

DRAFT

**NC Highway 57 Small Area Plan Task Force
Meeting Notes**

September 13, 2006

TASK FORCE MEMBERS:

Commissioner Moses Carey, Bruce Peters, Eric Huppert, Darryl Chandler, Mac Miller, Kevin Peters, James Walker, Debra Logner, Helen Youngblood – Durham Planner

AUDIENCE:

Vance Agee, Pam Foushee, Steve Yuhasz, Janice Tucker

ORANGE COUNTY STAFF:

Dianne Reid, Economic Development Director, Glenn Bowles, Planner II, Michael Harvey, Planner II

Michael Harvey: Thank you all for coming this evening. Let me first of all state that both Commissioner Jacobs and Craig Benedict apologize for not being here tonight. They both had another meeting to attend. At this time allow me to introduce Commissioner Moses Carey who has agreed to serve as a County Board Commission liaison to the group.

Commissioner Moses Carey: I was in a meeting all day today with Commissioner Jacobs, and he sends his regrets. I regret that I wasn't able to make it to the first two community meetings, but have had a chance to review the meeting notes. We've had an interest in this area for a long time, and recognize that there were some non-conforming uses in the area. We've also had the small area planning process in other parts of the County going on to try to get an idea of what the residents in the area thought the area should look like in the future. That's what this process is about. Hopefully we can address some of the issues. We might not be able to address all of them, but this is the best way to address as many as we possibly can. There are no panaceas, and no situations where everyone will agree on everything, but I think there are some common interests and needs, and the best way to find out what those are is to get people in the same room to talk about it.

Glenn Bowles: There's only one ground rule we'd like to follow. We realize that this is a relatively contentious situation and not everyone is going to agree with what everyone has to say, but we ask you to respect the other person's opinion, whether or not you agree with it.

You received an informational packet, and I'd like to review some of that now. The first couple of pages are meeting notes from the neighborhood meetings, which were critical to establishing this task force. We used those meetings to define what the issues might be. There's also a listing of task force members, a timeline of events as we see them now, and a draft task force charge. Staff took what we heard at the neighborhood meetings, and organized it into some common themes or issues.

DRAFT

Next, there is a listing of parcels and their general land use and acreage involved. We have moved the area a little bit to include more area in the west and the north, due to the locations of the go-kart and speedway. The study area is a little over 800 acres, rather than just under 700 as we reviewed before. There's a soils map also included. The reason why soils just don't perc in this area is because these red soils are essentially have granite bedrock, which doesn't form a perc-able soil. That's also why the quarry is where it is, because of the granite. Topography also plays a factor. There's also a map that shows a quarry study impact area, and we've given that information to the Environmental Health Department, and they are inventorying the well data that they have in this area.

There were several people who commented that they thought they were having problems with their water quality in their wells because of the quarry activity, so we've asked the Health Department to look into this as well. There's a protocol that the Board of Health recently formalized that help to settle these issues and how we, as County Staff, can assist people with this type of water quality issue. Of course, water quality isn't an issue when we're talking about Speedway and go-karts – that's where the noise and traffic issues come.

Finally, there's a memo by Craig Benedict and Dianne Reid that outlines the issues involved and the purpose of this task force, and how things should be organized, as well as describing the process itself. If you ever need to find out what we're doing, there is a website on the Planning Department site the will include everything that we've done since we started, and we'll try to keep that current. Hopefully it will help to answer any questions your neighbors might have.

Let's go through the process. As indicated within the referenced memorandum, staff has realized that there are non-conforming uses, and it's not just the speedway or the go-kart track – there's also the asphalt plant that burned, concrete plant and the quarry. They all came into being before we had zoning in this area and therefore come into a category called 'legally non-conforming uses'. It causes Staff to have problems with these situations, and there's a process on how Staff deals with it, and how we would like to encourage the property owners to work with the community to find a common ground.

The Board (The Orange County Board of Commissioners) sanctioned this process in June, and we started with neighborhood meetings. We were encouraged by the turnout at the second meeting and the interest shown. Through mailings and meetings, we got people to volunteer for the task force. We'd like to ask you to look at the charge, to see if this is something you are comfortable with, and if not, did we miss points is there something that could be.

Bruce Peters: You said that you expanded this to more property owners. Was this a request by the property owners?

Glenn Bowles: Yes. We asked that question, and didn't hear a 'no', however that's not to say that if this group wanted to contract the line a bit, that we couldn't do that.

Bruce Peters: What I'm asking is, is this something that the Board did, something you did, or something that the property owners requested?

DRAFT

Glenn Bowles: It was something that Staff did. We asked a couple of the property owners, and they didn't mind.

Michael Harvey: Part of the rationale for expanding it was at the last neighborhood information meeting, a concern was raised that while it was reasonable to have the study area limits where they were, the concern was the impact of various uses in the area could probably be felt beyond the study area, so it was suggested by neighbors to increase the size of the study area, not to promote commercial development in this area, but to determine what needs to be done to negate any negative impacts so that existing uses, while being made conforming, doesn't create additional hardship.

Staff came up with a new boundary line. This group has the authority to modify this. Also, as a result of this meeting, we identified a large impact area as a result of the quarry's location and began a process of going through Environmental Health to start working on this protocol to begin to do some water quality studies in the area to see what the impact of the quarry was going to be. Last meeting, it was noted that the quarry has some sunset provisions and there was a concern about the end game, or when the quarry closes, is expansion possible?

Darryl Chandler: If you move the line one way or the other, it's important to know why. It doesn't necessarily mean that the land use element will be changed.

Michael Harvey: That's correct – One of the bigger reasons it was expanded was to make sure we weren't leaving someone else out that could potentially be affected by existing uses and find that cohesive balance to include as many people as possible.

Glenn Bowles: We believe that we will be able to set 3-4 meetings between now and November. By that time, hopefully the task force will be able to make a formal recommendation to the Planning Board and BOCC at a quarterly public hearing as to what they think a strategy or plan should be. How will we address these non-conforming uses? Is there a common ground? Right now, we'd like to think that there is.

Michael Harvey: We're also asking for what possible other commercial opportunities might be viable in the area. Some of the ideas we heard indicate that no one wants additional land uses that could have a negative impact on water quality issues, or that require a heavy use of water.

Some of the uses discussed were family-friendly activities, such as a driving range or storage sheds. Part of your charge is to help Staff and residents come up with a list of potential uses; one thing that's important to understand is that you've been given the opportunity to help County Planning Staff and the Economic Development Department understand what your needs are so that we can help you to achieve them. This district has the potential to be implemented through other areas of the county and it's important to note that those areas may not have the same concerns or needs you do.

We need to make sure that this plan tailors your concerns to a point where if broader uses are allowed in a future residential or commercial district, that your needs are still protected. Obviously, we'll be working together to accomplish a lot of different goals, and we're looking

DRAFT

for you to give us the information you need so that when we get to the Public Hearing, we can begin to formulate a final plan when you will be giving even more broader recommendations to facilitate what you want to see.

Eric Huppert: General question, more about the long term planning process – what would be the closest water and/or sewer availability from here to Hillsborough?

Glenn Bowles: Hillsborough.

Eric Huppert: Is there anything in the 10-20 year timeline that would project that water and sewer might be coming this far if the need arises?

Michael Harvey: Accordingly to the current Land Use Element, there is no anticipated timeline or even interest on trying to extend those services this far north. It's too cost prohibitive. However, this body has the ability to make recommendations on looking at other viable options.

What you have to remember is that those options have to be consistent with the current Land Use Element and the updated Land Use Element, and the goals, objectives and policies already implemented by the BOCC.

Glenn Bowles: Also, be aware that after the task force makes a recommendation, there will be a process to begin to draft the changes to the Comprehensive Plan. The recommendations will be dove-tailed into that document, and then eventually once that is approved, we will craft an ordinance or ordinances to allow certain things to happen, i.e. more specific zoning regulations to dealing more effectively with non-conformities for certain outdoor recreational activities.

From a different perspective, when we first met, we asked people what the issues were, and believe it or not, noise was number one. Traffic, particularly truck traffic and traffic after major events, and garbage were the most prominent issues. Water Quality isn't bad, but there just isn't a lot of it.

Bruce Peters: Jackie *Herndon* said that hers is pretty bad; she lives behind the quarry.

Glenn Bowles: That has to do with the granite. We just can't set a high water use activity out there and expect it to thrive, and have anybody else live in the area at the same time. Feel free to write down any notes or questions, if you'd rather not say them out loud in with the group.

Bruce Peters: I called the State Highway, and they were not happy that a dump truck had dropped large stone for 200 yards down the road. I found it 50' off the highway. The County was great with its response. The stone created a large mess, and was very hazardous. He (the Sheriff) also said that he thought it was the same truck that dumped stone on 86. Since our last meeting, I wanted to mention that speed is a major problem. I followed a dump truck and logging truck, both empty, traveling 75 mph right past the racetrack. They don't slow down.

(Unknown): There was just an accident that happened in front of Handy Andy's, where a car was hit between two semi's going to Hillsborough and 501.

DRAFT

Bruce Peters: I can understand how accidents can happen, but 75 mph for a huge truck; you just can't slow it down, and it's very dangerous.

Commissioner Carey: That's an issue that you should report to the law enforcement, and they will target that area.

Michael Harvey: Actually, the Sheriff's department is looking into that now. That was mentioned at the last meeting.

(Unknown): Lindy is responsive enough to address it without waiting for recommendations from this group.

Michael: Just to let you know, that issue will be addressed, regardless what recommendations you make, because that's a life safety issue and the Sheriff's department has already agreed that they would help us.

Darryl Chandler: Assuming that this Land Use Element is changed, that whole district that would be changed, couldn't we petition DOT and have that speed lowered to 45 mph from the Person County Line past the speedway?

Michael Harvey: That can certainly be one of the recommendations to make to the Commissioners, and I think that's a given. There's been a lot in input over the last few meetings, and tonight it's been addressed again. I think it's something that you should recommend, and Commissioners Jacobs and Carey would probably agree that it's something that needs to be studied by the Board.

Bruce Peters: Because what you just said reminded me that Durham County just did that, going down the hill to Rougemont.

Darryl Chandler: Mile Branch is a major entrance for the concrete company and the quarry. I was working down there all day yesterday, and the traffic situation is very dangerous.

Whether this gets changed or not, I always felt it should be 45 mph.

Michael Harvey: That would be a strong recommendation with respect to whatever issues to decrease the speed of vehicle and improve safety and reaction time.

Debra Logner: I personally like NC 57 being 55 mph. That's the last thing I want to see out here. I go that way because it is a good road, it's wide and it's a good drive.

You're only talking about a mile for the speed limit change. It's not a great distance.

Vance Agee: When we were doing due diligence on the property (Orange County Speedway), one of the things that we learned through the Planning and Inspections office is that most roads have a 60' right of way. This highway already has a 100' right of way, which is a benefit

DRAFT

regardless of the future plans for additional safety and services. It's inevitable that Durham, Hillsborough and Roxboro are growing together. That was important to us to see that this was in a strategic location.

Michael Harvey: Would you be suggesting, Vance, that this committee needs to give some thought about suggesting or having DOT look at acceleration and deceleration lanes to get trucks entering the quarry off of the highway?

Vance Agee: Yes. Either acceleration and deceleration lanes, or center turn lanes, because the surface is available to do just that.

Darryl Chandler: Some of the corners are very sharp on the road also. You can't see very far down the road. That whole corner ought to be fixed.

When traffic lets out at the racetrack, keep the speed limit down to 45 mph, with all of the traffic coming out at once.

Vance Agee: I got them (DOT) to come out to my property and do the fix for the drainage. We try at least to keep the right of way mowed. They do a good job with basic maintenance.

Michael Harvey: What I would like to talk about is the non-conforming uses. Most of the information is in your packets. Then, I'd like to bring you back to the charge, even though we've had a good discussion about traffic, to see if that's acceptable and start talking about some ancillary issues because what we want to have for you at the next meeting is a comprehensive list of the issues and concerns, so that the task force can start ranking them in order of importance, and we can begin the discussion about how to see this area when it grows up.

From a non-conforming use standpoint, we've talked about it at several meetings. You all know that we have several non-conforming land uses in the area, and we know what they are. The basic limitations of non-conformities, and Vance is now a student of non-conformity, there are limited possibilities for expansion of all non-conforming sites.

The question came up at our first meeting, could the speedway expand the racetrack, and the answer is no, it has to stay exactly as it is. Go kart track, can they technically do anything with that property? The track itself has to stay exactly where it is. This does not cover general maintenance and upkeep; for example, if there is a code problem, you might have to replace some grandstands, as the speedway had to do. That's perfectly legal, because it addresses a life safety issue.

As far as adding additional land uses or ancillary uses connected to the speedway, or any other non-conforming use, it can't be done. The problem that presents is that most of the owners of non-conforming property have pretty decent ideas about how to address off-site impacts, and want to work with the Planning Department about how to mitigate off-site impacts, but they can't do it. They can't do it because the ordinance is structured in such a format that we don't want to see any alternation of a non-conforming site because it has the potential to increase the degree of non-conformity. And we can't look at just one or two issues and say that, this can

DRAFT

help, so we will allow it here. We have to be uniform in the application of the law. That's why we're here, and why this committee was formed and the Commissioners gave it their support.

We want to take a comprehensive view of what's already here and what could be here, and how can we all work together to help mitigate any off-site impacts. Going down this chart, we've covered the expansion of uses – we can't have them. The technical rationale is that we'll allow non-conformities that legally existed prior to implementation of zoning to continue operation, but the central goal is to see them phased out over time. It's the nature of the beast. In this particular instance, they haven't phased out, they've continued to be positive, and continue to operate, and continue to be a nuisance. While it doesn't always happen that way, that's the intent of the non-conforming ordinance.

The second issue that was brought up was buffering. Couldn't any one of these developers add buffering to the property? Technically, they are not required to install any additional buffering. Why? Because they predate the ordinance. They are not technically required to bring anything up to code as long as they continue to operate in the same manner they've operated for a number of years.

I will say that in discussion with the contractor for the go-kart track and the speedway, there have been a lot of offers to try to offset some of these off-site impacts. They're not required to do that, but they're willing to work with the county to accomplish these goals. If we go through this process and come up with some way to make these land uses conforming, they're going to have to address a lot of these issues, and buffering specifically, the Speedway, for example, would be required to install some additional buffering. Why? Noise reduction. Now, they're already willing to do that, but you have to find ways to work with the County. Signage – under the current ordinance, it was built before zoning. If we can bring everything into conforming use, there are a lot of provisions in the existing sign code that would actually require individuals of non-conforming signs to make them conforming after some period of time, which is called amortization. Parking – any improvement to any of these sites, if they become conforming land uses, have to upgrade, renovate and put in parking that conforms to all of the requirements of the zoning ordinance. Traffic and Accidents – that's been the prime topic of conversation this evening. We would like to set up a situation where as we look to make improvements to the area and the non-conforming properties, we being working on the access issues, such as acceleration or deceleration lanes, reconfiguring intersections to make them flow better, etc. Noise – Mr. Agee has offered several suggestions on how the speedway can try to help reduce some of the noise impact to the surrounding landowners. He wants to do it out the kindness of his heart, and the County wants to work with him, but what we would rather do is to work with him in an effort to not only allow for potential expansion of his site, and make the same mitigation that could occur. Dimensional Requirements – if they don't meet setbacks, they're not conforming. This goes back to the whole extension of activities issues. This process is to allow this task force to start working with us to determine what is reasonable and what should be allowable in this given area. Outdoor lighting – another issue, for security, and not have local residents have negative impacts off-site.

Vance Agee: As the existing lights expire, we have to maintain them.

DRAFT

Michael Harvey: Yes, that will happen any way. For example, shielding; Vance is not required to put up massive shielding, and if we make this conforming, that's going to have to happen. Concluding with compliance issues - If we turn non-conforming land uses into conforming, they're going to have to begin a process to address all outstanding violations. I think everyone agrees it's in everyone's best interests to work together to accomplish that.

If you look back at the charge, a lot of the conversation we've just had, and a lot of the traffic issues, are reflected in this charge. This is essentially the philosophical backdrop for how this task force will operate, and how you, as citizens, who are interested in this process, are going to be allowed to participate.

This is not etched in stone – it can be modified. What we need from you is to understand that have we missed anything, do you understand what we're trying to say. Do we need to expand on something? Do we need to take something out? Do we need to reorganize the flow and the priority, because this is what will determine what recommendations are eventually acceptable and what aren't. Let's go around the table and ask everyone for their comments.

Glenn Bowles: One quick note. Luckily we were able to get symmetry of the same area and the aerial photo, and what you see makes sense. The quarry is now moving into Orange County. The quarry permit expires in 2008. When that happens, we can prescribe or ask for some conditions of approval for a special use permit for the quarry. Luckily we have a template we can use with American Stone Quarry near Chapel Hill and Carrboro, and there is some commonality of issues such as the impact on wells, traffic issues, buffering, etc. We can work with these folks possibly more favorably than we can with, say the speedway and go cart people, where there isn't a similar operation in the County. This picture was taken on an early morning, so you have a very pronounced shadow on the east side of the quarry, where this other one was taken mid afternoon, where the shadow is very different. That's just one more dimension that we found interesting.

Bruce Peters: The thing I was asking about is on p. 14 where it talks about traffic improvements, and what I noticed in reviewing this was on the last paragraph, any road improvements will be on the developer's property. Orange County will not condemn property for improvements to widen NC 57. It is not a County initiative. That's a nice statement, but it's really a State highway. The State will do what they want. The statement doesn't mean anything. When you talk about the charge, you said zoning several times, and you talked about parking, does that mean that the zoning for parking out here would have to be the same as downtown Chapel Hill?

Michael Harvey: No. Parking is an element of zoning. When you look at various zoning districts, you have a parking requirement. What we would be looking at in this area and the individual and proposed land uses in it, we would be looking at what would fit. In our ordinance we have a parking ordinance that has 30-40 different parking standards based on land uses. This committee would come up with some parking recommendations for this area.

(Unknown): You're not going to require asphalt on the track are you?

DRAFT

Michael Harvey: No, that's why this (the new zoning category) needs to be tailored to address some realistic local concerns. The other thing we haven't touched on is that you are in a watershed, and there are tons of limitations of what you can do in a watershed. We're being mindful of that. We could massage the language a bit to reflect that the County would not be supportive of future attempts by NCDOT to widen NC 57 beyond the 100' right of way.

Bruce Peters: When they made it 100' wide many years ago, they didn't tell anybody. They just did it. That's good in a way because it makes the State more responsible for our area.

Michael Harvey: We're talking about condemnation, and I don't think that's what you want. We're supporting acceleration and deceleration lanes that you would have in that 100'. What this is saying that we don't want additional condemnation to add to a right of way. We just need to state that a little more clearly.

Commissioner Carey: I think everyone is aware that the County will not condemn anything to widen the Highway 57 right-of-way. That will be DOT's responsibility. Everyone knows that the County will support DOT. I think the charge is appropriate but that it needs to be modified slightly to reference the proper authority involved with condemnation.

One suggestion I would like to make is that in reviewing the notes of the neighborhood meetings, I didn't see anything in the minutes about encouraging the development of an entryway to the County. I think this is an item that should be explored by this group.

Michael Harvey: That's a valid point, and you might want to include it. Would you like to see some language focusing on that? What parameters do you want to look at? I can throw out some ideas that are being used in other counties.

(Unknown Task Force Member): Is the County looking for the task force to recommend that someone provide this? Would this be County money providing it?

Michael Harvey: My question is do we want to incorporate this suggestion into the charge to focus on that? The task force can make the final recommendations as it goes through the process. Also, there may be grant projects available to accomplish this task without spending County money.

Bruce Peters: I think that's a wonderful idea, because as soon as someone crosses the pavement where it changes, it needs to be identified that they're in Orange County.

(Unknown Task Force Member): What's it like on other major highways throughout the County? Are there any signs?

Debra Logner: There's a sign on Guess Road that says welcome to Durham County, but also when you're coming this way, the roads get bad, especially if the weather is bad.

Michael Harvey: So you're comfortable if we bring into this that we look at the entranceway issue and beautification. I'll also say this, if you want to make a broad range recommendation

DRAFT

specific to NC 57, but would like the commissioners to look broad range at other entryways to the County, you can certainly make that recommendation also.

Commissioner Carey: The only other point, is having been through the quarry discussion on NC 54, this is a timely process with the outside impacts. It takes a while to address the issues. You need to start planning for that now.

Eric Huppert: One thing about water – I don't know much about water except my struggles with downtown trying to get my septic in two years ago. In Hillsborough, you have water and sewer, and in a lot of rural areas, I see water towers. How do that work and are those a possibility to get water where we're at? I know they're unsightly.

Glenn Bowles: I think we can pose that question about water and sewer lines, but the direct connection is a problem.

Commissioner Carey: The issue is who pays for it. This group needs to see and hear the public water and sewer plan that was developed a few years ago so that they could see how that came into being, and why this area was not included in that plan. We have a responsibility for every place in Orange County, because Orange County has a responsibility to protect the health, welfare and safety of its residents, and there are various ways to do that. Public water and sewer is probably the most remote option trying to do that. There are other options in between that may need to become familiar with, especially dealing with some of the wastewater.

Michael Harvey: So, you would like more information on the water and sewer issues.

Commissioner Carey: This is more of an educational opportunity to know what the range of options and why some areas are considered. It's a tremendous cost.

(Unknown Task Force Member): We don't have the density or population. You'd have to reach way out.

(Unknown Task Force Member): They just installed it in Willowhaven on Umstead Road in Durham, and the subdivision's been there for years.

Michael Harvey: There is one thing to think about. When you get into services of water and sewer, you bring people with it. From what we've heard, having a lot of residents out here is a real concern. It's a double edge sword.

Glenn Bowles: We can bring some information about that as Commissioner Carey has suggested.

Darryl Chandler: I think the time has come for some changes. I went to this racetrack in 1964 when it was built. Anyone who has built in this area knows the issues. You always have the potential of opening it up. I look at these things, like the quarry, as an asset because we have raw materials here, concrete, and anyone who's going to do construction is going to need those raw materials, regardless of where you have to go to get them. All you've done is make traffic across

DRAFT

the County. A lot of people may not look at it that way. I'm not against things being here. We need recreation for the kids. I hope we can agree on some things.

Michael Harvey: So you're happy with the charge, and that the process has finally started.

Glenn Bowles: Actually, he and his real estate agent initiated this process about two years ago, with a letter sent to us. That helped to get the Staff thinking about the area, and then other things fell into place and here we are.

Darryl Chandler: In 40 years, you don't see the residential growth there; it's just not a residential area.

Bruce Peters: So you're saying it should be a commercial area? So my property just went down in value?

Darryl Chandler: I'm not saying that. With limitations, I think there are things that can be put in there, and things that are there could be made better. I have property here.

Bruce Peters: Yeah, but you don't live here.

Darryl Chandler: I might live here if I can get this changed. I love this area. I have family here.

Debra Logner: If we can get some motorization out here, maybe.

(Unknown Task Force Member): I feel comfortable with the charge as printed, and I'm glad we can sit down and talk about it and hopefully come up with some mutual agreement.

Mac Miller: I've been here for 54 years. I like the way it's been the last 54 years, and if someone suggested to me bringing in water and sewer, more taxes, and more people, I wouldn't be happy. I don't necessarily agree that this is not a residential area. I feel the area in general is more residential in nature than commercial, but I'm coming in with an open mind and am willing to look at these views and discuss it. I have reservations about making changes to the area.

Glenn Bowles: One clarification, the study area is not going to be all commercial or no commercial, or all residential or no residential. Some are as are residential now and will stay that way, and some other areas will remain commercial. The raceway, quarry, asphalt plant and concrete plant are the main focus areas. We may have some suggestions for neighboring properties, but changes would be for specific reasons as opposed to a general change.

Kevin Peters: I own the go-kart track and have been working on this for a little over a year. I want to work with the community too, and don't want to do anything that will offend anyone.

My ideas for the place are an action sports park, Christian based, possibly a shop be built there, maybe a park with bumper boats and volleyball courts with sand, maybe a paintball course, or

DRAFT

games for kids to play indoors, a small chapel, something different for the community and that local churches could use.

I hear water, water, water - I would like to have some small cabins that we might not be able to get them perked. Some places for the RV's to hook up so they don't have to run their generators. I know that noise is a problem for the residents, and I know I wouldn't want to be bothered about that, so we'll do what we can to keep the noise down. Motocross probably isn't going to be here, due to the noise.

We just want to work with you. I just want to be able to use my land and get my money out of it and what I'm looking at isn't going to be a large money maker, and might actually lose money, but it's something for my children. I think it would be great for the community and families. I know I'm an outsider here, but we like the area.

Michael Harvey: So you are comfortable with the charge and the amendments we've proposed.

Kevin Peters: If we don't find something for these kids to do, they're going to get into something you may not want them to get into. They have energy.

Vance Agee: I agree with most of the concerns addressed. I don't have anything else to say.

Debra Logner: I feel I need to know a little more about zoning and what's in place, what options are in place. I don't feel I know enough to give a proper opinion without more information. I know there will be different uses, but there are a lot of different zoning laws.

Michael Harvey: So you would like to have a comprehensive overview of what it's zoned now, what options are available, what regulations could be imposed. To reiterate, you will be creating a zoning district that would be geared for this area, called a rural enterprise development zone, which will be done in coordination with Dianne Reid of the Economic Development Department. If you feel that it would be viable to review a lot of the work from the initial meetings, we can do that.

Glenn Bowles: This area is currently zoned Agriculture Residential, with two existing commercial nodes, which are EC-5.

Commissioner Carey: How many acres are those (EC-5 districts)?

Glenn Bowles: Maybe 2 or 3 acres.

Bruce Peters: I thought he had an 11-acre tract.

Glenn Bowles: He does, but only a small portion of it is zoned EC-5 for his shop.

Michael Harvey: The thing to remember about EC-5 is that when zoning was originally implemented, the EC-5 was a compromised district created to allow existing commercial

DRAFT

operations to continue and be considered legal. Whole properties weren't rezoned, it was just focused on providing a zoning district to that one land use in a small area.

James Walker: Does the EC-5 give him a broader band of economic development?

Michael Harvey: Not necessarily. You can't expand EC-5. There are different uses that you can put in EC-5, but the problem is that given the size of EC-2 or EC-5, expansion potential is limited because you have to keep all commercial apparatus in the defined area. There are also buffering requirements, parking requirements, lighting, etc. It's going to be difficult for anyone to make any other viable use by doing a major change on an EC-5 lot.

Debra Logner: I'd like to request that at our next meeting to bring a chart stating what EC-5 areas are and what categories come under each, determinations, land uses, etc.

Glenn Bowles: It will be in a chart form like this. It can come to you electronically.

(Unknown Task Force Member): Are you talking about the _ area by the County line?

Bruce Peters: No, we're talking about the old Toby Poole place.

(Unknown Task Force Member): I was referring to the place with the plants.

Glenn Bowles: That's a permitted use area as a nursery.

Michael Harvey: It's covered under the modified farm exemption, because they grow all of their materials there.

(Unknown Task Force Member): Who makes that determination?

Michael Harvey: We would look at it as a legal land use based on what the courts have decided is a bonafide farm.

(Unknown Task Force Member): I have one other concern under the uses of the charge, where it talks about littering and speeding. To me, garbage and litter are two different things. There are two different spots on Macon Road where people seem to think that because it's a gravel road, they can just dump stuff. That's really makes the road look ugly. I think the two items need to be looked at separately.

Bruce Peters: There's another place close to the racetrack behind the cement factory. I called the County 1 ½ years ago, and they didn't do a thing.

(There was general discussion on the subject of littering and the future of the rock quarry among Task Force Members and the audience)

Michael Harvey: As we stated at the beginning of this meeting. Durham County and Person County are involved in this process because we're going to have impacts going across borders.

DRAFT

Person County has talked with Glenn and I on a few occasions, but they haven't selected anyone yet to be on this committee.

Durham County is very interested. We don't want you to think that this is the dividing line and all of your problems are going to be here and everything that is being done in Orange County side will be done for nothing.

Durham County has been very receptive about trying to coordinate issues. You have to understand that what happens in Orange County is our responsibility, and what happens in Durham County is their responsibility. The regulations are going to be different, but we're going to work together to try to identify common areas where we can address some issues.

Glenn Bowles: Can you report to us at the next meeting about the permit requirements for Durham?

Helen Youngblood (Durham County Representative): Yes, I can get them.

Glenn Bowles: I have their permit # somewhere in my file.

Debra Logner: I have this question because it is rather unusual use. Industrial uses have been in Orange County, and I want to know This being a watershed area.

Glenn Bowles: We'll elaborate on that.

Steve Yuhasz: This was kind of addressed in item #3 that there needs to be some significant study done on how to separate the obviously commercial areas with the obviously non-commercial areas. That intermediate area is what I feel needs to be focused on and how to maintain that separation in a way that satisfies both parties. In taking about the water and sewer or well and septic, what is the possibility of creating some type of special district where there will be a private community system to serve the commercial areas without opening up the possibility of substantial residential development, which is what concerns people.

Michael Harvey: The task force can certainly discuss that.

(Unknown Task Force Member): Does Orange County have that?

Michael Harvey: No, that is being studied.

Glenn Bowles: We have broached that with the Board of Health, but there is a lot of detail and control that can't be exercised now. At the last meeting it was suggested that we invite some of these use owners, such as the quarry or go kart, and give a presentation to the task force. Since we have two of those people tonight, would you be comfortable giving a 15-20 minute presentation about you would like to do with your property?

Vance Agee: Absolutely.

DRAFT

Glenn Bowles: Along with the other revisions to the charge that we've heard tonight, that would be an opportunity for free discussion between the task force, the neighbors and the owner to see if we can begin to craft some commonality. Staff would like to see this commonality and cooperation. Then, eventually we could invite the quarry and the concrete people, but the concrete folks haven't changed much over the years.

Bruce Peters: There is less traffic now. They are slowly going away.

Daryl Chandler: I worked the property all day yesterday, and it was mixing constantly.

Glenn Bowles: If that's agreeable to you, let me know if you need any AV equipment. The next meeting we're trying to set on the 2nd at the same place, same time. We'll let you know when the date is settled.

Daryl Chandler: I'm very interested in some. I've been a resident down the road from Orange County, and I love this place, and we plan to stay here. We just want to keep things as they are.

Glenn Bowles: Next meeting, we'll bring back a revised charge, have some summary of zoning potential under the existing conditions, and presentations by Vance and Kevin. Please invite your neighbors. We need to have this discussion.

Michael Harvey: For clarification purposes, for next meeting we are also bringing, as Commissioner Carey suggested, some information on the water and sewer plan so that you can understand the history, and discuss what Lindsay referred to tonight about how we're going to modify the charge.

(Unknown Task Force Member): We're not going to spend the whole time on water and sewer are we?

Michael Harvey: No, but it's important that you understand the history, limitations and options.

Glenn Bowles: We have heard some discussion about the end use on the quarry could be a source for water.

Eric Huppert: I'm more concerned about the water quality than the water and sewer issue.

Glenn Bowles: The end use for the quarry could be something other than a hole in the ground.

Mac Miller: There were a lot of questions raised at this meeting, and maybe if you could get the word out more, then people will come.

Glenn Bowles: We'll try to promote it a bit more.

Mac Miller: How many people actually receive these mailings?

Glenn Bowles: About 40.

DRAFT

Mac Miller: Do they actually receive letters?

Glenn Bowles: They were mailed out from our office to the addresses on record. Residents may not have actually received it, if they have recorded different addresses.

Mac Miller: I actually work at the PO part time, and didn't see any received there.

Glenn Bowles: There's about 25 Rougemont addresses, and 8-9 Hurdle Mills addresses.

Mac Miller: Are you picking out from the radius around this small area plan? Is this how you decided who to notify?

Glenn Bowles: We essentially took the property owners within the study area.

Mac Miller: At the last meeting we discussed that there were several people who endorsed the idea that we go out to New Sharon Church Road. Some people I spoke with hadn't received any information.

Glenn Bowles: This is the limited area.

Mac Miller: I only delivered about six on the day I was delivering mail.

Glenn Bowles: I can provide the mailing list if it would be helpful.

Mac Miller: I know people that live closer to the racetrack who didn't know about it.

Glenn Bowles: Renter's don't get the letters.

Debra Logner: I have a list of all of the neighbors around me and the land that they own, and are interested in any changes, but they're not here tonight.

Glenn Bowles: Community involvement depends a lot upon the issues. It's difficult to get a lot of people to these meetings until it's the last minute when people don't like what they've heard.

(Unknown Task Force Member): If Person County doesn't show up, will that hold up our process?

Michael Harvey: No. We invited Person County, and they get the same information as the task force members. We met with Person County and they are interested in what we're doing. If there's anything else you would like, please let Glenn or myself know prior to the next meeting.

(Unknown Task Force Member): I'd like to say that the Staff has been more attentive in the last few years, and even though they're not all here tonight, we're glad that you're willing to listen to us.

DRAFT

Michael Harvey: Remember, this is not just a planning initiative. This is a joint Planning and Economic Development project. The Economic Development Department is very interested in working with all of you, just as we are, and are a major part of this as well. They want to see rural commercial opportunities expand where it's reasonable. They don't want to force anything on anyone. Economic Development can also be contacted with questions or concerns. Just remember this is a dual process and Ms. Reid will be more than happy to assist you in answering any questions or addressing any of your concerns.

Debra Logner: Could you also bring a list of acronyms you use?

Michael Harvey: No problem.

Glenn Bowles: Thanks for coming.