclude but more positively said shall allow  
272 for incorporation of alternative energy systems.

273  
274 Kim Piracci: I like Hunter's verbiage better. Any building could be built and allow for solar panels in the future.

275

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276  
277 Michael Birch: We were hoping to use Mr. Marshall's or removing the word unnecessarily from the proposed  
278 language. Our concern with some of the other language that's being considered or proposed. As to structural  
279 components, we don't know what the technology is going to be when this gets constructed so it's hard to talk in terms  
280 of roof load, we don't necessarily know what type of alternative energy systems that we're talking about and so I think  
281 what the intent of what we understood to be asked at the last meeting was that our building design was not going to  
282 prohibit the building from being able to incorporate alternative energy sources in the future. With that understanding,  
283 we said yes, we'll draft a condition around that. I think we're open to Mr. Marshall's language or also removing the  
284 word unnecessarily from the proposed language.

285  
286 Hunter Spitzer: I see, I would like you to necessarily prepare for current technology existing solar panels. I'm going  
287 to leave it at that. I would like for you to prepare for existing technology. I think existing technology is effective and  
288 valuable and I think preparing for that allows you to adapt further down the road as well. I would like necessarily  
289 prepare. I have a secondary question, some of the comments that you've calculated that 40 EV stations would be  
290 built under the proposed rule that I suggested and you can back with 2 which is fine but how did you calculate 40?

291  
292 David Blankfard: So, you're going back to number 2, Hunter?

293  
294 Hunter Spitzer: We don't have to talk about it. I really like to focus on the third point but I'm curious to know how  
295 they calculated 40.

296  
297 Michael Birch: We're proposing two per building and right now the thought is for four building so we would have eight  
298 EV charging stations. I'm not clear where the estimate came from but I did want to clarify that it is two per building  
299 and that would result in eight under the current plan.

300  
301 David Blankfard: Back to number 3. Building design construction shall not necessarily preclude incorporation of  
302 alternative energy systems such as solar panels.

303  
304 Hunter Spitzer: The phrasing I was thinking was, building design and construction shall necessarily prepare for  
305 incorporation of alternative energy systems specifically solar.

306  
307 Randy Marshall: I think that sounds just fine, I'm not sure the word necessarily needs to be in there but otherwise I  
308 think Hunter's wording is satisfactory.

309  
310 David Blankfard: Would you say building design/construction shall incorporate provisions for accepting alternative  
311 energy systems such as solar panels.

312  
313 Craig Benedict: If I could suggest that the wording necessarily prepare for is voted on and then you would know that  
314 the Board has consensus to include that. In most cases, its true building can be retrofit to include future solar panels  
315 or other photovoltaic systems. It is just identification of a County goal and it could probably be accommodated within  
316 the typical design of the building.

317  
318 Michael Birch: I understand the Board may vote on it but just going back to something in Mr. Harvey's presentation  
319 about the condition language which being something that is mutually agreed upon by the applicant and the Board.  
320 We are willing to propose that condition either as drafted with the removal of unnecessarily with the Mr. Marshall's  
321 original proposed language. Any of those 3 options, we're not sure on the applicant team what necessarily prepare  
322 means and we don't necessarily know how to proof that up in a site plan so we would ask for the Board consideration  
323 of one of those 3 options; as it stand today, removal of unnecessary, or Mr. Marshall's initial proposal.

324  
325 Kim Piracci: I still keep liking Hunter's words. I've got building design and construction shall include

326  
327 Hunter Spitzer: The phrasing I would like included as a condition is building design/construction shall necessarily  
328 prepare for incorporation of alternative energy systems specifically solar panels. It does seem that the applicant will  
329 be unwilling to agree to the condition. I don't think I would vote on it without this.

330  
331 Kim Piracci: No, I think he is willing to agree on those words that you put forth just now.

332  
 333 Craig Benedict: No, it's my understanding that the applicant has not agreed to Hunter's verbiage but either what Mr.  
 334 Marshall proposed or a version of what was proposed. Allow for incorporation was one of those alternate proposals  
 335 or take the word unnecessarily out. In order to get this condition in there we have to come to an agreement with the  
 336 applicant so one version is take the word unnecessarily out, shall not preclude incorporation of alternate energy  
 337 systems. And the other one is Mr. Marshall's shall allow for incorporation of alternate energy systems. Those are  
 338 the two that are viable that if you want to include them with the other conditions the Board could vote on one of those  
 339 versions and then you would be able to attach these conditions to the other elements of the MPD-CZ.

340  
 341 Adam Beeman: I propose building design/construction shall not preclude incorporation of alternative energy systems  
 342 such as solar panels.

343  
 344 Hunter Spitzer: Second.

345  
 346 David Blankfard: All right, all in favor of that verbiage let me read it for you the way I understand it. Building  
 347 design/construction shall not preclude incorporation of alternative energy systems such as solar panels.

348  
 349 Alexandra Allman: Second

350  
 351 **ROLLCALL VOTE:**

- 352 Melissa Poole: Yes
- 353 Randy Marshall: Yes
- 354 Patricia Roberts: Yes
- 355 Carrie Fletcher: Yes
- 356 Hunter Spitzer: No
- 357 Kim Piracci: No
- 358 Adam Beeman: Yes
- 359 Susan Hunter: Yes
- 360 David Blankfard: Yes

361 **MOTION PASSED 8-2**

362  
 363 **MOTION** by Randy Marshall the addition of the three conditions be add to the proposal. Seconded by Adam  
 364 Beeman.

365  
 366 **ROLLCALL VOTE:**

- 367 Melissa Poole: Yes
- 368 Randy Marshall: Yes
- 369 Patricia Roberts: Yes
- 370 Carrie Fletcher: Yes
- 371 Hunter Spitzer: Yes
- 372 Kim Piracci: Yes
- 373 Adam Beeman: Yes
- 374 Susan Hunter: Yes
- 375 David Blankfard: Yes

376 **MOTION PASSED UNANIMOUSLY**

377  
 378 *The Applicant/Associates for the RTLP proposal give a couple of presentations*

379  
 380 Kim Piracci: One clarifying question, when Frank was talking about the homes, the adjacent properties are mostly  
 381 vacant and there are a few that have homes on them. I think the closest he said was 100 ft. It was unclear to me did  
 382 he mean 100 feet from the property edge or that home to the building.

383  
 384 Michael Birch: To the building.

385  
 386 Kim Piracci: Ok, then the difficulties in our current economy were very nicely explained to us and how this  
 387 development will alleviate those problems but creating jobs and paying taxes and whatnot but I have to say that with

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388 developers that don't have the vision to develop buildings for the future, with clean technology, and charging stations  
389 for cars, that's all just asking too much, how do we know that these things aren't going to be built and partly build and  
390 then left empty. We have to vote on this and not know what your plans are and I appreciate that you don't have to  
391 tell me. I guess I'm just a little irritated that you gave a pretty speech and yet so far you haven't given anything so  
392 that's all I have no more.

393  
394 Michael Birch: I will say, Ms. Piracci, we given over 50 conditions that are a part of the case and that will be the law  
395 that governs this property regardless of who owns it or occupies it. I will say that any developer will have to go  
396 through the site planning process and with regard to the EV stations, also the buildings, and their use of alternative  
397 energy sources, so much of that is driven by individual tenants. The needs for their building and also the types of  
398 things that can be in and around their buildings. Some of these might be manufacturing uses, there are things that  
399 we aren't telling you because they are unknown in terms of who the actual end users is going to be. I think that the  
400 applicant has attempted to agree to the things as conditions written as a part of the ordinance that it has certainty  
401 around and knows about today and can speak with certainty and yes has been reluctant to commit to things that it  
402 doesn't know or can't know at this point in time. So it's not a game of hiding the ball, or withholding information but it  
403 is a matter of in this rezoning process which is really early in the stage of the development process. We are where  
404 we are in terms of what we know. I did just want to make clear that it's not a matter of us knowing and not telling you.  
405 It is us operating with the information that we have.

406  
407 *Continued presentations from the Applicant/Associates for the RTLP proposal*  
408

409 Adam Beeman: I have a quick question for you Christa, I have read a lot of responses and maybe you can put to  
410 rest. Your peak traffic value is cars, trucks, and all, it's not a peak of 200 tractor-trailers an hour or am I wrong. I  
411 have been reading a lot of numbers and everybody has been throwing around that there's going to be 300 tractor-  
412 trailers an hour or 200 tractor-trailers an hour and we are talking about all traffic not just tractor-trailers, correct.

413  
414 Christa Greene: Yes, that is all traffic. Also, that is during the one peak hour. I think there was a misconception,  
415 someone asked Matt how many vehicles are coming out in an hour and when he answered, 200 some people were  
416 like 200 an hour over 24 hours that's thousands and thousands of trucks. That is not how it's done. Think about  
417 going in and out of your neighborhood, you've got more people going out and coming in during the morning and  
418 afternoon. There's a peak time so we have taken one snapshot of the worst time to look at it. We've assumed that  
419 worst time is occurring at the worst time and it may or may not be. A lot of warehousing, manufacturing work on  
420 shifts that purposely don't line up with the peak hours.

421  
422 David Blankfard: You said that the letter grade for Davis Drive and Old 86 was a B, what is the letter grade as it  
423 currently stands.

424  
425 Christa Greene: It is un-signalized. For an un-signalized intersection if you were to take an average of everything.  
426 The eastbound approach today as it stands is a level of service C.

427  
428 David Blankfard: So, it's safe to say that the intersection is going to get better.

429  
430 Christa Greene: You're going to be able to get out easier. You also have a sight distance thing going on there.  
431 When you are looking back to the right, I think a signal, even NCDOT acknowledged that when we met with them.  
432 Having a signal is going to make it safer for people exiting Davis because they're going to under a controlled  
433 condition.

434  
435 David Blankfard: The right turn only at the service road, does that have to happen on Day 1? Under Phase 1 of the  
436 buildout? Or can it operate with a left/right turn for a certain amount of time?

437  
438 Christa Greene: We did not look at any phasing.

439  
440 Melissa Poole: So because it is not phased then the anticipation is when these building are built the traffic light will  
441 be there?

442

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443 Christa Greene: Yes, that's how the traffic study was done so this would assume the offsite improvement would be  
444 done before the site opens.

445  
446 Adam Beeman: I went through a lot of the email that residents have sent and I picked out a few questions that  
447 maybe you could answer for me that may help some of these residents get an actual answer from you. Some were  
448 random that were different than most everything. One was how do you plan to mitigate the construction traffic during  
449 the build out, what's the plan for that?

450  
451 Michael Birch: Construction traffic will use predominately utilize the service road.

452  
453 Adam Beeman: Another theme that kept popping up was how many home will be destroyed in order to put these  
454 building up and how many people will be displaced from their homes?

455  
456 Michael Birch: Zero.

457  
458 Adam Beeman: Thank you, one of the questions was is there a plan to mitigate crime if any, some people seem to  
459 think that with this project you're going to draw some questionable behavior from others.

460  
461 Michael Birch: I would say, first of all the folks coming to this site are coming to work. They are coming to work just  
462 like you go to work every day, like I go to work every day, with the thought that they're going to put in their time and  
463 go back to their family. We're not anticipating and if you look at your typical office parks where people go to work, or  
464 even similar industrial establishments, you don't see crime like you might think of with a more retail focus, shopping  
465 center focus type of development. It's an internally focused site and we don't anticipate any crime issues.

466  
467 Adam Beeman: The last question I have, is the developer footing the bill for the water and sewer expansion and any  
468 electrical power expansions?

469  
470 Craig Benedict: Let me handle one part of that question. Orange County has a capital improvement program since  
471 2013 to extend the sewer underneath the interstate. That was long before this development was there and will  
472 continue to provide that design to get the sewer under the interstate. That's one element but on site the County  
473 would not be doing something specifically for the project just to get the sewer and water underneath the interstate  
474 and up and down the service road.

475  
476 Melissa Poole: To go with what Adam was speaking, a recurring theme throughout the emails and contact were, and  
477 I think it's been addressed but let's touch on it again, for all of the residents with the surrounding homes, how will  
478 their property values be impacted? Positively or negatively?

479  
480 Michael Birch: A couple of items on that question, first many of the homes in the surrounding area, particularly those  
481 that are along NC 86 are already commercially zoned and so we expect positive impact to their property values that  
482 there is now a commercial development that is a going concern that creates a catalyst in the area. Second, the  
483 extension of utilities to extend if there's ever a need for an emergency extension or anything else it can be a benefit  
484 to the area. Third, the perimeter buffer, the height limitations, the architectural controls, the other aspects of the 50  
485 plus conditions that have been agreed to as part of the project are all intended to mitigate impacts on adjoining  
486 properties and that includes on the value. One of the items identified early on was in issue with the flushing of water  
487 and that water line, that as a result of our loop system will be improved. That's another benefit to the area. As well  
488 as improved transportation infrastructure and signals.

489  
490 Kim Piracci: I may have missed something because I didn't see the emails; I appreciate Ms. Greene's efforts to  
491 educate us on transportation, architecture or transportation. However, I don't know if I'm missing out or slow but I  
492 feel like the little maps you showed us, which for me are like an inch big. I feel like I would like to get a big picture, the  
493 85 the 40, Davis Road, the on-ramps. I would like to see the whole map what you're proposing that the  
494 transportation flow would look like. I can't put it together. I get there is going to be a red light at Davis and 86.

495  
496 Christa Greene: This is run through some special software but I have those if there is a certain area I can blow it up  
497 bigger. We've done level of service charts that were in the traffic studies too that I would be happy to run one of

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498 these models right now and blow it up bigger. The areas of concern the ramp and the residents looking at Davis  
499 Road that I can blow it up for you to see.

500

501 Kim Piracci: I don't even know if that would help me. I know in other applications, models are considered even more  
502 accurate than actual measurements and I don't know if that is true in this case. What I feel like is I want to see a map  
503 with arrows. This is where cars and trucks would go and this is where they would continue to go. It was mentioned  
504 that there's only a certain number of sq. ft. where traffic would be affected when this development is put in. Didn't  
505 DOT just put out some recent information?

506

507 Christa Greene: It was a response to what we submitted 2 weeks ago. It was a memo saying we concur with this or  
508 we want an extra turn lane, it wasn't any figures. All the figures were in the study. I can try to pull one up.

509

510 Craig Benedict: In your PowerPoint presentation you showed one of the maps showed how much traffic in the  
511 morning and how much traffic in the evening and how much total traffic. Maybe you could pull that PowerPoint back  
512 up to show those are the type of site traffic volumes that are available for the project and are part of the TIA.

513

514 Christa Greene: I pulled something up. This is showing the traffic in 2023 and this is the total traffic so it's what's out  
515 there today including the site traffic.

516

517 David Blankfard: Does anybody else have conditions they would like to impose or have questions? I have one, I  
518 have a problem with the exit onto Davis Road. I would like to impose a condition that exiting cannot happen onto  
519 Davis Road and that a secondary entrance onto Old 86 be a condition. Whether somehow you take a right off the  
520 service road and make a U-turn down the road or find another piece of property as time comes along, if you don't  
521 have that, you can still have a left turn right turn off of the service road during the early phases of this project.

522

523 Adam Beeman: Can I ask what your reasoning is?

524

525 David Blankfard: I think there's going to be a lot of inconvenience and traffic problems on Davis Road. I think we're  
526 pushing for further and further into the Rural Buffer onto the greenway that's out there by pushing this development  
527 further and further out into the County.

528

529 Carrie Fletcher: I have a question, so I agree with you and my question, with property owners is this, you can't tell me  
530 who it is that is going to be your tenants, you can't tell me what they're going to make, or what they're going to be  
531 putting in these trucks. How do you know many trucks are going to be leaving the facility and when. How can you  
532 tell DOT how many trucks are going to be leaving at specific times to do these studies? I agree then stay off Davis  
533 Road, leave the residents to do when they have to leave to go to work and to take their kids to school and do these  
534 things because I see that as a hardship for the residents out there if this project does go through. I don't see a win  
535 for the residents out there, because there are so many unknowns right now.

536

537 David Blankfard: Not to speak for the applicant but for this type of construction, there's known quantities of what the  
538 services can be and averages for all this kind of work. They've got a reasonable idea of what can happen inside of  
539 that warehouse based on historical data.

540

541 Carrie Fletcher: I'm sure before they build out something as large as this they have to know statically how many  
542 tenants can x number of shipments in and out under a certain amount of time every day, 365 days a year to make it  
543 profitable for them. So they would have some kind of idea of what would need to come in and out of that building. I  
544 agree, stay off Davis Road if possible.

545

546 Adam Beeman: I don't believe staying off Davis Road is an option for this project. I personally drove down Old 86,  
547 Ode Turner, Davis Road, I drove the service road, I went down and checked off everything and I understand that the  
548 residents enjoy their rural setting. I personally, see any truck drivers choosing to swing a right on Davis and go  
549 through down to Orange Grove Road, that's wasting their fuel and time and they don't have it. I really believe that  
550 option off Davis, 1000 ft. they already have a church there it's not like there's not business coming off of that road as  
551 it is. My opinion is that Davis Road is all or nothing for his project. I'm not against using Davis Road.

552

## DRAFT

553 Michael Birch: Mr. Chair, if I may address your proposed condition. I understand and I know the issue of a driveway  
554 on Davis was discussed last time but to be clear, DOT is requiring that cut on Davis. We certainly looked at the  
555 possibility of access on 86 but we don't have frontage on 86, if DOT wants to use their power of Eminent Domain to  
556 condemn property and provide us access to 86, would approve a driveway permit there, that's great. Forcing a U-  
557 turn for those folks that are using the service road then you'll at about 200 U-turns in a peak hours because the  
558 majority of the traffic is going north. We have added the condition to do what we can on Davis to install signage  
559 prohibiting right hand turns onto Davis and we are installing a signal there at Davis and 86. But we are not in a  
560 position to agree to a condition that prohibits access onto Davis.

561

562 David Blankfard: That's fine that is something that the County Commissioners would have to take up. We're only  
563 doing recommendations. I understand that creates a challenge for the applicant for future but I think the County  
564 residents like their intersection at Davis and Old 86 even though it's dangerous. They prefer it that way. Any other  
565 thoughts about my recommendation?

566

567 Melissa Poole: If David's recommendation is not viable can there not be a sign placement coming out stating truck  
568 have to turn a certain way so as not to go down Davis.

569

570 David Blankfard: I don't think they would ever turn right on Davis going down Davis. My concern is at that  
571 intersection of Davis and Old 86. That's the bottleneck, no truck unless lost would turn right.

572

573 Kim Piracci: I feel like there was discussion of a traffic circle with Settler's Pointe. Wasn't that offered as a solution?

574

575 Christa Greene: A traffic circle would take a tremendous amount of right-of-way that would get out of the existing  
576 right-of-way when it was easily handled by a traffic signal with the existing configurations.

577

578 Craig Benedict: If I could also add the 2 roads we're talking about Old 86 is an arterial road and DOT expects a  
579 certain amount of traffic on it per day and Davis Road is not a residential road it's call a collector road. DOT does not  
580 restrict a collector road to residential traffic. It is allowed mixed traffic with no prohibitions so when the County and  
581 NCDOT and the metropolitan planning organization put together what is known as a comprehensive transportation  
582 plan, they take a look at these road networks and designate them for a certain amount of traffic to handle the traffic  
583 that is on land use plans. Davis Road is designated as a collector road and the traffic studies that have been put  
584 together show that there is capacity in that roadway to accommodate this project and the residential traffic that is in  
585 the general area.

586

587 David Blankfard: Let's open this up to the public, as a reminder to the public you will have a 3-minute window for  
588 your comments. Please remember just to add new things, if we've already heard the complaints then please don't  
589 repeat them, second is the last time allowed the conversation to become a little personal and not professional so I  
590 want to remind everyone to be polite to one another. If that can't happen, I will mute you.

591

592 Stephen Williams: I just want to take to thank the Planning Board members here. It's been nice to be able to see  
593 you on camera and to see the ones who are paying attention to what's going on and those who are distracted by  
594 other things. I really appreciate the ones who have been involved and asked questions rather than just voting.  
595 Taking a vote and saying yes or no. It is nice to know that some people are concerned. I wanted to point out that I  
596 didn't realize there was a sales pitch on the agenda by the Barrister Corporation. I also want to point out that I don't  
597 have time to tell you my life story, education unfortunately like Ms. Greene did, I have 3 minutes. First, I wanted to  
598 say something about the map that the representative from Barrister shared with the stars on it about residences.  
599 One of those stars where he says no one is building or no one lives. I am currently building, I just broke ground on a  
600 new house last week. The star next to me, someone else just bought that property to build a house, not a  
601 corporation. I want you to consider a Walmart 100 feet from your house and tell me would you be okay with that.  
602 The closest building to a residence is 100 feet. That is the distance you're supposed to stop behind a school bus,  
603 legally, 100 feet. Would you want your kid in that back yard? Would you want your mom in that back yard? Your  
604 elderly parent? I really want you to consider that. Also, I want to applaud Ms. Piracci. She made it pretty clear, we  
605 don't know what's going in these buildings but they do. No one builds 2.5 million sq. ft. at one time without knowing  
606 the tenants. That is a poor business decision so I find it very hard to believe that they don't know. They don't have to  
607 tell us, no legally, they don't but they know. They absolutely know who's going in there. The other thing I want to  
608 point out is that it's not the traffic I'm worried about, it's not the cars, it's not trucks, its 18 wheelers that are going in

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609 and out of this business. You're not just talking about a small vehicle. You're talking about a loud, large vehicle at  
 610 any time of the day. I will be asleep next door to this and I beg you to consider that. Also, in one of the slide shows  
 611 by Ms. Greene, she talked about averages of business on what this would look like. I am a former employee of a fast  
 612 food corporation, every business is different. Some Kentucky Fried Chickens I worked for averaged 50,000 dollars a  
 613 week, others 25,000 dollars a week. There is no way to know. Ms. Fletcher you put it best, there is no way to know  
 614 what we're going to be up against when they start building this. I don't think that they're giving us all the facts. I'm  
 615 done.

616  
 617 Bob Bundschuh: I'm actually a vice-president of supply chain and logistics have a million sq. ft. of warehouse and six  
 618 manufacturing things under my control so I know a little bit about this. Let's just start with the proposal starts off 2½  
 619 pages talking about the project is going to offer 2¼ million sq. ft. of health and technology, info sciences, engineering,  
 620 advanced manufacturing, science research and labs, warehouse and logistics and up to 4500 jobs. Then you  
 621 actually bring COVID of all things and say the solution in your quote "to bring more manufacturing of life saving  
 622 products back to the U.S." quite impressive but when you get further in your proposal, it has nothing to do with  
 623 manufacturing. You don't even talk about it, its 100% warehouse. And we know this because when you do the traffic  
 624 study, you use warehouse code 150, which is just warehouse. Not 140 which can be manufacturing or 130 an  
 625 industrial park and additionally, in your environmental assessment on section six it says "no production will take place  
 626 will occur on these parcels". That's what's in there, so which one is it? Is it manufacturing and R & D or is it a  
 627 warehouse complex? Or is it mixed use? The Planning Board needs to decide to approve or reject the zoning  
 628 change and they do that from the presentation. So what you've done is you've made a very nice, call it a time-share  
 629 brochure, and you've cherry picked your message. When it comes to job creation type of industry and the need, you  
 630 talk about high end R & D, health technology, which I'm sure comes across as a great fit for the area. You're thinking  
 631 high paying jobs and even hints of life saving products but then when you talk about traffic and environmental, you  
 632 pick the least impactful. The most benign possibility, no manufacturing, as far as traffic you use code 150 is towards  
 633 the bottom of traffic generations. The applicant knows that if they use the land use code for manufacturing or light  
 634 industrial, the ITE tables that you use show that peak traffic will go up and that would require recalculating the traffic  
 635 and it would go to the negative. Planning for manufacturing would also alter the water and sewer requirements. It's  
 636 not quite a true bait and switch but its close. They noted that if this zoning, as approved, we can't go back. Anything  
 637 allowed under the zoning can be built on this property, anything that's within the zoning. Absolutely nothing limits it to  
 638 what they proposed tonight. Like several people have said, we don't know what's going in and neither do they. Now  
 639 both the applicant and the staff have repeatedly used the reasoning that the development is just fulfilling what was  
 640 laid down 40 years ago but 40 years ago, there was no Highway 40, there weren't stores open on Sunday, there was  
 641 no Amazon, no next day delivery, tractor trailers weren't 53 ft. long. So justify a decision on rezoning because of  
 642 something 40 years ago makes no sense. You can recommend this tonight on the premises in line but the question  
 643 is based on what we know and what we don't know, more importantly, is it the right thing? I appeal to your sense of  
 644 what is right for the residents, what's right for the area and what's right for the County. Reject this and then work with  
 645 us on a different development that works for both us and the County. Thank you.

646  
 647 Sarah Shore: Hi, my name is Sarah Shore and I live 250 ft. away from the proposed development. One of the  
 648 places the developer said was vacant land just as an FYI. My home has been here since the 1980s. This is my  
 649 home, this is where I brought my babies to after they were born and now where they play outside. The land use plan  
 650 originally said Davis Road would be a suburban office not a warehouse. Suburban office draws to mind Monday  
 651 through Friday 9 to 5 cars, regular traffic not semis not three shifts of work. I have many concerns about this  
 652 nebulous development being feet from my back door. My first question is for the developer, have you actually been  
 653 to the parcels. We are not off of Davis Drive but Davis Road the Beaver Creek problems that you mentioned is 40  
 654 minutes away from us and we are not in a Raleigh metropolitan area, we are two counties away. Please understand  
 655 when you are speaking to us, where we actually live. Additionally, in regards to the jobs, I'm very concerned about  
 656 the numbers are inflated or simply made up because tenants are not lined up or you will not say. You cannot  
 657 guarantee that jobs are economic boom the only thing you can guarantee is raised land and empty warehouses. My  
 658 final comment is for the Planning Board and the County and the follow up of what David said because the question  
 659 was never answered. Is there a way to say Davis Road driveway is not a viable option and they must get Old 86  
 660 access instead? Because I would truly love an answer to that question. Thank you.

661  
 662 Ashley Trahan: Hi, my name is Ashley Trahan and I live with my family off Davis Road when we relocated from  
 663 Boulder Colorado in 2013. We chose Hillsborough as the best place to establish our life here in North Carolina even  
 664 though it meant one hour each day commuting to RTP where I work because its delineative native, quality of life

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665 afforded by this small town and its rural surroundings. I must voice opposition to the zoning amendment being  
 666 considered which will support the development of RTLP. Please give priority consideration to the local, rural and  
 667 small town community and to the public interest at large over that of investors and developers. I now feel compelled  
 668 to echo concerns expressed regarding the traffic impact analysis, conceptually I cannot understand how anticipated  
 669 volume of traffic assessments matched the reality of how these roads are utilized or how the capacity and road  
 670 designs regardless of designation allow for safety and driver comfort which is crucial to residents day to day. I cannot  
 671 reconcile in my mind why a new analysis is not required prior to any recommendation of adopting the zoning  
 672 amendments initiated by the applicant. Specifically due to the use of 2016 data exclusion of the impact from the  
 673 Collins Ridge development and applicant's July request for an increase for area ratio it would allow, if I read this  
 674 correctly in the agenda package, 4,586,868 sq. ft. of building square footage area. The TIA I read looked to be  
 675 based on 2,400,000 sq. ft. of development so I can't reconcile in my mind why a new one is not required and  
 676 clarification would be appreciated. Having reviewed the available online Comprehensive Plan, I'd argue that the  
 677 presented industrial development supported by this rezoning is not fundamentally aligned with the current goals of  
 678 Hillsborough and Orange County. The Statement of Consistency highlights the zoning amendment is consistent with  
 679 selects goals but no available data has convinced me that this type of development is the best path forward for the  
 680 area. Consider these objectives not mentioned in the consistency statement, community sustainability, how would  
 681 this rezoning support a commitment to sustainability? How much water will be needed from the Town? Are we going  
 682 to build something and not have a water system to accommodate it, not based on the current plans I found  
 683 Strategic Growth Plan. Preservation of natural and cultural resources, how does this support protecting our Rural  
 684 Buffer? It's too late to assess environmental impact on our natural settings after the fact. Economic growth over  
 685 investor wealth, data showing specific economic benefits to our community is warranted. Increasing global jobs is  
 686 not demonstrated value to the local residents. Since you're charged with advising on these strategies, shouldn't you  
 687 be using all the relevant data to ensure compliance? I'm asking you to recommend failing this application fast.  
 688 There's too many knowledge gaps, many inconsistencies and I hope upcoming meetings with the Commissioners  
 689 can instead be about the community sharing our many ideas, establishing a task force and developing a relevant  
 690 action plan for progress with other than having to oppose this one. Thank you for your time.

691  
 692 Jon Lorusso: I wanted to point out before I begin, I started a petition and I have collected three, 873 signatures from  
 693 local residents. Hopefully, that has some impact, some bearing on your opinion. My name is Jon Lorusso and I live  
 694 off Davis Road. The intersection of Old 86 and Davis Road is very important to me, I use it to get to work, I use it to  
 695 get food for my family to eat, I use it to access I-40, I use it to go see friends and family, I use it to get to the hospital. In  
 696 fact, I have had to do that on several occasions with my children so it's pretty important intersection to my life, in fact  
 697 it's my entire connection to the world. At the July 2th neighborhood information meeting someone asked what steps  
 698 are being taken to preserve our safety from additional traffic on Davis Road, the applicant replied, very minimal traffic  
 699 on Davis Road given that they have access to the service road. Another person asked why is this being used that it  
 700 provides another point of access. County staff clarified that a secondary driveway access would require, quote  
 701 "require secondary access point". In a letter to Chuck Edwards on August 5<sup>th</sup>, this was sent prior to the meeting on  
 702 August 5<sup>th</sup> so Matt Peach already knew about this when he presented it to us, "all traffic exiting the site headed north  
 703 will have to turn left out of David Road" so to just go to what Mr. Blankfard said, the issue is not that traffic will be  
 704 making a right onto Davis Road. We know that it won't happen, very little, what the issue is, is that Davis Road will  
 705 become a driveway for this facility, it will no longer be a public road, it will be an actual driveway for the facility. The  
 706 website for this developer makes it clear they want access to I-40 so all the traffic coming out, 90% of the vehicle  
 707 exiting will exit via Davis Road. They won't exit via service road they'll exit on their personal driveway which is not  
 708 Davis Road. Mr. Peach said that acceptable levels of service on all approaches and note this 23.3 second delaying  
 709 second per vehicle on Old 86 and Davis Road. 206 vehicles plus the existing 94 vehicles for a total of 300 vehicles  
 710 will be headed east on Davis Road. That's five vehicles per minute, 1 vehicle every 12 seconds. If you have a 23.3  
 711 second delay that means you can only clear 2.58 vehicle per minute from that intersection or 155 vehicles per hour.  
 712 That means at the end of that hour, 145 vehicles will be queued at that intersection. Even if it's only, my estimate is it  
 713 will be 960 trucks per day that means at the peak hour there will be 40 trucks, 1 truck every 1.5 minutes. That means  
 714 20 trucks will be queued in the peak hour west of Old 86 on Davis Road, 20 trucks, if they are 72 feet long trucks,  
 715 only 14 can fit if they are back to back on Davis Road. That means at least six trucks are going to back up into the  
 716 facility.

717  
 718 Ron Sieber: This is Ron Sieber, I live on New Hope Springs Drive which is right off of Davis Road. I wanted to say  
 719 just to begin that the RTLP anticipated traffic data is undercounted because it's based on the Settler's Point traffic as  
 720 previously mentioned and that project is distinctly smaller in scale to RTLP. Therefore, RTLP's data is deficient.

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721 RTLP has based their traffic data using minimal traffic specs for a largely unspecified end user but we already know  
 722 that their touting having a warehouse when actually there might be more, we just don't know at this point. The State  
 723 Department of Transportation registered its concerns about traffic congestion in the general area of I-40 where it  
 724 crosses over NC 86 and the questions that they had were about the westbound ramp, the eastbound ramp, traveling  
 725 north onto Churton Street and onto 85 and maybe even into the town itself. These things have not really been  
 726 addressed carefully because we really don't know how many large trucks are going to be exiting this development.  
 727 Now if Davis Road were to be co-opted for this project this would present huge traffic and safety problems for this  
 728 area. The approach to the Davis Road intersection at Old NC 86 itself has four blind curves and two significant  
 729 upgrades on the approaches to this intersection. No traffic light is going to make this any safer for cars, large trucks  
 730 and school buses to be places together on any part of this road. The RTLP as proposed is too big of a project for  
 731 where it currently seeks to be placed. Two comparisons come to mind when I think about this, the UNC Hospital  
 732 which is big, it's 342,000 sq. ft. the RTLP project would be 6.5 times larger. The RTLP warehouse square footage of  
 733 55 acres would equal 92% of combined parking and building space of the Walmart/Hope Depot complex in  
 734 Hillsborough. Their total footprint is 60 acres. Now in concluding, many of the residents that surround the EDD that  
 735 is being discussed are in support of sensible development of this area. As we stand ready to work with the Planning  
 736 Department and the County Board of Commissioners to make this happen. However, the RTLP project is too big and  
 737 too overwhelming of a project to consider. We as a community urge the Orange County Planning Board to deny this  
 738 project's approval in its current state. We are opposed to its size and to its proposed use of Davis Road as an  
 739 entrance or exit for the development. Thank you.

740  
 741 Angela Sneed: Good evening, my name is Angela, I live out on West Scarlett Mountain Road. For reference, that  
 742 driveway is directly across from David Road and it will be right there where the proposed light is. It currently can  
 743 difficult to enter and exit with the blind curve and the hill coming from Old 86 south so a stop light will essentially  
 744 block that driveway and many others down Old 86 preventing residents from entering or exiting their homes safely  
 745 and consequently it can cause traffic backup in the opposite direction while they have to wait. My concern is traffic in  
 746 a different flow, the report and numbers provided don't seem accurate in that they don't currently include the projects  
 747 that are already approved and happening in Hillsborough right now. Collins Ridge for example, that project is around  
 748 1200 units and will have anywhere from 1200 to 2400 additional resident commuting through the Hillsborough area  
 749 many of which will head to Chapel Hill for work and the best route to get there in the morning is Old 86. This will add  
 750 to the number that will have to go through the I-40 intersection and the Davis/86 intersection along with the proposed  
 751 trucks and employees that will be getting there. Having the accurate traffic information and numbers is pertinent  
 752 because otherwise you're just pulling random numbers out of a hat from years ago and hoping that they stick. My  
 753 next concern is the I-40 intersection, I understand that the proposal was to have a light at the 40 eastbound ramps;  
 754 however, the 40 westbound intersection is dangerous as it is with existing traffic numbers. Adding the Collins Ridge,  
 755 increase and then potentially 100s of additional cars and trucks from this proposal make the area a death trap.  
 756 Existing 40 west, exiting there and trying to make a left onto Old 86 in the evening and you've got the sun in your  
 757 face, it's nearly impossible and then you add oncoming trucks and increased traffic from both directions and you're  
 758 never going to make that. The lane to enter 40 westbound right now, that turn lane is 280 long from start to the end  
 759 of the medium with and additional maybe 31 feet to the middle of the intersection. A truck and trailer on average is  
 760 70 to 78 feet. That means three trucks can be lined up waiting to make that left from Old 86 South, it's going to  
 761 bottleneck and eventually stop traffic. Cars aren't going to be able to more around because there's a bridge, traffic  
 762 exiting 30 East are going to have to wait through light cycles and the road is going to become a constant cycle of  
 763 traffic jams and increase the number of accidents for the residents, the truckers and even potential visitors so and  
 764 there's not currently a light proposed there so aside from the inconvenience that many residents will face due to the  
 765 increase of traffic, ultimately it safety risk on the road in this area. The intersections aren't designed for this type of  
 766 development, the proposal does not address the issues and numbers, and the tax dollars are going to be spent for  
 767 years to come attempting to fix this disaster.

768  
 769 James Henninger: My name is Jim Henninger, I live south of Davis just off Old 86 on Currie Hill Lane, I've lived there  
 770 for about 25 years. I've been proud to call Hillsborough home all this time but I'm not really in Hillsborough and I want  
 771 to point out that there's more people affected than just those that are in 1000 feet area that were notified. I like to  
 772 shop local, Weaver Street, Hillsborough Barbeque, Radius Pizza, Wooden Nickle, Paws at the Corner, Food Lion,  
 773 Steve's Market, Saratoga Grill, Hillsborough Wine, Hillsborough Yarn these are places off the top of my head. These  
 774 are the places where I spend my money in Hillsborough. These are the merchants that will be affected by any  
 775 impotence on the artery which is 86, 86 is the southern part of the County's way to get into Hillsborough. There isn't  
 776 any other practical way from the south to go into Hillsborough, it's 86 for us. For me to go into town, if I'm impeded

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777 by going up 86, I basically have to go Chapel Hill and back to Hillsborough and in a practical matter, people don't do  
 778 that. Realistically, what would happen for me is that I would be shopping at Harris Teeter on MLK instead of Weaver  
 779 Street or Food Lion or Hillsborough Wine. I'd be hitting The Pig on Weaver Dairy Road instead of Hillsborough  
 780 Barbeque; I'd be shopping at Clifton Hills or Left Bank Butchery in Saxaphaw instead of Steve's Market. I sat down  
 781 and figured it out and I figured out that for every \$100 I spend in Hillsborough currently, on my daily shopping, that  
 782 would drop to \$20 and the other \$80 would be spread out between Chapel Hill, Carrboro and Durham and for me Old  
 783 86 which is Hillsborough Road to me, would become Carrboro Road. I'm not against developing that area because  
 784 it's inevitable but anything that's going to cut me off from what I consider to be my town, I have a problem with and  
 785 it's concerning to be that we can't really get a definitive answer on what exactly is going to be developed. I don't see  
 786 how the traffic plan is legitimate if we don't even know what is going to be developed. I understand the averages  
 787 thing but there's a lot of leeway going on in there. I agree with Ms. Fletcher, on her comments on that and that's all I  
 788 have, thank you.

789  
 790 Kaila Mitchell: My Kaila Mitchell I live on Jedi Way off Davis Road. I would like to speak about the impact to air  
 791 quality and potential health risk that RTLP poses to our neighborhood. We know that this project will significantly  
 792 increase the amount of big trucks, tractor-trailers on Old 86 and Davis Road. As many as 950 trucks per day. It is  
 793 also reasonable to think truck will increase on other roads nearby as they attempt to use alternate routes as Old 86  
 794 and Davis Road become clogged. A lot of these trucks will emit diesel exhaust that contains more than 40 toxic air  
 795 contaminants including cancer causing substances such as benzene, arsenic, formaldehyde. According to California  
 796 EPA's office of Environmental Health Hazard Assessment, long-term exposure to diesel exhaust poses the highest  
 797 cancer risk of any toxic air contaminant evaluated by their office. To the Planning Board, as you are considering this  
 798 project, I urge you to keep in mind some of our most vulnerable residents when we think of air quality such as  
 799 children, the elderly and those with chronic health conditions and think about the locations where these vulnerable  
 800 individuals are most likely to spend time. For distribution centers that accommodate more than 100 trucks per day or  
 801 more than 40 trucks with operating transport refrigeration units per day or where transport refrigeration unit exceed  
 802 300 hours per week the California EPA Air Resources Board recommends in their air quality and land use handbook,  
 803 that these distribution centers be farther than 1000 feet from sensitive locations such as residences, school, day care  
 804 centers, playgrounds and medical facilities. They also recommended that entry and exit points not be located near  
 805 these sensitive locations as well. We have a preschool, Sounds and Colors, right at the corner of Old 86 and Davis  
 806 Road and we have dozens of families living all around the proposed industrial park within 1000 feet many within 300  
 807 feet. California EPA Air Resources Board also showed the key findings from a number of studies which included  
 808 reduced lung function in children associated with traffic density especially trucks within 1000 feet and that association  
 809 was strongest within 300 feet. Also increased asthma, hospitalizations associated when living within 650 feet of  
 810 heavy traffic and heavy truck volume. Exposure to diesel exhaust can also have immediate health effects, it can  
 811 irritate the eyes, nose, throat and lungs and it can cause cough, headaches, light-headedness and nausea. In  
 812 studies with volunteers, diesel exhaust particles made people with allergies more susceptible to the things they were  
 813 already allergic to such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs which  
 814 may aggravate respiratory symptoms and increase the frequency or intensity of asthma attacks. I have a family  
 815 member who lives right here on Davis within 1000 of this as well who has chronic lung disease. He already suffers  
 816 enough on a daily basis, I urge the Planning Board to recommend that a risk assessment and a thorough  
 817 environmental analysis be performed before RTLP can move forward. Thank you.

818  
 819 Matt Mitchell: My name is Matt Mitchell and I'm an audio engineer living off of Davis Road less than 1000 from the  
 820 proposed development. I am going to talk about noise pollution and the impact on the residents and the preschool.  
 821 Orange County Noise Ordinances state it shall be unlawful for any person to make create permit or to continue any  
 822 source of a unreasonably loud and disturbing noise in Orange County and further any sound which is substantially  
 823 incompatible with the time and location where created and which is perceived by a person of ordinary sensibilities as  
 824 interrupting the normal peace and calm of the receiving land. The receiving land being all of the residential  
 825 properties surrounding this proposed development. Orange County does not allow noises above 60 decibels during  
 826 the day and 50 decibels in the evenings at the residential properties surrounding the proposed development. The  
 827 noise generated from a diesel truck is between 96 and 104 decibels. This is 60 times louder than the 50 decibels  
 828 that the evening ordinance permits. There are residences as close as 30 feet to the proposed driveway that will be  
 829 carrying as many as 950 trucks per day, house #1 is 30 feet away from this driveway that is being put in where these  
 830 diesel trucks will be queuing up. These distances are taken from the Orange County GIS and they reflect the true  
 831 impact to residences. Please don't be fooled into thinking that most residences are more than 1000 feet away. I'd  
 832 also like to add that none of these properties depicted are commercially zoned. Focusing on the resident

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833 immediately beside the access point on Davis Road is only 5 trucks in the queue on this road, this resident will  
834 experience 81 decibels of sustained noise, the equivalent of standing next to a lawnmower 24/7 and also loud  
835 enough to cause hearing damage at 2 hours of exposure per the CDC. It doesn't seem possible that the developer  
836 could possibly reduce noise to acceptable levels at the surrounding properties and the preschool. The preschool is  
837 only 60 feet from where the trucks will be queuing up and their playground is 100 feet from where the trucks will be  
838 queuing up on David Road. There was a similar development that was a third the size of this development and the  
839 closest resident as 550 feet from the nearest loading dock. The noise impact analysis that was done still required  
840 reduced traffic even at the greatly reduced numbers and distances compared to the proposed development. I'd like  
841 to add that diesel trucks typically use engine breaking that create an extremely loud machine gun like noise as much  
842 as 105 decibels. These noises are only regulated during the day in Orange County and stand to create massive  
843 disruptions to the preschool and the residents especially on David Road.

844  
845 Myra Gwin-Summers: I am Myra Gwin-Summers, we live two doors down from the proposed property on the corner  
846 of Davis Road. We've been here for about 35 years and I see that I was down to speak on property values which  
847 was not what I intended to speak on but would quickly say I cannot imagine that this project would enhance anyone's  
848 property values. I have a questions and comments for Mr. Birch and I don't know if he's still present but I am going to  
849 show this (visual of a mailing's return address). Why did we receive a letter regarding this project that says it is from  
850 the City of Raleigh Planning Department? Who paid for the postage and does the City of Raleigh Planning  
851 Department know that he has represented this project to us as if it were from them? I received an answer to that  
852 today, the City of Raleigh Planning Department has no connection with the project and were very interested in the  
853 fact that Michael Birch is sending out letters to residents in our county using their return address. I would like to be  
854 sure and highlight that Mr. Birch has misrepresented himself here and possibly used their taxpayer money for a  
855 private investment project without the knowledge or consent of the City of Raleigh. It shows poor judgement at best  
856 and lack of integrity. Moreover, it's deceptive and it does beg the questions what else is deceptive about this project.  
857 The next thing I wanted to address to Michael Birch, I'd like from you regarding your use of the City of Raleigh  
858 Planning Department on your return mail address. I wanted to speak specifically to comment that you made that can  
859 be found on page 25 of the draft minutes, lines 1226 thru 1230 when Mr. Birch was questioned about the buffers and  
860 the encroachment of noise and vehicle lights due to the 24 hours 7 days a week activity. He responded that a lot of  
861 the lots that surround us are deep lots with the houses situated far from the common boundary line. This is  
862 completely false and the as speaker just pointed out, the driveway exit onto Davis Road runs right next to the  
863 Barlow's house and will run right next to the house that will be built behind us. Next, I'd like to say that I spoke to a  
864 senior engineer at Summit Engineering today who clarified for me that Summit has completely withdrawn their  
865 project. They withdrew because the topography did not lend itself to large buildings it was going to be cost  
866 prohibitive and they thought they would not actually be able to build the buildings. My final comment would be that  
867 this is being addressed as if it is on zero grade, that's not true the corner of Davis Road is a steep hill and I wanted to  
868 make the Planning Board aware in case you're not aware that Davis Road is closed for over 6 months last year due  
869 to a sinkhole that is due to runoff on Davis Road. Once the corner of Davis Road is turned into an impervious  
870 surface, the runoff is going to be more severe and could create more problems.

871  
872 Michael Birch: I think there were two things to address, primarily about the return addresses. Let me be clear that  
873 we paid, our firm paid for the postage, the City of Raleigh return address stamp was on those envelopes related to a  
874 similar or prior projects that we were doing in Raleigh and was inadvertently used for the mailing for the notices for  
875 this project. I will note that the letterhead, the letter the notice that was included in the envelope very clearly stated  
876 that it was from Longleaf and didn't have any reference to the City of Raleigh. I apologize for the confusion that it  
877 may have caused to have the return address say City of Raleigh but we did pay for the postage and I have reached  
878 out to the City of Raleigh to their Planning Director to let them know. We didn't obtain any of their envelopes or  
879 anything like that they have asked us in the past to put their return address on there for other mailings. The question  
880 on the buffers, I want to be clear that when I was speaking to those in the last meeting we had the exhibit up showing  
881 the buffers and the transition areas and again was very clear that the majority of our property does not abut parcels  
882 with homes on it. The one that are nearby are deep lots but we did recognize that there is one existing home again  
883 within 100 ft. of a proposed building and we did not shy away from stating that.

884  
885 Joan Kalnitsky: My name is Joan Kalnitsky, I'd like to thank the Planning Board for listening to all of us this evening.  
886 I doubt there're are too many of us who really don't believe the property in question will be developed but developing  
887 it in the manner that has beneficial to the County and the Town of Hillsborough and the residents of Orange County is  
888 really important. As almost immediate access to the highways and all four directions, with seemingly little impact to

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889 the local area, with that said, I am seriously urging the Planning Commission to not support rezoning of this property.  
 890 I am asking this for safety reasons, people on the Board of the Planning Commission and the applicant want us to  
 891 believe that the traffic is going to go left onto Davis Road and left onto Old 86 and not impact the area but truth is  
 892 traffic is also going to right down Old 86 and right down Davis Road. The roads we're talking about are part of the  
 893 largest recreational area in Orange County. If you don't believe me go to the Tarwheels website and try to find a  
 894 suggested bike ride that does not include at least two or three of these roads. The safety of all the residents and of  
 895 Orange County and all those who come from the Triad and the Triangle to ride these roads is going to be severely  
 896 impacted. If you're a doubter, drive by Mapleview Dairy any time any day and count the number of cars with bike  
 897 racks on it parked there. If that's not enough of a safety concern let's just consider Davis Road itself. We've heard a  
 898 lot about it tonight but for those of us who live off it, we know there are cyclists, walkers, joggers every day. You're  
 899 going to have vehicles turning out of this development in front of people trying to get in and out of the daycare center.  
 900 It's a recipe for disaster. What I'd like to urge each and every one of the Planning Board to do is to drive the 3 miles  
 901 of Davis Road, count the cyclists, count the joggers, and the walkers and then realize there's shoulder and there's no  
 902 sidewalk on Davis, Ode Turner, Old 86 none of them. When you get to the church, try to imagine a semi-truck in  
 903 front of it and when you (bad connection/lost audio) 40, that's what rezoning is offering to do. Our safety in this  
 904 corner of Orange County. Thank you all for your considerations.  
 905

906 Janet Marks: I'm Janet Marks, I live in New Hope Springs right off Davis Road. Many of you that have traveled on  
 907 Old 86 off I-40 know the beauty of the thick forest and the rolling hills along this road. You may have also notice the  
 908 scenic by-way sign as you left the freeway traffic behind. What you may not know, is that starting at the exit from 40  
 909 you are now on a historic road dating back at least to the 1700s. Prior to it being mentioned in historic records this  
 910 was a Native American trail and was also used by early settlers. You are on the beginning of 10-mile stretch called  
 911 the Scots/Welsh Heritage Byway. I'm going to take this from NCDOT description of this road, this byway travels  
 912 through Orange County along trade roads used by American Indians and early backcountry pioneers. The King of  
 913 England gave much of this land along this byway to the 18<sup>th</sup> Century Scots/Welsh settlers. Generation after  
 914 Generation has lived and farmed this land, each leaving its own mark making this byway a unique journey through  
 915 American history. Old NC 86 appears on Colonial maps dating back to 1770. Per NCDOT description of scenic  
 916 byways, motorist will see little or no development along the routes enhancing the natural character and quality of the  
 917 byways. They will experience North Carolina history, geography and culture while also raising awareness for the  
 918 protection and preservation of these treasures. Limit the traffic using this historical route, reserve important  
 919 landmark. Any development near this area should mindful of that is harmonious with the surrounding land and the  
 920 rural neighborhoods and I want to make a note of an African American cemetery dating to at least 1900 at the corner  
 921 of Davis Road and Old 86. When people drive on I-40 east from Alamance County, this exit is the first impression  
 922 they get of Hillsborough. Do we want the gateway to Orange County and Hillsborough to be represented by vast  
 923 warehouses, is this the Orange County that any of us know or can envision for the future. Thank you so much.  
 924

925 Christine Poole: I'd like to start by reminding you that I'm Christine Poole and I live off Davis Road. I want to thank  
 926 the Board of County Commissioners and the Planning Board for having developed many wonderful projects over the  
 927 past several decades. Let's start with the creation of an attractive retail and residential zone on the east edge of  
 928 Hillsborough, the Super Walmart and Home Depot along with all the other small business that surround this  
 929 economic zone have definitely benefitted our community as we no longer have to travel to Durham or Chapel Hill.  
 930 Then you added the Riverwalk and Weaver Street which merged the neighborhood goals of an open-air community-  
 931 gathering place with retail while also providing a space for government offices then you created Gold Park with  
 932 connects with the Riverwalk and then developed the historic industrial space in West Hillsborough on Nash Street  
 933 that was brilliant. You added Hillsborough Barbeque and these other non-franchised eateries along with a beautiful  
 934 events venue, the Cloth Mill at Eno River. Then north of Hillsborough on Hwy 70, you approved the Gatewood  
 935 project which created a beautiful restaurant and evidentially retail, brewing and distilling and another event center  
 936 that merges architecturally and culturally with historic Hillsborough. Even the Waterstone community and hospital  
 937 improve the ugly eatery franchise oasis around the I-85 and Old NC 86 interchange. I understand the interest in  
 938 developing an economic zone off of I-40 and 85 but Old NC 86 is the worst choice, as those of us who travel this  
 939 road every day know. It's called old for a reason. Where in the County have we competed a successful industrial  
 940 project? Let's consider Moninaga America. In 2013, the BOCC unanimously agreed to offer state and local  
 941 economic incentives to encourage this company to build a new candy factory off of I-40 and 85 in Mebane. It was  
 942 built on a 400 acre Buckhorn Economic Development District which leaves me wondering, if there is an economic  
 943 zone where 2 interstates merge without significant residential development which is already invested in water and  
 944 sewer why are we even considering this project where there is significant residential development on land that would

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945 be incorporated into the historic Town of Hillsborough and is across the street from a church, daycare center and a  
 946 cemetery? Why are we considering a project that consist of four six-story buildings? What are the advantages?  
 947 Why is this location better than the Buckhorn Economic Development District? Lastly, I would remind everyone that  
 948 when go fishing for bass you don't settle for carp, you should wisely choose a development project that matches our  
 949 needs and our values. I would also remind everyone not to put the cart before the horse, until the issue of  
 950 improvements on Churton Street and Old NC 86 are addressed, further development around this outdated artery  
 951 should not be approved. I want to thank you for your time and the consideration of all the points we are making here  
 952 tonight.

953  
 954 Matthew Kostura: I just want to sum up a little bit what has been said so far. I also want to start at the top with jobs.  
 955 We had a really nice pitch at the beginning of there, it was a pitch, it was designed to be a pitch, its marketing. The  
 956 number thrown out for you guys to consider is 4500 jobs. Seriously, you guys just approved, recently a development  
 957 on West Ten Road that is very similar to this one. That's for the medical device distribution center. 150 jobs for 1.5  
 958 million sq. ft. that's about what you're going to be getting here x 2 ½ maybe so figure 450 so what this is all about  
 959 really is tax revenue, you know that, I think everybody else does. So, as the last speaker said there's other ways to  
 960 skin this cat and you can get your tax revenue with better development. Something that is more compatible with this  
 961 area. As far as the kind of development going in, again, as has been mentioned, they are using the code, they're  
 962 telling you what's going to go in here and it's LUC150. That's a warehouse; it's not going to be an office. It's  
 963 warehouse so your impact is traffic, it's trucks and you have to worry about trucks. How many trucks in and out?  
 964 Bob Bundschuh has basically said about 1000 minimum per day. That's a lot of trucks and they all come out on  
 965 Davis Road by the way every last one. Thirdly is I want to bring up something about Christa Greene, she made a  
 966 comment about the traffic impact on Davis is going to be minimal. Certainly, at the head that's going to be true.  
 967 When they did their traffic modeling what they did not do was include the biggest driver of traffic gain on that road in  
 968 the last 10 years or so and that's the school complex over on Grady Brown. All that traffic is being built up there is  
 969 going to school. It was not modeled, at all, into their models so that's not included, it's a lot of traffic. Finally, I want  
 970 to point out that Davis Road has been mentioned, Craig Benedict called it a collector road. That's what it's viewed as  
 971 by NCDOT. But basically, past Ode Turner where they have another counting station, it's about an annual average  
 972 1000 daily trips. You count the number of houses on Davis Road, the ones that access it from Tree Farm, that's  
 973 roughly 200 homes by 2 cars by 2 trips a day. Virtually every trip on Davis Road comes out of these development  
 974 and these homes. There is no through traffic here, it's very minimal. So, what you're asking now is to put a lot of  
 975 through traffic on it. Adam Beeman is going to sit there and say no, no, no; no truck driver is going to make a right  
 976 hand turn, fine. We had Michael Birch say they'd be willing to put a sign up that say no right turn for trucks out of the  
 977 development. Take him up on the offer, put that sign up and while you're at it put a sign up that says no right turn on  
 978 Old 86 either. You guys are pitching this all about 3000 linear feet of road, well keep the trucks there. Thank you  
 979 very much.

980  
 981 Gerald Scarlett: This is Gerald Scarlett, I'll make this as brief as possible. I live on West Scarlett Mountain, which is  
 982 30 feet south of the Davis Road intersection. I have been here for 65 years, which is my entire life. I'd like to make 2  
 983 points as quickly as possible, although I have 100s. Number one is the Rural Buffer, it makes no sense to be able to  
 984 stand in a Rural Buffer and move 6 inches north and now I'm in an industrial park. In most places there's a physical  
 985 soft approach to these types of divides and not just a line on a map. There is none of that here. If you approve this  
 986 then you should change the name of the Rural Buffer to just Buffer because that's what it is. It is nothing more than a  
 987 compression point between Chapel Hill, Carrboro, Hillsborough and 2 interstate systems. We have been involuntarily  
 988 drafted into perpetual service to provide guard duty to for the rest of the County and yet we still pay the same tax  
 989 rates as other outside the buffer who actually get to enjoy some of the rural setting that we no longer have. Point  
 990 number 2, we're talking about potentially 100s of trucks that have to drive through part of the Rural Buffer and each  
 991 one of those has got to stop and start somewhere between 6 and 24 times to enter and leave the Hillsborough area  
 992 leaving a trail of exhaust each time. I believe in a recent past budget cycle Orange County set aside half a million  
 993 dollars of taxpayer money to "fight climate change and global warming" this proposal seems counterproductive to the  
 994 stated goals bordering on being hypocritical. I've always found the easiest and cheapest solution to a problem is just  
 995 don't create it to start with. Also understand, as previously stated there is a daycare within 100 yards of 4 to 6 of  
 996 those stop and starts in addition to all the kids living in the immediate vicinity. On a personal note, I'll tell you that my  
 997 38-year-old son who lives here is right in intensive care in Chapel Hill. He had surgery yesterday to remove infection  
 998 from in and around his lungs, likely caused by aspergillus and other unknown environmental factors. You should  
 999 google aspergillus or look it up on the CDC website. In the next couple of days they'll likely operate again to remove  
 1000 2/3<sup>rd</sup> of one of his lungs because it's been damaged by the infection. There are a lot of factors in his current

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1001 condition but I will for the rest of my life wonder what part interstate 40 has played in this. Interstate 40 is on my  
 1002 property or what used to be my property, I hear the roar of traffic spewing exhaust 24/7 so the question is, are you  
 1003 willing to gamble with the futures of these kids to attain an increased tax base and jobs neither of which do I ever  
 1004 believe will every come to fruition in the levels that you're being led to believe. In closing, I'll say this, in the course of  
 1005 my 40-year career at UNC and Duke, I've reviewed 100s of presentations and proposals, many worth 100s of  
 1006 millions of dollars per year and I can tell you this proposal contains a lot of smoke and mirrors. There's a lot of  
 1007 meaningless rhetoric in the narrative, if you remove the rhetoric and look at the details, that are available you'll see  
 1008 the County will spend more money than will be recouped in taxes and you'll also find that the jobs that we all seek  
 1009 don't actually exist and likely never will. No matter your perspective or goal, whether you're a community member or  
 1010 a county official, if you look at it closely, it's easy to see no one's goals are met. Nobody win with this proposal, no  
 1011 matter how you slice it, dice it, look closely, this proposal is nothing more that lipstick on a pig. If you take the lipstick  
 1012 off and look at it, it's still a pig. Thank you.

1013  
 1014 Franklin Garland: The reason (bad connection/unintelligible) it doesn't fit, it's not (bad connection/unintelligible). I've  
 1015 been here since 1973 from Pittsburg and previously (bad connection/unintelligible), settled here bought some land,  
 1016 bought a car. In 1981, I understand now was the first go round of establishing the EDD, I never knew about it. In fact  
 1017 (bad connection/unintelligible) I didn't know about it until maybe 2 weeks ago, I can't be sure I was ever notified. If  
 1018 that's a valid point about knowing, everything that has happened, (bad connection/unintelligible) I've never received  
 1019 any notice. At the time, I'd probably said sure let's put a waste, let's put a dump out there that was 40 years ago.  
 1020 Things have changed and I know I am repeating myself a little bit but me just thank the residents of the area that has  
 1021 spoken so far and given you guys on the Board, we don't want this. Most of those numbers came off your literature  
 1022 or the state's literature not ours, okay. Observation or different things, we know how many cars are on Davis, I live  
 1023 on Ode Turner. I know how many cars are on Ode Turner. I really think that the guys that have presented for  
 1024 residents out here, the numbers and have said so (bad connection/unintelligible). Also, I want to thank the people  
 1025 from (bad connection/unintelligible) that gave us the projected numbers and models and let me put it even more  
 1026 simple, simulations that's what they are simulations, they not real. We know what's real over here, we sent out a  
 1027 petition it's called save Hillsborough.com out there. Everybody's welcome to go on there, we have people from  
 1028 Hillsborough signing we have close to 4000 or so by now these are our neighbors. This is actually getting effective  
 1029 by putting this (bad connection/unintelligible) not Chapel Hill. Chapel Hill is going collect money from that. We could  
 1030 have some other alternatives, let me suggest something, we could put a visitor's center out there. Not a rest area,  
 1031 not a place to go to the restroom and gas up but a visitor's center that has that presents for example, the artisans and  
 1032 farmers that have goat cheese that sell here. Jewelers, we have marvelous that could sell the wares at a visitor's  
 1033 center of an on/off ramp (bad connection/ unintelligible) and they could sell local wines in there, have a wine tasting  
 1034 and that would bring revenue not only for the people that live here in this community (bad connection/unintelligible)  
 1035 you could have people providing ...

1036  
 1037 Ellen Mayer: I live off David Road and I don't have anything original after what everybody's talking about. I'd like to  
 1038 thank the Mitchells for their talking about air quality air pollution and also noise pollution, which is very important. I'm  
 1039 one of the elderly, in my 70s, I'm also a bit upset that I believe his name was Frank, not knowing the difference  
 1040 between Raleigh and Hillsborough where they built things in Raleigh, I didn't buy a house in Raleigh, I don't want to  
 1041 live there. I want to live in rural community, I worry about my grandkids visiting and living here and breathing in this  
 1042 air from all these trucks that are polluting and also the safely. I'll never get out as those trucks on Davis to Old 86,  
 1043 they're 72 feet. There's not going to be a light where they're coming out and turning. They're going to come out and  
 1044 I'm going to try to get in between them and sometimes winter comes to North Carolina and the roads are icy. We're  
 1045 just asking for a disaster. Any where near the preschool with cars turning with little kids and trucks coming out, good  
 1046 luck. I appreciate you staying up this late, listening to us; I really hope you're listening. This does not belong in this  
 1047 area or I don't know where in Orange County for something this big belongs but certainly not a that intersection and  
 1048 on Davis Road which is a country road, I don't care what officially it's called. It's a winding country beautiful road.  
 1049 Okay, thank you and have a good night.

1050  
 1051 Joseph Shore: So my name is Joseph Shore and I live on Old 86 between Davis Road and interstate 40. The 3500  
 1052 linear feet that the gentleman quoted earlier, the developer said it wouldn't affect anyone but this is literally in front of  
 1053 my house so I'll be directly impacted by this. I believe something like 16 or 17 homes on this little stretch of road that  
 1054 will be directly impacted by that so 16 families, once again he acted like it won't affect anyone but obviously that just  
 1055 wildly incorrect. My biggest concern is with our home value. Someone mentioned this earlier but I have a proposal.  
 1056 Like many people in the middle class, my home is my {inaudible} and I greatly fear that this development will make

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1057 my home significantly worth less than it is today. You would want to buy a home where there's 18-wheelers on both  
1058 sides of my house. They'll be behind my house and in front of my house, the noise traffic, the light pollution; it can  
1059 literally make my home worthless. So, my proposal is this, I think, and this is directly to you Michael Birch, if you're  
1060 still on. The developers should create a 1 million dollar fund, it should be held in escrow for at least the next 5 years  
1061 and it should be there to compensate we homeowners for a likely decrease in our home values. For example, I think  
1062 my home's probably worth around 275,000 dollars now, let's say 3 years from now I try to sell my home and I'm only  
1063 able to sell it 150,000 dollars, I think that the developer should pay 125,000 dollars, they should pay the difference in  
1064 the decreased value of my home. I think that's a very reasonable request, 1 million dollars held in escrow as a 150  
1065 million dollar project, they should be required to compensate those of us that will be negatively impacted by this.  
1066 Thank you.

1067  
1068 Leslie Roberts: Thank you for taking my comments. I have two points that have not yet been brought up. These go  
1069 back to the August 5<sup>th</sup> meeting. I was not able to speak at the end there, on the agenda notes from August 5<sup>th</sup> on  
1070 page 258 there was an assessment from Christian Hirni and Peter Sandbeck from the DEAPR and they did a land  
1071 conservation and cultural resource assessment but I noticed that was only done on parcel 1 and 2 and the Davis  
1072 Road parcel is considered parcel 3. I have concerns about that not being done and if that can be done before this is  
1073 moved forward with. There was identified to be part of a hard wood forest there that will be impacted and I think it's  
1074 important to know what else will be impacted in that third parcel. The 2<sup>nd</sup> point is where I live on Old 86 I can't  
1075 actually see light pollution on building that I cannot see at night and I think it would be nice to have that the lights that  
1076 are put in both internally and externally at the site, if this goes through, be motion sensor lights. This is already in  
1077 practice in perimeter parking Morrisville and I think it would be something that could really help reduce the light  
1078 pollution for those of us that would have to see this at night. Thank you for your time.

1079  
1080 Payton Rose: I appreciate your time, my husband and I own the historic Davis Farm just a mile down Davis Road.  
1081 The heritage that Davis Road was named after. I'm sure you are all aware that this area is surrounded by historic  
1082 farms well over 200 and 300 years old as others have brought up. Our main concern has not been brought up yet is  
1083 the allowable use of light manufacturing; I've spent the last 10 years in global apparel development from private  
1084 companies to a multibillion-dollar corporation. I know what apparel manufacturing looks like and its potential hazards  
1085 to our environment. I appreciate that the applicant has provided a list for light manufacturing that will not be allowed  
1086 however, the space for allowable businesses is wide. There are no protections in place, I urge you to consider that  
1087 many of us in the Rural Buffer have private wells that we water our crops with, that we feed our families with, that we  
1088 drink. I do not see any protections in place that protect us against any non-recycling of water, wastewater treatment  
1089 or closed loop pollution systems. It's nothing that any of us could protect without knowing the specific tenants going  
1090 into these spaces and exactly what they will be manufacturing. If the County votes to go ahead with this then we  
1091 propose that light manufacturing is prohibited all together or that strict rules are put into place to make sure that our  
1092 land, that our water aquifers will not be polluted. Thanks for your time.

1093  
1094 Margo Lakin: Hello, thank you to the Board, I'm Margo Lakin and I am 100% for intelligent sustainable economic  
1095 development that truly helps the people of Hillsborough. RTLP is a boondoggle with a dangling carrot of job creation  
1096 to grease the wheels. With 250 parking spaces in the proposal, I'm going to be generous and assume that all 250  
1097 represent jobs. If the facility runs 24/7 that's 250 times three shifts for a grand total of 750. 750 jobs for a 2.5 million  
1098 sq. ft. facility that doesn't add up. Logistics in the title, I'm also assuming the purpose will also be a warehousing  
1099 supply chain fulfillment center on a massive scale. Jobs in this sector are moving toward automation which would  
1100 explain the low number of humans in relation to the square footage. These position tend to be low paying, lackluster  
1101 benefits, little career advancement and high turnover. With at least ten empty warehouses totaling over 1.1 million sq.  
1102 ft. laying empty just 13 miles west, why is this being built on speculation. I question if it is speculation, in the minutes  
1103 from August 5<sup>th</sup>, Michael Birch, when responding to a question of electrical fleet management on the site said "our  
1104 sense is that something like that or having that available will be driven by the end user, a particular end user that we  
1105 don't have in mind right now or don't have at the table" so who do you have at the table? I find it hard to believe that  
1106 Barrister is investing over 150 million dollars to build a 2.5 million sq. ft. industrial park with no client interest. Is there  
1107 a client and Barrister isn't being transparent? Or is this site being prepped to be sold as a shovel ready package to a  
1108 bigger entity like Amazon? High profile logistic centers like Amazon and UPS typically come with the demand on the  
1109 local government for massive incentive packages that equate to years of tax breaks on the backs of the taxpayers  
1110 like us with minimum job growth. I see no evidence of RTLP improving Hillsborough's job market or tax base in direct  
1111 relation to the square footage it will occupy and the negative impact it will bring to Hillsborough once those 180 acres  
1112 are destroyed to build this, we're stuck with it, we can't easily repurpose or reconfigure that footprint for businesses

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1113 that are sustainable, that are better suited for the area, that are more in line with Hillsborough's values. There are  
1114 better ways to develop that land for economic growth. Please let's investigate them together. Do not recommend  
1115 that this project move forward. Thank you for your time.

1116  
1117 Geoff Sebesta: My name is Geoff Sebesta, I'll be very brief. The first is the NTSBNHTSB released a study long ago  
1118 that showed that the damage to a road increases by the fourth power of the size of the vehicles. That's the square of  
1119 the square. These vehicles which will be on historical road will destroy your road. You'll pay a lot of money fixing  
1120 and upgrading your road. This is completely unavoidable, there is absolutely nothing you can do about it, if you put  
1121 this traffic on this road, you will be paying a lot to fix this road. Now the second thing I have to say is that in 2008, I  
1122 had the pleasure and privilege of being involved with the city councils of both San Diego California and Lexington  
1123 Kentucky as they both considered proposals from businesses that did not want to reveal the sources of their funding  
1124 or their eventual tenants. San Diego took one look at the proposals, said if you're not revealing your tenants this is a  
1125 joke. Lexington was not so wise, they got involved in something called the Center Point fiasco, you can look it up.  
1126 It's destroyed the downtown of Lexington Kentucky to this day. If they're not willing to reveal who the tenants are, it  
1127 is not a serious proposal, it should not be seriously considered. Finally, I will say that although I thank everyone for  
1128 staying up so late, it's 10:40 at night and there's not been one single resident yet who has spoken in favor of this  
1129 proposal. The Planning Commission is there as the representative of the people of Hillsborough, many people have  
1130 mentioned that they don't have enough time to speak, I think it's odd that the Planning Commission is limiting the  
1131 time of people to respond when they are not limiting their time after all you there, are you not, to represent these  
1132 people? You should take this seriously, you should look at the fact that absolutely no resident appear to be in favor  
1133 of this at all. You should consider that, thank you very much for your time.

1134  
1135 Jean-Francois Provost: My name is Jean-Francois Provost and we just moved in last July on Old 86, we are south of  
1136 Davis Road. I have several things to say, first we have (inaudible) of trucks coming into our driveway and a truck  
1137 coming right angle you have to go in other lane so we had to stop the traffic on Old 86 to have some trucks on our  
1138 property, that's the first thing. When we bought the land a few months after we got invited to a public hearing  
1139 because there was already a project, that actual project is bigger than the previous one but it was just one project out  
1140 of three projects so there was commercial zone on Old 86 near the exit of I-40 and there was a third one very close  
1141 (inaudible), so the traffic, the lady who explains that the traffic is going to be ok, she doesn't take account the next  
1142 project which is coming maybe. If there is three projects, the traffic impact created by this project, why we came  
1143 tonight, is also two other projects so increase the traffic significantly. So we have to take account not only this project  
1144 but the whole amount around the perimeter. Thank you for listening to me.

1145  
1146 Jon Boxter: Good evening, thank you for your time, we really do appreciate you giving each of us an opportunity to  
1147 share our feelings. I'm a middle school teacher and my wife, Shannon, is an ICU nurse, we live on Old 86 3 houses  
1148 from Davis Road with our 3 year old son, we're one of the handful of houses in 1000 feet of the development that  
1149 received the original notification letter. We live along the 3500 feet of linear road that has been quoted, the back of  
1150 Building C as currently planned, would be highly visible from the Duke Utility road that runs beside our property  
1151 where we watch our son and our neighbors children play every single night. The staggering amount of 200 vehicles  
1152 that would be routed onto Davis Road during peak hours as has been quoted, would then pass directly in front of our  
1153 home. So that's effecting, at least surrounding us on three sides. My family and I unequivocally disapprove of the  
1154 actions being proposed, our opinion has been shaped not out of a hard line "NIMBY" attitude towards development of  
1155 the area as many other people have pointed out, we bought our home with the understanding and tacit expectation  
1156 that the area north of us would inevitably be developed as zoned. However, this sheer lack of adequate  
1157 infrastructure surrounding this particular project make is impossible to support. The addition of Davis Road as a  
1158 second access point has been admitted to be done after the fact in order to satisfy NCDOT. Anyone who lives near  
1159 Old 86 has noticed the increase in traffic over the past few years. That road along with those that feed into it despite  
1160 what cherry picked traffic study suggest about specific intersections we'll have trouble handling the number of cars  
1161 and trucks that are being estimated. From a safety standpoint, it will be disastrous for those of us living along the  
1162 route. After crossing under I-40 you pass that service road that's been repeatedly mentioned by a number of houses  
1163 on both sides, you come a slight hill and there is essentially a blind curve that the utility line overpass, my home as  
1164 well as two are located right after the Duke utility road. I find myself looking multiple times in each direction and  
1165 saying literally a prayer before pulling in and out of my driveway. I signal a ¼ mile before I even turn so that cars  
1166 don't rear-end me or side swipe my vehicle as I exit. Almost daily, horns honk, cars lock up their brakes as they  
1167 speed south on Old 86 before coming upon a car turning past the blind curve in a driveway or onto Davis Road. It's  
1168 incredible that more accidents don't already occur here and adding further traffic and stopped cars is a literal disaster

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1169 waiting to happen if this plan goes forth as presently constructed. A red light is going to do little more than to cause  
1170 those cars to slam on their brakes and cause bigger issues. I say all this to reaffirm my opposition to this plan as  
1171 currently proposed. It makes no sense from an infrastructure standpoint to utilize Davis Road purely more that out of  
1172 necessity or that portion of Old 86 for heavy truck traffic. Unless this can be remedied and a more logical solution  
1173 can be found, I urge the member of the Planning Commission to deny this proposal. Please help to protect my family  
1174 and my neighbors. Thank you.

1175  
1176 Beth Rosenberg: Thank you for taking the time to listen to all of us. I know it gets old for you after a while but I think  
1177 listening to our concerns and some of our suggestions should prove valuable. I just have a few points to make, first  
1178 is that although the Rural Buffer portion of that Davis Road property is supposedly going to be left to be wild land or  
1179 whatever, all the traffic from this development now will be exiting onto Davis Road and going through a Rural Buffer  
1180 area which seems counter to the purpose of that zoning designation. Another point I want to make is that Mr.  
1181 Beeman mentioned that he drove Davis Road and Old 86 and the service road, if that was any time after February or  
1182 March of this year, it was during the pandemic and the traffic has admittedly been much less during that time even  
1183 through this current period of time because there's no school traffic currently. Next point is that reading through the  
1184 UDO, the purpose of the MPD-CZ zoning is to provide economical and efficient use of land, efficient land use,  
1185 improve level of amenities, appropriate and harmonious variety, creative design and a better environment and I don't  
1186 see where this project is likely to provide any of that for us. I, like everybody else tonight, urge you to not approve  
1187 this plan and not sent it forward to the Board of Commissioners. Thank you for your time.

1188  
1189 Declan Cambey: My name is Declan Cambey, I'm 18 years old and I've lived in Hillsborough my whole life. I've  
1190 grown to know all my neighbors, have usual and local restaurants and I've walked down the Riverwalk with friends or  
1191 into the new Orange County library to check out a new book probably 100s of times. Now both the Riverwalk and the  
1192 new library and the development with Paw at the Corner and Whit's Frozen Custard, these have all greatly improved  
1193 my quality of life so I'm all for development that can benefits the members of this community of this town. But from  
1194 what I've read and what I've heard today this proposal for Research Triangle Logistics Park will actively hinder the  
1195 quality of life for Hillsborough natives by increasing traffic, noise and pollution while simultaneously destroying  
1196 precious green space along Davis Road and along Old NC Hwy. 86 which is a designated scenic byway and houses  
1197 many cyclists as has been mentioned. Now I know the applicant team has brought many experts to try to address all  
1198 of our concerns but that doesn't change the fact that this is not what our community wants. I found out about this  
1199 meeting on Instagram and this account has 50 followers mostly young folks like myself that I went to school with at  
1200 Cedar Ridge. The Facebook group against this industrial park has 386 members and there have been thousands of  
1201 signatures on the petition that has been mentioned earlier. On another note, the possibility of jobs is not the promise  
1202 of jobs. As has been mentioned, these developers have not shared any companies or agencies that will set up shop  
1203 in this research park. Also, when many traditional jobs are transitioning online why are we investing in warehouse  
1204 space that could just be bought over by large companies like UPS and Amazon, this is not a necessary project right  
1205 now and I call on the Planning Board to reject its proposal. As a young person, I speak for all future generations that  
1206 will suffer if this project is approved. Thank you.

1207  
1208 Rebecca Drapp: I live off NC Hwy 86. I moved to Hillsborough like others have said for the community aspect of it. I  
1209 feel like this is going to destroy our community for all the reasons other people have said, decreasing property values  
1210 even when they were given that presentation they couldn't guarantee that this would raise the property values. I  
1211 worry about the quality of life for everyone with the trucks with the big industry. I think the charm of Hillsborough is  
1212 the very rural, local businesses that is how we make our community better. That's according to local businesses and  
1213 reinvesting in small places and it sounds like this is just going to be a big warehouse where, I don't even know if it's  
1214 going to have good quality jobs. I'll cede because it's late, thank you for listening. I just wanted to voice my dissent to  
1215 this project.

1216  
1217 Jeb Kelly: I live off Davis Drive, a couple things I wanted to point out that haven't been mentioned, the developer in  
1218 their pitch tonight referenced the 40-year history of planned development here. I don't think that 40 years included  
1219 routing 90% of the traffic onto Davis Drive. In Ms. Greene's presentation, she referenced the amount of traffic  
1220 coming onto Davis Drive as approximately 1600 vehicles a day, I went back and reviewed the TIA from the DOT and  
1221 they estimated over 3600 vehicles a day, 90% of that would be about 3100. I think we deserve a little more of an  
1222 explanation on the discrepancy there. Ms. Greene also in her own words, mentioned that people will tend to find a  
1223 different route of willing to drive further when traffic backs up and that's exactly our concern. When traffic backs up at  
1224 that exchange of 86 and 40, regardless of the signage, they're going to be looking for other routes, they're going to

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1225 come down Davis, Ode Turner they're going to head to that 4-way stop at New Hope. They're going look for other  
1226 ways. On top of that there's a reason that they're looking at the 40 exchange here, a lot of people are skeptical of the  
1227 jobs being created, I think we have a right to be skeptical, I think there's a lot of jobs would go to Mebane, Burlington,  
1228 Durham. I think we've be compromising our community here for commuters and I think Orange County Planning  
1229 Board should be looking out for Orange County residents, number one and that's why I'd like to echo the concerns of  
1230 others and urge you to consider a plan that would limit the size and scope of this to what fits on the current acreage  
1231 available for economic development access via the service road. Thank you.  
1232

1233 Justin Mitchell: My name is Justin Mitchell, I own several acres of land on Davis Road adjacent to my brother's  
1234 property and I've dreamed of one day living there near my family. The appeal of that dream would certainly be gone  
1235 if there were huge warehouses peeking through the woods just a few hundred feet from my property. That said, one  
1236 thing that we're concerned about is the runoff that will be generated due to the massive amounts of impervious  
1237 surface that would be created by the project. The excess runoff would flow down Davis Road where we had a  
1238 sinkhole last year where you can see the floodplain crossing Davis Road. That's due to the currently excessive  
1239 amounts of water that flows down there. I think it's important that an analysis be done to assess the impact of the  
1240 impervious surface. One other quick thing that I would like to add is about noise because I think it's serious, let me  
1241 just point out Orange County specifically prohibits the use of lawn equipment after 9 p.m., if that's the case how can  
1242 we possibly allow diesel trucks operating overnight creating noise that is up to 26 times louder than gas powered  
1243 lawn equipment. I think it's imperative that a noise impact analysis the development is approved we need to protect  
1244 the hearing of our residents and prevent the potentially massive disruption to the children at the preschool and of  
1245 sleep, peace and the calm of the residents in the area. That's all thank you.  
1246

1247 Nan Fulcher: My name is Nan Fulcher and I'm a resident of Cornwallis Hills that's on the north side of I-40 but  
1248 according to the traffic predictions, there is an impact going up the corridor here of NC 86 about 20% of the traffic  
1249 looked like on the traffic reports. Thank you for hearing everyone out tonight, as you, members of the Planning  
1250 Board consider the project and make your recommendations to the Commissioners, please consider that the  
1251 rezoning proposal at hand, or any proposal for that matter, please consider it from the standpoint of whether it can  
1252 withstand legal challenge. The few things in this arena to think about are that rezoning is supposed to be based on  
1253 the needs of the neighborhood and community not just secure special benefits for a single property owner. How can  
1254 the County assure citizens this is not the case since the rezoning was requested by the applicant rather than being  
1255 initiated by the County. Second consideration is whether there are other legitimate ways in which the property owner  
1256 could develop the area for economic benefit without requiring rezoning. Third is that the rezoning must still maintain  
1257 a harmonious land use pattern that is the juxtapositions still need to make sense. Does shoehorning a 300,000 sq. ft.  
1258 warehouse and truck driveway next to private homes make sense? Also, ask whether the zoning change is in  
1259 harmony with the legitimate expectations of the neighbors who live in a residential area next to Rural Buffer and part  
1260 of the NC Scenic Byway. Lastly, in rezoning, the substantial benefit for one party cannot offset the substantial harm  
1261 to neighbors. Even if you believe that a warehouse complex benefits the community, via job creation, or shoring up  
1262 the tax base, the rights of the adjacent landowners cannot be ignored. As one Davis Road resident said, the County  
1263 only gets one chance to zone this area appropriately so please consider carefully your guidance on this issue. Thank  
1264 you.  
1265

1266 Sascha Godfrey: My name is Sascha, I'm 16 years old, a student at Orange High and I grew up in New Hope  
1267 Springs, a neighborhood off Davis Road. I first want to thank the Planning Board for allowing us to speak and  
1268 secondly, I want to plead the Planning Board to really pay attention especially given that we have listened to 2 hours  
1269 for our 3 minutes of time to bottle together all of our concerns. With my 3 minutes, I could speak about the for my  
1270 safety as a probable collegiate runner training on Davis Road or I could speak about my concern as a new driver and  
1271 for the safety of my younger sister who will be driving soon on a road with an influx of trucks at the upper end given  
1272 that young drivers have a much higher rate of accidents. However, I have one main probably more practical point to  
1273 make in the development presentation earlier, it was mentioned that the development will be 2.25 million sq. ft. of  
1274 building area. In parentheses, it was listed initially and that the current traffic analysis that is being used for the  
1275 approval of this project is based only on the 2.25 million sq. ft. In the News of Orange article posted today, Michael  
1276 Harvey mentioned that this space could occupy up to 4 million sq. ft. The applicant refused to comment. So what is  
1277 actually being approved here? Along with the proposed uses how can you be sure that we have control over the  
1278 tenants and the size of this development once it's built? I am very concerned by the precedent this sets for rezoning  
1279 a residential neighborhood into an industrial area. The developer seemed to try to slide through the idea that the  
1280 closest home will be 1000 feet away, however, that will actually be walls of the warehouse 100 feet from the person's

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1281 property. I cannot see a place for a 60-foot warehouse next to 10 to 20 foot one and two story homes. Harvey  
 1282 mentioned at the August 5<sup>th</sup> meeting that buildings must be kept in harmonious style with the surrounding residential  
 1283 areas. I'm asking that we flesh out the development ordinances so it's in cooperation with the surrounding residential  
 1284 area. Thank you.

1285  
 1286 Dana Brinson: My name is Dana Brinson and I live in rural Hillsborough off of Dodson's Crossroads. I'm about 10  
 1287 minutes' drive from the proposed development. I wanted to thank the residents on Davis and Old 86 for their  
 1288 thorough questioning of this project. An analysis of the concerns related to potential noise, air and water pollutions,  
 1289 traffic concerns and protecting the Rural Buffer. I wanted to share my voice and that of many of my neighbors here in  
 1290 Rider's Trail who stand with all who have spoken tonight about these serious concerns. I want to state clearly that  
 1291 this is not just a not in my back yard issue but a serious concern for all of Hillsborough and greater Orange County.  
 1292 Thank you.

1293  
 1294 Ashley Lorusso: My name is Ashley Lorusso, I live on Davis Road about two miles west of the proposed  
 1295 development. I am just calling in tonight to voice my opposition to the development. This is going a severe impact,  
 1296 not only on Davis Road, but on the surrounding community well beyond Davis Road, well beyond surrounding  
 1297 community, well beyond the intersection of Davis Road and Old 86, into Hillsborough and Chapel Hill. It has not  
 1298 been thoroughly vetted there are plenty of options that would explore further for development in this area and come  
 1299 to a conclusion that is much more suitable and harmonious for this area and the community. Thank you for your  
 1300 time.

1301  
 1302 Jesse Kaufmann: I agree with everyone who has spoke against this tonight. I want to add on to what they've said, I  
 1303 want to throw in small remark because I heard Adam say that he came down on Davis Road and checked it out and  
 1304 also, said he couldn't see why a truck would want to take a right on Davis Road because they want to get on 40 as  
 1305 quick as possible which would make sense unless he lived on Davis Road which makes no sense to me because I  
 1306 actually go the back way if I want to go to the Tanger Outlets for example, I don't go to Davis Road to Old 86 to 40, I  
 1307 go what I call the back way which I consider quicker through all these country roads and especially Davis to Orange  
 1308 Grove to Dimmicks Mill to then Ben Johnson Road gets you right to 40 and 85 very fast all through these beautiful  
 1309 country roads. I just wanted to throw that out to you. Thank you very much.

1310  
 1311 Amanda Shakhoul: I want to give my mom permission to speak for me, I agree with whatever my Mom's going to  
 1312 say. My mom lives in this area too. Yes, my name is Vicky Riley Berry, I'm 65 just like Gerald Scarlett we all grew  
 1313 up together here on Old 86. I'm a Hillsborough native and I just retired from Duke North University Hospital as an  
 1314 RN, BSN and I have several issues. I am heavily, heavily concerned with my husband, Ricky Berry and my  
 1315 daughter, Amanda Berry Shakhoul and her daughter and she's going to have a baby in a month. I am concerned  
 1316 about the destruction of life and many people may end up suffering with a lot of unnecessary cancerous diseases.  
 1317 We do want to preserve our very quiet, peaceful and clean living here. We do have a spring {inaudible} that is joining  
 1318 about 100 feet from the service road right here at I-40 and on up we have our own well and this was my childhood  
 1319 farmhouse that I grew up and lived. I know every inch and every piece of the woods here on Old 86 being a child  
 1320 here. I am concerned about noise pollution, the high decibel pitch sounds that can cause severe deafness and air  
 1321 pollution is not going to help the global warming situation either. All these warehouses that heaven knows there  
 1322 could 1000s of chemicals stored in them or nothing at all and because of the industry proposal, soil and water  
 1323 contamination, increased toxic, all kinds of horrible things that are in the soils that can cause a destruction and even  
 1324 animals, cats, dogs, lowercase animals, insects everything that's necessary to the ecology of life too. All these  
 1325 diverse cultural residents that are my friends that I went to school with, I work with for many years, everyone all of us  
 1326 can be {inaudible} affected because of this noise, air, the large trucks carrying all this horrible toxic products that in  
 1327 their trucks through the Town of Hillsborough.

1328  
 1329 David Blankfard: All right, are there any questions or comments or further from the Board?

1330  
 1331 Randy Marshall: I'll make some comments, first I'd like to say we've heard from about 60 folks over 2 different nights  
 1332 of hearing testimony and I want to tell people we appreciate them sharing the information with us and certainly  
 1333 understand and appreciate them sharing their concerns. Just a personal note, I've been in Orange County as a  
 1334 resident for about 50 years and in the time, I've been in Orange County there have been pressing concerns that have  
 1335 continually come before the governments in Orange County. One is that taxes are too high and the other is we don't  
 1336 have enough money for the schools. The Economic Development Districts have created, decades ago, to encourage

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1337 commercial development in Orange County away from Chapel Hill and Carrboro who seem to take and send any  
 1338 proposal for economic development to Durham or Chatham County. Walmart went to Chatham County, Rose went  
 1339 to Durham and there are numerous others that were not able to get a foot in the door in Orange County. These  
 1340 Economic Development Districts were created to provide commercial tax base, provide jobs and they were set up  
 1341 close to the interstates in areas that at the time they were established didn't have many residents. We understand  
 1342 that many of the people who have spoken, 2 weeks ago and tonight, have been recent residents moving into those  
 1343 areas and so we understand their concerns. On the other hand, there's been very little interest in developing these  
 1344 Economic Development Districts in the last 30 or 40 years and now we have a proposal which offers the opportunity  
 1345 to increase our tax base, take some other pressure off property taxes, increase the possibility of additional sales  
 1346 taxes even if it doesn't create 4500 jobs, the jobs that it does create will be beneficial. So, I would like to cast my  
 1347 views on what's going on and those terms that we serve all of the residents of the County and we'd like to be able to  
 1348 just serve a couple of neighborhoods at a time but the residents of all of Orange County those concerns of more  
 1349 money for the schools, more taxes and more job opportunities hopefully will serve the entire community. At some  
 1350 point I'm willing to introduce a proposal for us to vote upon when other people have spoken.

1351  
 1352 Kim Piracci: Nobody's going to be surprised when I disagree a little bit with Randy. Unlike Randy, I've only lived in  
 1353 Orange County 24 years and my husband moved us around a lot of places in the Country before we settled here. I  
 1354 never heard of a place that had enough tax base or small enough taxes. People's taxes can never be small enough,  
 1355 trust me it's a financial truth. So, although I know that is a persuasive argument, for many if not most people. For me  
 1356 it falls on deaf ears, what concerns me, actually a little more is there's a lot of things about this development that  
 1357 concerns me but I think the biggest one came very early in the comments when one of the residents said that they  
 1358 assured us that he lived on a property that the developer thought there was no house on. In fact, it seems that a lot  
 1359 of people live on properties that the developer thought there were no home on and so what it says to me is that either  
 1360 the developer is misinformed or disingenuous. In either case, I feel like we need to give them an opportunity to go  
 1361 back and maybe come to us with more correct facts. Also, the transportation continues to disturb me. I apologize to  
 1362 you all, I did not get the updated information, I don't know if it's the post office but I feel like I need to examine that  
 1363 better than on an inch of screen and like one of the homeowners said, that was very extremely cherry picked  
 1364 information that was provided. So, again, I just feel that to make a good decision, we all want what's best for Orange  
 1365 County, I feel like to make the best decision I can make, I need a little bit more time and I need them to provide a little  
 1366 bit more accurate information before I can comfortably vote to promote the project.

1367  
 1368 Adam Beeman: I want to state that for 13 years of my life we live less than 200 ft. from an industrial park. It wasn't  
 1369 the end of the world, the traffic wasn't the end of the world, the noise wasn't the end of the world and as a matter of  
 1370 fact, that was where I go my first job in high school. I would leave high school on work study and I would go work in  
 1371 one of those businesses in that industrial park that was right behind my house so for me I've live there, I've dealt with  
 1372 it and dealt with the traffic, we dealt with diesel exhaust before they even came up with the DES for the trucks. It's  
 1373 not as bad as people are making it out to believe. I believe we need the tax revenue in this county and I am for it all  
 1374 the way. That's the end of my pitch. Thank you.

1375  
 1376 Carrie Fletcher: My 2 cents is very simply that I have a hard time buying into it when I don't know what they're doing.  
 1377 I know Orange County needs the revenue, I know all counties in North Carolina, I know all counties everywhere  
 1378 needs the revenue but to say, here you go and we're going to offer this package to them and say go for it. I don't  
 1379 know what you're doing there and here's carte blanc to go for it. I don't know what they're going to manufacture  
 1380 there. I don't know what they're going to put in those trucks. I don't know what they're going to do a year from now  
 1381 once they open their doors. I don't know, I mean other than what the County say they can and can't do in that  
 1382 building, whether they tan hides or they... I think they know what tenants they have coming in there and I think they  
 1383 have a good idea. But, I just don't feel comfortable saying go for it guys and make it work. So be it, it's a huge  
 1384 project to put out there and I've seen, where I came from, in South Florida what happens when projects don't work  
 1385 and you end up with a very big, ugly, empty building that is good for nothing and nobody. I would hate to see that  
 1386 happen out there, five years from now and so I really need more information to really help to make me be persuaded  
 1387 to just say thumbs up and tally ho but I want to support it, I want to make sure that it's a good thing for Orange  
 1388 County. It's a hard thing environmentally for me to say that I'm behind it because it's a big decision to say that I'm  
 1389 going to tear down 50 acres of beautiful land out in Hillsborough to build a giant warehouse. It's a big decision. I  
 1390 want to make sure that it's right.

1391

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1392 **MOTION** by Randy Marshall to recommend approval of the Statement of Consistency indicating the Zoning Atlas  
 1393 Amendments are reasonable and in the public interest as contained in Attachment 5. Seconded by Adam Beeman.

1394

1395 **ROLLCALL VOTE:**

1396 Randy Marshall: Yes

1397 Hunter Spitzer: No

1398 Melissa Poole: No

1399 Kim Piracci: No

1400 Susan Hunter: Yes

1401 Carrie Fletcher: No

1402 Adam Beeman: Yes

1403 Alexandra Allman: Yes

1404 Patricia Roberts: Yes

1405 David Blankfard: Yes

1406 **MOTION PASSED 6-4**

1407

1408 Craig Benedict: You also would need to vote on the proposed ordinance Attachment 6.

1409

1410 **MOTION** by Randy Marshall for approval of the Ordinance amending the Zoning Atlas as well as imposing  
 1411 development conditions as well as the ones we approved today for the identified parcels as contained in Attachment  
 1412 6. Seconded by Adam Beeman.

1413

1414 **ROLLCALL VOTE:**

1415 Randy Marshall: Yes

1416 Patricia Roberts: Yes

1417 Hunter Spitzer: No

1418 Melissa Poole: No

1419 Kim Piracci: No

1420 Susan Hunter: Yes

1421 Carrie Fletcher: No

1422 Adam Beeman: Yes

1423 Alexandra Allman: Yes

1424 David Blankfard: Yes

1425 **MOTION PASSED 6-4**

1426

1427 Randy Marshall: I was particularly persuaded by a couple of the things the Mitchell spoke to tonight and I  
 1428 would encourage the developer to get more information environmental assessment such as air quality,  
 1429 noise pollution and stormwater control. The three of those presentations that were presented to us tonight  
 1430 seem particularly important and well thought out. I don't know if they were included in the 100s of pages,  
 1431 we received but this has not been completely and fully addressed. I would hope that the developer would  
 1432 consider getting that information before the public hearing and the presentation to the Board of County  
 1433 Commissioners.

1434

1435 Craig Benedict: For the purpose of the Board, we've taken notes and minutes for the first meeting as we  
 1436 have with this meeting and we will be putting together a frequently asked questions document that will try to  
 1437 answer objectively the comments that have come up from both the Board and the public. September 15,  
 1438 2020 is the scheduled virtual meeting for the formal public hearing for the Board of County Commissioners.

1439

1440

1441 **AGENDA ITEM 11: ADJOURNMENT**

1442 Meeting was adjourned by consensus

1443

1444

1445

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David Blankfard, Chair