



PLANNING *and* INSPECTIONS

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**AGENDA**  
**ORANGE COUNTY BOARD OF ADJUSTMENT (BOA)**

**WHITTED BUILDING**  
**300 WEST TRYON STREET**  
**HILLSBOROUGH, NC 27278**

**Wednesday, December 10, 2025**  
**7:00 p.m.**

- 1. CALL TO ORDER**
- 2. CONSIDERATION OF ADDITIONS TO AGENDA**
- 3. APPROVAL OF MINUTES**  
November 12, 2025 Meeting Minutes
- 4. PUBLIC CHARGE**

The Board of Adjustment pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. All electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate.

The Board of Adjustment is a quasi-judicial administrative body established in accordance with the provisions of local regulations and State law to perform specified functions essential to the County's planning program. Action(s) taken by the board are based solely on competent, substantial, and material evidence presented during a previously scheduled and advertised public hearing on a specific item. As detailed within Section 2.12.2 of the UDO the Board chair reserves the right to exclude evidence and testimony that is deemed: 'incompetent, irrelevant, immaterial, or unduly repetitious' and therefore fails to reasonably address the issues before the Board of Adjustment. While it should be noted there is no time limit on the presentation of evidence, the Chair asks that the presentation of evidence be consistent with established policies, rules of procedure, and acceptable levels of decorum to ensure a fair and equitable hearing for all parties.

## **5. POTENTIAL BOA CONFLICT OF INTEREST STATEMENT**

It is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. Board members having any conflicts of interest or appearances of conflict with respect to matters before the Board should identify the conflict or appearance of conflict and refrain from undue participation in the matter involved.

As a reminder, NC General Statute § 160D-109 establishes the following standard: A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected person's constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

## **6. CASES**

**To conduct an evidentiary hearing to a review Special Use Permit (SUP) Major Modification (Case SUP25-009 ) for a previously approved SUP and Site Plan for an existing Elementary, Middle, and Secondary school facility commonly known as the "Emerson Waldorf School." The Major SUP Modification request was submitted by Waldorf Educational Association of North Carolina. The request includes proposed changes to the previously approved site plan and SUP conditions.**

**The site is located at Orange County PINs: 9871646437, 9871658140, 9871743098, and 9871721935, with a primary property address at 6211 New Jericho Road, Chapel Hill, NC 27514.**

## **7. Administrative Updates**

## **9. ADJOURNMENT**

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**MINUTES**  
**BOARD OF ADJUSTMENT**  
**REGULAR MEETING**  
**November 12, 2025**

**MEMBERS PRESENT:** Leon Meyers, Chair  
Beth Bronson, Vice Chair  
Jeff Scott, Member  
Greg Niemiroski, Member  
Kyle Myers, Alternate

**MEMBERS EXCUSED:** Nathan Robinson, Member  
Holly Fraccaro, Alternate

**STAFF PRESENT:** Cy Stober, Director, Planning and Inspections  
Patrick Mallett, Deputy Director, Development Services  
Taylor Perschau, Current Planning Manager  
Hathir Pfau, Permit Development Technician  
James Bryan, Staff Attorney

**APPLICANTS:** Nora Dennis  
Kevin Hornik  
John McPhaul  
Caroline Cheeves

**MEMBERS OF THE PUBLIC:** Sylvia Stracke, Sarah & Justin Lormand, Peggy Rich, Ken & Robin Davidson, Benny Dodson, William Trollinger, Tony Davis, Margaretta Yarborough, John McClain

**AGENDA ITEM 1: CALL TO ORDER**

Leon Meyers called the meeting to order at 7:00 PM

**AGENDA ITEM 2: CONSIDERATION OF ADDITIONS TO AGENDA**

None

**AGENDA ITEM 3: APPROVAL OF MINUTES**

Leon Meyers: Then, the first item is approval of minutes. Board members had a chance to look at the minutes in the agenda package. Any questions or motion to approve?

Beth Bronson: Motion to approve.

Jeff Scott: Second.

Leon Meyers: All in favor, please say aye.

1 **MOTION** was made by Greg Niemiroski. Seconded by Jeff Scott.

2  
3 **VOTE:** Unanimous. All in favor.

4  
5 Leon Meyers: None opposed.

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7 **AGENDA ITEM 4: PUBLIC CHARGE**

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9 Leon Meyers: And folks, bear with me while I read this public charge and some other housekeeping. The Board of  
10 Adjustment pledges to the citizens of Orange County its respect. The Board asks its citizens to  
11 conduct themselves in a respectful, courteous manner, both with the Board and with fellow  
12 citizens. If a member of the Board or a citizen fails to observe the public charge, I will ask the  
13 offending person to leave the meeting until that individual regains personal control. Should decorum  
14 fail to be restored, we will recess the meeting until a time when a genuine commitment to the public  
15 charge is observed. The Board of Adjustment is a quasi-judicial administrative body established in  
16 accordance with the Orange County regulations and North Carolina law to perform specified  
17 functions essential to the County's planning program. Action(s) taken by the Board are based solely  
18 on competent, material, and substantial evidence presented during a scheduled and advertised  
19 public hearing on a specific matter. As detailed within Section 2.12.2 of the UDO the Board chair  
20 reserves the right to exclude evidence and testimony that is 'incompetent, irrelevant, immaterial, or  
21 unduly repetitious and therefore fails to address appropriately the issues before the Board. While it  
22 should be noted there is no time limit on the presentation of evidence, the Board asks that the  
23 presentation be consistent with established policies, rules of procedure, and acceptable levels of  
24 decorum to ensure a fair and equitable hearing for all parties. It is the duty of every board member  
25 to avoid both conflicts of interest and appearances of conflict. Board members having any conflicts  
26 of interest or appearances of conflict with respect to matters before the Board should identify the  
27 conflict or appearance of conflict, and refrain from undue participation in the matter involved. As a  
28 reminder, NC General Statute 1.60D.109 establishes the following standard: A member of any board  
29 exercising quasi-judicial functions pursuant to this chapter shall not participate in or vote on any  
30 quasi-judicial matter in a manner that would violate effective persons' constitutional rights to an  
31 impartial decision maker. Impermissible violations of due process include, but are not limited to, a  
32 member having a fixed opinion prior to hearing the matter that is not susceptible to change,  
33 undisclosed ex parte communication, a close familial business, or other associational relationship  
34 with an affected person, or a financial interest in the outcome of the matter. I ask now, does any  
35 board member need to declare a conflict or an appearance of conflict related to tonight's business?

36  
37 Beth Bronson: No.

38  
39 Leon Meyers: Hearing none, the case before the Board tonight is SUP25-0016, and I'll ask for the staff  
40 presentation.

41  
42 Taylor Perschau: Good evening, Board. I am Taylor Perschau, currently Planning and Zoning Manager. Before  
43 I jump into the case itself, I am going to give a little bit of context of what brings us to you  
44 tonight. The task at hand, and your role in the evidentiary hearing, and then set up the  
45 cadence of what the evening should look like. So, prior to coming to the Board of Adjustment

1 tonight, we have had staff review of a special-use permit application. This is including  
 2 planning staff review, as well as inter-departmental review. It also included a neighborhood  
 3 information meeting, which is required by ordinance for a special-use permit application. That  
 4 has been satisfied, and tonight we are here to conduct an evidentiary hearing for you all as  
 5 the Board of Adjustment to make the determination of the findings of fact presented in the  
 6 packet. So, the Board's specific role tonight is to receive evidence entered into the record  
 7 pertaining to the case, which will include hearing testimony from parties with established legal  
 8 standing, review the evidence and testimony, deliberate on the materials, and make a  
 9 determination based on the findings of fact, and then, finally, make a determination for  
 10 approval or denial of the special-use permit being requested. So, as has been mentioned  
 11 now, I do want to explicitly call out what legal standing is established to be, and this is defined  
 12 by General Statute 160D, where standing is defined to include the following persons in a  
 13 quasi-judicial hearing: it's a person with legal interest in the subject property. It is the  
 14 applicant. It is the city or county governing the property, in this case, Orange County, a person  
 15 who will suffer special damages as a result of the decision, and it may also include an  
 16 association organized to promote the interests of a particular area, such as the homeowner's  
 17 association or a community association, so long as at least one member would have standing  
 18 as an individual, and the association was not created in response to the development at issue.  
 19 So, with that in mind, I would suggest the cadence for tonight to be, first, establishing legal  
 20 standing for those that can participate in the evidentiary hearing, and then entering evidence,  
 21 which would include staff presentation testimony, applicant evidence and testimony, and  
 22 evidence and testimony from anyone with legal standing; and then, finally, questions and  
 23 deliberation from the Board. So, I would leave it at that for you, Chair Meyers, how you will  
 24 want to move from here.

25  
 26 Leon Meyers: Well, it's a good time to figure out what step is next here. We have a little bit of an unusual  
 27 situation here, where we have a person who is claiming standing and has requested a  
 28 continuance of the hearing. Board members, I know everybody's aware of that from email  
 29 earlier today. We could approach the beginning of the hearing by reviewing standing for all  
 30 of those who have claimed standing to be parties to the hearing tonight. Or we could deal  
 31 with the continuance matter first. Board members, do you have a thought about what's the  
 32 best way to handle that?

33  
 34 Beth Bronson: I would just like to state for the record that the applicant is not requesting an attendance?  
 35 Okay. Then, I think we need to move forward with establishing standing.

36  
 37 Leon Meyers: Your thoughts?

38  
 39 Beth Bronson: Sounds good to me.

40  
 41 Leon Meyers: Okay the reason I bring it up is that the person who has requested a continuance, is Ms.  
 42 Stracke here?

43  
 44 Sylvia Stracke: Yes, sir.

45  
 46 Leon Meyers: Yeah, right, and I know your counsel can't be present because we have a letter to that effect,  
 47 and I wonder if that changes board members' thoughts about this at all? The fact that counsel,  
 48 is not available to represent her tonight. No?

49  
 50 Beth Bronson: I mean, are you willing to represent yourself tonight?

1  
2 Sylvia Stracke: No, I am requesting a continuance for all matters so that my attorney can be present.  
3  
4 Leon Meyers: All right. Taylor?  
5  
6 Taylor Perschau: Well, I would just add, so, staff is in receipt of this request for legal standing. Prior to tonight's  
7 hearing, staff received three email submittals for a request to establish legal standing, and I  
8 believe as the crowd processed in tonight, Pat also has a list of individuals who are in  
9 attendance and who may be requesting standing.  
10  
11 Leon Meyers: Okay. Five, right? I see.  
12  
13 Beth Bronson: You've added that perfect.  
14  
15 Leon Meyers: You want to take a look, Beth, and I'll pass it down the other way.  
16  
17 Beth Bronson: All right, yeah. I mean, nothing is preventing us from hearing anybody's argument for standing.  
18 I think we can make a decision at that point whether or not to consider a continuance. But,  
19 the idea that it's not the applicant. The applicant is the one who is presenting their case  
20 tonight, so I have a hard time moving forward with proposing a continuance right now.  
21  
22 Leon Meyers: All right. I'm going to give board members a chance to just take a look at the map here to  
23 show where the properties are located related to the folks who have signed up to speak.  
24 Good, then we'll begin the process of determining standing for the folks who have signed up  
25 to speak, and the first person who signed up is Justin and Sarah Lormand. Lormand? Is that  
26 correct?  
27  
28 Sarah Lormand: Lormand.  
29  
30 Leon Meyers: Lormand, good. Please come forward, and just as a reminder, this part of the hearing is for  
31 the purpose of determining whether folks who are claiming standing as parties to this special-  
32 use permit hearing, actually have standing, and it's the Board, of course, that determines that,  
33 so, I would ask that you tell the Board why and how you believe you have standing as a party  
34 to the hearing. Can you please speak into the mic?  
35  
36 Sarah Lormand: I was also advised to request a continuance. The lawyer that was recommended to me that  
37 I've spoken to is not available at short notice. From what I can tell, the applicant has had six-  
38 plus months to prepare documentation to present to you. We were only notified 6 weeks ago.  
39 That's not very much time in the scheme of things to secure legal counsel when they're in high  
40 demand and to get an appraisal to contest the one on file. So, I would reinforce our desire for  
41 a continuance in this matter. If you have the plat map there, you can see our house is tucked  
42 directly into the corner of the property in question. So, we are bordered on two sides by  
43 Jubilee and have been impacted by their business to date, and do not want to be impacted  
44 further by the expansion of their business as proposed in this special-use permit.  
45  
46 Leon Meyers: Hold on, excuse me for interrupting. I want to remind you that the purpose of this portion of  
47 the hearing is to determine whether you have standing as a party to the hearing. I'm sorry  
48 I've complicated a little bit of an obscure concept, but the most direct path in this kind of  
49 situation would be for you to demonstrate that you would suffer special damages if the special-

1 use permit were issued. So, if you have evidence to that effect, or evidence that qualifies you  
2 as a person with standing in some other way, that would be the thing to talk about right now.  
3

4 Sarah Lormand: Okay, but I was advised it's actually the reverse of what's happening, is that they would  
5 address the continuance normally first and that then I would have legal counsel present to  
6 help me establish that standing.  
7

8 Leon Meyers: Right.  
9

10 Sarah Lormand: So, short of that, we have been impacted both by the increase of traffic across a single-lane  
11 gravel, private road that we have paid to maintain. We are impacted by the current business  
12 model, which brings clients, patients, and volunteers to the property directly adjacent to ours,  
13 and in this case, the exception that was granted for the bona fide farm allowed this business  
14 to be where it is despite the zoning being agricultural, residential, and rural buffer, but now  
15 we're pivoting to non-farm uses and expanding that business. If you take away the farm use,  
16 that takes away the fact that they're allowed to use an easement across private property. So,  
17 that is, I guess, part of why we're here tonight is just that, the bona fide farm was why they  
18 were allowed to put a business in our little quiet residential area, and now they're pivoting to  
19 non-farm uses via this and that cannot be a blueprint for how to circumvent zoning that's there  
20 to protect us.  
21

22 Leon Meyers: All right, board members, questions for Ms. Lormand? Then, a motion will be in order to  
23 determine whether Ms. Lormand has standing for the purpose of participating in tonight's  
24 hearing.  
25

26 Beth Bronson: I guess, before I make a motion, my question would be that this is not your easement, correct?  
27

28 Sarah Lormand: No, it's Sylvia Stracke's.  
29

30 Beth Bronson: Yeah, this is the neighborhood, okay.  
31

32 Sarah Lormand: We do have her pay as part of the road maintenance agreement for that maintenance.  
33

34 Beth Bronson: So there is a contractual maintenance agreement on that road?  
35

36 Sarah Lormand: Correct, and we are a party to that and have paid for that.  
37

38 Beth Bronson: Okay, and it's gravel?  
39

40 Sarah Lormand: It's a single-lane, gravel, private drive over multiple properties that connects the applicant's  
41 property to Dairyland, and I was under the impression that businesses were supposed to have  
42 frontage on the state-maintained roads and direct access to them, and the only reason there  
43 was an exception to that was because of the bona fide farm status. Now the bona fide farm  
44 status stands in the way of her getting her fire inspection to expand her business and acquire  
45 further licensure, and, so now we set that aside and just let them have a business in our quiet,  
46 residential community. So, that's the loophole that seems very odd. They're saying that  
47 there's no change being made to the business, but there is. It's gone from a farm-based bona  
48 fide farm to a non-farm use medical facility.  
49

- 1 Leon Meyers: Wait a minute, let's try to stay focused on the standing issue in this part of the hearing rather  
2 than on the merits of the application. Let me be sure I understand how you believe traffic has  
3 an impact on the value of your property that would generate special damages to you or your  
4 property ownership.  
5
- 6 Sarah Lormand: Right now, the increase in the traffic creates dust. There's been issues with speeding, and  
7 there's just a sheer volume that one business generates multiple times as much traffic as our  
8 five, six households combined. In addition, we've been blocked in. I've been unable to get to  
9 work for trucks delivering to her, parking across the end of the private drive and blocking us  
10 from getting out, and there's just been multiple issues since the inception of her business,  
11 which I have reached out to the county previously.  
12
- 13 Leon Meyers: And how do you believe that approval of the special-use permit application would make that  
14 situation worse?  
15
- 16 Sarah Lormand: Because it increases her client base dramatically. That's the reason she wants it is to be able  
17 to get additional licensure so that she can dramatically increase her client base and expand  
18 her operation. It also includes a new building envelope, again, expanding the operation. If  
19 just the small amount of traffic she has coming in now with the volunteers, the patients, and  
20 the employees is already impacting us. Once that's allowed to expand to a full rotation of  
21 cohorts, it's going to only amplify those disturbances.  
22
- 23 Leon Meyers: And help me with the reason you believe that has an impact or would have an impact on the  
24 value of your property.  
25
- 26 Sarah Lormand: One is that I never would have purchased this property if there was a commercial lot next to  
27 me, and I certainly would not have purchased this property if there was a mental health facility  
28 next door. I wouldn't even have looked at the property, and I have a strong belief that the next  
29 family won't either. It's going to make it very difficult to sell my home if I choose to try to get  
30 away from this.  
31
- 32 Leon Meyers: Do you have any background in valuing real property?  
33
- 34 Sarah Lormand: Again, that's why I'm asking for a continuance. I've spoken with a variety of realtors and  
35 appraisers, and they require more time to rebut the appraisal on file. The realtor that I spoke  
36 to who was willing to come tonight and speak to the fact that it is much harder to sell properties  
37 with this type of facility, with a business next door, but especially this type of facility focusing  
38 on mental health and substance abuse, is going to be a very hard sell. She is not available  
39 tonight. The lawyer I spoke to is not available tonight. This was a very short amount of time  
40 to be able to prepare a defense to this.  
41
- 42 Leon Meyers: And I understand that the relatively short notice for the hearing, as I'm sure you know, the  
43 staff has followed the ordinance and the state statutes with regard to notice for tonight's  
44 hearing. The Board, of course, can't change any of those things. We work with what we have.  
45 Tonight, you don't have evidence that approval of the special-use permit would have a  
46 negative impact on your property.  
47
- 48 Sarah Lormand: No, I have not had an opportunity to get that on file yet.  
49
- 50 Leon Meyers: Board members, any other questions?

1  
2 Kyle Myers: I was just going to ask that we can confirm that appropriate notice was provided, and we filed  
3 the letter that was dated the 29th does meet the criteria for notice.  
4  
5 Leon Meyers: Taylor or Cy, could you respond, please?  
6  
7 Cy Stober: Correct and I would note for the record that that far exceeds the notification requirements of  
8 the general statute.  
9  
10 Kyle Myers: Thank you.  
11  
12 Leon Meyers: Any other questions for Ms. Lormand or motion on standing?  
13  
14 Beth Bronson: No. I do see the submission of standing, now. Okay. I'm not really sure how to proceed with  
15 this if nobody's counsel is able to appear tonight. But the applicant has been able to provide  
16 all of the required notice and follow all of the steps necessary for a special-use permit.  
17 Because there is no submission of appeal in a way that would create its own agenda item. I  
18 don't know. Yeah. Does anybody else have thoughts on this?  
19  
20 Leon Meyers: Well, that was related to my thinking about the order of business for tonight. But, you  
21 understand, I'm sure, what Beth is saying is that we have folks who say they haven't had time  
22 to prepare and we've encountered this in the past.  
23  
24 Jeff Scott: Yeah, I mean if we were to go back on what we've done in the past, it's like if we changed our  
25 minds this time around, it will be going against pretty much what was advertised, the timelines  
26 and everything like that, and fortunately or unfortunately, it's just, that's the process.  
27  
28 Leon Meyers: All right, any other thoughts or questions or a motion on Ms. Lormand's standing?  
29  
30 Beth Bronson: I think because there is a written agreement for this driveway, we do need to consider the  
31 standing of any adjacent neighbor because this is the road that everybody lives off of and they  
32 share a driveway, easement or not with this business and this applicant. So, that's my position  
33 on that. Does that make sense?  
34  
35 Jeff Scott: I think it does. I guess is there more information about the easement or the right-of-way or  
36 the maintenance of it.  
37  
38 Beth Bronson: If anybody had a copy of that?  
39  
40 Jeff Scott: Yeah, if there was some kind of evidence or, formal agreement, it would make a lot of sense  
41 because that would directly impact you and/or the owners.  
42  
43 Sarah Lormand: A copy of our road maintenance agreement?  
44  
45 Jeff Scott: Something, yeah. Something in writing.  
46  
47 Sarah Lormand: I have it. I believe I either have it in my email, or she may have it in her paperwork.  
48  
49 Leon Meyers: The application package includes a reference to such an agreement but not the agreement  
50 itself.

- 1  
2 Beth Bronson: Okay. Now, I guess, that would be next question is to ask the person who does hold that  
3 easement if she has a copy of it with her tonight. You can take a minute to check, not a  
4 problem. That would just, and for me, again, where I stand – James, you can correct me if  
5 this is out of order, but if every single person who signed up tonight has the same situation, I  
6 think we just need to address it together, or somebody else is raising their hand.  
7
- 8 James Bryan: Let me step back first to say with standing, it's usually special damages is what you have to  
9 have. With standing, it's usually special damages. That's how you show it. You can have an  
10 interest in the property, and that can be an easement. I don't know, and it hasn't been  
11 presented to the Board of what the specifics in this case are. It could be if you would think of  
12 two extremes, perhaps, and these are just hypotheticals, that people have got an easement  
13 on this parcel, and you could look up the parcel identification number and say, oh, yes. You've  
14 got a right to something on that property. It could be, also, that this road is a separate property  
15 and it might be a contractual agreement to maintain but not be an easement. Who knows.  
16 You guys can see that if you want. And then, I'll go just because it's been talked about some  
17 about this idea that the chicken and the egg and that type of thing about, do you do standing  
18 first, or do you consider continuances? Generally, it's in the Board's discretion. There is  
19 nothing in your rules of procedures. There's nothing in the UDO. There's nothing in the  
20 statutes about it. It's such a rare case I've been doing this many years, and it doesn't come  
21 up very often except for the case of just neighbors wanting a continuance. You guys have  
22 had that many times in the past, and what you have routinely said is that you're going to abide  
23 by what the standards are is the fair trial standard, so you have to give people a reasonable  
24 opportunity to participate. It's assumed that the statutes and the ordinances are that  
25 reasonable opportunity, and as Cy mentioned, the local UDO exceeds the state statutes for  
26 that period. If you were to, within your discretion, allow a continuance for a reason, you do  
27 need a reason. You need to be reasonable. You can't be arbitrary or capricious, so arbitrary  
28 means that there is no reason. I can't tell what you're going to decide one day or the next.  
29 So that's the consistency thing goes to that, and capricious means it doesn't matter who's up  
30 there. So, just because I'm ugly doesn't mean that you're going to do this against me. But it's  
31 within the Board's discretion whatever you think is reasonable. So, going this route, doing  
32 standing is just fine. Sorry to belabor the points, one last thing about having an attorney,  
33 people do have a right to an attorney. There are instances where, like, if you get fired and in  
34 your employment hearing, you might not have the right to an attorney. They'll say, no, your  
35 attorney is not allowed in here. Here, your attorney's allowed in. You don't have a right to be  
36 appointed an attorney, have that paid, or anything like that. Representation is also the practice  
37 of law. So, nobody else other than an attorney can represent somebody. You guys are all  
38 quasi-experts in this, so if you've got a cousin in Caswell County, and says, hey, can you do  
39 that? Don't go to the meeting for them because that's criminal. But there's no rights that you  
40 have to respect for the attorney.  
41
- 42 Beth Bronson: Okay.
- 43
- 44 Leon Meyers: Board members, some additional information from James about the order of business here of  
45 whether we continue down this path of establishing standing or consider a continuance. Any  
46 fresh thoughts about that?  
47
- 48 Kyle Myers: I do have a question for staff as it relates to standing and the prior applicant who doesn't have  
49 legal representation here. Can staff confirm that Dodson Knoll Road is owned by PIN  
50 Identification No. 9850-09-9116?

1  
2 Cy Stober: Repeat the PIN please.  
3  
4 Kyle Myers: 9850-09-9116. I ask the question purely because in the application, there's a map, and it  
5 appears as though Dodson Knoll Road is on the property of 9850-09-9116.  
6  
7 Cy Stober: That's correct.  
8  
9 Kyle Myers: So, Sylvia Strack owns the road. That's, I want to just make sure that I understood that.  
10  
11 Cy Stober: To clarify, there are three properties that have Dodson Knoll Road on the property; the subject  
12 property of the application, property with PIN 9850-19-1715 owned by the Robin Davidson  
13 Trustee, and the property you just inquired about. Thank you.  
14  
15 Leon Meyers: All right. Let's see if we can keep moving forward here. Any other questions.  
16  
17 Beth Bronson: No.  
18  
19 Leon Meyers: Then, a motion will be an order to approve organize standing for Ms. Lormand as a participant  
20 in this case. While Board members are thinking about that, Mr. Hornik had something to say.  
21  
22 Beth Bronson: Yes.  
23  
24 Kevin Hornik: Good evening, everyone. Before you all take a vote on this-  
25  
26 Leon Meyers: Identify yourself.  
27  
28 Kevin Hornik: Sorry. My name is Kevin Hornik. I'm an attorney with the Brough Law Firm in Chapel Hill.  
29 I'm here this evening on behalf of the applicants. You all may have received, and tell me if  
30 you haven't, but we submitted a memorandum of law on the standing issue. I think it does  
31 address some of the questions that the Board has been discussing. First, with respect to the  
32 easement issue here. There is a statute that would confer standing on the owner of an interest  
33 in the property that is the subject of the Board's decision. That interest could be an easement  
34 interest. However, I want to make clear that the easement, neither Dodson Knoll Road nor Hi  
35 Mar Lane are the subject property in this case. The property, the portion of the property on  
36 which this use presently exists is not located within the easement area from either of these  
37 easements, and so we would argue that the existence of these easements is irrelevant to the  
38 Board's decision as none of these folks' own property that is the subject of the special-use  
39 permit. In other words, none of these folks own an interest in property which will, which is  
40 being used for the care facility use itself. They certainly own an interest in property that folks  
41 cross over to access the care facility, but they do not own property that is the subject of the  
42 special-use permit application itself and; therefore, by statute, they do not have standing under  
43 that particular standard. Now, I think, as James mentioned, there's a second standing, well,  
44 there are several standing statutes, but the most relevant one typically is the special damages  
45 standard. Again, this is outlined in the memorandum of law, but I'll cut to the chase here.  
46 There are kind of two important points when considering the special damages standard. The  
47 first is so the special damages need to be distinct from the neighborhood or the rest of the  
48 community. I think you've heard from Ms. Lormand, and I think you will hear from the others,  
49 but they are all talking about generally the same damages, an increase in traffic over Dodson  
50 Knoll Road, and then kind of the general related effects of that and of what they argue as a

1 commercial use or a non-farm use of the property. Those are all, those are special damages  
 2 that would be suffered by anybody in the area, any in the neighborhood, or in the community  
 3 surrounding the property. Therefore, they are not distinct to any one of these neighbors.  
 4 Therefore, they do not have standing under the special damages standard. Then, finally, and  
 5 again, the special damages need to be the result of the decision of the Board. I think, as  
 6 you've already heard, this use is presently operating the property, despite what you've heard,  
 7 and you will hear testimony from the applicants themselves. They do not propose to expand  
 8 or change anything about the use or the day-to-day operations on the property as a result of  
 9 the special-use permit. The special-use permit is solely for the purpose of facilitating a fire  
 10 inspection on the property so that they can change the way they bill insurance through the,  
 11 with the North Carolina Department of Insurance. There will be no expansion. There are no  
 12 proposed additional trips, anything like that, and so again, they have not demonstrated that  
 13 the special damages they allege they will suffer from would be the result of this Board's  
 14 decision tonight. If this Board were to deny the special-use permit request tonight, operations  
 15 would continue tomorrow as they have been for the last nearly 2 years now, so those special  
 16 damages would continue to occur sort of no matter what happens here. And I'll also add the,  
 17 my clients are also subject to both road maintenance agreements that are applicable here, so  
 18 to the extent that you've heard testimony that suggests that they are damaging the roads and  
 19 that they are not roads that are paid for and maintained by other people. That's just not  
 20 accurate.

21  
 22 Beth Bronson: No, thank you very much. I appreciate that. Yes, and I think that his kind of gets in a little bit  
 23 too much into what we're trying to discuss right now, and while I can appreciate you pointing  
 24 out that Dodson Knoll Road is not part of the parcel in question, should Dodson Knoll Road  
 25 not exist, there would be no access to this parcel I think is where I'm coming from, in the  
 26 discussion of standing, and I can absolutely appreciate that the applicants' also part of this  
 27 easement agreement for maintaining the road. The fact that everybody else is an agricultural  
 28 residential, and this is operating as a business, is unique and, while no other adjacent  
 29 neighbor that doesn't share Dodson Knoll Road, I guess what I'm trying to say is that if they're  
 30 not on Dodson Knoll Road, I would not be inclined to continue this conversation, and it would  
 31 be easy to say that they don't have standing, but the fact that this road exists, this easement  
 32 exists, there is no access to this property without a private drive, this complicates it quite a bit.

33  
 34 Leon Meyers: Any questions for Mr. Hornik? Thank you, sir.

35  
 36 James Bryan: And, if I may interrupt, that is reasonable, but that, that is contrary to law.

37  
 38 Beth Bronson: It is? Okay.

39  
 40 James Bryan: Yes, the easement has to be on the property. I don't know what the easement is. I look on  
 41 GIS, I see lines. It's not for me to look at that, but I will tell you, it has to be an easement on  
 42 the property, so it's subject to this decision. It's the property subject to this decision.

43  
 44 Kevin Hornik: If I may?

45  
 46 Beth Bronson: Thank you for the clarification, James.

47  
 48 Kevin Hornik: This might help kind of as an illustrative point. Hypothetically speaking, if one of the  
 49 neighboring property owners had like a sewer or a septic easement over a portion of this  
 50 property, they would almost certainly have standing because they have an interest created by

1 easement in the parcel that is subject of the special-use permit application, but this is not that  
 2 case. There is no easement interest held by anybody else that crosses over my client's  
 3 property.  
 4

5 Beth Bronson: Thank you for that clarification, and it does make sense.  
 6

7 Leon Meyers: Board members, further thoughts or motion on Mrs. Lormand's standing for this case?  
 8

9 Jeff Scott: I guess, probably, now, this is a silly question, but understanding the easement and where it's  
 10 at, where the access road is kind of changes my thoughts about is that it's not on the  
 11 applicant's property. Therefore, it really doesn't if the applicant was like vice-versa that's a  
 12 different situation, but you know.  
 13

14 Leon Meyers: Certainly an important piece of the facts here, it just doesn't fit the, in my opinion, the statutory  
 15 definition of special damages, at least in that path.  
 16

17 Beth Bronson: Okay. With that said, and the fact that we are kind of being hung up on the access road, I  
 18 guess I would have to make a motion that Sarah Lormand and John Lormand would not have  
 19 standing in the sense that they're not, they cannot, they don't have any, they haven't provided  
 20 any evidence to the special damages for their property.  
 21

22 Leon Meyers: Motion to deny standing to Ms. Lormand as a party to this hearing. Do I hear a second?  
 23

24 Jeff Scott: Second.  
 25

26 Leon Meyers: Any discussion? All in favor of the motion to deny, please say aye.  
 27

28 **MOTION** was made by Beth Bronson. Seconded by Jeff Scott.  
 29

30 **VOTE:** Unanimous. All in favor.  
 31

32 Leon Meyers: None opposed? The motion carries. Thank you for being here, Ms. Lormand. Peggy Rich is  
 33 the second person who signed it. Ms. Rich, if you're here, could you come forward, please?  
 34

35 Peggy Rich: Yes, may, my name is Peggy Rich, and I own the adjoining property.  
 36

37 Leon Meyers: Ms. Rich, I'll ask you to peak into the microphone, if you don't mind.  
 38

39 Peggy Rich: All right.  
 40

41 Beth Bronson: You can move it towards you if you want.  
 42

43 Peggy Rich: Good afternoon. My name is Peggy Rich. I own the adjoining property next, Jubilee Farms,  
 44 and we all use Dodson's Knoll Road, which I'm familiar with, and I was familiar when it was  
 45 split up and when the road was allocate, when it, when the easement was divided at, the  
 46 easement was on Kenny Davidson, and Sylvia Struck it completely. Her land only borders  
 47 theirs. She owns no part of the easement, and the traffic, we have no choice on the bona fide  
 48 farm, but after the bona fide farm was approved, and we didn't know it, we had a meeting.  
 49 We requested a meeting with the planning department, which they, we met with them in  
 50 February of '24, and we told them we were really dissatisfied with all our traffic in and out, and

1 they said that she had a bona fide farm, and we said how can you give her the right to use is  
2 for 48 patients with 20 staff?  
3

4 Leon Meyers: Ms. Rich, excuse me for interruption. I'm going to ask you to direct your comments, at this  
5 portion of the hearing, at competent material and substantial evidence that you have standing  
6 under the statute to participate in the hearing. Can you tell us, please, why you believe you  
7 have standing as a participant in the hearing for tonight's special-use permit?  
8

9 Peggy Rich: The fact that I have a property adjoining her does not qualify?  
10

11 Leon Meyers: No, ma'am, it does not by itself.  
12

13 Peggy Rich: And you know the traffic in and out is tremendous. Do you have a question?  
14

15 Leon Meyers: No, no, I was just going to say that if you have evidence that traffic that would be different if  
16 the special-use permit were approved, if that level of traffic would have a negative impact on  
17 the value of your property and what evidence do you have of that, Ms. Rich?  
18

19 Peggy Rich: I don't have any evidence, but I mean, you know kind of common knowledge but also the  
20 traffic in and out is terrible. Not only that, it throws the gravel off the driveway. You try to mow  
21 on it, the gravel shoots over. I have to make the sure cars coming and going that I don't hit  
22 on the gravel. Number 2, I have COPD. That dust is really terrible. You know, it's just the  
23 trade, it was never supposed to be a commercial business there. This is a private residential  
24 neighborhood.  
25

26 Leon Meyers: And Board members, any questions for Ms. Rich related to her status of standing as a  
27 participant in the hearing? If not, a motion to approve or deny standing for Ms. Rich would be  
28 in order.  
29

30 Jeff Scott: I make a motion that we deny standing for Peggy Rich.  
31

32 Leon Meyers: Do I hear a second?  
33

34 Kyle Myers: Second.  
35

36 Leon Meyers: Any discussion on the motion to deny?  
37

38 Peggy Rich: I do have a request. I request the special-use permit be denied on the grounds that all,  
39 everyone should follow the rule of the law.  
40

41 Leon Meyers: Thank you.  
42

43 Beth Bronson: Thank you very much.  
44

45 Leon Meyers: Any discussion on the motion to deny? All in favor, please say aye.  
46

47 Leon Meyers: None opposed?  
48

49 Beth Bronson: I'm, at this moment, like I, yes. I'm having a hard time. Well, have a –  
50

1 Leon Meyers: And was that a yes?  
2  
3 Beth Bronson: I mean opposed.  
4  
5 Leon Meyers: Okay. Opposed to the motion, right?  
6  
7 Beth Bronson: Opposed to the motion.  
8  
9 Leon Meyers: So that's 4-1.  
10  
11 Beth Bronson: 4-1.  
12  
13 **MOTION** was made by Jeff Scott. Seconded by Kyle Myers.  
14  
15 **VOTE:** 4-1. Beth Bronson opposed.  
16  
17 Leon Meyers: Ms. Rich, thank you for being here. The Board has determined that you do not have standing  
18 as a participant in this evening's hearing. Thank you for being here.  
19  
20 Beth Bronson: Okay. And you're going to keep running into this issue, if we want to discuss the idea that we  
21 have confirmed that they have obtained counsel, and they're asking for more time.  
22  
23 Leon Meyers: Right.  
24  
25 Beth Bronson: I understand procedures have been followed. There is no reason.  
26  
27 Jeff Scott: Well, I think it's not to counteract your point, but you know, to James' point. I like when he  
28 says capricious but like we can't this happens almost every meeting is like you know folks  
29 come in. They want to speak. They find out about standing. I understand it's frustrating. You  
30 know, the county's given them 6 weeks to do what they need to, which is obviously not all the  
31 time, in the professional world, to gather professionals, but these are the rules that we have  
32 to go behind and we can't contradict ourselves, for one. You know, one meeting versus the  
33 other, another applicant or another neighbor without somebody saying like, well, why did you  
34 give them favoritism? Well the last person didn't get it, you know. Right?  
35  
36 Beth Bronson: From a judicial standpoint. I'm on board with that, yes  
37  
38 Jeff Scott: It's unfortunate. It's just I don't, I don't know what else to do.  
39  
40 Beth Bronson: No, 100 percent.  
41  
42 Leon Meyers: You can make a motion to continue, if you like. That, that's up to you.  
43  
44 Beth Bronson: Yes.  
45  
46 Leon Meyers: The third person who's signed up to speak is Sylvia Stracke. Did I pronounce correctly,  
47 Ms. Stracke? Please come forward. Ms. Stracke, I'll just remind you please to direct your  
48 comments at this portion of the hearing towards establishing standing that would be  
49 competent material and substantial evidence that demonstrates if this special-use permit were

1 approved, the value of your property would be damaged. I ask you to speak into the  
2 microphone if you would, please.  
3

4 Sylvia Stracke: I would like to repeat my request for continuance even on the issue as to whether I have legal  
5 standing so that my attorney can be present to present that argument. I believe I do have  
6 standing. Dodson Knoll Road is something I own. The easement is also on Dodson Knoll  
7 Road, and the prior road maintenance agreement, I think you had asked about, I do have that  
8 with me tonight, but there was an updated road maintenance agreement that was mailed to  
9 the applicant and her parents on September 10th, which I have not received a signed copy  
10 back to update that so that she was agreeing to pay 95 percent of the maintenance on said  
11 road, but there is a lot of traffic on that road just from bona fide farm status, and I would like  
12 to, even from you to question or applicant's attorney to question me on legal standing, I would  
13 like for my attorney to be present.

14 Leon Meyers: Understand.

15  
16 Beth Bronson: Thank you very much. I appreciate that.

17  
18 Leon Meyers: Questions for Ms. Stracke or a motion on standing for Ms. Stracke?  
19

20 Jeff Scott: When we look at establishing standing, like what typically, we'd always look for like attorneys,  
21 real estate professionals, engineers, anybody that's an expert that will be able to give  
22 evidence, but we don't typically the 6-week lead time of being able to kind of come up with  
23 this getting somebody to come to an evening meeting, for example, is a challenge. You know?  
24 But, can they bring evidence that is professional and present that in the interim? I don't know  
25 if I'm saying this right, but I guess what I'm saying is like, you know the, not the applicant, the  
26 person trying to establish standing must bring their attorney, great. They can't be here, so  
27 they're asking for a continuance, but that doesn't necessarily absolve them of being able to  
28 bring competent material themselves. Does that make sense?  
29

30 Leon Meyers: I agree.

31  
32 Jeff Scott: You know we want obviously, we need somebody that's a professional that can be able to  
33 establish this stuff, but that doesn't preclude someone coming to this meeting alone and  
34 bringing that information.  
35

36 Beth Bronson: Yes, representation is not a requirement. It's just strongly suggested. The evidence is what  
37 we're looking for.  
38

39 Sylvia Stracke: I do not believe the applicant's attorney even contested my legal standing until 2 days ago,  
40 which he was well aware that my attorney was going to be out of state prior to this since weeks  
41 ago.  
42

43 Leon Meyers: I'll just remind the Board that we need to focus, in my opinion, at this point in the hearing, on  
44 determining whether Ms. Stracke does or does not have standing, and then we can get into  
45 the other questions as the hearing moves forward. A motion would be in order.  
46

47 Beth Bronson: I'd have to make a motion to, I don't know. This is the only submission of standing that comes  
48 with concrete evidence that they will be able to present the case if they were given a  
49 continuance.  
50

- 1 Jeff Scott: Well, and that maybe is the question to you is your attorney's not here tonight, but I don't think  
2 we can really ask like what would you bring if we could enter, because I don't think we can  
3 ask that.  
4
- 5 Beth Bronson: Counsel would advise not to.  
6
- 7 Jeff Scott: Yes, exactly, I know, but it's like what you know, the, what do we have to review tonight? We  
8 don't have anything beyond, you know.  
9
- 10 Leon Meyers: This is probably a good time for me to suggest that the letters from Ms. Stracke's attorney and  
11 for Mr. Hornik in response be entered in the record.  
12
- 13 Cy Stober: Yes, sir, I'll provide copies of all, and we have additional copies for anyone.  
14
- 15 Leon Meyers: I know. Board members have copies of those letters by email.  
16
- 17 Cy Stober: We have hard copies of all, and they'll be entered into the record. We have additional copies  
18 for any member of the public in attendance who would like to review them.  
19
- 20 Leon Meyers: All right.  
21
- 22 Kyle Myers: Could I ask a question, Leon? So the complication here, like Jeff said, is that this is obviously  
23 complicated, right, and because this particular application still doesn't have an interest in the  
24 actual property, my question is, if there was no road to the property, if the easement was not  
25 in existence, would that change the applicant legally from a farm use to some other use? I  
26 guess I don't, I haven't been able to hear the full, the staff summary of all of this, and so I  
27 struggle a little bit with the farm use being acceptable use and, if the road wasn't available,  
28 they couldn't go to it, right? So, there is an agreement in place to go to it and travel on it that  
29 they're all party to, and so I recognize it's not an interest on the property, but it is the only  
30 access to the property, which makes it a property to begin with.  
31
- 32 Cy Stober: Mr. Chair, if I may?  
33
- 34 Leon Meyers: Yes, two separate points that you're making there. One is related to the existing farm use,  
35 which I would just say, in my opinion, it is not the subject of this evening's hearing. What we're  
36 talking about is a special-use permit, which is a different animal, and on the road, so maybe  
37 that's what about you were to address?  
38
- 39 Cy Stober: I was just going to clarify for the Board and the public that regarding the farm status and  
40 access to the property, 160D-903A prohibits the application of all zoning regulations, so  
41 access to the property was never reviewed by the county.  
42
- 43 Leon Meyers: And then do, I want to be sure I understand your question.  
44
- 45 Cy Stober: Further clarifications for Chair, my apologies. With regard to the farm use, with regard to this  
46 application, it was reviewed.  
47
- 48 Leon Meyers: Yes.  
49
- 50 Kyle Myers: Okay, that was my question.

1  
2 Leon Meyers: Okay.  
3  
4 Kyle Myers: So access was reviewed as part of the application? Okay.  
5  
6 Leon Meyers: I believe there was a DOT, some kind of DOT submission, right, I think on Page 21.  
7  
8 Cy Stober: Correct, that is part of the application which will be reviewed with the submittal of evidence.  
9  
10 Kevin Hornik: If I may, during the applicant's case in chief, we do have a traffic engineer here who will testify  
11 about the means of access, the sufficiency of Dodson Knoll Road.  
12  
13 Leon Meyers: Right.  
14  
15 Kevin Hornik: So to the extent there are questions about that aspect, I think that will be addressed during  
16 the special-use permit case in chief.  
17  
18 Leon Meyers: Any other questions for Ms. Stracke or discussion or a motion regarding Ms. Stracke's  
19 standing?  
20  
21 Beth Bronson: Back to the conversation of this is this easement, this, that she's brought forth is not actually  
22 on the property that is under question, the parcel under question.  
23  
24 Kyle Myers: Correct. It is not. The easement does not have an interest on the property.  
25  
26 Beth Bronson: Yes and given James' guidance on what we are supposed to be looking at tonight and how  
27 we are.  
28  
29 Leon Meyers: Well, right now, we're looking at determining standing for Ms. Stracke. Right?  
30  
31 Beth Bronson: Right. It's one without the other. There isn't one without the other, to me. Right?  
32  
33 Leon Meyers: Okay.  
34  
35 Beth Bronson: In the sense that, well, you're talking about common sense when you're talking about  
36 representation, right, not to be capricious, but it is understandable that this person would have  
37 standing in the fact that their easement is the road frontage for this business. So their access  
38 is what is on this public road. That would be my argument that this is, that this person does  
39 have standing because the public access to this special-use permit, this parcel of the special-  
40 use permit, is in question.  
41  
42 Jeff Scott: But it's not on the property.  
43  
44 Beth Bronson: But it's on the road frontage to get to the property. Right? So the public road, Dairyland,  
45 exists on Ms. Stracke's property. For the sole fact that it's on the road frontage would be  
46 enough for me to establish standing for this person.  
47  
48 Leon Meyers: We just heard James explain that the easement interest relates to the subject property.  
49

- 1 Beth Bronson: Again, this is a super unique situation because it's not the subject property, and again, it is  
2 about the Board determining standing.  
3
- 4 Leon Meyers: Right. We could make a motion.  
5
- 6 Beth Bronson: I would say that by the sole fact that the access to this parcel under question for the special-  
7 use permit is access by public road through Ms. Stracke's property, that that would give her  
8 legal standing in this conversation simply because as the Planning Director has pointed out,  
9 this access was never reviewed as a bona fide farm, doesn't have to be, but it does have to  
10 be as part of the special-use permit.  
11
- 12 Jeff Scott: I think my interpretation is more of maybe less of an interpretation and more of just the  
13 easement's not on the applicant's property. It's on the other people's land, so you know, we  
14 can show special damages to the adjacent properties because the applicant doesn't they're  
15 using the road because of another standing, and I understand what you're saying, but I guess  
16 where I'm coming from is like I'm lost, and it's not a here nor there. It is like, as the applicant,  
17 I'd be more worried that I have an access road to a business on another people's piece of  
18 property, but it's not we're not in that case. So it's, I understand what you're saying.  
19
- 20 Beth Bronson: We haven't been able to get to the applicant yet.  
21
- 22 Jeff Scott: I understand what you're saying. It's like I just feel like it's a little bit too much of an  
23 interpretation.  
24
- 25 Kyle Myers: I see the easement as a previously existing legally established thing without conditions that  
26 would preclude what it's used for, so I think we, to tie it to this is a stretch. That's kind of where  
27 I'm leaning.  
28
- 29 Beth Bronson: If there was an alternate access, I would agree.  
30
- 31 Jeff Scott: I mean it's a good, it's a good point. I just can't get on board with it.  
32
- 33 Leon Meyers: I don't want to cut off the discussion here, but we're an hour in here, and still two folks away  
34 from getting through the standing questions before we get to the substance of the hearing.  
35 So, if someone has another comment, fine, or let's get to a motion on Ms. Stracke's status as  
36 a person with standing.  
37
- 38 Jeff Scott: Can I ask one more question?  
39
- 40 Leon Meyers: Certainly.  
41
- 42 Jeff Scott: But, and this is probably more of like a long-term question where if we have somebody that is  
43 trying to establish standing, they say they have a person that could provide testimony. They're  
44 asking for a continuance. What validity do we have to say could said person present  
45 information and say I have a letter from the attorney, or the real estate person, or the engineer  
46 saying I could not attend, and it's all I don't want to say notarized, but you know, could they  
47 bring that forward and say we have a big conflict.  
48
- 49 Leon Meyers: It exists. In the case of Ms. Struck, it's in the record. We could discuss Ms. Brown's letter if  
50 you think that would be useful.

1  
2 Jeff Scott: I mean, I don't want to delay it. I just I want to make sure we did it right, you know.  
3  
4 Leon Meyers: Does everybody have Ms. Brown's letter?  
5  
6 Beth Bronson: Yes, I do.  
7  
8 Leon Meyers: Okay. And is there anything in here that would be useful for the present discussion, the  
9 present decision?  
10  
11 Beth Bronson: All right. I need to dump this real quick.  
12  
13 Leon Meyers: And, honestly, I don't see competent material and substantial evidence in Ms. Brown's letter,  
14 as much as I respect Ms. Brown, that convinces me that Ms. Stracke has standing.  
15  
16 Beth Bronson: Why would the use standards associated in Section 5.8.2 requiring direct frontage on a public  
17 state-maintained road not qualify as relevant?  
18  
19 Leon Meyers: Where are you reading, please?  
20  
21 Beth Bronson: So, there is a letter from October 22nd. Do you need to stop me?  
22  
23 James Bryan: No.  
24  
25 Beth Bronson: So, there is a letter dated October 22nd, 2025. This was the original letter from Ms. Stracke's  
26 counsel with their intention to argue standing for this application for this special-use permit.  
27 There is a use standard and it's the UDO Section 5.8.2. Specifically, she references  
28 Section B-1 that submittal requirements.  
29  
30 Leon Meyers: Beth, I just want to remind you that we're on a standing now.  
31  
32 Beth Bronson: Yep.  
33  
34 Leon Meyers: Yep.  
35  
36 Beth Bronson: This is from the person standing in front us requesting standing. I believe that by bringing this  
37 up this would be evidence that this person has standing. We have not heard the applicant  
38 yet, because we're choosing to do standing first, but Section, it's 5.8.2. There is a requirement  
39 that there is road frontage on a public state-maintained road.  
40  
41 Leon Meyers: I see how that could be relevant for the special-use permit. I have to confess I don't see how  
42 that relates to the question of standing from Ms. Stracke.  
43  
44 Beth Bronson: Because the direct road frontage is on her property, in my interpretation of that. How do you  
45 feel about that, James?  
46  
47 Leon Meyers: UDO refers to frontage on a public road.  
48  
49 Beth Bronson: Correct.  
50

1 Leon Meyers: As opposed to a private road?  
2

3 Beth Bronson: Correct. And there is no way that this applicant can prove road frontage on a public  
4 maintained road because they do not have it.  
5

6 Leon Meyers: I'm sure that will come in. Mr. Hornik is about to jump out of his chair.  
7

8 Beth Bronson: And I get it. And I, and I apologize and –  
9

10 Leon Meyers: But excuse me. Just, just a minute. Before we get into a discussion about the special-use  
11 permit itself, I'm going to point us back towards standing because we can't get to the special-  
12 use permit until we get through the folks that have claimed standing. So, if we could please  
13 let's focus on that.  
14

15 Beth Bronson: Let's focus on this.  
16

17 Leon Meyers: If you care to make a motion.  
18

19 Beth Bronson: Yes, I would like to make a motion that based on the council submitted by Ms. Stracke,  
20 referencing the special-use application and how her property would experience special  
21 damages, this person has standing. I would make a motion to approve standing.  
22

23 Leon Meyers: So, motion. Do I hear second to approve Ms. Stracke as a party to the hearing?  
24

25 Kyle Myers: Can I still ask questions?  
26

27 Leon Meyers: Sure.  
28

29 Kyle Myers: Could you just clarify, again, that the legal definition of standing requires an interest on the  
30 property that is being discussed?  
31

32 James Bryan: Yes, that is correct.  
33

34 Kyle Myers: Okay. Thank you.  
35

36 Leon Meyers: So, motion to approve Ms. Stracke as a party with standing to the hearing. Do I hear a  
37 second? Motion dies for lack of a second. Do I hear another motion?  
38

39 Jeff Scott: Make a motion that we deny standing for Mrs. Stracke.  
40

41 Leon Meyers: Do I hear a second to that motion?  
42

43 Kyle Myers: Second.  
44

45 Leon Meyers: Any discussion on the motion to deny? All in favor please say, aye.  
46

47 Beth Bronson: I'm out.  
48

49 Leon Meyers: You're voting to approve the motion to deny? Okay.  
50

1 Beth Bronson: We discussed it.  
2

3 **MOTION** was made by Jeff Scott. Seconded by Kyle Myers.  
4

5 **VOTE:** 4-1. Beth Bronson opposed.  
6

7 Leon Meyers: All right, Ms. Strack, thank you for being here. Ken Davidson. Is Ken Davidson here?  
8 Mr. Davidson please come forward. You may have heard all that you care to hear about  
9 standing tonight, but I think I'm going to ask you please to direct your comments specifically  
10 toward using competent material and substantial evidence to show how you may suffer special  
11 damages to qualify for, as a person with standing to participate in the hearing.

12 Ken Davidson: Yes, sir. Eleanor. How you doing? I've talked with her quite a bit. We've talked about the  
13 road. We've talked about a lot, a lot of things. My big thing is there's a lot of traffic in and out.  
14 There's a lot of dust. It damages my fruit trees. When she first started it was three of them  
15 that should have never had a farm before. I mean, she got goats. She let them run free.  
16 They ate her trees. They ate my trees, but like I told her, I can't prove it, even though I saw  
17 your goat eating the trees, I can't prove your goat killed my trees as opposed to that deer that  
18 came up the night before, but there's, the issue here is going to be whether a business really  
19 should be put in the middle of a residential neighborhood, and that being said, I mean, you're  
20 talking about between 30 to 50 cars a day going in and then coming out and then leaving for  
21 lunch, and they coming back again, and although I believe in what she's doing, which I really  
22 do. I really do. I believe what she's doing. I've told her that before, but I just don't think that  
23 putting a business in the middle of a residential neighborhood is really the best thing to do.  
24

25 Leon Meyers: I understand, Mr. Davidson. May I ask you why you believe you qualify as a person with  
26 standing to participate in tonight's hearing?  
27

28 Ken Davidson: That's one of the reasons. The other reason is like I said, these people coming in and out,  
29 and I understand where they're coming from, they, they don't, really don't care. They're  
30 coming in. They're leaving. They don't care. They don't care if the road is tore up. They  
31 don't care if it's got bumps on it. You know, they, and it's just like she doesn't live there either,  
32 and I'm not saying she doesn't care, but I'm saying if it was anybody else, and somebody  
33 came to their property and put a business beside of their property, and they had 40 or 50 cars  
34 coming in and out, speeding, speeding, would they want to call the police and say there's a  
35 crazy person running up and down the driveway, man.  
36

37 Leon Meyers: Thank you, sir. Board members, any questions for Mr. Davidson regarding his standing, his  
38 position as a person with standing in tonight's hearing?  
39

40 Beth Bronson: Have you brought any document where you've experienced that?  
41

42 Ken Davidson: I can't understand you. Say again.  
43

44 Beth Bronson: Do you, have you brought any documentation with you tonight that would provide in evidence  
45 to the effect of like, like loss of fruit trees and or a police report for people on your property,  
46 trespassing? No. Okay.  
47

48 Ken Davidson: Like I said the people coming in and out, they coming and going, and I don't blame them they,  
49 they don't care what the road looks like. They're just coming into that business, and then  
50 they're leaving, and that's, that's my whole point.

1  
2 Beth Bronson: And I absolutely appreciate that. Thank you, sir.  
3  
4 Ken Davidson: Okay. Thank you.  
5  
6 Leon Meyers: Board members, thoughts about this potential person with standing? A motion would be in  
7 order to approve or deny.  
8  
9 Kyle Myers: I make a motion to deny standing.  
10  
11 Jeff Scott: Second.  
12  
13 Leon Meyers: Motion is to deny standing for Mr. Davidson as a participant. Any discussion on the motion?  
14 All in favor please say aye.  
15  
16 Leon Meyers: Aye. Beth, you?  
17  
18 Beth Bronson: I'm going to go against this one.  
19  
20 **MOTION** was made by Kyle Myers. Seconded by Jeff Scott.  
21  
22 **VOTE:** Unanimous. All in favor.  
23  
24 Leon Meyers: All right. All right, and the final person-  
25  
26 Benny Dodson: You all are denying everybody that comes up there. I don't even live on the property.  
27  
28 Leon Meyers: Sir if you'd like to speak could you come forward to the podium, please?  
29  
30 Benny Dodson: Well, there's no reason to come up here if you all are going to deny everybody that comes up.  
31  
32 Leon Meyers: Are you Mr. Dodson? Is that right?  
33  
34 Benny Dodson: Yes.  
35  
36 Leon Meyers: Okay. All right.  
37  
38 Benny Dodson: This is all my family. They lived there for years.  
39  
40 Leon Meyers: I understand.  
41  
42 Benny Dodson: They used to not having a business up their driveway. If you all had a store in your, and they  
43 got to use your driveway to go in and out because it's the right of way, you're not going to like  
44 it. You live in the country for quiet. They don't want the dust and all these drug addicts or  
45 whoever the hell can come up and down the driveway.  
46  
47 Leon Meyers: Right. Mr. Dodson.  
48  
49 Beth Bronson: If this had not been in business before this meeting that might be something that we could be  
50 able to consider tonight. But we can't do that because it's already a business.

1  
2 Benny Dodson: They lady just, yes, but it's going to be more business. That's why they want fire department  
3 because they want to expand the business and build a building there.  
4

5 Beth Bronson: I hear your concern for sure.  
6

7 Benny Dodson: Which is going to bring a lot more traffic.  
8

9 Beth Bronson: And while we can't really do that about considering standing tonight, like, if there was counsel  
10 that you had that was able to provide this case to come and provide evidence that would show  
11 that the damages would occur and how they would be quantified it would be different.  
12

13 Benny Dodson: More cars come up past your house all day long, more traffic, more pollution. I know they're  
14 paying for driveway agreement and they're having to fix that and stuff. But still does affect all  
15 these people's lives.  
16

17 Leon Meyers: Mr. Dodson, if, if you could direct your comments in this part of the hearing toward why you  
18 believe you have standing under the statute.  
19

20 Mr. Dodson: But I already told you, I don't actually live up that road. I don't own the property adjacent. I  
21 don't own nothing up there.  
22

23 Leon Meyers: Are you, are you saying you don't believe you have standing as a participate in tonight's  
24 hearing?  
25

26 Benny Dodson: Well, I already know, well he told me to do it. So, I did. Because them speaking on behalf of  
27 my family. Because I don't think, it's a residential zoned area. It shouldn't be no commercial  
28 business up there.  
29

30 Beth Bronson: It's a public hearing.  
31

32 Leon Meyers: Right. All right. Board members, questions for Mr. Dodson or a motion to his status as a  
33 participant in the hearing?  
34

35 Beth Bronson: I don't believe that he is seeking standings. I don't think there's anything to make a motion  
36 on. But I do appreciate your comments. Thank you very much.  
37

38 Leon Meyers: Good. All right. Then I believe the next step is going to be to ask the staff for the staff  
39 presentation is that right, Taylor?  
40

41 Cy Stober: I believe we need to open the hearing.  
42

43 Leon Meyers: Good, then a motion would be an order to open the public hearing.  
44

45 Beth Bronson: Motion to open the public hearing.  
46

47 Kyle Myers: Second.  
48

49 Leon Meyers: All in favor, please say aye.  
50

1 **MOTION** was made by Beth Bronson. Seconded by Kyle Myers.

2  
3 **VOTE:** Unanimous. All in favor.

4  
5 Leon Meyers: And probably the next step would be to have folks who are going to testify come forward to  
6 be sworn.

7  
8 Hathir Pfau: All right. Raise your hands and repeat after me. Do you swear and affirm that the testimony  
9 you are about to give is the truth, the whole truth, and nothing but the truth, to the best of your  
10 knowledge?

11  
12 Applicants: I do.

13  
14 Staff: I do.

15  
16 Hathir Pfau: Thank you.

17  
18 **AGENDA ITEM 6: CASE: To review and hold a quasi-judicial hearing for a Special Use Permit (Case SUP25-0016).**

19  
20 **A SUP request has been submitted by property owners Kenneth H. and Joanne A.P. Wilson**  
21 **and applicant Dr. Nora Dennis. The application proposes a “Care Facility” use on a portion**  
22 **of the +/- 9.67-acre parcel (PIN 9850-09-3606) located 1009 Hi Mar Lane, Chapel Hill, NC, within**  
23 **the Bingham Township of Orange County.**

24  
25 Taylor Perschau: So, I'm going to move forward with the staff presentation, testimony, and on the findings of  
26 fact. After you hear from me, you'll hear from the applicant and then we'll be open for  
27 questions and deliberation. So, to orient us to the property at hand. The property is located  
28 in the Bingham Township, so the southwestern portion of Orange County. On the map that  
29 you're seeing on the screen, the subject property is denoted by the red star. It is split by three  
30 different watersheds, as well as three different zoning districts. The watersheds here are the  
31 Cane Creek protected, University Lake protected, and Haw River unprotected. As discussed,  
32 the current zoning is agricultural residential, rural buffer, as well as rural residential. The map  
33 you're seeing, the different colorings represent those different zonings, so the dark green is  
34 where that rural buffer zoning comes across the property. The lighter green represents  
35 agricultural residential, and then the yellow represents the rural residential. So, the unified  
36 development ordinance does define a care facility as a permitted use within all three of these  
37 zoning districts. It's permitted with the issuance of a special-use permit which is why you are  
38 a reviewing a special-use permit application for this use. The request is proposing that the  
39 entirety of the 9.67-acre tract be, that the special-use permit be applied to the entirety of that  
40 subject parcel in accordance with the submitted site plan available, and the agenda packet.  
41 The surrounding zoning matches the three zones I just noted, so agricultural residential, rural  
42 buffer, and rural residential. The entirety of the property itself as well as all surrounding  
43 properties are zoned for residential uses. When reviewing a special-use permit application,  
44 you are tasked not only to view the use in accordance with the zoning, but also in accordance  
45 with the future land use map designations. In this instance, the land use designations from  
46 the future land use plan match the language that we have in the zoning uses, but there is a  
47 little bit of different language that the future land use plan gives to these categories. So, for  
48 rural residential, it's defined by the land use plan as land in rural areas of the county which is  
49 appropriate for low intensity, and low-density residential development, and which would not  
50 be dependent on urban services during the plan period. For rural buffer, the future land use

1 plan defines that category as land adjacent to urban or transition area, which is rural in  
2 character and which should remain rural, contain very low-density residential uses, and not  
3 require urban services during the plan period. Finally, the agricultural residential category is  
4 land in rural areas where the prevailing land use activities are related to the land, and which  
5 is an appropriate location for the continuation of these uses. So, the general elements and I'll  
6 allow the applicant to get into the detail, but the general elements include day programming  
7 for adults with mental illness to support their rehabilitation and care. Operations are to include  
8 individual therapy, yoga, cooking, therapeutic horticulture, and animal care, and services to  
9 be billed as intensive outpatient programming. The application is submitted to establish the  
10 care facility as a non-farm use. Current operations are being conducted as a bona fide farm  
11 use and the applicant isn't electing into a regulated land use category of the care facility. In  
12 order to request and receive fire and life safety inspections that are not conducted for bona  
13 fide farm uses. The proposed access, as you've heard about, is to utilize the existing ingress  
14 and egress on Dodson Knoll Road, which connects the property to Dairyland Road. Dodson  
15 Knoll Road is the existing private 60 foot right of way with an agreement of restrictions and  
16 provisions for private road maintenance recorded with the register of deeds. Proposed  
17 buffers, the used standards for care facilities require a Type B, 30-foot buffer be provided  
18 around the facility and outdoor area to effectively screen the view of any outdoor area and  
19 reduce noise associated with the care facility use. I do want to point out that the ordinance  
20 also allows for variations in landscaping and buffers, as detailed in section 6.8.3. It specifically  
21 allows for modification where existing structures, utilities, gardens, and active farmland are  
22 located in the buffer is set back, which is relevant in this case since we've heard that the use  
23 is on site today and you can see in the site plan that some of the designated garden areas do  
24 exist on the southern side where a 30-foot buffer might be installed otherwise. So, this is the  
25 site plan. Again, the garden areas that I just mentioned are here on the southern,  
26 southeastern side. Dodson Knoll being the access. The building that's on site today is here  
27 where my cursor is, if you can see that, and then the proposed future building site that's been  
28 referenced is located here on the northern portion of the property. Staff has determined the  
29 application to be complete per Sections 2.5, which detail site plan requirements, 2.7, which  
30 detail what's required for special-use permit applications, and then the applicant has submitted  
31 information detailing how they propose to address all use standards identified in 5.8.3. Staff  
32 finds the special use proposed will maintain or promote the public health, safety, and general  
33 welfare if located where proposed and developed, and operated according to the plan, as  
34 reflected in the site plan, as reflected in the staff report available in your packet, as well as the  
35 staff comments through the Development Advisory Committee process. Based on the  
36 materials provided, staff finds no potential injury to the value of contiguous property. Staff  
37 further finds that the use will be in harmony with the area in which it is to be located, and the  
38 use is in compliance with the plan for the physical development of Orange County, the future  
39 land use plan that I referenced earlier. The following conditions of approval are standard for  
40 special-use permit applications that come before this Board, but I will quickly go through them.  
41 So, staff offers the condition that per Section 2.5 of the UDO, the applicant shall obtain all  
42 necessary development permits from the county prior to the initiation of any land disturbing  
43 activity associated with the construction of the proposed use. This would include building  
44 permitting, land disturbance permitting, solid waste permitting, and zoning compliance  
45 permitting. Further, in accordance with the provisions of Section 2.7.11(c), if any condition of  
46 the special-use permit is held invalid or void, the special-use permit itself shall be held invalid  
47 or void in its entirety and be of no effect, and finally, in accordance with the provisions of  
48 Section 2.7.11(d) of the UDO, the special-use permit will automatically expire within 12 months  
49 from the date of approval unless a vesting period was established and approved. I will hand  
50 it over to the applicant from here to go through their presentation.

1  
2 Leon Meyers: Before you leave, Taylor, Board Members, any questions for Taylor?  
3  
4 Kyle Myers: Yes. Could you just confirm that neither a traffic impact analysis nor a traffic assessment was  
5 required as written here and why that would be?  
6  
7 Taylor Perschau: So, a traffic impact assessment was not required. A TIA, for short, is required if the proposed  
8 use exceeds 800 trips a day. So, a TIA was not required. Traffic details are required as part  
9 of a site plan and have been provided.  
10  
11 Kyle Myers: Thank you.  
12  
13 Leon Meyers: Anything else for Taylor?  
14  
15 Beth Bronson: Yep. So, I have one question about you referenced Section 5.8.3, and what? .2?  
16  
17 Taylor Perschau: Yes.  
18  
19 Beth Bronson: Okay. Not .3. And I do want to clarify that this is not a center in residence. Under Section  
20 5.8.1.  
21  
22 Taylor Perschau: This is a care facility.  
23  
24 Beth Bronson: Care facility.  
25  
26 Taylor Perschau: Yes.  
27  
28 Beth Bronson: In a residence, or a care facility in a commercial district?  
29  
30 Taylor Perschau: So, it is special, a care facility is permitted as a special use in these three residential districts.  
31 So, you're reviewing it as a special use, and the use itself is Use No. 19 in the table of  
32 permitted uses, which is care facility.  
33  
34 Beth Bronson: Under 5.8.2. Thank you very much for clarifying that.  
35  
36 Leon Meyers: All right. Anything else for Taylor? Mr. Hornik?  
37  
38 Kevin Hornik: As I mentioned earlier, my name is Kevin Hornik. I'm an attorney with the Brough Law Firm  
39 in Chapel Hill. I'm here this evening on behalf of the applicants. Since we've already been  
40 here for about an hour and a half, I will try to get through this as quickly as I possibly can while  
41 still hitting a couple of the highlights, but please feel free to stop me and ask any questions  
42 that you might have. What I would like to do, I'll give some brief opening remarks. I'd like to  
43 call three witnesses. First, Dr. Nora Dennis, who is the CEO of Jubilee Integrated Wellness,  
44 the operator of Jubilee Healing Farm. She'll kind of give you some background information  
45 on the day-to-day operations and touch on some of the approval and review criteria. Then,  
46 I'd like to call Mr. John Mcphaul, who is our appraiser, and finally, Carolyn Cheeves, who is  
47 our traffic engineer, and then after that, I have a lengthy PowerPoint presentation here.  
48 Hopefully we don't have to go through, I don't have to use all your time going through all of  
49 that. You all should have an electronic copy of that in addition to some other supplemental  
50 materials, which were provided by email, hopefully provided to you all this afternoon. So, for

1 our opening remarks, as you all are aware, North Carolina law requires quasi-judicial  
2 decisions be based on competent material and substantial evidence in the record tending to  
3 demonstrate that all of the review criteria have been met. We intend to present evidence to  
4 you all this evening showing that all those criteria are met. North Carolina law also says that  
5 where an applicant meets their burden of production, that is the, their burden to produce  
6 competent material and substantial evidence tending to demonstrate that all of the applicable  
7 review criteria have been met. They've made a prima fascia case, they're entitled to their  
8 permit unless competent material and substantial evidence to the contrary is presented. In  
9 which case, and only in that case does the burden fall on the Board to kind of weigh one  
10 expert's evidence or testimony versus the other expert's testimony or evidence and to  
11 determine whose testimony is more credible. Before we get into our witness testimony, I  
12 have, I mentioned, I provided, and hopefully you all have the supplemental materials that we  
13 provided earlier today in PDF format. I have a selection of those in paper format that I'd like  
14 to also hand out. I think it'll help as we move through our three witnesses today.

15  
16 Leon Meyers: And without objection, that's fine with me. I don't think we received anything today.

17  
18 Beth Bronson: Let me be clear. We did not receive your PowerPoint today, we did not have a copy of that.  
19 You were, this is for the presentation.

20  
21 Kevin Hornik: Sure. Well, again, I have a selection. We can also walk through; I think Taylor mentioned  
22 that she has the supplemental materials loaded on here. So, I can walk through those to the  
23 extent that there are questions that those might those materials which are not included in the  
24 paper format to cut down on the volume of paper I'll be handing out to you all might address.  
25 So, we've got a copy here. And everybody be careful. There are these were just a little bit  
26 too thick for our regular stapler, but not thick enough for a big industrial stapler. So please be  
27 careful with the staples here.

28  
29 Leon Meyers: Thank you.

30  
31 Kevin Hornik: All right. So, for as our first witness, I'd like to call Dr. Nora Dennis to testify about a little bit  
32 of the background and how the facility operates, and we'll try to keep this quick. I think a lot  
33 of this you've already heard at this point this, so we'd like to incorporate all the testimony that  
34 you heard during the discussion on standing into the presentation and evidence, so to speak  
35 here. All right. So, Nora, can you please state your name for the Board?

36  
37 Nora Dennis: My name is Nora Dennis.

38  
39 Kevin Hornik: And can you tell the Board a little bit about your professional background and education and  
40 experience?

41  
42 Nora Dennis: Sure. Well, I grew up in Chapel Hill, North Carolina. My dad actually grew up maybe a mile  
43 and a half, 2 miles from where our farm is now. And I went to the School of Science and Math,  
44 and then I got a Morehead Scholarship to UNC Chapel Hill, and I went to college at UNC. I  
45 chose UNC because I love this place. I went to medical school at Duke. I was an ana line H  
46 Duke scholar there, and I completed my residency in psychiatry at Duke, where I was a chief  
47 resident. I subsequently joined the faculty at Duke in 2014 where I took care of psychiatric  
48 patients, both in Duke Hospital and also at the VA Medical Center because they've always  
49 had a commitment to community mental health and taking care of people who didn't have  
50 other choices. I then joined Monarch, which is a statewide community behavioral health

1 services organization as their chief medical officer working to offer access to care across 19  
 2 clinical sites throughout the state of North Carolina. That led me to become the lead medical  
 3 director for behavioral health at Blue Cross and Blue Shield of North Carolina during COVID,  
 4 where I was able to support access to mental health services for our 4 million members in  
 5 North Carolina. Over time, I really felt the corporate practice of medicine didn't center patients  
 6 and put their needs first, and it felt really important to me to create a space that centered what  
 7 patients needed over profits. So, I left my job at Blue Cross and Blue Shield, and I founded  
 8 Jubilee in hopes that I could offer a space with high client to staff ratios and connection with  
 9 nature as a way to support longitudinal healing for particularly young adults whose lives were  
 10 interrupted by mental illness. Our focus is on mental illness. Some of our clients do have co-  
 11 morbid cannabis-use disorder, but we are focused on people with PTSD, anxiety disorders,  
 12 schizophrenia, and depression, who are not receiving the support they need through  
 13 traditional pathways.

15 Kevin Hornik: I'd like to tender Dr. Dennis as an expert in the field of psychiatry and, and mental health  
 16 treatment.

18 Leon Meyers: Without objection.

20 Kevin Hornik: Okay. Nora let's see. We've, we've already established that the farm has been operating as  
 21 a bona fide farm use. Can you tell us a little bit about why from your perspective it's necessary  
 22 to apply for the special-use permit?  
 23

24 Nora Dennis: Yes, I can. From our inception, we've been a bona fide farm. I was advised that we should  
 25 take on that status some time ago by members of county staff who suggested to me that that  
 26 was the best way for us to have this type of service in the location where it was. So, I'm sorry,  
 27 can you repeat the question? I like, I'm so nervous.  
 28

29 Kevin Hornik: That's all right. What, why is it that you are seeking a special-use permit.

31 Nora Dennis: Okay, got it. Yeah, so this is a little bit complicated and technical, but within medical billing,  
 32 there are two categories of billing. There's office-based billing, which uses a CMS 1500 form,  
 33 and there's facility-based building which use a UB 04 form. For most payers, there's a really  
 34 big differential in contracting between facility based, the, for facility-based services and office-  
 35 based services and most prefer to work for people who are providing intensive outpatient care,  
 36 which is what we do. We're with people multiple hours a day, multiple days a week. They  
 37 prefer to contract as a facility. And in particular Medicaid plans and Alliance, which is our local  
 38 Medicaid plan, strongly prefers, in fact won't contract with an office-based service. In order to  
 39 have a facility-based service, you have to have a license. But I want to be really clear,  
 40 intensive outpatient services do not require a license in the state of North Carolina. And in  
 41 fact, there is no mental health intensive outpatient license. There's only a day program  
 42 license. So, so, because if people said we're operating without a license and, or that it's true,  
 43 that was because the license is not required. But in any case, I want to take care of Medicaid  
 44 patients. I've talked repeatedly to Sean Schreiber, who's the COO at Alliance about our wish  
 45 to take care of Medicaid patients. And he's basically like, call me back when you have a  
 46 license. So, if we're a bona fide farm, we can't get a fire inspection and if we are not a bona  
 47 fide farm, then we can. We would give up bona fide farm status where we awarded the  
 48 special-use permit. I'm asking for more regulation of my facility in order to be able to take  
 49 care of Medicaid patients in Orange County.  
 50

- 1 Kevin Hornik: All right. And are there other similar facilities operating in Orange County?  
2
- 3 Nora Dennis: No.  
4
- 5 Kevin Hornik: Are there other similar facilities operating in the general area?  
6
- 7 Nora Dennis: No, the most comparable would be the farm at Pine Lane, which is in Chatham County, North  
8 Carolina. However, they are a residential space with transitional housing which is wonderful.  
9 And they have community activities and volunteering, but they do not actually offer any kind  
10 of billable medical service at that space.  
11
- 12 Kevin Hornik: So, in some, and correct me if I'm wrong, but I think what I hear you testifying is, is that there  
13 is a need in the community particularly among patients or clients with subsidized health  
14 insurance who do not have a similar land or farm-based opportunity for mental health care.  
15 Is that correct?  
16
- 17 Nora Dennis: Yes. There's no other mental health intensive of outpatient program in Orange County that  
18 accepts Medicaid. There are those that are substance abuse intensive of outpatient  
19 programs, but the populations are very different between those who have a primary substance  
20 abuse problem and those who have a primary mental health problem.  
21
- 22 Kevin Hornik: And so, in your professional experience in education and as an expert in psychiatry and  
23 behavioral healthcare do you believe that this use promotes or maintains the public health,  
24 safety, and general welfare?  
25
- 26 Nora Dennis: Yes. Suicide is leading cause of death for Americans aged 10 to 24. Although suicide rates  
27 have stabilized in college students, we still find that there's a huge unmet need for behavioral  
28 health services throughout the state of North Carolina. And that's part of the reason that I  
29 created this facility because on my previous role, I was seeing that there was a tremendous  
30 unmet need and particularly a tremendous unmet need for intermediate level of care. Meaning  
31 like you're not in the hospital getting 24/7 care, you're not seeing your therapist once a week,  
32 like what's in the middle of that? Right. We have to have something because our hospital  
33 beds in North Carolina are overflowing and the UNC ER has so many psych patients that can't  
34 even keep them all in the psychiatry part.  
35
- 36 Kevin Hornik: And, and likewise, in your professional experience in education, do you believe, and especially  
37 given your prior testimony, that there's no other similar facility kind of in the general area, do  
38 you believe your operation of Jubilee Healing Farm is a public necessity?  
39
- 40 Nora Dennis: Yes, I do.  
41
- 42 Kevin Hornik: So that'll conclude kind of the expert testimony portion of Dr. Dennis's testimony. We'd like,  
43 I'd like then to turn to kind of some of the general questions about operation of the facility. So  
44 how is a solid waste handled on the property?  
45
- 46 Nora Dennis: We have a dumpster, and I think it's Efland trash collection. They come and collect it every  
47 Tuesday morning.  
48
- 49 Kevin Hornik: So, it's similar to kind of the way a, a trash would be collected from any residential property?  
50 And how about sewage? How has that handled on the property?

1  
2 Nora Dennis: We have a septic system.  
3  
4 Kevin Hornik: And has that system been permitted by the Orange County Health Department?  
5  
6 Nora Dennis: Yes.  
7  
8 Kevin Hornik: And is it regularly maintained and inspected by the Health Department?  
9  
10 Nora Dennis: Yes.  
11  
12 Kevin Hornik: Okay. And what, what about water? How is water provided on the property?  
13  
14 Nora Dennis: We have a well.  
15  
16 Kevin Hornik: Okay. And again, that was in, was that installed in accordance with the health department  
17 regulations?  
18  
19 Nora Dennis: Yes. And it was recently inspected by Katherine Hobby.  
20  
21 Kevin Hornik: Okay. How do your clients arrive and depart from the farm?  
22  
23 Nora Dennis: They arrive and depart by private vehicle.  
24  
25 Kevin Hornik: Okay. And how many total clients do you see on an average day?  
26  
27 Nora Dennis: It depends a lot because I guess our census varies a lot people come and people go. In the  
28 last year it's been between four and 16 clients a day.  
29  
30 Kevin Hornik: And, and how are those clients organized? Are they all on the property at the same time?  
31  
32 Nora Dennis: No, we have two separate cohorts of clients. The first arrives at 10:00 a.m. and leaves at 1:00  
33 p.m. and the second arrives at 5:30 p.m. and leaves at 8:30 p.m.  
34  
35 Kevin Hornik: Okay. And are these clients typically dropped off and picked up.  
36  
37 Nora Dennis: No, they drive themselves. It's very rare to have someone who's dropped off and picked up.  
38  
39 Kevin Hornik: And do they, they typically park on the property?  
40  
41 Nora Dennis: Yeah, they park on the property.  
42  
43 Kevin Hornik: Is there, there's sufficient room on the property for them to park?  
44  
45 Nora Dennis: There is.  
46  
47 Kevin Hornik: Is there anything else that you'd like to tell the Board about Jubilee Healing Farm?  
48  
49 Nora Dennis: Yes, I would like to say that our, our farm is really more of a community, and people, after  
50 they've left the program, sometimes come back for a free community afternoon that we have

1 on Thursday afternoons. I would like to say that I feel honored to be able to support my  
2 community in this way, both through providing mental health services and through providing  
3 meaningful and supportive jobs for the people that we employ. And I believe that there's no  
4 use of this land that would better support Orange County.

5  
6 Kevin Hornik: All right. And the, the last question I have for you, and this is more just a matter of record  
7 keeping for the Board, but I'm, I'm showing you what I will represent to the Board is Tab 2 of  
8 the supplemental materials. I just handed out the affidavit of Dr. Nora Dennis, are you familiar  
9 with this affidavit?

10  
11 Nora Dennis: I am.

12 Kevin Hornik: This is your signature that appears on the final page?

13  
14 Nora Dennis: It is.

15  
16 Kevin Hornik: Okay. And this is an accurate summary of your testimony and your opinions regarding the  
17 particular use?

18  
19 Nora Dennis: It is.

20  
21 Kevin Hornik: Okay. Thank you. I have no further questions for Dr. Dennis, unless the Board has some?

22  
23 Leon Meyers: Board member questions for Dr. Dennis?

24  
25 Beth Bronson: You said when, when did the facility open?

26  
27 Nora Dennis: The facility opened in June of 2024. I believe it was June 28th, although we bought the land  
28 in April of 2023 and began work later that year in order to renovate the space and add the well  
29 and add the septic.

30  
31 Kevin Hornik: And, and for what it's worth, did you apply for bon, you applied for bona fide farm status in the  
32 fall of 2023, is that correct?

33  
34 Nora Dennis: Either the fall or the summer? Yeah.

35  
36 Kevin Hornik: Okay. And I'm going to show you, what I will represent to you is, let me find it.

37  
38 Cy Stober: If I may, there's no application for bona fide farm status, there's merely an affidavit.

39  
40 Kevin Meyers: Affidavit. Sure.

41  
42 Beth Bronson: Thank you.

43  
44 Kevin Hornik: But I'm going to show you what I'm representing to the Board is Tab 8 in supplemental  
45 materials if I can. And this is a zoning verification request related to the proposed outpatient  
46 clinic program.

47  
48 Nora Dennis: It is.

49  
50 Kevin Hornik: Are you familiar with this document?

1  
2 Nora Dennis: Yes. It was written by Orange County Planning and Zoning in order for me to give it to North  
3 Carolina Department of Health Services regulation to accompany my application for licensure.  
4  
5 Beth Bronson: Okay. I'm sorry, can you have your counsel explain what he's showing you?  
6  
7 Nora Dennis: Yes.  
8  
9 Kevin Hornik: Sure. This is included in the supplemental materials that I handed out up to you as Tab 8.  
10 And what this is you'll see is a zoning verification letter submitted by county staff to the  
11 applicant in which county staff acknowledged that the zoning or the bona fide farm affidavit  
12 had been accepted.  
13  
14 Beth Bronson: It is current.  
15  
16 Kevin Hornik: Sorry?  
17  
18 Beth Bronson: You're saying it is current?  
19  
20 Kevin Hornik: It is, it is current. Well, you're asking about when the use began at the property.  
21  
22 Beth Bronson: Yeah.  
23  
24 Kevin Hornik: But you'll see December 1st, 2023, is when the zoning verification letter was issued, which  
25 effectively established the bona fide farm status on the property, and which facilitated the  
26 current use of the property as Jubilee Healing Farm.  
27  
28 Beth Bronson: Okay.  
29  
30 Leon Meyers: All right. Questions board members. If not, please continue, Mr. Hornik.  
31  
32 Kevin Hornik: All right. Nora, I, I have no further questions for you.  
33  
34 Nora Dennis: Okay. Thank you.  
35  
36 Kevin Hornik: Thank you. All right. I'd like to call Mr. John McPhaul as our next witness. Mr. McPhaul, can  
37 you state your name for the Board?  
38  
39 John McPhaul: John McPhaul.  
40  
41 Kevin Hornik: And can you tell the Board a little bit about your professional education experience  
42 background?  
43  
44 John McPhaul: I have been doing appraisals in the Orange County area for or about 40 years and started  
45 with H Robbins years ago. And I have attended both the American Institute of Real Estate  
46 Appraisers courses as well as currently licensed. I began licensing in North Carolina in 1991  
47 and my license number's 137, so I've been doing it for a long time and it's and that's basically.  
48  
49 Kevin Hornik: And have you testified before this very board before as a, in your capacity as a real estate  
50 person?

1  
2 John McPhaul: I have.  
3  
4 Kevin Hornik: All right. I would like to tender Mr. McPhaul as an expert in real estate valuation and appraisal.  
5  
6 Leon Meyers: Questions on Mr. McPhaul's expert status? All right.  
7  
8 Beth Bronson: Is there an associated tab with this?  
9  
10 Kevin Hornik: No, Mr. McPhaul was testifying to his background.  
11 Beth Bronson: Okay. All right. I just wanted to make sure.  
12  
13 Leon Meyers: Continue.  
14  
15 Kevin Hornik: Mr. McPhaul, can you tell the Board a little bit about what it was that you were hired to do on  
16 behalf of the applicant?  
17  
18 John McPhaul: Yes, I was hired to find out if the use on the property would, would impact surrounding  
19 property. There are three forms of depreciation, physical, functional, and external. External  
20 would be having a hog farm move in next door to you because then if you had that odor drifting  
21 over, it would create an externality which may affect value. And so, that's what I looked at. I  
22 looked at the last 6 years, I believe 72 months prior to when I did this work in, I believe it was  
23 May of this year and looked at, there's a 1,000 foot, I believe, notification area. And so, I'd  
24 used that as my footprint, and I looked at sales of both homes and land within that area.  
25  
26 Kevin Hornik: And as part of your review and analysis, did you prepare a report?  
27  
28 John McPhaul: I did.  
29  
30 Kevin Hornik: And is that report concluded with that, that report I'll represent to the Board is included within  
31 the agenda materials that you should have in front of you.  
32  
33 John McPhaul: Okay.  
34  
35 Kevin Hornik: So, can you tell me a little bit about how you went about performing your analysis? What sort  
36 of things would you have looked for in order to determine whether there was an adverse  
37 impact?  
38  
39 John McPhaul: I would've looked for a diminution in value from the time that this began probably in you were  
40 saying '23 and '24. And there apparently, there has been no, pretty much all of Orange County  
41 has been in an appreciation. There was a blip about 48 months prior to that where there was  
42 values did recede slightly, but then they came right back up. And so, when I started this, I  
43 want to say the average home price was, I, I can't recall, I don't have it right here. Let me see.  
44 I've got it right here in front of me. Yeah. The average in the median is how we typically do  
45 it. You take an aggregate and see what's the most occurring. And the average and median  
46 value of homes in that same area had gone from an average of 399 and a median of 271.5 to  
47 6 years ago to currently an average of 836,000 and a median of 565. The land went from an  
48 average cost of, or average sales price of 112,000 and a median sales price of 112,000 to  
49 currently 350,000 and 345,000. So, there was no way to prove a diminution in value of the  
50 surrounding property.

1  
2 Kevin Hornik: And this is kind of a unique case, right, in that typically when you are performing an appraisal  
3 or a valuation report on behalf of a special-use permit application, you're more or less taking  
4 an educated guess about what impact a hypothetical future use might have on surrounding  
5 property values.  
6  
7 John McPhaul: Yes.  
8  
9 Kevin Hornik: But that's not the case here.  
10  
11 John McPhaul: No, it, no, it was operating, and all the home values have continued to climb since it's been  
12 there. Thank you.  
13  
14 Kevin Hornik: Okay. So, we'll cut to the chase. You're aware that the UDO standard requires that the  
15 applicant present evidence that the use will maintain or enhance value the value of contiguous  
16 property?  
17  
18 John McPhaul: Yes.  
19  
20 Kevin Hornik: Do you have any, have you drawn any conclusions with respect to that review criteria?  
21  
22 John McPhaul: Yeah, I did not find that the applicant's use of the property would have any impact, negative  
23 impact on the surrounding properties.  
24  
25 Kevin Hornik: Okay. So, it'd be fair to say that it will maintain the value of contiguous properties?  
26  
27 John McPhaul: Yes.  
28  
29 Kevin Hornik: Okay. Do you have any other comments that you'd like to provide to the Board?  
30  
31 John McPhaul: Probably just that, it's not just me, but I think anybody who was reassessed on this last  
32 reassessment in that neck of the woods probably also knows that the value since the 2024  
33 tax values is almost doubled.  
34  
35 Kevin Hornik: So that's all I have for Mr. McPhaul. I'll turn them over to the Board for any questions.  
36  
37 Leon Meyers: Questions for Mr. McPhaul? Mr. McPhaul, your report doesn't mention that you studied  
38 properties outside away from Jubilee. Do you have an opinion about how a facility like Jubilee  
39 might impact similar areas? That's, I put that question very poorly. I wonder if it's possible to  
40 pick a program like Jubilee in another location and that has maybe been operating for longer  
41 than Jubilee and determine whether that program's existence had an impact on other  
42 surrounding properties.  
43  
44 John McPhaul: Yes. Like the, the one in Chatham that she was speaking of.  
45  
46 Leon Meyers: Penny Lane.  
47  
48 John McPhaul: Yes. And, and we, we like to refer to those as match pairs, if you can find them. There's no  
49 such thing because everything's so unique. But yeah. And, and even in those situations  
50 where that's a residential on site, it's hard, it's hard to prove a negative because it's,

1 everything's been appreciating in our market for quite a while, and it doesn't seem to be  
2 slowing a whole lot. But it has some since interest rates have gone up.

3  
4 Leon Meyers: Thank you.

5  
6 Kyle Myers: So, could I ask a question?

7  
8 Leon Meyers: Please.

9  
10 Kyle Myers: Could you just clarify that your evaluation is based on the application seeking approval of a  
11 care facility use, but it wasn't based on the proposed future building.

12  
13 Leon Meyers: That's correct.

14  
15 Kyle Myers: Okay, thank you.

16  
17 Kevin Hornik: And I suppose first if there are any other questions for Mr. McPhaul?

18  
19 Beth Bronson: Yes.

20  
21 Beth Bronson: I wanted to ask if there was, you said it says that the use will maintain or enhance the value  
22 of a continuous property. Can you explain a little bit more or clarify where you explained that  
23 or where you, you're saying that that would occur?

24  
25 John McPhaul: I guess what I was just saying was that it would be hard to prove that there was a diminution  
26 in value that was caused by this as since everything's continuing to appreciate and the  
27 demand is still higher than the supply.

28  
29 Beth Bronson: And so, if a commercial property were to come about on Dairyland. I'm having a hard, I'm not  
30 phrasing my question correctly either. I guess it's just regardless of the nature of the  
31 organization, I guess the existence of a commercial pro, a commercial parcel in a, I in a  
32 residential, I go to residential neighborhood with, with a gravel driveway.

33  
34 John McPhaul: There are a number of home occupations and other things that I don't know I don't know where  
35 I'm not an expert on what makes the facility commercial versus medical or whatever, but I  
36 mean, there's, there's, I know, a psychiatrist on 54, the Fox Den or something out there where  
37 they right next to the New American Legion area out there. And all those values have  
38 continued to rise too. So.

39  
40 Beth Bronson: Yeah, this area is pretty immune. So are, is the context of your question related to the site  
41 plan and the proposed future building site of 56,000 square feet? Is that what you're asking  
42 as it relates to that would be, yes. Part of the relevance of my question is that in this  
43 agricultural, residential, rural buffer area, there is there is not a residence on this bona fide  
44 farm. It's, it's behaving as a farm right now. In this special-use application, it would be then  
45 a licensed facility. Now, if that facility versus the bona fide farm would impact home values  
46 adjacent home values. I think it's, it's one thing to say that your property is adjacent to a bona  
47 fide farm, and it is another thing to say that your property is adjacent to an intensive outpatient  
48 facility. Well, and again, I'm not saying that the nature of the business matters to the point, I  
49 just want to know more about how commercial, the existence of a commercial property next  
50 to adjoining residence, agricultural, residential area might affect it.

- 1  
2 John McPhaul: Yes, and I if it was an amphitheater, it might cause more trouble, but I think that the fact that  
3 it's you know, I, it's hard for me to discern what would be the difference between this facility,  
4 a church, or a horse stable.  
5
- 6 Beth Bronson: Exactly. And so, in your opinion, your expert opinion, no matter if it was a church, horse  
7 stable.  
8
- 9 John McPhaul: Yeah. You know, that's why I arrived where I arrived.  
10
- 11 Beth Bronson: Okay. Thank you very much.  
12
- 13 Kevin Hornik: All right. Thanks John. Okay. Your question did bring up a point that I think I might ask Nora  
14 to come back up an address or Mr. Myers, it might have been your question.  
15
- 16 Beth Bronson: And I do want to clarify that Mr. Myers, he did point out that this appraisal or this farm impact  
17 on nearby values does not include any future building.  
18
- 19 Kyle Myers: Right. So, Nora, because the question has been brought up, why this future building envelope  
20 exists on the site plan. Can you answer that question? You know, and, and I suppose as  
21 kind of a corollary to that, do you have any intention at present to build anything in that building,  
22 that building envelope shown on the site plan?  
23
- 24 Nora Dennis: No, I was advised if I ever might want to build something on this land, I should put a building  
25 envelope on it. I have no plans anytime. I have no money to do that. So.  
26
- 27 Kyle Myers: And, and advised by?  
28
- 29 Nora Dennis: By the planning department.  
30
- 31 Kevin Hornik: The point is I think, and I just want to make clear that the only reason that that proposed  
32 building envelope appears on the site plan is because we were advised by county staff that if  
33 there were ever any hypothetical possibility that something might be added, we should note  
34 that on the site plan. I think just for continuity's sake.  
35
- 36 Beth Bronson: Because this is a special-use permit.  
37
- 38 Kevin Hornik: Right. And, and as you'll see, one of the review criteria is that we'll have annual updates or  
39 review by county staff. So hypothetically speaking, if we wanted to add something down the  
40 road, that would probably require, although I'm sure it'll be context specific, an amendment to  
41 the to the special-use permit. And having that identified on the site plan would, I think, be  
42 helpful or useful for staff in the event that an amendment is ever applied for in the future. So,  
43 I just, it's a long-winded way and, and probably unnecessary way of saying that, that is not a  
44 signal that the applicant proposes to add or expand anything right now. That was done solely  
45 at the request of and for the convenience of county staff.  
46
- 47 Beth Bronson: And you are confirming that this building site is at least 100 feet away from the northern  
48 property.  
49
- 50 Nora Dennis: That was what I asked the surveyor to do.

1  
2 Beth Bronson: Okay.  
3  
4 Nora Dennis: I hope that they did what I asked to them.  
5  
6 Beth Bronson: It's not, yeah, it's not listed there.  
7  
8 Nora Dennis: Okay, okay.  
9  
10 Beth Bronson: So that's what I wanted to make sure.  
11  
12 Nora Dennis: Thank you.  
13  
14 Beth Bronson: I do have one more question about your septic at this point. It's as far as relevancy, I don't,  
15 your septic is, is it, what is it specked out for how many bedrooms?  
16  
17 Nora Dennis: It's massive. So, it's actually specked out for 24 people to be there 8 hours a day, I believe.  
18 And we will never have a circumstance for 24 people are there for the entire day.  
19  
20 Beth Bronson: Yeah. It did say that there was ten people maximum.  
21  
22 Nora Dennis: So, ten clients at a time, maximum basically time. I would say, well, I mean, we've never had,  
23 we've had ten clients in one of the programs for a little while, but like, it's just so far, we've  
24 never had it be full in, in that way.  
25  
26 Beth Bronson: Okay. And yeah. All right.  
27  
28 Kevin Hornik: Go ahead. I want to make sure you, you all ask whatever other questions you have. I do  
29 have one more question for Dr. Dennis.  
30  
31 Leon Meyers: Any other questions?  
32  
33 Kyle Myers: Yeah, I did have some interest in the existing well that you mentioned was just recently  
34 installed and the septic, those are all installed, and you went to the trouble of verifying that  
35 they're permitted. But those are all based on the current needs of this facility, or they were  
36 installed with some expansion in mind?  
37  
38 Nora Dennis: So, the septic is certainly beyond the current needs of the facility. The well was as much  
39 water as we could get out of that particular well, so I don't, at that time didn't particularly like  
40 say, oh, it needs to be this many gallons per minute. It was, and I didn't know that that would  
41 be something needed.  
42  
43 Kyle Myers: Oh, thank you.  
44  
45 Kevin Hornik: And, and obviously if there were, again, hypothetically speaking, and I want to belabor the  
46 point here that there is no present plan for expansion, but obviously if there were an expansion  
47 in the future, that's something that county staff and the health department would take into  
48 account. They would not permit for occupancy or use that would exceed the capacity of the  
49 well or the septic system.  
50

1 Kyle Myers: Yes, sir. I understand the assignment that this is seeking approval of a care facility. I just  
2 wanted to understand the context of the exhibit that shows a 56,000 proposed site future  
3 building. So, I thought it was appropriate to ask.  
4

5 Cy Stober: Mr. Chair. If I may?  
6

7 Leon Meyers: Please.  
8

9 Cy Stober: I'd like to provide some context regarding the proposed development footprint and the advice  
10 or the claimed advice. But it is it is the feedback that I provided with to Dr. Dennis and for  
11 clarity, the UDO Article 2 requires any changes from a submitted and recorded special-use  
12 permit to be abided by. If any modification of that special-use permit is made, there are minor  
13 modifications, which are quite minor. I can detail them if necessary. They can be approved  
14 by the planning director. All other modifications must be reviewed at a quasi-judicial  
15 evidentiary hearing, such as we have tonight as a major modification to the special-use permit.  
16 So, for the sake of both the applicant's time and future time, and interest as well as the county's  
17 and public interest of the county to minimize staff time and reviewing a major modification, I  
18 felt it prudent to provide that advice or guidance feedback to Dr. Dennis that it may be  
19 worthwhile to include that footprint on the submitted site plan so that a future major  
20 modification would not be necessary and that footprint could be developed upon provided all  
21 other standards in the UDO are abided by.  
22

23 Leon Meyers: All right. Related to the future, the proposed future building site, I think Beth, Beth asked  
24 about the distance from that site to the north property line. It's not dimensioned on the site  
25 plan. Would you be open to a condition that would put a minimum dimension on that?  
26

27 Nora Dennis: Oh yeah, of course.  
28

29 Leon Meyers: Okay. And, and if the proposed future building site went away completely would that be  
30 something you would consider?  
31

32 Nora Dennis: Yes.  
33

34 Leon Meyers: All right. Where was, are there questions?  
35

36 Beth Bronson: There was a question about the gate being self-closing and self-latching. And there was, I'm  
37 wondering if that was complete, that work was completed yet?  
38

39 Nora Dennis: It is scheduled for Monday. I tried really hard to get it done before today, but it's not, it's going  
40 to be done on Monday.  
41

42 Beth Bronson: It is scheduled.  
43

44 Nora Dennis: Yeah.  
45

46 Beth Bronson: All right. And then the fencing on the site plan I see kind of stops at the garden. Do you have,  
47 there's wire fence versus the deer fence those two different things?  
48

49 Nora Dennis: Yeah.  
50

- 1 Beth Bronson: Okay.
- 2
- 3 Nora Dennis: Yeah, it's hard for me to kind of explain, but I guess if you start at the edge of the building to  
4 the northeast, and you proceed to the northeast corner, then you go down the eastern side,  
5 across the southern side, that is all deer fencing. Then it reaches the edge of the goat pasture.  
6 And so, then that is wire fencing. And then it comes to the northwestern corner of the fencing  
7 and then deer fencing proceeds back to connect with the building.
- 8
- 9 Beth Bronson: As in the entire outdoor area is fenced in.
- 10
- 11 Nora Dennis: Yes, ma'am.
- 12
- 13 Leon Meyers: Okay. All right. Other questions for Dr. Dennis?
- 14
- 15 Kevin Hornik: And the only other question I suppose I would ask, and this is because I think we've had, there  
16 have been a lot of questions about the commercial nature of the use you, part of the  
17 therapeutic service, services that Jubilee Healing Farm provides is land-based, farm-based.  
18 Is that correct?
- 19
- 20 Nora Dennis: Yes, we have a farmer who is on our staff, who is present 20 hours a week, and who  
21 participates in farm time with our clients. In both cohorts, we have farm time for 30 to 60  
22 minutes each day in which the clients participate in harvesting vegetables, caring for the land,  
23 like weeding vegetables, taking care of fertilizing, things like that. They also participate in  
24 animal care, so they take care of the goats and the rabbits, they brush the rabbit's hair and  
25 things like that. And that's considered to be part of the therapeutic nature of the program. We  
26 can't really exist without that because part of our theory and the way that we are modeling  
27 mental health care is that connection with land and things that are larger than ourselves.  
28 Community and land is really important to people's sense of healing, and to develop sort of a  
29 holistic healing model, we really couldn't do it without the farm and the land.
- 30
- 31 Kevin Hornik: And I would refer the Board, again, this is in the supplemental materials that I provided. It's  
32 Tab 4. It's the affidavit of Dr. Mimi Kim in her affidavit, Dr. Kim discusses kind of the, the  
33 therapeutic benefits of this type of farm related activity in work. So again, just to kind of  
34 support that contention that this is in fact an operating farm. It just also so happens to be a  
35 facility that provides mental health care.
- 36
- 37 Nora Dennis: Can I say one more thing?
- 38
- 39 Beth Bronson: Can you repeat that, sir?
- 40
- 41 Kevin Hornik: Sorry?
- 42
- 43 Beth Bronson: Can you repeat that?
- 44
- 45 Kevin Hornik: So, you'll see in, in the affidavit of Dr. Mimi Kim, and this is in Tab 4. The, the point of providing  
46 or referencing that affidavit is just to illustrate, to highlight that this is in fact an operating farm.  
47 It's an operating farm that also serves the purpose of providing mental and behavioral  
48 healthcare to the community.
- 49
- 50 Beth Bronson: As opposed to a mental health care facility that provides farming as part of it?

1  
2 Kevin Hornik: You, whichever way you'd like to slice it. But the, the fact remains that there is active daily  
3 farm activity ongoing on the site, which is part of the reason why the bona fide farm status  
4 was granted in the first place.  
5  
6 Beth Bronson: Is the, yeah, my understanding is the reason.  
7  
8 Kevin Hornik: Correct. Because the county considered what's going on, on the property to be sufficiently  
9 farm related in order to fall within that bona fide farm exemption from zoning. The point I want  
10 to make is that we're hearing a lot about the commercial nature. This is, it's not as though this  
11 is kind of a strip mall medical facility where everything is office based. The therapy that is  
12 provided is land-based. It is outdoor farm related. The clients or the patients are engaging in  
13 farm activity every day while they're there on the site. I just want to highlight that and then  
14 point out in the affidavit we have an, an affidavit which kind of explains the therapeutic benefits  
15 of that sort of activity.  
16  
17 Leon Meyers: All right. Questions?  
18  
19 Nora Dennis: May I say.  
20  
21 Leon Meyers: Please? Absolutely.  
22  
23 Nora Dennis: So, we received a farm grant from Orange County in 2024 with which we planted 110  
24 blueberry plants, 70 blackberry and about 25 fruit trees. And we have a market garden. We  
25 donate food every week to Orange congregations and mission. Last month we donated 90  
26 pounds of food, and we received a grant this year from Weaver Street Market to double our  
27 productivity and donations because that's also part of the therapeutic benefit of the farm, is  
28 that we believe farming and providing food to those in need, instills in people a sense of  
29 community and connection. Nobody else does this, like nobody in this country else, does this,  
30 nobody in this county does this. Nobody in the state does this. It's very unique. And we also  
31 got another climate change grant from Orange County to create a food forest to support the  
32 community in learning about the environment trees, especially kids. So, we do, it's all  
33 integrated and it's hard because it's something different, and it's hard when it's like our  
34 standards say like, is it this or is it this? But it's like, it's both.  
35  
36 Beth Bronson: Yeah. Understandable. And not in no way is my questioning trying to say it's one or the other.  
37 Right. And by saying commercial, it's just saying it's not a residence. Right. So, and I  
38 apologize for any confusion there, but yes, it's completely understood the nature of it.  
39  
40 Kyle Myers: I have a question. In light of the, the application would it be correct to say that no matter what  
41 happens here tonight, this will continue, the program will continue as is. Meaning, it's not  
42 going away no matter what we do is what I'm getting at.  
43  
44 Nora Dennis: It's not going away, no.  
45  
46 Kyle Myers: Right. It's going to continue. It's an approved app use of the space based on what's in place  
47 now.  
48  
49 Nora Dennis: That is correct.  
50

1 Kyle Myers: And so, the special-use permit is a means of changing some of the way it's regulated.  
2

3 Nora Dennis: That's correct. It's a way of increasing, increasing the regulation of the space and supporting  
4 access for individuals with Medicaid to our services.  
5

6 Kyle Myers: Right. So, it's expanding the outreach capability. But not necessarily, you're not as I read the  
7 application, it doesn't look like you're trying to expand in how many people are coming, per  
8 se. It's simply actually increasing the amount of regulation from the county, from the other  
9 people that have eyes on what's going on for life, safety, whatever.  
10

11 Nora Dennis: That's correct.  
12

13 Kyle Myers: Okay.  
14

15 Kevin Hornik: So unless there are any other questions for Dr. Dennis that's all I have for you.  
16

17 Nora Dennis: Okay.  
18

19 Leon Meyers: All right, good.  
20

21 Kevin Hornik: We're moving on. I promise you this is our last witness, Caroline Cheeves. I'd like to call  
22 Caroline to the stand. All right, Caroline, can you state your name for the Board?  
23

24 Caroline Cheeves: Caroline Cheeves.  
25

26 Kevin Hornik: All right. And can you tell the Board a little bit about your professional background, education,  
27 experience?  
28

29 Caroline Cheeves: Sure. I graduated from NC State University studying civil engineering in 2016. And I have  
30 since practiced engineering since. I'm a licensed professional engineer in the state of North  
31 Carolina and in Georgia. And I have performed probably hundreds of traffic studies over the  
32 9 years I've been working in the field. I am currently employed at DRMP as a traffic analysis  
33 and modeling project manager.  
34

35 Kevin Hornik: I'd like to tender Ms. Cheeves to the Board as an expert in the field of traffic engineering.  
36

37 Leon Meyers: Without objection, please go ahead.  
38

39 Kevin Hornik: All right. Ms. Cheeves, can you tell the Board a little bit about what it is that you were hired  
40 to do on behalf of the applicant?  
41

42 Caroline Cheeves: Sure. We were hired to you know, support this special use permit as well as provide any  
43 necessary documents and such as the trip generation letter that was in the application. And  
44 the affidavit that we'll go over.  
45

46 Kevin Hornik: Did you conduct any site visits as part of your review of the property?  
47

48 Caroline Cheeves: Yes. I went out to the site on Thursday, November 6th.  
49

- 1 Kevin Hornik: All right. And what sort of things you measure, measurements, observations did you do while  
2 you were out at the site?  
3
- 4 Caroline Cheeves: Sure. Well, I drove along Dodson's Knoll Road as well as Hi Mar Lane as well as the Dairyland  
5 intersections. And we measured the width of Dodson Knoll Road. We took plenty of  
6 photographs of the existing conditions out there. We observed people entering and exiting  
7 the site. And we also measured, we evaluated the site distance at all of the appropriate  
8 access points. And we also measured you know, the, the distances between the driveways  
9 along Dodson Knoll Road.  
10
- 11 Kevin Hornik: And can you describe for the Board of the kind of a, your characterization of Dodson Knoll  
12 Road and, and Hi Mar Lane for that, for that matter?  
13
- 14 Caroline Cheeves: Sure. Both roads are obviously private unpaved roads. They are extremely flat. I did not  
15 observe any particular divots or potholes. They appeared to have sufficient drainage along  
16 the roads as well. And from, based on everything I have you know, heard, I do want to say  
17 that I did ensure that we were able to pass oncoming vehicles along the road. You do have  
18 to pull over, however, there's sufficient room along the road to do so. And also, you can't  
19 really drive, or I wasn't comfortable driving more than about 10 miles per hour on the road. At  
20 one point I tried to increase my speed up to 15, but because it is an unpaved road, I didn't feel  
21 comfortable that my car was not going to take on damage due to the rocks. So, it really does  
22 force you to drive slowly along the road.  
23
- 24 Kevin Hornik: And so, in your professional experience, your education is it your opinion that the nature of  
25 the road as an unpaved relatively narrow private driveway actually provides a benefit in terms  
26 of traffic, calming it?  
27
- 28 Caroline Cheeves: It actually does a common form of traffic calming that we see as a quote unquote "road diet."  
29 They actually installed one in my neighborhood where it almost forces you to stop in order to  
30 pass other vehicles. It's a form of ensuring that people are paying attention and not driving  
31 too fast along roads.  
32
- 33 Kevin Hornik: Okay. Did you observe anything about the condition of Dodson Knoll Road or a Hi Mar Lane  
34 that leads you to believe based on your professional education and your experience, that  
35 either one is unsafe?  
36
- 37 Caroline Cheeves: I did not observe that it is an unsafe road. It is, I would like to testify that it is operating more  
38 as a driveway and not necessarily a road in terms of you know, following any NCDOT  
39 standards. NCDOT does not have any standards for unpaved private roads, so.  
40
- 41 Kevin Hornik: Okay. So, so now we're going to go through some of the traffic and traffic-engineering related  
42 UDO review criteria. So, bear with me. There's going to be a lot of word salad, I know, but  
43 we're just trying to get through this. So, based on your visit to the site and your professional  
44 experience, do you believe that Jubilee Healing Farm maintains or promotes the public health  
45 safety and general ware, welfare as currently operated and as it relates to the traffic impacts  
46 on Hi Mar Lane, Dodson, Knoll, and Dairyland?  
47
- 48 Caroline Cheeves: Yes. And I'm going to read this, just it's hard to memorize all of these different things. The  
49 increase traffic associated with the potential increase in business, and I would really like to  
50 highlight the word potential. I think you've already heard that the intent is not to increase the,

1 the density at this point, but there is that potential based on the special-use permit for an  
2 increase. The based on that, in potential increase in business for the clinic, it's expected to  
3 be nominal the traffic, the additional traffic along Dairyland Road. It's my professional opinion  
4 that the potential increase in traffic will not have a significant impact on the current operations  
5 of Dairyland Road. As for the private roads of Dodson Farm or Dodson Knoll Road and Hi  
6 Mar Lane, it's my understanding that potential increase in traffic will not change the current  
7 public health, safety, and welfare. It's also my understanding that the majority of the traffic  
8 associated with the Jubilee Healing Farm occurs outside of typical peak hours with the  
9 heaviest traffic occurring at 10:00 a.m. and 1:00 p.m. Residential peak hours typically fall  
10 within the typical adjacent street peak hours as people are going to and from their jobs which  
11 typically occurs between 7 and 9 a.m. and 4 to 6:00 p.m. Therefore, the crossover in traffic  
12 would expect it to be minimal between the any potential increase in these clients and the  
13 existing residential uses along the roads.

14  
15 Kevin Hornik: So, based on, again, based on your visit to site and professional background, education,  
16 experience, do you believe that there is adequate vehicular access to the site and adequate  
17 traffic conditions around the site?

18  
19 Caroline Cheeves: Yes. Dairyland Road currently has an annual average daily traffic, an AADT of 950 vehicles  
20 per day. Per NCDOT Level Service D standards, for systems level planning, rural two-lane  
21 roads with a speed limit of 50 miles per hour have the capacity of 13,600 to 14,100. The  
22 potential increase in AADT associated with the development would increase the AADT along  
23 Dairyland Road to approximately 1,100 vehicles, which is well below that capacity of the road.  
24 And additionally, turn lanes are typically not considered unless the AADT is 4,000 vehicles  
25 per day or greater. Based on the standards, the current infrastructure for the entrance to the  
26 public right of way is expected to be adequate for the potential increase in traffic.

27  
28 Kevin Hornik: All right, and based on again, your visit to the site, your professional education experience, is  
29 there adequate access to and from the site and space off of the road right of way for pickup  
30 and discharge of patients or clients that's not disruptive to adjacent uses?

31  
32 Caroline Cheeves: Yes. Your next question, I kind of go into that same if you want me to just answer that.

33  
34 Kevin Hornik: Yeah, we'll do that next. So, based on your visit to site, your professional education and  
35 experience, is there sufficient stacking space on the site for pickups and drop offs that is  
36 equivalent to three cars?

37  
38 Caroline Cheeves: I do not have any concerns regarding the vehicle stacking on the subject property. There's  
39 adequate stacking along Hi Mar Lane. Three vehicles in a queue is approximately 75 feet.  
40 And there's approximately 200 feet of stacking for Jubilee Healing Farm for up to eight  
41 vehicles.

42  
43 Kevin Hornik: Do you have any other comments or that you'd like to provide to the Board?

44  
45 Caroline Cheeves: I do not at this time, but I'm happy to answer any questions you may have.

46  
47 Kevin Hornik: And the, the last thing I have for Ms. Cheeves is I'm showing you what I am representing is  
48 behind Tab 3 of the packet that I provided to you. It's the affidavit of Caroline Cheeves,  
49 professional engineer. Are you familiar with this document?

1 Caroline Cheeves: Yes.  
2  
3 Kevin Hornik: And this is the affidavit that you signed?  
4  
5 Caroline Cheeves: Yes.  
6  
7 Kevin Hornik: Okay. And it adequately represents your testimony today?  
8  
9 Caroline Cheeves: Yes.  
10  
11 Kevin Hornik: So that's all I have for Ms. Cheeves. I'll turn the floor over to the Board.  
12  
13 Leon Meyers: Board members questions for Ms. Cheeves?  
14  
15 Kyle Myers: Ms. Cheeves are you familiar with the trip generation letter that was submitted by the  
16 applicant?  
17  
18 Caroline Cheeves: Yes.  
19  
20 Kyle Myers: Did you author that document?  
21  
22 Caroline Cheeves: I did not author that document one of my colleagues did at DRMP.  
23  
24 Kyle Myers: Could you speak to the 164 trips per day referenced in the trip generation letter versus your  
25 affidavit that says the increase would be approximately 10 clients per day and five staff per  
26 day. So call that.  
27  
28 Caroline Cheeves: Sure.  
29  
30 Kyle Myers: They got to drive in once and drive out. So maybe that's 30.  
31  
32 Caroline Cheeves: Sure. So that is, if you see here that we are showing the, the trip generation is based on the  
33 ITE Trip Generation manual, which is a highly regulated document that is the standard use  
34 for NCDOT for pretty much any municipality across the nation. And the recommended for this  
35 land use which we identified as clinic, in that document the recommended intensity to use the  
36 recommended variable is employees. So, we did five employees, and the daily traffic is  
37 associated with that is a trip in and a trip out. And that is based a across an average of you  
38 know, facilities, not necessarily such as this one. But facilities that operate under a clinic and  
39 that traffic also corresponds to the five employees you have increased, increased  
40 maintenance, you might have increased clientele. And so that's not necessarily saying that  
41 exactly 164 trips would occur at this particular use. That is just on average for this use  
42 approximately how many trips a day five employees would generate.  
43  
44 Kevin Hornik: Okay. So, just to put a point on it, the ITE manual kind of provides generalized you know,  
45 model numbers that can be used and applied in any kind of sort of context for potential uses.  
46  
47 Caroline Cheeves: Yes.  
48  
49 Kevin Hornik: So, the numbers used in the trip generation letter are based on kind of these projected ITE  
50 numbers, whereas the numbers that you've testified to and that appear in your affidavit are

1 based on the actual feedback, your actual observations of the operation of the site and the  
2 information that's been provided to you, correct?

3  
4 Caroline Cheeves: Yes.

5  
6 Leon Meyers: Other questions?

7  
8 Beth Bronson: Yeah. When you say stackable pick up and drop off as far as, or you do mean that they still  
9 have like in stack as in stackable people are, are paused or parked, you know?

10  
11 Caroline Cheeves: Yeah. If they were all standing still, there is sufficient space along Hi Mar Lane, and from my  
12 understanding, it is people are driving themselves, so they're driving and parking and not  
13 necessarily like in a school drop off queue where they are stacking.

14  
15 Beth Bronson: Yeah. And you are, yeah, I guess not the stacking, but the throughway, right? You are saying  
16 that there is no, it is not wide enough for two cars to be on that road at once.

17  
18 Caroline Cheeves: It is not. You have to pull over. You have to slow down and pull over as another car is passing.  
19 However, the shoulder is wide enough, you're not you know, you're not going into the ditch in  
20 order to do so. You are just pulling over. I'm sure we've all driven on an unpaved driveway  
21 before.

22  
23 Beth Bronson: I grew up in this county. Yeah, I know where a drive, I know what a gravel road looks like.  
24 Yeah. But isn't, it's not state maintained.

25  
26 Caroline Cheeves: It is not. It is a private maintained.

27  
28 Beth Bronson: Okay.

29  
30 Leon Meyers: I believe it's correct to understand that nothing in the special-use permit application limits the  
31 number of clients or employees.

32  
33 Kevin Hornik: I'll defer to county staff. I don't believe that's the case.

34  
35 Cy Stober: No.

36  
37 Leon Meyers: And Ms. Cheeves is there a number of clients or a number of staff that would generate traffic  
38 at a level that would give you concern?

39  
40 Caroline Cheeves: I would have to look at the numbers, but based on this and based on just like I said, the  
41 capacity of the capacity of Dairyland Road being extremely under capacity at this time, and  
42 that is the access to the public right of way, there is, it would have to be a much higher number  
43 for me to have significant concern, especially at that Dairyland Road driveway.

44  
45 Leon Meyers: I believe your affidavit refers to ten clients a day and five staff per day. What would you  
46 consider much higher?

47  
48 Kevin Hornik: To be clear, I think it's ten staff or ten, ten clients and five staff per cohort. So, in other words,  
49 there's ten clients at any given time, not per day.

1 Leon Meyers: Not what the affidavit says.  
2

3 Caroline Cheeves: So, I'll, I'll put it this way as was testified earlier a, ATIA is required at 800 daily trips, right?  
4 And typically, those thresholds are set for when improvements would be expected or when  
5 impacts would be expected. So, I would expect eight hundred, around 800 daily trips is when  
6 I would have a significant concern for the access along Dairy Land Road. And we would need  
7 to do a deeper analysis. For the private driveway, that is, like I said earlier, there aren't current  
8 standards for unpaved roads. It is currently you know, operating with the traffic that's on it  
9 today. And it's not what they are proposing to do is not expected to increase it significantly.  
10

11 Leon Meyers: All right. Anything else Board members?

12

13 Beth Bronson: This is maybe for counsel and not as much, but there, have you been able to view the  
14 easement agreement?  
15

16 Caroline Cheeves: I did not review it deeply.  
17

18 Beth Bronson: So, you, have you seen the amended declaration of restrictions and provisions for private road  
19 maintenance agreement?  
20

21 Caroline Cheeves: I have not reviewed it.  
22

23 Beth Bronson: Okay.  
24

25 Caroline Cheeves: No.  
26

27 Beth Bronson: Thank you.  
28

29 Caroline Cheeves: It wouldn't be necessarily my area of expertise. It'd be out of my wheelhouse.  
30

31 Leon Meyers: All right, anything else Board members? Thank you, Ms. Cheeves.  
32

33 Caroline Cheeves: Thank you.  
34

35 Kevin Hornik: So that's all I have in terms of witnesses for the Board. I'll run through our presentation just  
36 briefly. A lot of this we've already heard, kind of background on the application, does not  
37 propose any changes. The request for the special-use department is limited only to securing  
38 this kind of state-level reclassification, so to speak. Outline of the property, the current use,  
39 the bona fide farm status. It's a care facility. Care facility is permitted in all three applicable  
40 zoning districts with a special-use permit various approval criteria. So there are a handful of  
41 different sections which are applicable to this particular special-use request. We'll walk  
42 through each of those. So, Section 1 or Section 5.3.2(a)(2) sets out kind of those three  
43 primary special-use permit review criteria. So with the first one, the use will maintain, promote  
44 the public health, safety, general welfare if located where, proposed and developed and  
45 operated in accord, in accordance with the plan as submitted. You've heard testimony from  
46 Dr. Dennis. You have affidavits from Dr. Mimi Kim and Dr. Marvin Schwartz. The Schwartz  
47 affidavit is in, behind Tab 5 in your supplemental materials. We have communications, which  
48 are included in the agenda materials from Orange County Emergency Services and the Fire  
49 Marshal. You have the trip generation letter. You've also heard from Caroline Cheeves today,  
50 all of which support the conclusion based on competent material and substantial evidence

1 that the use will maintain and promote public health, safety, and general welfare. And again,  
2 this is all based on what is currently operating on the ground today. So that criteria is satisfied.  
3 Second one, will maintain or enhance the value of contiguous property unless the property is  
4 a public necessity. You've heard testimony, expert testimony from Mr. McPhaul today that  
5 the use has had and will have no negative impact on the value of contiguous properties.  
6 You've also heard from Dr. Dennis today that the use is public necessity, provides a service  
7 to the community that is not otherwise present, a service that is needed based on the current  
8 conditions and available public mental health and behavioral health services in the  
9 community. The next is the location and character of the use. If developed according to the  
10 plan submitted, will be in harmony with the area. So again the subject property is zoned in  
11 these three different classifications. Care facility uses are permitted with a special-use permit.  
12 That means that the county, the Board of County Commissioners has determined that this  
13 type of use is appropriate in all three of these zoning districts as long as the applicant can  
14 demonstrate that all of the special-use permit review criteria are met. You know, as a matter  
15 of law you the use, again, assuming that, that all other criteria you find have been met. The  
16 use is in conformance with the area that's in harmony with the area. It's in compliance with  
17 the county's regulations. So again, to continuing we've pointed out, and I think you saw this  
18 much of this in, in Taylor's presentation. But these are kind of the, the, the, the district  
19 descriptions the, the, the use of the property falls within or complies with kind of these three  
20 different district definitions or descriptions. Finally, you've also heard testimony from Dr.  
21 Dennis, and you have her affidavit that shows this has been met. Okay. So, the next is UDO  
22 Section 5.3.2(b). These are specific standards. There you see them on the screen that's  
23 there, there are four and the fourth really encompasses quite a few other standards. The first  
24 is the method and adequacy of provision of sewage disposal, excuse, excuse me, solid waste,  
25 and water. You've heard from Dr. Dennis's testimony that they have a valid wastewater  
26 system operation permit. It was approved by and is regulated by the Orange County Health  
27 Department. It's regularly maintained, regularly inspected by the County Health Department  
28 in order to maintain a valid and compliant permit. Same thing with the well certificate. You've  
29 heard testimony about the method of solid waste disposal. It's just like a residential property.  
30 They have dumpsters they set out. A garbage truck comes once a week to pick it all up and  
31 haul it off. Next method, inadequacy of fire, a police, fire, and rescue squad protection. We  
32 have in our application package communications from the emergency services director and  
33 from the county fire marshal that says this requirement has been satisfied. They have no  
34 concerns about the use as it exists or the use. I mean, and obviously because there's nothing  
35 changing the use if the special-use permit is approved. So again, you've heard from Caroline  
36 Cheeves, an expert in traffic engineering. The method inadequacy of vehicular access to the  
37 site is sufficient. This is the next one. You know, other use specific standards as set forth  
38 herein. So, we'll go through those. Let's see. We'll skip ahead first. I'll address the first two  
39 here. UDO Section 5.8.2(b)(2) sets out quite a few use specific criteria applicable to care  
40 facilities. The first two, subsection, sub, Sub A and B are not applicable. You've heard  
41 testimony that the, the use does not serve children. That's the Subsection A requirement.  
42 Subsection B is that they don't, you've heard they don't need a state license to operate, so  
43 they don't currently have any licenses. If the special-use permit is approved, the next steps  
44 would be to get the necessary inspections to get the cert, certifications and licenses that would  
45 be necessary to operate as a facility-based a clinic rather than an office-based clinic. So to  
46 the extent that licenses become necessary, those will be secured. That's the whole reason  
47 we're doing this. I know this is, this is kind of the, the, the one that has some question marks  
48 for maybe some of the Board members. There is direct frontage and access on a public state-  
49 maintained road. Those terms, direct frontage and access are not defined in the UDO,  
50 although I think to be clear, and as you've heard I think from members of the public here, there

1 are access and maintenance agreements in place. The applicant does have a legal existing  
 2 right to cross over Hi Mar Lane and Dodson Knoll Road. So, there's no doubt that they do  
 3 have access to Dairyland Road just by nature of those agreements. And again, I can close, I  
 4 have those loaded on the screen. I thought that they were going to be provided to you all  
 5 electronically, but I can show those to you in a, in a few minutes. So, with respect to frontage  
 6 on a state-maintained road, the UDO defines does not define the term direct frontage, but it  
 7 does define the term frontage lot line as the distance measured along the designated front lot  
 8 line or. or private right of way or easement as determined that by the planning director, which  
 9 affords vehicular access to the property. There is no doubt that there are private rights of way  
 10 or easements that serve the subject property, which provide vehicular access to Dairyland  
 11 Road, which is a public state-maintained road. So, we would argue that that criteria has been  
 12 met based on the nearest applicable definition in the UDO for direct frontage. Obviously, I  
 13 think there's no doubt that there is a legal right of access over Dodson Knoll Road and Hi Mar  
 14 Lane, so that the access requirement is certainly met. We would also argue that the frontage  
 15 requirement has been met based on the plain language of the UDO's definitions. So adequate  
 16 access. Again, these are things that you've heard from Ms. Cheeves. Again, all client pickup  
 17 and drop off will be on site. You've heard that both from Dr. Dennis and from Ms. Cheeves  
 18 the use will be adequately screened from adjacent properties. I think you've heard from staff  
 19 during the staff presentation that there is quite a bit of existing natural vegetation that likely  
 20 satisfies the kind of the, the, the variable vegetation requirement of the UDO. However, the  
 21 applicant has agreed to provide additional Type B buffering you know, in conjunction with  
 22 county staff if that's something that, that the Board feels is necessary. Again, we would ask  
 23 that that be imposed by condition and that they'd be allowed to work with county staff to, to  
 24 choose or select plantings that meet the county's the county has a list of appropriate plantings  
 25 that we select things from that list. Again, there's a requirement that they provide 75 square  
 26 feet of outdoor space for every client in care based on the acreage of the site, there is  
 27 approximately 1,500 square feet of outdoor space per maximum client in care. Again right  
 28 now the applicant operates with a maximum of 20. I think you've heard testimony that there  
 29 has never been, or maybe at least very seldom is there 20, 20 clients on the site throughout  
 30 the day, ever. And certainly not ever at once. So clearly, they meet that criteria. Again Ms.  
 31 Bronson, I think you asked about fencing. We've already talked about that.

32  
 33 Beth Bronson: And when you're talking about the amount of space per person, you are referencing the  
 34 fenced-in area?

35  
 36 Kevin Hornik: That's the entire the entire site. Certainly, within the fenced in area, there is more, well, well  
 37 more than 70, 75 square feet per client at any given time.

38  
 39 Beth Bronson: And then the one that you are referencing though, the 1,000 square feet per person that's in  
 40 reference to the entire 30 acres.

41  
 42 Kevin Hornik: That's in reference to the entire 30 acres. Because we are applying for the special-use permit  
 43 for the entire 9.67 square.

44  
 45 Beth Bronson: The entire parcel is not fenced in. Is that correct?

46  
 47 Kevin Hornik: That's correct. But the vast majority of the site is fenced in. Is that?

48  
 49 Nora Dennis: Well, but, so one, there's one acre that's fenced in, but certainly 1 acre divided by ten people  
 50 makes more.

1  
2 Beth Bronson: Certainly. So, there's no, I just want the record to be correct.  
3  
4 Kevin Hornik: There's no doubt we're talking 75 square feet per client at any given time. You've heard  
5 testimony that there is that there are no more than ten clients on the site at any given time,  
6 you know? What is an acre is 40,000 square feet. What's 40,000 divided by ten? Four  
7 hundred square feet per client at any given time? I think that criteria has been satisfied. We  
8 have at least four times as much outdoor space within the fenced area, as is called for by the  
9 UDO.  
10  
11 Cy Stober: Can I just request that Mr. Hornik reiterate what Dr. Dennis said? Just we need it in the mic  
12 for the record, please. About the fenced in area.  
13  
14 Kevin Hornik: Dr. Dennis said that there is at least a 1 acre segment that is entirely fenced in.  
15  
16 Cy Stober: Thank you.  
17  
18 Beth Bronson: Thank you.  
19  
20 Kevin Hornik: All right. Again, I think this one has already also been addressed by Dr. Dennis in her  
21 testimony. The self-latch unit and self-closing gates will be installed on Monday. Certainly,  
22 that is something that the applicant has agreed to provide. And then again, this is the final  
23 one. And we talked about this a little bit earlier, and I think Cy alluded to it. The facility will  
24 be reviewed annually by the planning director to ensure compliance with the standards. This  
25 is not something that I guess we can meet right now, but the applicant certainly has agreed  
26 to cooperate with any review that is conducted by planning staff. So that is a demonstration  
27 that all of the applicable re-review criteria have been met by competent material and  
28 substantial evidence in the record. You've heard from three qualified expert witnesses today.  
29 You've also heard from Dr. Dennis in kind of her non-expert or like capacity in terms of how  
30 the site operates. So, I don't think we have anything more for the Board if you, unless you  
31 have questions for us.  
32  
33 Leon Meyers: All right. Board members questions for the applicant?  
34  
35 Kyle Myers: I don't have any questions for the applicant. I do have some staff clarifications.  
36  
37 Leon Meyers: While Mr. Hornik is there let me come back to 5.8.2(c) and the, this direct frontage question.  
38 Maybe it's a question for James. He doesn't look surprised. The direct frontage. I think it's  
39 fair to say that if you read the sentence there is direct frontage and access on a public state-  
40 maintained road common usage direct frontage would suggest that there is some frontage  
41 between this parcel and a publicly maintained road. Mr. Hornik has offered another definition  
42 of frontage for compliance here. Do you have any thoughts about that?  
43  
44 James Bryan: Yeah, I apologize. I was not surprised that you asked me a question, but I do have to gather  
45 my thoughts on it. Okay.  
46  
47 Beth Bronson: Well, if you'd like to think about it, I have a question to piggyback off of it.  
48  
49 James Bryan: Please.  
50

1 Leon Meyers: Yeah. Give James a minute to think.  
2

3 Beth Bronson: Yeah. And my question is, does relate to 5.8.2(c) and (d) in the way that it's direct frontage  
4 and access on a public state-maintained road. I think that in this case, we're allowing the  
5 applicant to create that definition and then the adequate access to and from the site would  
6 need to be proven with that easement agreement. So, you do have that, you said?  
7

8 Kevin Hornik: Sure. Yeah.  
9

10 Beth Bronson: I can't find that in the registry book.  
11

12 Kevin Hornik: From what I understand, you can't find it in the, the Orange County Registry book, correct?  
13

14 Beth Bronson: The reference numbers are not showing up, so.  
15

16 Kevin Hornik: Taylor, can you show me how I need to get out of this presentation.  
17

18 Taylor Perschau: If you go to the File Explorer.  
19

20 Kevin Hornik: Okay, all right.  
21

22 Taylor Perschau: And then these are what you submitted.  
23

24 Kevin Hornik: Thank you. All right so here are the two agreements, and again, these are lengthy documents,  
25 but the first is the agreement of restrictions and provisions for private road maintenance. This  
26 one is the one that applies to Dodson Knoll Road. It's in Orange County Registry Book 372  
27 at Page 105. And again it guarantees it establishes a right of access through Dodson Knoll  
28 Road. It apportions maintenance responsibility amongst the affected property owners. It  
29 includes no other restrictions or regulations regarding the use of or character of the use of any  
30 of the affected properties. Nor would I argue, is any of that relevant? That is an entirely  
31 private property dispute. If the neighboring property owners think that there's something that  
32 violates this agreement, that's for them and for our clients to decide as a private property  
33 matter. And then we'll scroll down.  
34

35 Beth Bronson: However, Subsection C, you are using this agreement as the direct road frontage. Is that  
36 correct?  
37

38 Kevin Hornik: That's correct.  
39

40 Beth Bronson: Okay. So, it does seem relevant.  
41

42 Kevin Hornik: Well, until there is a court-ordered determination that this agreement does not provide access  
43 to the subject property, this board is bound by what exists in the public record, which is this  
44 agreement.  
45

46 Beth Bronson: That is totally fine. The relevance of this is important though in the sense that this was an  
47 established in 1980 for any future landowner to have access to. I mean, you don't need to  
48 scroll, you can stop.  
49

50 Kevin Hornik: Well, there's a second agreement.

- 1  
2 Beth Bronson: Oh, good.  
3  
4 Kevin Hornik: I'm trying to provide you all the information that you're asking for.  
5  
6 Beth Bronson: Thank you. You want to explain this one?  
7  
8 Kevin Hornik: This is a similar agreement. It was established in 2016, and it applies to Hi Mar Road. So,  
9 there are kind of two separate private driveways. There's Dodson Knoll that runs more or less  
10 north, south. Hi Mar that runs more or less east, west.  
11  
12 Leon Meyers: So, is Hi Mar not entirely on the subject parcel?  
13  
14 Kevin Hornik: Hi Mar is a portion of it is on the subject property.  
15  
16 Beth Bronson: It goes up this way.  
17  
18 Kevin Hornik: There's a separate parcel, and incidentally, the other parcel that is encumbered by Hi Mar  
19 Lane is owned by Dr. Mimi Kim. You'll see in the affidavit that's in your packet as Tab 4.  
20  
21 Leon Meyers: Okay.  
22  
23 Kevin Hornik: So again, these are the two road access agreements that create the legal right of access that  
24 provides access from the subject property and all of the other properties in the general vicinity  
25 to Dairyland Road.  
26  
27 Leon Meyers: Before we go back to James on the frontage matter, you mentioned buffer, the nature of the  
28 buffer that's called out on the site plan, just on the eastern frontage of the subject parcel.  
29 There's, maybe I should be asking the staff here. The buffer's called out on the site plan, but  
30 I don't see any specific notes about the nature of the buffer. Maybe I'm just not reading  
31 carefully enough.  
32  
33 Taylor Perschau: No, I think you are reading accurately. It's defined as a 30-foot landscape buffer. The  
34 standards would define it as a Type B, 30-foot buffer. I will offer that – so this is the special-  
35 use permit, which does require a site plan submittal. Subsequent to any approval of a special  
36 needs permit, the project is required to move through a non-residential zoning compliance  
37 permit, which requires site plan review as well, which is a condition that could be added to  
38 correct this note. And it is something that would be reviewed again in that portion. So, it  
39 would be a helpful note for staff to ensure that what you approve is what we review, a non-  
40 residential zoning compliance permit application against.  
41  
42 Leon Meyers: Are, are you saying that the UDO in this situation would require a Type B buffer or that's your  
43 recommendation for this situation?  
44  
45 Taylor Perschau: So, section 5.8.2 does ask for a Type B, 30-foot buffer.  
46  
47 Leon Meyers: Got it. Okay. That that's a condition that we might want to consider adding to the special-use  
48 permit.  
49  
50 Kevin Hornik: And, and just to clarify, Taylor, I'm sorry.

- 1  
2 Taylor Perschau: Go for it.  
3
- 4 Kevin Hornik: But the UDO also allows for buffers to be variable depending on existing vegetation conditions.  
5 Is that right?  
6
- 7 Taylor Perschau: That's correct.  
8
- 9 Kevin Hornik: And so that's why we proposed the condition I mentioned earlier that this be approved. The,  
10 the applicant has expressed a willingness to work with county staff to plant additional buffering  
11 to the extent that county staff believe it's necessary to meet that variable. You know, the 30  
12 feet type B buffer requirement or the variable buffer standard that's provided by the UDO.  
13
- 14 Leon Meyers: There's no buffer at all shown on the, the southern property line adjacent to Lot 8, right?  
15
- 16 Kevin Hornik: So again, that condition the client has, the applicant has offered to install whatever type of  
17 buffer to either you or county staff believe is appropriate, up to a 30-foot, Type B buffer as a  
18 condition of approval of the special use permit.  
19
- 20 Leon Meyers: All right, thank you.  
21
- 22 Cy Stober: If I can just reiterate a point Taylor made before the garden areas are an acceptable use in  
23 the buffer area and maybe permitted as part of the landscape buffer. Just for clarity for the  
24 Board as and just reiterating that.  
25
- 26 Leon Meyers: The only buffer called out on the site plan that I, as I read it anyway, is on that eastern  
27 boundary. And, and sorry, what are you saying about the, the buffer on the south property  
28 line?  
29
- 30 Cy Stober: Sure. So as Taylor stated before, this would go through staff review again to make sure that  
31 it complies with all ordinance standards and that buffer would be enforced. There is variability  
32 as Mr. Hornik has, has stated, and garden areas are permitted within the buffer to basically  
33 function as the buffer. And could do so there. But yes, you're correct. The only called out  
34 buffer area is that eastern perimeter, but any, this not placing the buffers on here does not  
35 exempt them. There's no condition of exemption from the UDO standards here to not apply  
36 the buffers on site. So, there's variability permitted in their application per the UDO, but the  
37 only prescribed buffer is that 30-foot buffer on the eastern perimeter.  
38
- 39 Leon Meyers: But the UDO requires buffers.  
40
- 41 Beth Bronson: But that's for the road frontage. What we would need to do is out of a condition for the adjacent  
42 partial line.  
43
- 44 Cy Stober: Yes. If you'd like a specific buffer for the perimeter on the adjoining property lines, that would  
45 need to be a condition of approval.  
46
- 47 Beth Bronson: Okay.  
48
- 49 Kevin Hornik: And again, the client is happy to, to accept whatever condition the board feels is necessary.  
50 We had discussed with county staff a, after a potential SUP approval, working with staff at the

1 site plan review phase to determine what an, an appropriate buffer, particularly along that  
 2 southern property boundary would be. Given that there is a large existing garden area, which  
 3 might satisfy some of the UDO's variable buffer requirement. So, that's why it's not specifically  
 4 called out is because that is still kind of an open discussion, which we would welcome the  
 5 board's input on.  
 6

7 Leon Meyers: Okay, James, on the frontage matter?  
 8

9 James Bryan: Okay. So, I'm going to step back a little bit and just remind the board that there are questions  
 10 of law and questions of fact. 99 percent of what y'all do are questions of fact. People put on  
 11 evidence and it's what you believe or, or don't believe. What's more persuadable the court  
 12 will give you deference. You're the ones eyes on people listening testimony. Okay. Yeah,  
 13 law is different. That is right or wrong, and the courts will tell us what that is. You'll have that  
 14 when there's appeals of interpretations. But that's usually only when you guys see that. It's  
 15 very rare for that to come up. It's come up here. This is a question of law. It's not what's  
 16 more reasonable. It's not what you think is right, anything like that. It's, what does this say?  
 17 Okay, so, how do you figure out what it says? The first thing you do is the plain meaning. If  
 18 you could read it and understand what it means, that's what it means. If it is ambiguous, that's  
 19 when you go to statutory interpretation. Then you go through statutory interpretation and that  
 20 is, sorry, I'm tired. I'm thinking of all the bad words. It is messy because that's where all the  
 21 Latin phrases come in. What Mr. Hornik has suggested is *in pari materia*, I don't know, I don't  
 22 speak Latin, but it means you read related terms. You, you say, you know exactly what he's  
 23 saying. I don't know what frontage means. But over here, there, there's frontage. You are  
 24 allowed to do that. But context is like any other context. How big and how broad is it in the  
 25 same paragraph? Is it in the same ordinance? Is it how far apart is it? I will note also he  
 26 cites that the UDO does define, what is it? Lot line frontage. It defines three different frontages  
 27 building frontage, lot line frontage and tenant frontage. So if you go that route, I would implore  
 28 you to, to look at all three of those because they would have the same context. You're going  
 29 out of 5.8.2, you're going to the definitions. And if you're going to the definitions, each one is  
 30 just as important as the other. But again, that you only get to that if it's an ambiguous term, if  
 31 you can't read it on its face.  
 32

33 Leon Meyers: It's helpful, I think.  
 34

35 James Bryan: We'll see.  
 36

37 Leon Meyers: All right. So I have a couple other questions, but I don't want to down right here.  
 38

39 Kyle Myers: Me too.  
 40

41 Leon Meyers: Yep.  
 42

43 Kyle Myers: So, James, can you define care facility in the context of the special-use permit application?  
 44 What is a care facility?  
 45

46 James Bryan: So, I, your attorney can't define it for you. I can advise you how and the first thing I would  
 47 direct it to staff and see how it might be defined in the UDO oh it is? Yeah, yeah, yeah.  
 48

49 Kyle Myers: Okay, great. Staff, could you define care facility please? I have it right in front of me. It's  
 50 Article 10 definitions, Page 10-6.

1  
2 Kevin Hornik: It should be on your screen right now.  
3  
4 Cy Stober: Sure. Youth typed offering temporary care to clients, including children, adolescents, and  
5 adults for no more than 8 hours in a 24-hour period. Care can be offered regardless of the  
6 time of day and whether or not operated for-profit term includes childcare centers in any other  
7 childcare arrangement, not excluded by general statute 1 10 86 2 that provides childcare. So,  
8 this includes childcare centers, more commonly known as daycares, but it's not exclusively to  
9 them. It provides for the care of adults as explicitly you stated in the definition and in my  
10 opinion, applied to Dr. Dennis's proposed use.  
11  
12 Kyle Myers: Got it.  
13  
14 Leon Meyers: All right. Any others?  
15  
16 Kyle Myers: I have one more just for fun.  
17  
18 Leon Meyers: Please.  
19  
20 Kyle Myers: I know everyone wants to go home. I'm just trying to do my duty here. I don't know who to  
21 ask the question to, but in the testimony of Caroline Cheeves, the testimony references the  
22 word driveway versus the word road. And I guess my question is, is there a difference  
23 between the use of the word driveway and road as it relates to access?  
24  
25 Leon Meyers: In what context, Kyle Myers?  
26  
27 Kyle Myers: Well, there's all of this analysis about having access and then in this document it actually calls  
28 it a driveway and not a road. And I just, I'm a little confused by that.  
29  
30 Caroline Cheeves: As I stated earlier, I use that term because the Dodson Knoll Road is currently in my  
31 professional opinion, not necessarily my legal opinion, just my traffic engineering opinion,  
32 operating more as a driveway to the public right of way. Typically, roads are publicly  
33 maintained. This is private road and so that's why I chose the word driveway. In that context.  
34  
35 Kyle Myers: Okay. Thank you very much.  
36  
37 Leon Meyers: I want to go back to the client count. Again, I'll just repeat my understanding that as it's  
38 proposed, the special-use permit does not limit the number of clients who could be on the site  
39 at any one time?  
40  
41 Kevin Hornik: Again, I'll defer to the county staff, but I do not believe that there's any specific UDO regulation  
42 that regarding the number of clients that may be on the property at any given time.  
43  
44 Leon Meyers: Is that correct?  
45  
46 Cy Stober: That's correct. There's nothing in the standards that's explicit on that point. There's a cap,  
47 but at any one time it's let me pull up the standards.  
48  
49 Leon Meyers: While you're doing that, I'll just explain that my concern is that we have an expansion area  
50 shown on the site plan as part of the application and I'm less than completely comfortable with

1 approving a special use permit that includes expansion without having some common  
2 understanding about what that means.

3  
4 Kevin Hornik: Certainly, and I think I, I can't provide you, I suppose, like a concrete answer about how many  
5 clients there may be on the property in 10, 25 whatever years. But what I can say is that the  
6 UDO already requires that the applicant conduct a review by county staff annually. And that,  
7 and I'm going to read this for you because I don't want to take the time to try to find it again,  
8 the, our PowerPoint presentation on the screen. Any change in the operation of the facility,  
9 which deviates from the original standards and conditions will constitute a modification and  
10 will require approval of the Board of Adjustment in determining whether a change in the  
11 operation of the facility has occurred. The planning director shall be guided by the procedures  
12 and criteria contained in UDO Section 2.7.14, and 5.8.2(b) of UDO. I think what I would say,  
13 and again, I understand that this is not maybe the kind of the direct concrete answer that the  
14 Board might be looking for. But I would say that as part of that review process, certainly staff  
15 would have the opportunity to determine at any point whether the facility has expanded such  
16 that it vastly exceeds the scope of what was approved today. Again, hypothetically speaking.

17  
18 Beth Bronson: Unless we define it.

19  
20 Kevin Hornik: Sure. I mean, although I would say this board cannot by law act as a legislative body and  
21 impose definitions or regulations as part of the UDO that are not otherwise present.

22  
23 Beth Bronson: Why would we?

24  
25 Kevin Hornik: The point is that the UDO does provide a regulatory mechanism that would require, that  
26 requires the applicant to engage with county staff on an annual basis to review the operations  
27 on the site at any given time to determine whether they might deviate from either as a major  
28 modification or a minor modification from what is approved by the special-use permit. Again,  
29 hypothetically speaking, assuming that the SUP is approved.

30  
31 Leon Meyers: I see Dr. Dennis with her hand up, please, please come forward.

32  
33 Beth Bronson: Yeah.

34  
35 Nora Dennis: I just wanted to make sure that there is awareness that there are also limitations on staff client  
36 ratios and space limitations that are inherent to the licensure, so we can't just like cram a ton  
37 of people in, because that would be in violation of our licensure and the North Carolina  
38 Department of Health Services regulation would shut us down. So, the limit is kind of inherent  
39 in the use that is proposed.

40  
41 Leon Meyers: Okay. Thank you.

42  
43 James Bryan: I'm sorry to prolong this but I'm unclear on this. So, anything that condition that's put on staff  
44 has to be ministerial, has to be administrative, has to be quantitative. Is that what we're talking  
45 about? And if so, can we just put in concrete numbers as a condition?

46  
47 Leon Meyers: That's kind of where I was headed.

48  
49 Cy Stober: So, Mr. Bryan, I feel like our rules are a bit reversed here. Are you suggesting the imposition  
50 of a reasonable condition per the statute?

1  
2 James Bryan: I'm just perhaps I'm not suggesting it.  
3  
4 Cy Stober: Okay.  
5  
6 James Bryan: I'm curious if that's what everyone was looking at.  
7  
8 Cy Stober: Thank you.  
9  
10 Leon Meyers: All right, let me stop this interesting discussion for a minute to point out that it's 2 minutes until  
11 10:00 p.m., and the board turns to a pumpkin at 10:00 p.m. So, the choices would be to  
12 extend tonight's hearing or continue tonight's hearing to a later time. It's a pleasure of the  
13 board.  
14  
15 Beth Bronson: Yeah, I think we should continue this meeting at least until 10:30 and we can.  
16  
17 Leon Meyers: Got a motion to continue?  
18  
19 Beth Bronson: I want to make a motion to continue this meeting after 10:00 p.m.  
20  
21 Leon Meyers: As part of the motion, would you consider a 5-minute break?  
22  
23 Beth Bronson: Absolutely.  
24  
25 Leon Meyers: Okay.  
26  
27 Kevin Hornik: Thank you. That'd be very welcome.  
28  
29 Leon Meyers: All right. All right. Good then. Motion.  
30  
31 Beth Bronson: Can you make it a like 10-minute break?  
32  
33 Leon Meyers: A break for 5 minutes, and then continue until 10:30. All in favor, please say aye.  
34  
35 **MOTION** was made by Beth Bronson. Seconded by Leon Meyers.  
36  
37 **VOTE:** Unanimous. All in favor.  
38  
39 Leon Meyers: We'll return at 5 minutes after 10.  
40  
41 The Board adjourned until 10:07 pm.  
42  
43 Cy Stober: As it stands today are fairly permissive, but they would reflect the employees and the clients that  
44 can fit into that building, and that's the parking that we would require per the UDO standards.  
45 Should they want more parking than that would introduce regulatory action by us that if they need  
46 more parking, we'd have to allow for that, or we'd have to see if it complies with their site plan. But  
47 that's really the only regulation that we have that seems applicable. I talked with Taylor during the  
48 recess.  
49

- 1 Kevin Hornik: So, to cut to the chase, I think we have a number that we'd be willing to propose, and then a minor  
2 modification threshold that we'd be willing to propose. I think the applicant would be willing to  
3 propose that there will be, at any given time, there will be no more than 20 clients, staff, and  
4 trainees or residents on site at any given time, and that an adjustment to that number of more than  
5 10 percent would be considered a major modification. So, if they wanted, if they wanted to add two  
6 people that could be on site at any given time, that would be a minor modification that could be  
7 approved at staff level. If they wanted to add three people, whether that's three clients, three staff  
8 members, three interns, or some combination of that, any of those things, it would be a major  
9 modification that would require us to come back through.
- 10
- 11 Leon Meyers: And to be clear, that was 20 people or 20 clients?
- 12
- 13 Kevin Hornik: Twenty people. 20 people. Inclusive of clients, staff, and then I think it's mentioned in the materials  
14 they often have, you know, trainees from the school of social work or psychiatry residents on-site  
15 training.
- 16
- 17 Leon Meyers: Those people might be considered staff.
- 18
- 19 Kevin Hornik: So, those people would be included. If you want to include them as staff, define them as staff,  
20 that's fine, but no more than 20 people on site at any given time.
- 21
- 22 Leon Meyers: Cy, the notion of defining what would be a minor or major modification to the special-use permit,  
23 I'm disinclined to get into that. Do you have a thought about it?
- 24
- 25 Cy Stober: If we don't characterize it as a minor modification, we could characterize it with planning director  
26 approval, an additional two spaces or 10 percent increase could be permitted. If we want to avoid  
27 the modification language of the UDO and just use, just defer to planning director approval for an  
28 increase of up to 10 percent.
- 29
- 30 Leon Meyers: So, a change of – why not just say 22 as a limit?
- 31
- 32 Cy Stober: That's really up to the applicant, but I mean that makes more sense to me, frankly.
- 33
- 34 Leon Meyers: That's fine.
- 35
- 36 Nora Dennis: I just wanted to clarify that this would be for clinical purposes, and I ask that just because at times  
37 there are non-profit functions that might engender like more than 20 people being there at one  
38 time. Like we're having a fundraiser, and some people are coming with their children, and I can't  
39 say, "No, only 22 people can come," because that's not the nature of it. I'm thinking like, this is for  
40 like if there's the clinical nature of work. Is that correct?
- 41
- 42 Leon Meyers: So, would it be acceptable to say clients and staff?
- 43
- 44 Nora Dennis: Yeah, I think that would be great. Thank you.
- 45
- 46 Cy Stober: So, for point of clarity, and just for everyone in the room, we do have a special event permit that  
47 allows for special events on properties that could be in conflict. So, I'm glad Dr. Dennis brought  
48 that up. So, this would still permit her to have special events on the property that are explicitly for  
49 non-profits. So, yeah, that's helpful.
- 50

- 1 Leon Meyers: So, the language, 22 clients and staff, that works for you?  
2
- 3 Cy Stober: Yes.  
4
- 5 Leon Meyers: Okay. Board members other questions?  
6
- 7 Kyle Myers: Not a question, but a statement. The site plan that was submitted was purely for the purposes of  
8 sharing an exhibit, but you were earlier talking about a site plan would be required to move forward  
9 with any additional changes. So, I don't think that needs to be a condition, because it would be  
10 required if they were to submit for any type of building. Right?  
11
- 12 Leon Meyers: That's a question for Cy.  
13
- 14 Cy Stober: Yes, yes. Dr. Dennis' testimony before, if they revoke their farm status, that would be the case.  
15 Yes. The special use permit would apply. If the farm status persists, we get into a lot of, is this for  
16 farm use or is it for the clinic use? And that is more difficult question to answer, then.  
17
- 18 Leon Meyers: Okay. Anything else? Board members?  
19
- 20 Beth Bronson: For Subsection H, Fencing and/or Screening, there's just a significant portion of the property that  
21 does not have any kind of screening or fencing. And to assign the special use permit to the entire  
22 property would, I feel like, necessitate that Type B border at a minimum. I was looking at the  
23 different borders, and I think that does need to be a condition. Should we move forward with the  
24 special use permit? In the sense that any of the adjacent properties need to have that 30-foot  
25 buffer with the Type B buffering. As far as options go for that, I feel like we need to clarify. And I  
26 had it, but I don't have it right now. Can you remind me the section of the buffer?  
27
- 28 Cy Stober: 6.8.  
29
- 30 Beth Bronson: Table? 6.8. Thank you.  
31
- 32 Kyle Myers: Yeah. And that's kind of where I was going. The site plan would have to meet not only buffer  
33 requirements, but applicable zoning requirements. And someone talked about 100 feet earlier, and  
34 it's not shown on the, think it's the plan north side of where the proposed building would be. All of  
35 that would be handled under any type of application moving forward for any building. Those things  
36 would be required in that site plan.  
37
- 38 Leon Meyers: But not unless it's in the UDO or unless the board adds a condition. Right?  
39
- 40 Kyle Myers: Right.  
41
- 42 Beth Bronson: As I'm proposing. Side note, I think that the north parcel line is the least of the concern at this point.  
43 As in, the property owner is okay with it.  
44
- 45 Leon Meyers: Beth, you referred to a requirement for fencing that I don't see in the staff report. Maybe I'm just  
46 missing it.  
47
- 48 Beth Bronson: It's their interpretation of the garden area.  
49

- 1 Kevin Hornik: UDO section 5.8.2(b)(2)(h) requires fencing and/or screening to be provided which ensures the  
2 protection of the client's receiving care and protects adjacent residentially-developed properties  
3 from trespass, on screen. Again, that's a condition, as you'll see, that the client is happy to comply  
4 with.
- 5
- 6 Leon Meyers: And the specifics of that get negotiated at zoning compliance?
- 7
- 8 Kevin Hornik: Right, will be dictated by the UDO and staff.
- 9
- 10 Beth Bronson: This is kind of where I have the question of designating the entire parcel for a special use permit  
11 versus the section that you're showing in this picture, which is the main area being used as the  
12 care facility. So, unless we're going to reduce the size of the special use permit and limit it to those  
13 couple of acres that are in use as the care facility, you want to include the entire 30 acres, that  
14 presents a much higher burden.
- 15
- 16 Kyle Myers: I think it's 9.75.
- 17
- 18 Beth Bronson: I'm sorry, 9. I'm sorry, all 9 acres.
- 19
- 20 Kevin Hornik: Well, I'll say it was not the applicant's request to apply the special use permit to the entire property.  
21 That was something that was, again, done at the recommendation of county staff. If what you're  
22 suggesting is, is that you would like the applicant to provide a Type B 30-foot buffer around only  
23 what's shown on this screen here, I don't imagine that there would be –
- 24
- 25 Beth Bronson: Yeah, no, I'm talking about the opposite. A Type B buffer around the entire 9.72 acres.
- 26
- 27 Kevin Hornik: Right, which is again what we have already suggested that we would agree to. I mean, what I  
28 would say is I think it's probably more appropriate, as we've already talked about with staff, to, as a  
29 condition of approval, that the applicant will work with staff to provide the required buffering under  
30 the UDO. Because as we've already talked about, the UDO includes this variable buffering  
31 requirement, so that we could work with staff to determine what's already there, what that is  
32 existing on the site already falls within the county's preferred plantings list, and then to add  
33 additional vegetation to satisfy either or both of the 30-foot Type B buffer requirement, or the  
34 variable buffer requirement. Again, it's a large parcel with a relatively small area in which this use  
35 actually operates. And so there are probably, based on that fact, there are probably different visual  
36 buffering requirements, and certainly are different fencing requirements on the various parts of the  
37 property. For example, why would we fence, you know, the westernmost edge of the property that  
38 is not used as part of the day-to-day operation of the care facility?
- 39
- 40 Beth Bronson: Because it's included in the future building site.
- 41
- 42 Kevin Hornik: Well again, I think as we've already discussed, if there were changes that were proposed that  
43 included a large, you know, additional structure in the building site, we would have to come back  
44 here, we'd have to present a new revised site plan, it would likely be considered a major  
45 modification to the special use permit. So, at that time it would be appropriate to add additional  
46 conditions for new or additional fencing or buffering that are actually specifically related to  
47 whatever the new building or expansion is. I think it would be inappropriate right now to speculate  
48 about what may hypothetically at some point in the future be built in that hypothetical, or in that  
49 potential future building envelope. And what would be the appropriate buffering or fencing for that  
50 particular structure. So, again, I would suggest kind of what we've talked about as a condition that

1 the applicant work with staff to provide the screening that's required by the UDO with the  
 2 understanding that if there's a change made, a new structure is built in that future building  
 3 envelope area, we know we're coming back with a new site plan anyway. That new site plan would  
 4 then have to address fencing and buffering for that particular building addition.  
 5

6 Beth Bronson: Could I? The reason I brought that up to begin with is that there's buffer called out on only one  
 7 portion of the property on the site plan as part of the application. And I understand now that the  
 8 UDO requires further buffering?  
 9

10 Cy Stober: No, if I can clarify. Yeah, so to I think Ms. Bronson's point, it is – Table 6.8.6(d) shows that as a  
 11 matter of zoning, and not a special use, but, and to Mr. Myers' point here – no, Mr. Myers is there.  
 12 That AR, R1, and RB zoning don't require any perimeter buffering due to, I'm presuming, due to  
 13 their rural nature. So, if a buffer is preferred by the board, that would need to be a condition to be  
 14 negotiated with the applicant or to be requested of the applicant. What is required, to Mr. Hornick's  
 15 point, is screening of some manner, whether it be fencing or landscaping, of the care facility use.  
 16 But the remainder of the property would not require a landscape buffer. So, the site plan is  
 17 accurate and reflects the standards of the UDO because there is no perimeter buffering required  
 18 by the UDO. I apologize for any confusion on that point.  
 19

20 Leon Meyers: Jeff, you were about to say something?  
 21

22 Jeff Scott: No, I was just going to say, sorry, I should probably speak into this thing. Because like, I'm just, I'm  
 23 a little worried that we're starting to impose some excessive conditions on some of these things.  
 24 And like, I don't – to Sy's point, it's like, you know, most of the site is wooded and part of that rural  
 25 part is, you know, the buffer is in some ways kind of inherent on the property anyway. So, I just,  
 26 I'm concerned we're going a little bit too far on some of these conditions and trying to impose  
 27 things. Whereas my position is more of; you know, should the application be approved that they  
 28 would work with the staff? So, that's just my concern with the conditions a little bit.  
 29

30 Leon Meyers: I want to come back to the frontage question. I don't – I'm not sure. James, you offered some  
 31 guidance about to read that section. Do other board members have concern about what appears  
 32 to read as a requirement for direct frontage on a public road?  
 33

34 Beth Bronson: Yeah, it says direct frontage, and I think that that is something that can be contested. It can be  
 35 interpreted, and so I think that that is up to us to decide what the fact is. Is the fact that this  
 36 easement is sufficient definition that it provides direct frontage and access on a public state-  
 37 maintained road? Now, the applicant has, council has provided their definition of how that fits to  
 38 this. I think it comes down to the way that you see, the way that we see the standards interpreted  
 39 in our UDO. The nature of this seems like there should be direct frontage to a public state-  
 40 maintained road. And that seems to be related to emergency services and accessibility.  
 41

42 Leon Meyers: I believe it's correct to say James's advice is if you're going to look beyond a normal reading of a  
 43 phrase like that to special definitions in the UDO, then you should look at all of the related  
 44 definitions. Did I understand that correctly?  
 45

46 James Bryan: Yes.  
 47

48 Leon Meyers: And Mr. Hornick suggested one possible of way understanding direct frontage. And Cy, can you  
 49 tell us if there are any other frontage terms defined in the UDO?  
 50

- 1 Cy Stober: None that Mr. Hornick didn't already cover. There's three. That, which were already discussed.  
2
- 3 Kevin Hornik: And I'll just reiterate – I'm sorry, I was trying to pull – I'm making a mess of this. I was trying to pull  
4 up the definition. The other two frontage-related definitions are building frontage, which is not  
5 applicable here because the UDO regulation at issue doesn't discuss that a building must have  
6 frontage; it discusses the special use. Which as we already talked about refers to the care facility  
7 on the entire property. The other is tenant frontage, and again, we're not talking about a tenant at  
8 the property. We're talking about the lot frontage, which is the definition that I provided to you, is  
9 lot-line frontage. So, that is the most applicable definition provided by the UDO. I think as James  
10 mentioned – I'll kind of get lawyerly, I guess, on you, but what North Carolina law says is that  
11 where there's ambiguity or uncertainty with respect to a statutory term or a term set out in an  
12 ordinance, you apply the canons of statutory interpretation, one of which is reading the regulation  
13 *in pari materia*, which means, again, I don't speak Latin, or I think I maybe spoke Latin when I was  
14 like 13 in eighth grade or whatever, but best I can recall it generally means kind of read in context  
15 with the entire document. So, the only definition that really relates to the subject matter at issue  
16 that's provided by the UDO itself is this lot-line frontage definition. That lot-line frontage definition  
17 contemplates that a right of way could be, a private right of way or easement, could satisfy that  
18 requirement for lot frontage on a public state-maintained road.  
19
- 20 Beth Bronson: Now again, I guess the, I think the question comes down to the condition of that special use permit  
21 clearly specifying that Jubilee, the organization itself, be involved in that agreement to maintain the  
22 easement.  
23
- 24 Kevin Hornik: Well, I'm not sure that the board can, by law, require that the applicant – again because none of  
25 the other people are bound by this board's determination, I don't think you can impose a condition  
26 that requires us to enter into some other private agreement with individuals who are not a party to  
27 this. What I can say is that there are, and you've seen them, existing access and maintenance  
28 agreements that do obligate the applicant to share in the maintenance of the road. I can tell you  
29 that there are ongoing negotiations regarding changes to that. I don't think that it's relevant to this  
30 board's consideration, nor do I think it could be binding, but the applicant has committed to provide,  
31 to pay for 95 percent of the cost of the road maintenance. Kind of the rest of the terms of that  
32 agreement still need to be ironed out, but the fact is is that right now, as it stands, the applicant is  
33 responsible in equal share with all of the other property owners under this agreement to maintain  
34 the road. We are working on a separate private agreement related to changing the terms and  
35 apportioning that road maintenance cost. But again, I mention that just, I suppose, to satisfy the  
36 board to the extent that there are questions about the applicant's maintenance responsibility for the  
37 road. Not that that's, again, relevant, or applicable to any of the review criteria.  
38
- 39 Leon Meyers: Good. All right. I want to try to, we need to make a decision about where to go from here. We're 2  
40 minutes and 15 seconds away from 10:30. Do I have a motion to extend the meeting time?  
41
- 42 Beth Bronson: Make a motion to extend the meeting time.  
43
- 44 Jeff Scott: I would not second that. I think we've – you know, it's 10:30 now. It's been a long week for me,  
45 and, you know, we don't seem to be any closer to even closing the public session, that's just my  
46 two cents here.  
47
- 48 Kyle Myers: Are you prepared to make a motion otherwise?  
49

1 Jeff Scott: I guess I don't know what the other motion would be. I guess we'd have to continue this at another  
2 date.  
3

4 Leon Meyers: To a time certain, I would think.  
5

6 Kyle Meyers: Yes. To a date and time certain.  
7

8 Beth Bronson: I could talk about this for another 30 minutes. Because I think all we need to really do is close the  
9 public hearing and talk about conditions that the board would be comfortable with in moving  
10 forward with this special use permit. We're acknowledging that everything has been met to a point.  
11 We're acknowledging that there are certain things that would make us feel like those criteria were  
12 met appropriately. I think it comes down to the buffering, the road frontage.  
13

14 Jeff Scott: No, I understand.  
15

16 Beth Bronson: And the fence area. Yeah.  
17

18 Jeff Scott: It's like, you know, I want to be efficient with our time. I feel like in some ways, like – and again this  
19 is just my opinion is, I feel like we've gone a little bit too far with some of these conditions. I just  
20 want to make sure that we're, yeah, staying on point with whatever decision we're going to make.  
21

22 Leon Meyers: If you would prefer to continue then I would say come up with a motion and a time that we need to  
23 work out with the staff.  
24

25 Jeff Scott: Well, I think we could go for another 30 minutes. Yeah. I agree with that.  
26

27 Leon Meyers: You're okay with that?  
28

29 Jeff Scott: Yeah.  
30

31 Leon Meyers: And Beth, you're about to make a motion to that effect?  
32

33 Beth Bronson: Yeah, make a motion to move to the next, yeah, to extend this until 11:00 P.M. And if we can't  
34 come up with anything with that, we'll make another motion. Okay.  
35

36 Leon Meyers: Any discussion on the motion to extend to 11:00 P.M.? All in favor please say aye.  
37

38 **MOTION** was made by Beth Bronson. Seconded by Leon Meyers.  
39

40 **VOTE:** Unanimous. All in favor.  
41

42 Leon Meyers: Okay, here we go. We're going to be productive here. Is there anything else that we need to deal  
43 with, board members, before we try to bring this to a close?  
44

45 Beth Bronson: If we close the hearing, then we can no longer ask the applicant.  
46

47 Leon Meyers: But we can still reopen.  
48

49 Beth Bronson: We can still reopen, sure.  
50

- 1 Leon Meyers: Well, and one way would be to begin the discussion among the board here and see if we can  
2 agree. It seems to me it just is a couple of conditions that we need to settle on.  
3
- 4 Beth Bronson: Yeah. Can we just address the idea of the site plan? What conditions are needed in submitted  
5 site plan for approval? So, if we were to go ahead and move forward with the special use permit,  
6 what would need to be included in the site plan? Such as Type B buffering along the entire  
7 property, including what already exists?  
8
- 9 Jeff Scott: I just don't think, I just don't think that makes sense.
- 10
- 11 Kyle Myers: Yeah. I'm not in support of that either.
- 12
- 13 Beth Bronson: Exactly. So, then what we want to think about is, okay, so what is the buffering and fencing on the  
14 care facility?  
15
- 16 Kyle Myers: Personally, I'd rather have them work that out with county.
- 17
- 18 Jeff Scott: Yeah. I'm just saying. I don't see it being a critical item.
- 19
- 20 Kyle Myers: Yeah, agreed. It's in the UDO. So, as long as the county enforces what's in the UDO, I think they  
21 have to follow the law. I do think it's appropriate that there is a condition on the maximum number  
22 of people.  
23
- 24 Leon Meyers: And the applicant has agreed to 22 maximum clients and staff.
- 25
- 26 Beth Bronson: I think that that's a lot more restrictive than you think it is and moving it to like 25 or something like  
27 that.  
28
- 29 Kyle Myers: Yeah, and I don't want to be unreasonable. I'm with you. I thought about that. I think the, I think  
30 that the establishment of the definition of care was important to me. I am concerned about  
31 unregulated expansion, but I think the staff has advised that the system already is in existence to  
32 require future applications that prevent unregulated expansion.  
33
- 34 Beth Bronson: And the applicant has explained that there is a licensure restriction as well on staff-to-client ratio.  
35 So, again, without getting into the specifics of that.  
36
- 37 Leon Meyers: So, are we no saying no limit on combined clients and staff?  
38
- 39 Kyle Myers: No, I think that's important.
- 40
- 41 Beth Bronson: A limit. Yeah, I think that's fine.
- 42
- 43 Leon Meyers: And 22 is the right number?  
44
- 45 Kyle Myers: I, again, I don't want to be unreasonable, but that's what council stated. If it needs to be 25, they  
46 would have to come back before the board and ask for it.  
47
- 48 Leon Meyers: Okay.
- 49
- 50 Beth Bronson: We're talking about 25 people in the Cohort 1, that 10:00 A.M. to 1:00 P.M.

1  
2 Kyle Myers: Twenty-two.  
3  
4 Beth Bronson: If you think 22 – I would say 25 is a round number. Well, it's an odd round number.  
5  
6 Leon Meyers: Then, moving to the next things that we need to approve. I always have to ask for guidance on  
7 this, James. The first approval is standards examined? Is that right?  
8  
9 James Bryan: Yeah, the findings of fact. You can call it whatever you want. We've got the little chart for the  
10 standards. There's also – I'm sorry, it's late for me. It's also in the proposed order. So, either way  
11 you want to handle it. But the first vote will be on the findings of fact.  
12  
13 Leon Meyers: I think the findings start on Page 102.  
14  
15 Beth Bronson: So, there's no other conditions you guys want to talk about? The condition of road frontage?  
16  
17 Leon Meyers: The condition that would limit the total clients and staff is the only condition that I've heard so far  
18 that I would support. Are there others that you would like to talk about?  
19  
20 Beth Bronson: I would like there to be an opaque – you know, I would like there to be a more well-defined border.  
21 I know that you're saying that it's in the UDO, but this is the special use permit, so, again. And  
22 because of where, like, the zoned agricultural residential, rural buffer, there isn't a lot of regulation  
23 on what needs to be there. And I'm not saying for the entire – but for the care facility, yes, the  
24 fencing and/or screening to be provided, right now it's deer fencing or wire fencing. So, again, that  
25 is not shielding anybody from being observed from an adjacent parcel and is not shielding the  
26 adjacent parcel from being observed. And so, I'm just offering a condition that would create a  
27 more opaque, consistent fence. Or, you know, without trying to impose a 30-foot buffer, you know,  
28 for development, I don't want to – but like, a garden is only there for 5 months out of the year; the  
29 rest of the time it is dirt. And so, if we're talking about actual shielding of the clients receiving care  
30 and protecting the adjacent residentially developed properties from trespass.  
31  
32 Kyle Myers: So, you'd be offering a condition that the applicant would work with staff to construct required  
33 screening for their facility?  
34  
35 Beth Bronson: Something more permanent, yeah.  
36  
37 Cy Stober: Mr. Chair, if I may? So, I think the missing adjective in the standard that is in the UDO is, to Ms.  
38 Bronson's point, is opaque. So, if her interest is in it being opaque screening, that would be helpful  
39 for staff to enforce.  
40  
41 Leon Meyers: Yeah. I just, I'm not sure I see a need for opaque screening.  
42  
43 Beth Bronson: The southern side of the parcel? Where the care facility is?  
44  
45 Leon Meyers: I don't think I do. Nor on the northern portion of the care center site.  
46  
47 Beth Bronson: That's a choice.  
48

1 Leon Meyers: Okay. All right, then findings beginning on Page 102. And I assume there's a place in here to add  
2 the condition that we agreed on a minute ago. Maybe we approve the findings of fact with the  
3 additional condition. James, is that kosher?  
4

5 James Bryan: So, you could do the findings of fact first, and then conditions, and then conclusions, and then  
6 approve or deny. That would be the best sequence.  
7

8 Leon Meyers: Findings of fact beginning on Page 102. Do I hear a motion to approve?  
9

10 Jeff Scott: Do we have to, do we have to close the public hearing? Or did we already do that?  
11

12 James Bryan: I don't think you guys have closed the hearing.  
13

14 Leon Meyers: We should close the hearing.  
15

16 James Bryan: Yeah.  
17

18 Leon Meyers: Do I hear a motion to close the hearing?  
19

20 Greg Niemiroski: So, moved.  
21

22 Leon Meyers: And a second?  
23

24 Kyle Myers: Second.  
25

26 Leon Meyers: All in favor of closing the public hearing?  
27

28 **MOTION** was made by Greg Niemiroski. Seconded by Kyle Myers.  
29

30 **VOTE:** Unanimous. All in favor.  
31

32 Leon Meyers: Public hearing is closed. Good, then the findings of fact beginning on Page 102, a motion would  
33 be in order to approve these findings.  
34

35 Jeff Scott: I make a motion that we approve the findings of fact from Pages 102 to 104.  
36

37 Leon Meyers: And a second?  
38

39 Greg Niemiroski: Second.  
40

41 Leon Meyers: Any discussion on the findings? All in favor, please say aye.  
42

43 **MOTION** was made by Jeff Scott. Seconded by Greg Niemiroski.  
44

45 **VOTE:** Unanimous. All in favor.  
46

47 Leon Meyers: None opposed? Then conditions next, you said James? Yeah? Then the condition that I think we  
48 agree on is the maximum 22 clients and staff on the site at any one time. And the appropriate  
49 motion there I believe would be to add that condition as a part of the approval. James, is that  
50 right?

1  
2 James Bryan: Yeah, it doesn't matter. There's no magic words for it. But I believe there should be some page  
3 with other conditions. Are there other conditions that staff – your normal ones.  
4  
5 Patrick Mallett: Those were the conditions that were in the slide deck. With initiating the special use permit or  
6 recording the special use permit. I can't remember which.  
7  
8 Leon Meyers: Where are those conditions listed in the agenda package? Somebody help me, there.  
9  
10 Patrick Mallett: I'm trying to figure out how to get back to the main screen here.  
11  
12 Leon Meyers: If we don't have them, I will opine that it is not necessary to have them. They have been standard  
13 by precedent, but legally they are no more enforceable than the UDO themselves, which it just  
14 repeats. So, I was just basing on precedent.  
15  
16 Leon Meyers: Conditions are listed someplace; I just can't find them.  
17  
18 Taylor Perschau: No, so I think the standard proposed conditions would be found in the staff report. I don't think  
19 they are any, in any of these proposed, like, findings of fact, standards, and evidence. Attachment  
20 6, the findings of fact that you just voted on, was prepared by the applicant. So, it's a little different  
21 format, that Attachment 6, than we're used to seeing here. But you can refer to the proposed  
22 conditions referred to in the staff report. They should be there.  
23  
24 Leon Meyers: I see it now. Okay. Then the motion would be to approve the proposed conditions on Page 24  
25 with the addition of a limit of 22 total clients and staff on the site. Do I hear a motion to that effect?  
26  
27 Beth Bronson: I'll do it if we can add an opaque buffer to the care facility.  
28  
29 Leon Meyers: Sounds like there might not be support for that.  
30  
31 Greg Niemiroski: I make a motion that we approve the proposed conditions on Page 24 of the application packet,  
32 along with the condition of 22 staff and clients at any given time, I think is the wording.  
33  
34 Leon Meyers: I hear a second to the motion on conditions.  
35  
36 Beth Bronson: Clinical times?  
37  
38 Greg Niemiroski: What's that?  
39  
40 Beth Bronson: During clinical times?  
41  
42 Greg Niemiroski: During clinical times, thank you for that clarification.  
43  
44 Jeff Scott: Second.  
45  
46 Leon Meyers: All right, any discussion on the conditions motion?  
47  
48 Cy Stober: Just a point of clarification for the record, the friendly amendment offered by Ms. Bronson is part of  
49 the motion of, during clinical time.  
50

1 Leon Meyers: Your motion?  
2  
3 Greg Niemiroski: Yeah. It is part of, yes, it is part of the motion.  
4  
5 Leon Meyers: Thank you Mr. Niemiroski. All right, all in favor please say aye.  
6  
7 **MOTION** was made by Greg Niemiroski. Seconded by Jeff Scott.  
8  
9 **VOTE:** Unanimous. All in favor.  
10  
11 Leon Meyers: You're voting yes, or no?  
12  
13 Beth Bronson: I am voting yes.  
14  
15 Leon Meyers: Okay.  
16  
17 Beth Bronson: We'll do it together.  
18  
19 Leon Meyers: Good. Then the next would be to issue the special-use permit, is that right, there?  
20  
21 James Bryan: Conclusions as to the standards, Pages 94 through 101.  
22  
23 Leon Meyers: Thank you for the page number. Then the motion would be to adopt the standards examined,  
24 listed beginning on Page 94.  
25  
26 Kyle Myers: I make a motion to adopt Attachment 6A, the standards examined on Page 94, 95, 96, 97, 98, 99,  
27 100, and 101.  
28  
29 Leon Meyers: Second?  
30  
31 Greg Niemiroski: Second.  
32  
33 Leon Meyers: Any discussion on the standards adopted. All in favor please say aye.  
34  
35 **MOTION** was made by Kyle Myers. Seconded by Greg Niemiroski.  
36  
37 **VOTE:** 4-1. Beth Bronson opposed.  
38  
39 Leon Meyers: And then finally to issue the special use permit? The motion would be in order to approve the  
40 special use permit.  
41  
42 Jeff Scott: I make a motion that we approve the special use permit for case SUP25-0016.  
43  
44 Greg Niemiroski: Second.  
45  
46 Beth Bronson: Before there's any – I just want to make a point of clarification.  
47  
48 Leon Meyers: Okay?  
49

1 Beth Bronson: I am going to vote no for the evidence, the standards examined, and evidence provided. I'll still  
2 move forward with the - that was the last vote. I just want to make sure that I changed my vote to  
3 no.  
4

5 Leon Meyers: Okay.  
6

7 Beth Bronson: But now we've got the motion to approve?  
8

9 Leon Meyers: To approve the permit. Right. Any other discussion on the motion to approve? All in favor please  
10 say aye.  
11

12 **MOTION** was made by Jeff Scott. Seconded by Greg Niemiroski.  
13

14 **VOTE:** Unanimous. All in favor.  
15

16 Leon Meyers: None opposed. Congratulations, folks. Thank you for being here.  
17

18 Kevin Hornik: Thank you all for your, taking up your entire evening and into the night. We really appreciate your  
19 time.  
20

21 **AGENDA ITEM 7&8: ADMINISTRATIVE UPDATES & REVIEW BOA ANNUAL REPORT AND**  
22 **WORKPLAN FOR 2026**  
23

24 Leon Meyers: Okay. Patrick, I think you, had you had something else for us?  
25

26 Patrick Mallett: So, administrative items; it looks like we have Emerson Waldorf's SUP modification that will come  
27 to you in December. And then we have the BOA annual work plan. It's two pages. It's in your  
28 packet at the very end. Every administrative chair will be going to the board sometime after  
29 January to present our work plan in and amongst the dozens of other advisory boards. Ours is  
30 unique in the sense that by nature, by state statute, we have to follow state law. There's little  
31 creativity or discretion with our board. The planning board is much more extensive and has to  
32 follow other factors that we don't, because this is a quasi-judicial board.  
33

34 Leon Meyers: But my only concern about this is that Item 5 makes it look like this board is reviewing county  
35 ordinances, policies, agreements, and the regulatory processes to streamline practices. Hell, we  
36 can't even get a hearing done before 11:00.  
37

38 Patrick Mallett: You used to go to 1:30.  
39

40 Beth Bronson: Yeah, this doesn't seem that unusual.  
41

42 Patrick Mallett: I think we're improving and striving for that as a goal.  
43

44 Leon Meyers: Okay, does this need board approval, Pat?  
45

46 Patrick Mallett: I think that last year, it's not required, but I think you chose to just make a motion to say we're  
47 passing this on to the board.  
48

49 Leon Meyers: Then the motion would be in order to approve the Orange County Boards and Commissions  
50 Annual Report for the Board of Adjustment.

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Greg Niemiroski: All right. So, moved.

Beth Bronson: Second.

Leon Meyers: Any discussion on the annual work plan and report? All in favor, please say aye.

**MOTION** was made by Greg Niemiroski. Seconded by Beth Bronson.

**VOTE:** Unanimous. All in favor.

Leon Meyers: None opposed? What else do you have for us?

Cy Stober: Real quick, before those folks leave the room, I just want to say that we want to make it clear that there is a 30-day appeal window for the special use permit vote. It must be recorded at the at the Clerk of Courts. The planning staff is not directly involved in an appeal, and the best I can do is to advise you to consult with an attorney and to communicate with the Clerk of Courts and Orange County Superior Court.

Beth Bronson: Thank you for that.

**AGENDA ITEM 9: ADJOURNMENT**

Leon Meyers: Motion to adjourn?

Kyle Myers: Motion to adjourn.

Leon Meyers: We are adjourned.

The meeting was adjourned at 10:48 p.m.

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**LEON MEYERS, CHAIR**

**ORANGE COUNTY  
BOARD OF ADJUSTMENT  
EVIDENTIARY HEARING  
AGENDA ITEM ABSTRACT**

**Meeting Date:** December 10, 2025

**Action Agenda  
Item No. 6**

**SUBJECT:** Major modification request to an approved Special Use Permit (SUP25-0009) to allow for a Revised Site Plan and Conditions for a “Schools: Elementary, Middle, and Secondary” Special Use at PINs 9871646437, 9871658140, 9871743098, and 9871721935

**DEPARTMENT:** Planning and Inspections

**ATTACHMENTS:**

1. Staff Report, including 2015 Special Use Permit
2. Application Package, including Site Plan and Supplemental Materials
3. Neighborhood Information Meeting (NIM) Materials
4. Notification Materials and Certification
5. Project Correspondence and Development Advisory Committee Comments
6. Findings of Fact

**INFORMATION CONTACT:**

Ashley Moncado, Planner III, 919-245-2589  
Patrick Mallett, Deputy Director, 919-245-2577

**PURPOSE:** To hold a quasi-judicial evidentiary hearing, receive sworn testimony and evidence, and take action on a Special Use Permit 25-0009 (hereafter “SUP”) application proposing a major modification to a previously approved SUP for Emerson Waldorf School. The request includes three parcels located at 6211 New Jericho Road, within the Chapel Hill Township, in accordance with the following Unified Development Ordinance provisions:

- *Section 2.7: Special Use Permits;*
- *Section 5.2: Table of Permitted Uses;*
- *Section 5.3.2: Application of Use Standards – Special Uses; and*
- *Section 5.8.4: Schools: Preparatory*

**BACKGROUND:** On August 21, 2025, a Special Use Permit application (Attachment 2) was received to modify the school’s master plan. The existing school is located on +/- 55.27 acres. The Staff Report in (Attachment 1) contains additional information, maps, and staff analysis. The original SUP, including the master plan, was approved in 2015 (Attachment 1). In 2021, Orange County adopted several amendments to the UDO to address zoning changes at the state level. As part of this process, the “Schools: Elementary, Middle and Secondary” use was modified to “Schools: Preparatory” use contained in Section 5.8.4 of the UDO. No modifications were made to the use standards or development regulations related to this land use.

The Orange County UDO Section 2.7.14 requires that a SUP be followed without “deviation” until “written approval of proposed changes or deviations has been obtained.” The Planning Director is authorized to approve “minor modifications”, while all other deviations from the

approved SUP qualify as a “major modification” that must be reviewed and authorized by the Board of Adjustment.

Basic Review Process: A Special Use Permit application requires submission of a site plan and other documents, in accordance with Section 2.7.3 of the UDO:

- **FIRST ACTION** – Staff Review/Analysis Begins  
 STAFF COMMENT: An analysis of the application was made by qualified representatives of the County and other agencies or officials.
- **SECOND ACTION** – Applicant holds a Neighborhood Information Meeting (NIM).  
 STAFF COMMENT: The NIM was held on October 22, 2025, at 5:30 p.m. at Emerson Waldorf School, 6211 New Jericho Road, Chapel Hill. Summary meeting materials are contained in Attachment 3.
- **THIRD ACTION** – Development Advisory Committee Review and Analysis Begins  
 STAFF COMMENT: The Orange County Development Advisory Committee (DAC) met on September 4, 2025, to review this application. The DAC had no objections to the approval of the Special Use Permit so long as the items in the attached DAC memo (Attachment 5) are addressed.
- **FOURTH ACTION** – The Board of Adjustment holds a quasi-judicial hearing, hears factual evidence and sworn testimony presented at an evidentiary hearing, and then makes a determination with findings of fact supported by competent, substantial, and material evidence.  
 STAFF COMMENT: The evidentiary hearing is anticipated to be held on December 10, 2025.

A formal application is required as part of a Special Use Permit request and has been submitted (Attachment 2). Approval of the application is part of the Special Use Permit process and shall include making appropriate Findings of Fact stating that the Board of Adjustment concludes all applicable standards have been met.

Public Notification(s): In accordance with Section 2.7.6 of the UDO, notices of the Evidentiary Hearing were mailed via first class mail to all adjacent property owners of the subject parcel. These notices were mailed on November 25, 2025, 15 days before the meeting. Staff also posted the property with signs on November 25, 2025, 15 days before the meeting. See Attachment 4 for the notification materials.

Planning Director’s Comments: The Planning Director has determined the application satisfies established submittal requirements, and there is sufficient documentation demonstrating general compliance with established development standards as detailed in Section 5.8.4 of the UDO;

Staff does not make a formal recommendation on the approval of the application or on the compliance of the project with the general standards in Section 5.3.2(A)(2). The Board of Adjustment must determine if:

- (a) The use will maintain or promote the public health, safety, and general welfare, if located where proposed and developed and operated according to the plan as submitted;

- (b) The use will maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not maintain or enhance the value of contiguous property); and
- (c) The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners.

In addition, the Board shall make findings certifying that the application is compliant with the following specific standards:

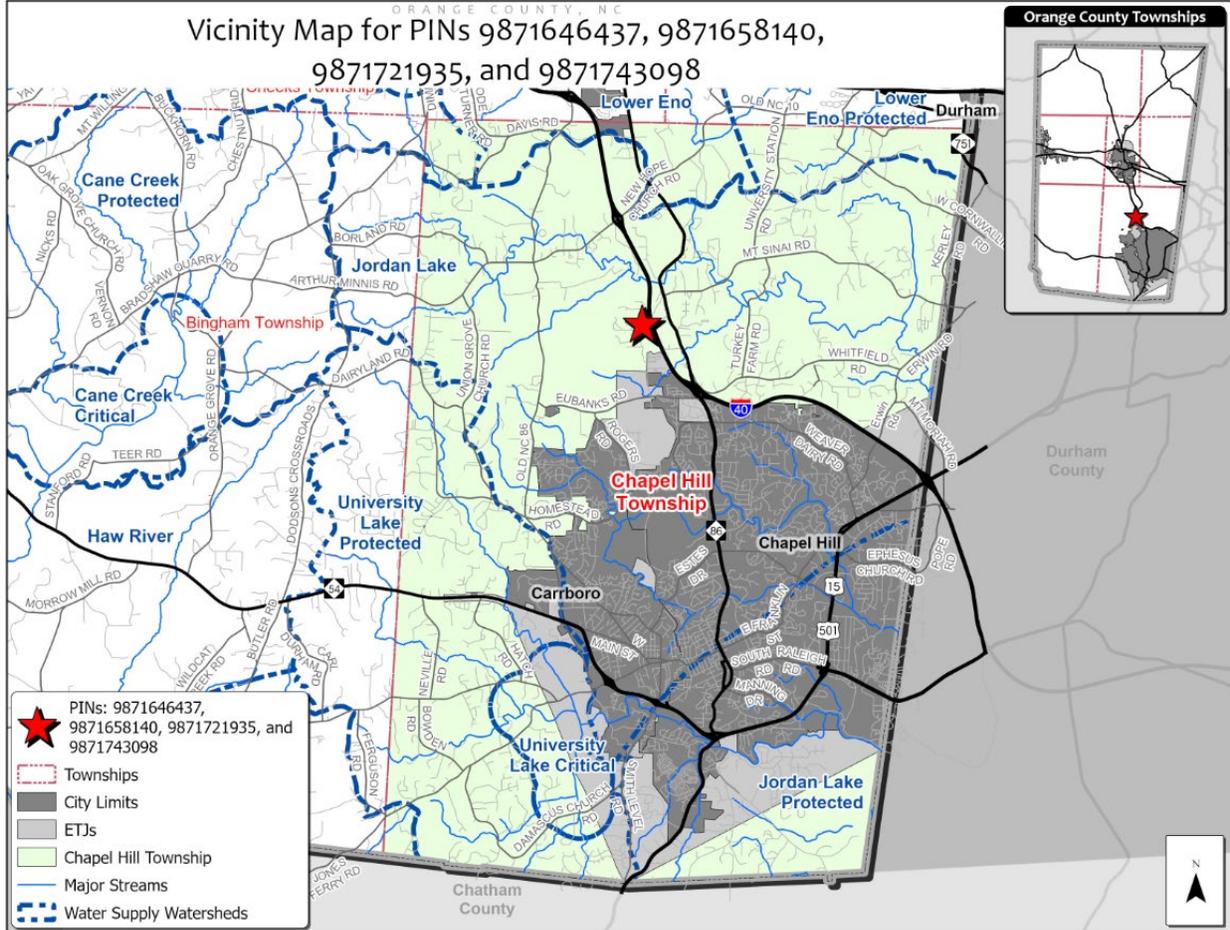
- (1) Specific standards for the submission of Special Use Permit applications as outlined within Section(s) 2.2 and 2.7 of the UDO.
- (2) Section 5.3.2(B) relating to the method and adequacy of the provision of:
  - a. Sewage disposal facilities, solid waste, and water;
  - b. Police, fire, and rescue squad protection;
  - c. Vehicular access to the site and traffic conditions around the site; and
  - d. Other use specific standards as set forth.
- (3) Specific regulations governing the development of Schools: Elementary, Middle and Secondary as set forth in Section 5.8.4 of the UDO.

Per Section 2.7.11(A) of the UDO, The Board of Adjustment may impose such reasonable conditions upon approval of a Special Use as will afford protection of the public health, safety, and general welfare, ensure that substantial justice is done, and equitable treatment provided.

**Staff Report**  
**Special Use Permit SUP25-0009**



**Basic Information**



Parcel Identification Numbers (PINs)	9871646437, 9871658140, 9871743098, and 9871721935
Parcel Address	6211 New Jericho Road, Chapel Hill, NC 27514
Parcel Size	+/- 55.27 acres
Township	Chapel Hill
Applicant Name and Address	Waldorf Educational Association of North Carolina 6211 New Jericho Road, Chapel Hill, NC 27514
Property Owner Name and Address	Waldorf Educational Association of North Carolina 6211 New Jericho Road, Chapel Hill, NC 27514

### Proposed Special Use Permit Application Description

A 2015 Special Use Permit (SUP), recorded in Orange County Records Book 6886, Page 815 approved a master plan for the Emerson Waldorf School consisting of several buildings including, but not limited to: arts center, auditorium, gymnasium, and additions to existing structures totaling 56,562 sq. ft. The master plan and SUP allows for up to 350 students and 55 staff members. The 2015 Special Use Permit is contained in Attachment 1. The major modification request is to modify the 2015 SUP to update the campus master plan to plan for future development and support facilities over the next 10 years. The proposed modification to the 2015 SUP does not propose any change to the land use or approved student enrollment.

#### Land Use Analysis

Existing Use	Schools: Elementary, Middle, and Secondary
North	Residential homes, undeveloped
South	Residential homes, undeveloped
East	Undeveloped
West	Residential homes, undeveloped



#### Existing Roads

Access to the four parcels is provided via two public roadways, New Jericho Road and Millhouse Road. Internal access to the main school site is provided via Steiner Way (private).

#### Existing Conditions/Physical Features

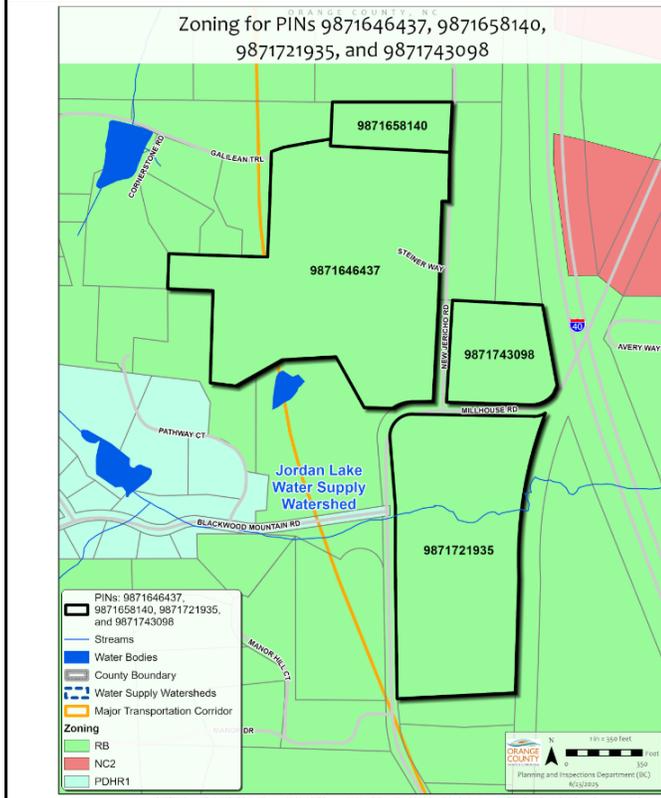
Emerson Waldorf School's main campus is contained on approximately 24.76 acres (PIN 9871646437) and serves pre-kindergarten to high school students.

The main campus contains several existing buildings including a nursery, middle school, high school, woodland school, blacksmith shop, maintenance shop, and offices. In addition, the site contains accessory structures including sheds, playground equipment, amphitheater, basketball and volleyball courts, and shelters. These existing buildings are contained on Sheet C1.00 of the site plan (Attachment 2). Supporting school uses and utilities are contained on PINs 9871658140, 9871743098, and 9871721935.

The main campus is served via three existing ingress/egress points connecting to New Jericho Road. Main access to the site is provided via a Steiner Way (private). Existing parking and pedestrian access areas are provided on site.

The current Schools: Elementary, Middle, and Secondary land use was approved with a Special Use Permit in 2015. The school also has an approved SUP from 1988, modified in 1993 and 2006, for a daycare use.

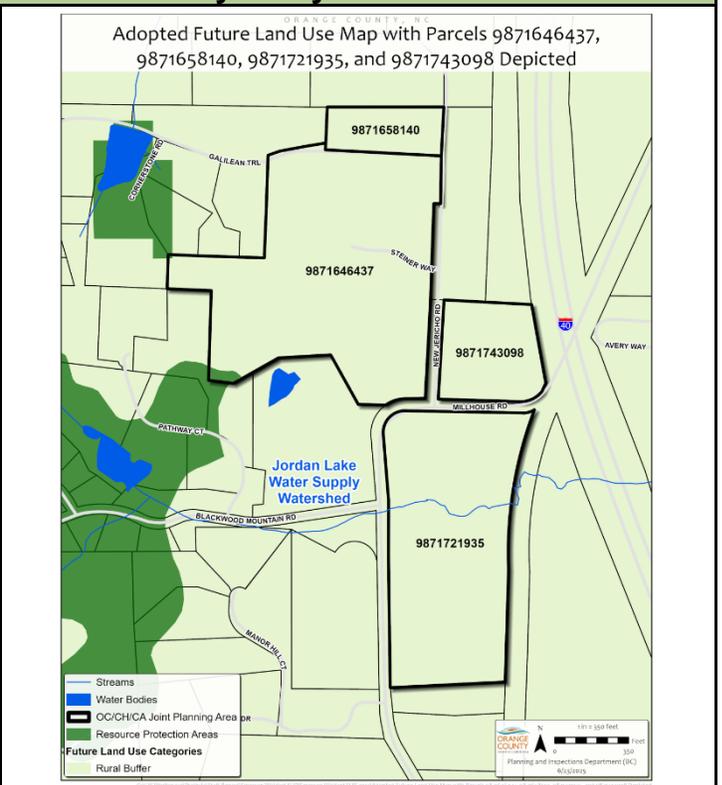
### Zoning Analysis



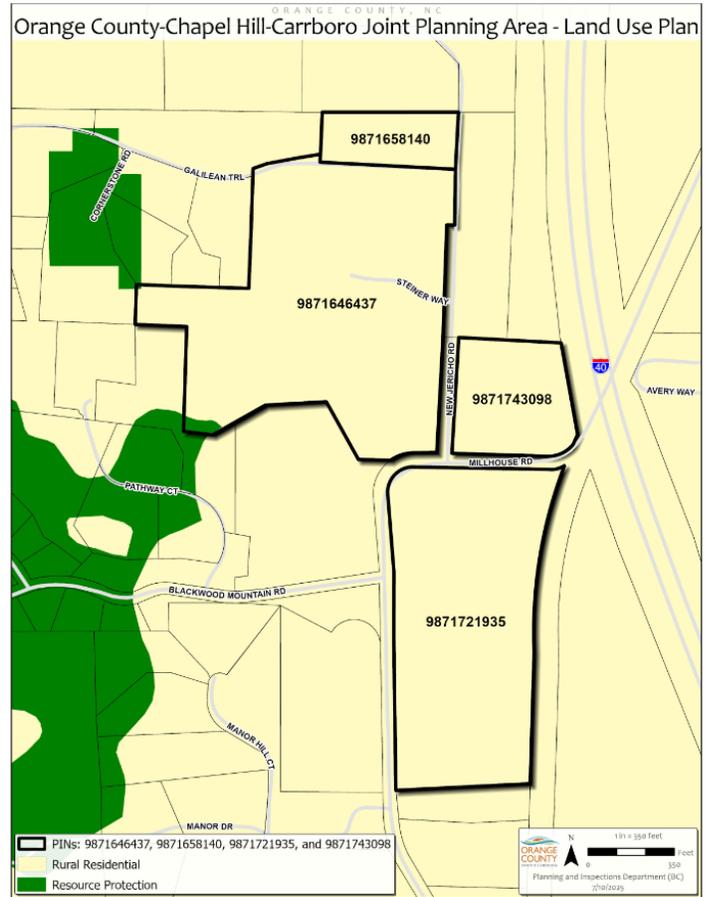
Current Zoning District	Rural Buffer (RB)
Watershed District	None - Property not located in a Water Supply Watershed but in the Jordan Lake unprotected watershed
North	Rural Buffer (RB)
South	Rural Buffer (RB)
East	Rural Buffer (RB)
West	Rural Buffer (RB) and Planned Development Housing - Rural Residential (PDHR1)

### 2030 Comprehensive Plan Consistency Analysis

Future Land Use Map (FLUM) Designation	Rural Buffer
FLUM Overlay(s)	Joint Planning Area Resource Protection Area
Growth Management System Designation	Rural Designation
Definition of FLUM Designation (from Article 10 of UDO)	Designated lands in the Comprehensive Plan that are adjacent to an urban or transition area that is rural in character and which should remain rural and not require urban services.



Interlocal Agreement Consistency Analysis	
Interlocal Agreement Applicable	Yes
Applicable ILA	Joint Planning Area
Future Land Use Classification	Rural Residential and Resource Protection
Description	<p>Rural Residential designation is identical to the Rural Buffer category contained in the current Orange County Land Use Plan. The Rural Buffer category is described in the Plan as land adjacent to an Urban or Transition area which is rural in character and which should remain rural; contain very low-density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses; and not require urban services (water and sewer) during the Plan period.</p>



## Proposed Modifications

### Proposed Modifications

A 2015 Special Use Permit (SUP), recorded in Orange County Records Book 6886, Page 815 approved a master plan for the Emerson Waldorf School consisting of several buildings including, but not limited to: arts center, auditorium, gymnasium, and additions to existing structures totaling 56,562 sq. ft. The master plan and SUP allows for up to 350 students and 55 staff members. The 2015 Special Use Permit and Master Plan is contained in Attachment 1.

The major modification request is to modify the 2015 SUP to update the campus master plan for the school to plan for future development and support facilities over the next 10 years. The proposed modification to the 2015 SUP does not propose any change to the land use or approved student enrollment.

The master plan proposes the construction of the following buildings. These were approved as part of the 2015 SUP.

- Center Building (connecting existing East and West Wings)
- Eurythmy (Renovation of existing building)
- Early Childhood Center
- High School addition
- Arts Center
- Auditorium

The master plan proposes to remove the following buildings (modulars):

- Woodworking
- Maintenance
- Hardworking
- Music

The major modification proposes revisions to the approved master plan by eliminating the following buildings. These buildings were previously contained in the master plan approved in 2015.

- Gymnasium
- 8<sup>th</sup> grade classroom
- Shop building addition
- High School building addition

As a result of the elimination of these buildings, the total square footage of the project is reduced to 37,684 square feet. The master plan approved in 2015 allowed for up to 56,562 square feet. As contained in the narrative, the proposed square footage breakdown of previously approved versus currently proposed as part of this Special Use Permit modification is shown below:

<b>Building</b>	<b>Previously Approved Square Footage</b>	<b>Proposed Square Footage</b>
Arts Center	11,800	11,800
Auditorium	12,593	12,593
Early Childhood Center	5,220	5,220
Gymnasium	13,942	0
Building additions to High School Campus	6,644 (3 buildings)	4,722 (2 buildings)
Eurythmy (dance) Building	1,573	1,573
Connect East and West Wings of Lower School Building	1,776	1,776
8 <sup>th</sup> Grade Classroom Building	1,650	0
Shop Building Addition (Relocation of School Administration)	1,364	0
<b>Total New Square Footage</b>	<b>56,562</b>	<b>37,684</b>

The master plan also proposes modifications to the internal roadway system, parking areas, and pedestrian areas. In addition, the project will include improvements to the potable water system, septic system, and stormwater control measures, as required from the State and County.



### Proposed Access and Transportation Network Improvements

The existing main school campus will access New Jericho Road via four access ways. A Traffic Impact Analysis (TIA) and Traffic Management Plan (TMP) was completed in 2014 as part of the 2015 SUP and was based on a student enrollment of 350. Another Traffic Management Plan was completed in November 2024. Based on the Traffic Impact Analysis Validation letter completed by McAdam (Attachment 1), the 2014 TIA and 2024 TMP accurately reflect current school conditions and operations. As a result, no additional transportation improvements are expected. In addition, a TIA addendum for the SUP modification is not expected or needed.

The master plan was previously reviewed by NCDOT in 2015. NCDOT reviewed the proposed modification and determined the proposal was not a major change from what was previously reviewed by NCDOT. As a result, no action or approval is required.

### Summary of Transportation Information

#### Existing Roadway Characteristics

Affected Roadway	New Jericho Road	Millhouse Road	
Type of Roadway	Secondary	Secondary	
Current Roadway Capacity	10,000-19,999	12,000 – 14,000	
Latest Traffic Volume	14,660- 15,100	8,900- 9100	

#### Traffic Generation

Number of Trips Expected to be Generated by Proposed Project	AM Peak Hour - 372 trips PM Peak Hour - 211 trips
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### Proposed Utilities

The existing school campus is served via a private well and septic system. The existing Water System Permit was permitted by Division of Water Quality (DWQ) and may accommodate a total capacity of 360 students and 55 staff members. As construction of new buildings occurs, the existing well permit and system shall be reviewed by DWQ.

In addition, the existing septic system was permitted by NCDENR Division of Water Quality. As construction of new building occurs, the existing permit and system shall be reviewed by NC Department of Health and Human Services (DHHS). Updates or revisions may be made to the permit to include additional wastewater flows. Additional septic field capacity may be required if existing capacity is met. The existing permit is in effect to August 31, 2026 and will be renewed by the school.

Additional information regarding the existing State permits is contained in Attachment 2.

### Erosion Control/Stormwater Regulations

The applicant has indicated the project will conform to existing Stormwater Management (Section 6.14) and Erosion and Sedimentation Control (Section 6.15) regulations of the UDO. Attachment 5 includes Development Advisory Committee (DAC) comments from Orange County Erosion and Sedimentation Control and Stormwater Management staff.

### Land Use Buffers/Setbacks

Setbacks	<ul style="list-style-type: none"> <li>– Front: 40-ft. from property or right of way line</li> <li>– Side and Rear: 20-ft. from the property line</li> </ul>
Landscape Buffers	<ul style="list-style-type: none"> <li>– 30-ft. Type B buffers required along New Jericho Road and Millhouse Road</li> <li>– 100-ft. Major Transportation Corridor Buffer required along Interstate 40 right of way</li> </ul>

### Environmental Assessment (EA)

The applicant has provided an Environmental Assessment (EA) application and supporting materials as required in Section 6.16 of the UDO with their submittal. These materials have been shared with various State agencies via the NC Department of Administration's State Clearinghouse. Planning and DEAPR Staff have jointly reviewed the materials and agree with a determination of "**Finding of No Significant Impact (FONSI)**" as required in Section 2.25.1 (B) (5) of the UDO (Attachment 5). This determination eliminates a requirement from the applicant to provide a more detailed Environmental Impact Statement (EIS) process as outlined in Sections 2.25.2 and 6.16.4 of the UDO.

### Solid Waste

The site is currently served by a private solid waste contractor.

### Proposed Conditions

The following conditions include conditions of approval contained in the existing SUP approved in 2015.

1. That the school be limited to serving 350 students as proposed by the applicant within the Special Use Permit application.
2. The granting of this Special Use Permit does not confer onto the applicant authorization to commence construction/land disturbance activities. No land disturbance activity shall commence until all applicable approvals, as detailed within the Unified Development Ordinance, have been obtained.
3. The submittal of a Solid Waste Permit application shall be required for every individual development project associated with this project.
4. Existing vegetation shall be preserved and remain in an undisturbed state in general conformance with Sheet L5.00 on the sealed "Special Use Permit Modification Drawings" from The John R. McAdams Company, Inc., dated October 17, 2025.
5. That the Fire Marshal and representatives of the New Hope Volunteer Fire Department shall review and approve the floor plan of proposed new buildings prior to the issuance of any Building and/or Zoning Compliance Permit(s) approving construction verifying that the structures comply with all applicable NC Fire Protection Code standards.
6. The applicant shall install required wastewater treatment system improvements necessary to support approved expansion projects prior to the commencement of earth disturbing activities. Further, the school is required to supply Planning and Environmental Health staff will any and all permits issued by the State of North Carolina allowing for the operation/modification of the system.
7. That an annual inspection of the wastewater treatment facility shall be conducted by the Orange County Health Department, consistent with established Departmental policy, in order to ensure that the system is functioning within established parameters. The applicant shall bear the burden of paying all fees associated with this inspection of the wastewater treatment facility as imposed by the Health Department.

8. That the applicant secure any necessary Soil Erosion and Grading, Stormwater, or other similar permit(s) from the Orange County Erosion Control Division, prior to any land disturbing activity occurring as part of the approved site plan.
9. That the applicant adhere to any conditions that may be imposed by North Carolina Department of Transportation in accordance with the driveway permit for this project.
10. That the provision of outdoor sports field lighting shall be deemed a SUP modification requiring the applicant to apply for a new Special Use Permit as detailed within the UDO.
11. Development proposals shall be submitted to the North Carolina Wildlife Resources Commission for review comment as part of the site plan review process of the County to ensure no endangered species are impacted.
12. The Orange County UDO's requirements for SUP compliance and administration, as found in Section 2.7.1 and Article 9, shall apply to this Major Modification approval.

The following conditions of approval are being submitted by the applicant:

13. Unpaved, gravel parking areas shall be permitted on-site in accordance with the existing school development. Parking areas shall comply with UDO landscaping requirements.
14. Parking spaces shall be a minimum of 9'x18'.
15. Up to 5 principal buildings shall be permitted on site.
16. The maximum allowable building height shall be 35'.
17. The project will request a vesting period extension to the maximum of 5 years per UDO Section 2.5.5.

## Review Milestones

Application Submittal Date	August 21, 2025
Development Advisory Committee (DAC) Review	September 4, 2025
Neighborhood Information Meeting (NIM)	October 22, 2025
Note: the DAC is a staff/agency committee, established in Section 1.9 of the Unified Development Ordinance.	

Courtesy Review		
Jurisdiction	Date Sent	Comments Received (Y/N)
Town of Chapel Hill	August 25, 2025	No
Town of Carrboro	August 25, 2025	No
State Environmental Review Clearinghouse	August 25, 2025	Yes

## Staff Analysis

### Compliance with Unified Development Ordinance

Staff review determined that the application is complete and all submitted materials are in compliance with the UDO.

“Schools: Elementary, Middle and Secondary” use was permitted with an approved Special Use Permit in 2015. In 2021, Orange County adopted several amendments to the UDO to address zoning changes at the state level. As part of this process, “Schools: Elementary, Middle and Secondary” land use was modified to “Schools: Preparatory” use. No modifications were made to the use standards or development regulations related to this land use.

#### Submittal Requirements

In addition to the information required in Sections 2.7.3 and 5.3.2, the following information shall be submitted as part of the application:

(a) Site plan prepared in accordance with Section 2.7.3 of this Ordinance and with the following additional information shown on the plan:

- (i) Total student capacity of school as designed;
- (ii) Total number of employees at time of greatest shift;
- (iii) Number and dimensions of designated parking spaces for school buses;
- (iv) Number of designated parking spaces for employees;
- (v) Number of visitor parking spaces;
- (vi) Number of student parking spaces;
- (vii) Location of student drop off points with stacking spaces identified;
- (viii) Location of all proposed and future athletic fields and structures, including:
  - a. Total number of seats for spectators, and
  - b. Location of concession stands, if any anticipated;
- (ix) Proposed public roadway improvements; and
- (x) Existing and proposed infrastructure improvements (water and sewer).

**Staff Comment:** The submitted site plan and narrative contained student capacity, parking, access, and site access information. Staff has reviewed the site plan and application materials and determined it is consistent with the requirements of the UDO.

(b) Landscape and Tree Preservation Plan prepared in accordance with Section 6.8 of this Ordinance.

**Staff Comment:** The applicant has provided a Landscape and Tree Preservation Plan as contained in Attachment 2 – Site Plan Sheet L5.00. Staff has reviewed the landscape plan and determined it is consistent with the requirements of the UDO.

(c) Photometric plans prepared in accordance with Section 6.11 of this Ordinance.

**Staff Comment:** Any proposed lighting shall be required to submit a lighting plan and meet standards of Section 6.11 of the UDO. An existing condition will require a SUP modification if any outdoor field lighting is proposed in the future.

(d) Estimated water usage for structures, landscaping and athletic fields.

**Staff Comment:** Information is contained in Attachment 2 – Narrative.

(e) A Traffic Impact Study, as required by Section 6.17 of this Ordinance.

**Staff Comment:** Information contained in Attachment 2 – TIA Validation Letter.

(f) A Biological Inventory, prepared in accordance with Section 5.17.6(A)(2)(b) of this Ordinance.

**Staff Comment:** The applicant has provided a biological inventory indicating the project will not have a detrimental impact on the local environment. The 2015 SUP review determined no significant impact to animal and plant species on the property or existing habitat area warranting special consideration or protection based on information contained within the Inventory of Natural Areas and Wildlife Habitats for Orange County North Carolina. Orange County Department of Environment, Agriculture, Parks, and Recreation (DEAPR) staff provided no comments as part of this review.

(g) A Resources Management Plan, prepared in accordance with the Resources Management Plan definition in Article 10 of this Ordinance.

**Staff Comment:** The applicant has provided a Resource Management Plan, contained in Attachment 2 – Site Plan Sheet L5.00. Staff has reviewed the plan and determined it is consistent with the requirements of the UDO.

## (2) Standards of Evaluation

If located within a zoning district other than an EDD, the applicant must meet the following Standards of Evaluation:

- (a) The project meets all applicable design standards and other requirements of this Ordinance.

**Staff Comment:** The proposed modification has been reviewed by Orange County DAC including Planning, Building Inspections, NCDOT, Environmental Health, Solid Waste, and Emergency Services for compliance with Orange County Ordinances, State Building Code, Health Code, and Fire Code.

- (b) The project meets all service provision criteria as set forth below:
- i. Fire – identifies the primary and secondary responders and the source(s) of water.
  - ii. Police – identifies the primary and secondary responders.
  - iii. Rescue services – identifies the primary and secondary responders.
  - iv. Water Supply – identification of public or private utility source and capacity of water supply or identification of water source through a water resource study.
  - v. Wastewater Treatment Methods – provider and capacity of wastewater treatment source.
  - vi. Solid Waste—as specified in subsection (h) below.

**Staff Comment:** Information contained in Attachment 2 – Narrative.

- (c) Habitats shall be identified and evaluated in the Biological Inventory and are subject to regulations contained in Section 5.8.4(3)(c).

**Staff Comment:** The applicant has provided a biological inventory indicating the project will not have a detrimental impact on the local environment. The 2015 SUP review determined no significant impact to animal and plant species on the property or existing habitat area warranting special consideration or protection based on information contained within the Inventory of Natural Areas and Wildlife Habitats for Orange County North Carolina. Orange County Department of Environment, Agriculture, Parks, and Recreation (DEAPR) staff provided no comments as part of this review.

- (d) Landscaping and Buffers

**Staff Comment:** The applicant has provided a Landscape and Tree Preservation Plan as contained in Attachment 2 – Site Plan Sheet L5.00. Staff has reviewed the landscape plan and determined it is consistent with the requirements of the UDO. Existing vegetation is contained within the required tree protection area and buffer area.

- (e) Stormwater Management

**Staff Comment:** A Stormwater Water Management Plan will be required as part of the Zoning Compliance Permit review process. A condition has been proposed for this standard.

- (f) Drainage

**Staff Comment:** A Stormwater Water Management Plan will be required as part of the Zoning Compliance Permit review process. A condition has been proposed for this standard.

- (g) Grading and Erosion Control

**Staff Comment:** An Erosion Control Plan will be required as part of the Zoning Compliance Permit review process. A condition has been proposed for this standard.

- (h) Solid Waste Management

**Staff Comment:** The applicant has provided as part of the Resource Management Plan, contained in Attachment 2 – Site Plan Sheet L5.00.

- (i) Irrigation

**Staff Comment:** The applicant has provided as part of the Resource Management Plan, contained in Attachment 2 – Site Plan Sheet L5.00.

- (j) Habitat Maintenance

**Staff Comment:** The applicant has provided as part of the Resource Management Plan, contained in Attachment 2 – Site Plan Sheet L5.00.

## (k) Public Road Access

**Staff Comment:** Project provides for four access points and meets other access regulations.

## (l) Maintenance of Improvements

**Staff Comment:** The applicant has provided as part of the Resource Management Plan, contained in Attachment 2 – Site Plan Sheet L5.00.

## (m) Additional Standards

- i. For non-charter public schools, the minimum lot size shall be, as required by the School Construction Standards adopted from time to time by the Board of County Commissioners, the Orange County Board of Education and the Chapel Hill-Carrboro Board of Education.

**Staff Comment:** Based on current school operations, Staff believes the site is of sufficient size to accommodate the proposed project based on the maximum number of anticipated students as detailed by the applicant.

- ii. For all schools, the lot size shall be adequate to accommodate all activities. The proposed methods to handle the maximum number of participants and patrons for any single event shall be provided while also adhering to safe vehicular and pedestrian circulation.

**Staff Comment:** Based on current school operations, Staff believes the site is of sufficient size to accommodate the proposed project based on the maximum number of anticipated students as detailed by the applicant.

- iii. Negative visual impacts shall be minimized along any major roadway. Negative visual impacts include, but are not limited to, loading/unloading areas, delivery areas, air handling units (roof top and other), parking areas for machinery, and storage buildings. Appropriate screening methods shall be used to enhance the aesthetic value of a project.

**Staff Comment:** Staff is satisfied that the applicant can adhere to this requirement.

- iv. Transportation improvements as deemed necessary by the Traffic Impact Study.

**Staff Comment:** The Traffic Impact Analysis Validation letter contained in Attachment 1 noted no additional transportation improvements are expected and a TIA addendum for the SUP modification is not expected or needed. The current project does not propose any major changes to access and internal circulation. As a result, no NCDOT action is required.

- v. There shall be a minimum of two access points to the site.

**Staff Comment:** The site plan identifies four access points on New Jericho Road for the main school campus.

- vi. Access points shall separate student drop-off areas and visitor parking from bus traffic.

**Staff Comment:** The site plan identifies access points for student drop-off and parking areas. The school does not utilize buses.

- vii. If school buses are used, then at least one access shall be limited to school employee and bus use during normal school hours.

**Staff Comment:** The school does not utilize buses.

- viii. All access points shall be located to provide maximum visibility and safety.

**Staff Comment:** NCDOT reviewed the site plan. Comments are provided in Attachment 5.

- ix. No driveway shall be permitted in a location that will hinder or congest traffic movement on a public street.

**Staff Comment:** NCDOT reviewed the site plan. Comments are provided in Attachment 5. Prior to performing work in the NCDOT right of way, the applicant will need to obtain an approved NCDOT driveway permit.

The applicant provided a description of the proposed use and site plan as part of the application packet (Attachment 2). The site plan identifies all elements required by the above listed UDO sections.

### Consistency with 2030 Comprehensive Plan

Staff review of the project included consideration for how the requested Special Use Permit relates to the Orange County 2030 Comprehensive Plan. The following analysis outlines elements of the Comprehensive Plan which staff identified as applicable and relevant to the consideration of this request.

#### Chapter 2 – Planning Principles

1. Efficient and Fiscally Responsible Provision of Public Facilities and Services: Orange County's public facilities and services should be delivered in a manner that efficiently uses existing capacity. Expansions of facilities and services should be made only after careful consideration of the costs and benefits of expansion.

**Staff Comment:** Not applicable.

2. Sustainable Growth and Development: Growth and development within the county should occur in a pattern, location, and density that is sustainable over the long-term.

**Staff Comment:** The proposed project was approved as a special use within the RB zoning district in 2015. The project shall comply with the UDO standards and meet the standards of evaluation as reviewed by the Board of Adjustment. The existing land use currently operates at this site with very minimal impacts to the surrounding area. Proposed revisions to the previously approved master plan will remain limited to the property, generating low volumes of traffic, and not negatively impacting surrounding properties.

3. A. Encouragement of Energy Efficiency, Lower Energy Consumption and Use of Nonpolluting Renewable Energy Resources

3. B. Promotion of Both Air Quality Protection and the Development of an Effective Transportation System: Decreasing the use of non-renewable resources and lowering energy consumption are encouraged in both public and private activities. The county's transportation system should be enhanced to promote more energy efficient modes of travel and improve air quality.

**Staff Comment:** Not applicable.

4. Natural Area Resource Preservation: Protection of the County's natural areas, including forests, wildlife habitat, and other important open spaces should be a priority. The County should work with regional and local organizations, the towns, and private landowners to promote and achieve preservation of the County's important natural resources.

**Staff Comment:** The applicant provided an Environmental Assessment and Biological Inventory as part of the application package. Staff has reviewed and determined no significant environmental impact is expected from this project based on existing conditions. The project site plan protects the existing stream on site with required stream buffering. In addition, the project strives to protect and retain existing vegetation on site.

5. Preservation of Rural Land Use Pattern: The County's rural areas are a cherished component of the County's character. Future development should preserve and enhance the county's rural landscape.

**Staff Comment:** The existing use is harmonious with the rural character of the area and creates no conflicts with adjacent land uses.

6. Water Resources Preservation: The County has finite water resources to provide to future populations. The protection and management of the County's water resources should be a high priority.

**Staff Comment:** The proposed project will utilize existing onsite well and septic system.

7. Promotion of Economic Prosperity and Diversity: Development of a diversity of new businesses and expansion of existing businesses should occur in Orange County.

**Staff Comment:** The existing land use has operated at this location since 2015. The proposed modification allows for the school use to continue operations in Orange County.

8. Preservation of Community Character: Future growth and development should occur in a manner that preserves and enhances the existing character of the County, its townships, and rural crossroads communities.

**Staff Comment:** The modifications will allow the use to remain consistent with the surrounding rural landscape identified in both the Orange County-Chapel Hill-Carrboro Joint Planning Agreement.

## Chapter 5 – Land Use Element, Section 5.6 Goals

There are several land use goals in the adopted 2030 Comprehensive Plan including:

Land Use Goal 1: Fiscally and environmentally responsible, sustainable growth, consistent with the provision of adequate services and facilities and a high quality of life.

**Staff Comment:** The location and character of the proposed use, developed according to the plan submitted, will be consistent with the rural land uses of the area in which it is to be located.

Land Use Goal 2: Land uses that are appropriate to on-site environmental conditions and features, and that protect natural resources, cultural resources, and community character.

**Staff Comment:** The project shall meet all applicable erosion control, stormwater regulations, and stream buffer regulations.

Land Use Goal 3: A variety of land uses that are coordinated within a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts, supported by an efficient and balanced transportation system.

**Staff Comment:** The existing use is located within the Rural Buffer, adjacent to low density residential uses and undeveloped properties. Standards contained in the UDO, including landscaping and setbacks, will continue to allow the use to be buffered from neighbors and prevent negative impacts. The site shall be developed with all applicable development standards from the Orange County UDO in order to protect neighboring residential properties and minimize land use conflicts.

Land Use Goal 6: A land use planning process that is transparent, fair, open, efficient, and responsive.

**Staff Comment:** Orange County staff has noticed the public regarding this application, as required by Section 2.7 of the UDO, including a required Neighborhood Information Meeting, mailings to neighboring property owners, and posting of the property. Additionally, staff have provided all application documents on the Active Development Projects webpage.

### Consistency with Joint Planning Area (JPA) Land Use Plan

The parcel is located within the Rural Buffer and Joint Courtesy Review Area of the JPA. As a result, the SUP application was provided to Chapel Hill and Carrboro Town staff for review and comment. Comments provided from Town staff are included in Attachment 5.

The JPA Land Use Plan identifies the subject parcel as "Rural Residential," which is defined as:

Rural Residential: Rural Residential designation is identical to the Rural Buffer category contained in the current Orange County Land Use Plan. The Rural Buffer category is described in the Plan as land adjacent to an Urban or Transition area which is rural in character and which should remain rural; contain very low-density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses; and not require urban services (water and sewer) during the Plan period.

**Staff Comment:** The proposed modification retains the existing land use as a school and is consistent with the Rural Residential land use classification of the JPA.

1  
20



Doc No: 30120817  
Recorded: 07/30/2025 09:12:21 AM  
Fee Amt: \$26.00 Page 1 of 13  
Excise Tax: \$0.00  
Orange County North Carolina  
Mark Chilton, Register of Deeds  
BK **6886** PG **815 - 827 (13)**

*James Atager*

**NORTH CAROLINA  
ORANGE COUNTY**

DRAFTED BY: Ashley Moncado, Planner III  
Orange County Planning and Inspections Department

RETURN TO: Waldorf Educational Association of North Carolina  
6211 New Jericho Road, Chapel Hill, NC 27514

**ORANGE COUNTY, NORTH CAROLINA  
SPECIAL USE PERMIT**

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned Waldorf Educational Association of North Carolina, having applied to Orange County for a Class A Special Use Permit for the use and development of a Schools: Elementary, Middle, and Secondary, was granted by the Orange County Board of County Commissioners (BOCC) on **October 6, 2015**. The terms of which are as follows:

**NAME OF PROJECT:** Emerson Waldorf School  
**TYPE OF SPECIAL USE:** Schools: Elementary, Middle, and Secondary  
**NAME OF PROPERTY OWNERS:** Waldorf Educational Association of North Carolina

**DESCRIPTION OF PREMISES**

**PARCEL ID:** 9871658140, 9871646437, 9871743098, 9871721935 *JS*

**LOCATION:** 6211 New Jericho Road, Chapel Hill

**PROPERTY:** The parcel (hereinafter "the property") is +/- 55.27 acres with frontage on Millhouse Road and New Jericho Road. It is zoned Rural Buffer (RB) and is located in the Jordan Lake Unprotected Watershed Overlay District. This Special Use Permit is applied to +/- 55.27 acres of the property.

**DEED:** DB 2877/PG 477  
 DB 6351/PG 570  
 DB 1955/PG 193  
 DB 3145/PG 250

**PLAT:** DB 83/PG 161  
 DB 91/PG 179  
 DB 92/PG 158

### **SPECIAL TERMS AND CONDITIONS OF SUP**

The Orange County Board of County Commissioners (BOCC) met and held an evidentiary hearing on May 26, 2015. During the evidentiary hearing, the BOCC reviewed evidence and testimony to the case. On October 6, 2015 the BOCC established Findings of Fact for the case and approved a SPECIAL USE PERMIT for the establishment of a Schools: Elementary, Middle, and Secondary on the property. The project subject to this SPECIAL USE PERMIT is shown on the site plan dated April 14, 2014, by Summit Design and Engineering Services (See attached Exhibit B) and conditions are outlined below. The terms herein are binding on the present owners and any lessees, as well as their successors in title and in interest, until this permit either expires pursuant to UDO Sections 2.7.12(D) and 2.7.14, or is otherwise changed by government action.

The Schools: Elementary, Middle, and Secondary use shall operate in accordance with the site plan as described above, and all the commitments contained in the application shall be observed. Copies of the final site plan and supporting documentation are on file in the Orange County Planning and Inspections Department.

In order to promote the public health, safety, and general welfare as required in Section 5.3.2(A)(2)(a); ensure adjacent property values are maintained or enhanced as required in Section 5.3.2(A)(2)(b); and ensure the proposed use is in harmony with the general area as required in Section 5.3.2(A)(2)(c), the following conditions for this Special Use Permit apply:

1. That the school be limited to serving 350 students as proposed by the applicant within the Special Use Permit application.
2. The granting of this Special Use Permit does not confer onto the applicant authorization to commence construction/land disturbance activities. No land disturbance activity shall commence until all applicable approvals, as detailed within the Unified Development Ordinance, have been obtained.
3. The submittal of a Solid Waste Permit application shall be required for every individual development project associated with this project.
4. Existing vegetation shall be preserved and remain in an undisturbed state in general conformance with Sheet(s) C4, C5, and C6 of the approved site plan, as appropriately adjusted pursuant to Site Plan review for individual construction phases.
5. That the Fire Marshal and representatives of the New Hope Volunteer Fire Department shall review and approve the floor plan of proposed new buildings prior to the issuance of any Building and/or Zoning Compliance Permit(s) approving construction verifying that the structures comply with all applicable NC Fire Protection Code standards.
6. The applicant shall install required wastewater treatment system improvements necessary to support approved expansion projects prior to the commencement of earth disturbing activities.

Further, the school is required to supply Planning and Environmental Health staff will any and all permits issued by the State of North Carolina allowing for the operation/modification of the system.

7. That an annual inspection of the wastewater treatment facility shall be conducted by the Orange County Health Department, consistent with established Departmental policy, in order to ensure that the system is functioning within established parameters. The applicant shall bear the burden of paying all fees associated with this inspection of the wastewater treatment facility as imposed by the Health Department.
8. That the applicant secure any necessary Soil Erosion and Grading, Stormwater, or other similar permit(s) from the Orange County Erosion Control Division, prior to any land disturbing activity occurring as part of the approved site plan.
9. That the applicant adhere to any conditions that may be imposed by North Carolina Department of Transportation in accordance with the driveway permit for this project.
10. That the provision of outdoor sports field lighting shall be deemed a SUP modification requiring the applicant to apply for a new Class A Special Use Permit as detailed within the UDO.
11. Development proposals shall be submitted to the North Carolina Division of Fish and Wildlife for review comment as part of the site plan review process of the County to ensure no endangered species are impacted.
12. The Special Use Permit will automatically expire in 12 months from the date of approval if the use has not commenced or construction has not commenced or proceeded unless a timely application for extension of this time limit is approved by the Board of Adjustment.
13. If any condition of this Special Use Permit shall be held invalid or void, then this Special Use Permit shall be void in its entirety and of no effect.

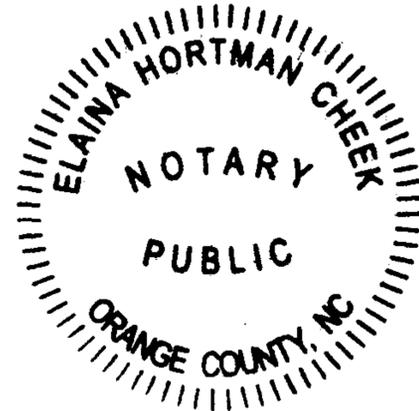
**NORTH CAROLINA  
ORANGE COUNTY**

IN WITNESS WHEREOF, Orange County has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special Use Permit as a covenant running with the land.

ATTEST ORANGE COUNTY BY (SEAL)

*Patrick Mallett*

PATRICK MALLET  
DEPUTY DIRECTOR, DEVELOPMENT SERVICES DIVISION  
SECRETARY TO THE BOARD OF ADJUSTMENT



I, Elaina Hortman Cheek, a Notary Public for said County and State, certify that

Patrick Mallett

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16th day of July, 2025.

*Elaina Cheek*  
Notary Public

My commission expires:  
4/25/2026

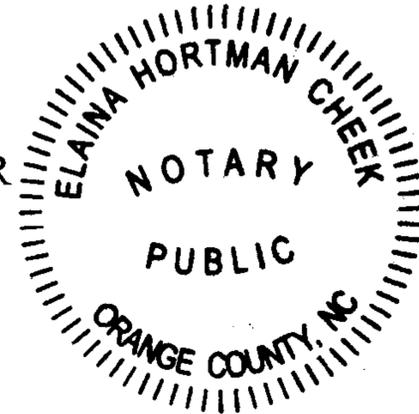
**NORTH CAROLINA  
ORANGE COUNTY**

IN WITNESS WHEREOF, Orange County has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special Use Permit as a covenant running with the land.

ATTEST ORANGE COUNTY BY (SEAL)



CY STOBER  
PLANNING AND INSPECTIONS DEPARTMENT DIRECTOR

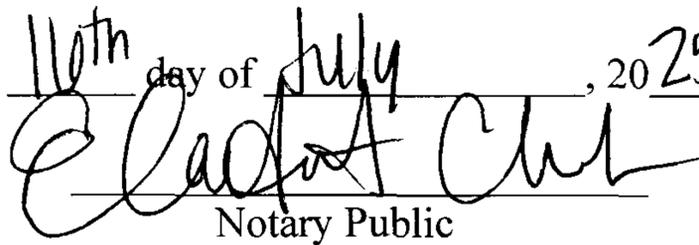


I, Elaina Hortman Cheek, a Notary Public for said County and State, certify that

Cy Stober

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 11th day of July, 2025.

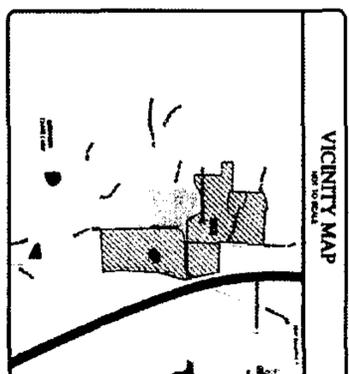
  
Notary Public

My commission expires:  
4/25/2026



SHEET INDEX	
COVER SHEET	C-1
EXISTING CONDITIONS & DEMOLITION PLAN	C-2
EXISTING CONDITIONS & DEMOLITION PLAN	C-3
MASTER SITE PLAN	C-4
MASTER SITE PLAN	C-5
LANDSCAPE TREE PRESERVATION & NATURAL RESOURCE PLAN	C-6
TRAFFIC PLAN	TP-1

TYPE "A" SPECIAL USE PERMIT SUBMITTAL  
FOR  
**EMERSON WALDORF SCHOOL**  
**MASTERPLAN**  
6211 JERICHO ROAD  
CHAPEL HILL, NC 27514



THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.

**OWNER / DEVELOPER:**  
THE WOODLAND ASSOCIATION OF NC  
201 WOODLAND ROAD  
CHAPEL HILL, NC 27514  
(919) 967-1888 (FAX)  
(919) 967-2702 (VAD)  
INFO@WOODLANDORF.COM (919) 967-2702

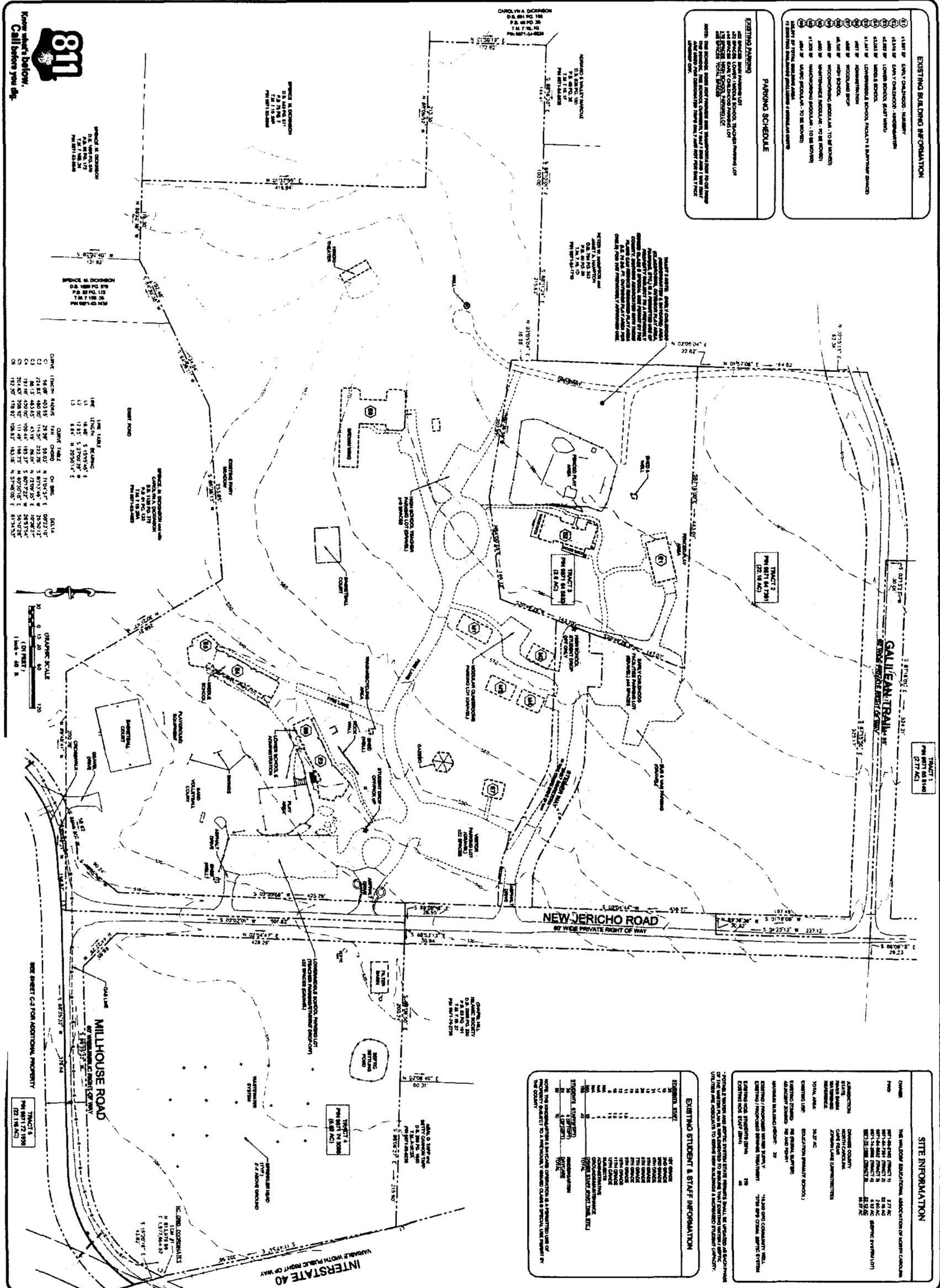
**CIVIL & SITE ENGINEER CONTACT:**  
CHAD E. ABBOTT, P.E.  
201 WOODLAND ROAD  
CHAPEL HILL, NC 27514  
(919) 967-2702 (FAX)  
CHAD.ABBOTT@WOODLANDORF.COM



**PUBLIC SERVICE CONTACTS:**

DEPARTMENT	CONTACT NAME	PHONE	ADDRESS
PLANNING	CHAD E. ABBOTT, P.E.	(919) 967-2702	201 WOODLAND ROAD, CHAPEL HILL, NC 27514
PERMITTING	CHAD E. ABBOTT, P.E.	(919) 967-2702	201 WOODLAND ROAD, CHAPEL HILL, NC 27514
INSPECTION	CHAD E. ABBOTT, P.E.	(919) 967-2702	201 WOODLAND ROAD, CHAPEL HILL, NC 27514
UTILITY	CHAD E. ABBOTT, P.E.	(919) 967-2702	201 WOODLAND ROAD, CHAPEL HILL, NC 27514

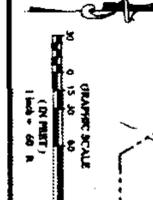
<b>PRODUCT NO.</b> 14-0708 <b>ISSUE DATE</b> 14-0708_1S <b>SHEET NO.</b> C-1	<b>TYPE "A" SPECIAL USE PERMIT</b> <b>EMERSON WALDORF SCHOOL</b> 6211 NEW JERICHO ROAD CHAPEL HILL, NC 27514			<b>PROJECT ENGINEER/ARCHITECT:</b> CEA (CHAD.ABBOTT@WOODLANDORF.COM)	COPYRIGHT © 2015 SUMMIT DESIGN AND ENGINEERING SERVICES 111 W. WOODLAND ROAD, CHAPEL HILL, NC 27514 (919) 967-2702	7 6 5 4 3 2 1	REVISIONS DATE BY
	<b>TITLE SHEET</b>			<b>PROJECT MANAGER:</b> CEA (CHAD.ABBOTT@WOODLANDORF.COM)		DRAWN BY: RWM (RUELL.WOOD@WOODLANDORF.COM)	SCALE: NTS



**811**  
Know what's below.  
Call before you dig.

LINE TABLE

LINE	LENGTH	BEARING	START POINT	END POINT
L1	6.46'	S 159° 46' 1"	1	2
L2	17.85'	S 72° 00' 0"	2	3
L3	17.85'	N 80° 51' 1"	3	4
L4	17.85'	S 72° 00' 0"	4	5
L5	6.46'	S 159° 46' 1"	5	6



**EXISTING BUILDING INFORMATION**

1	1101	EXISTING BUILDING
2	1102	EXISTING BUILDING
3	1103	EXISTING BUILDING
4	1104	EXISTING BUILDING
5	1105	EXISTING BUILDING
6	1106	EXISTING BUILDING
7	1107	EXISTING BUILDING
8	1108	EXISTING BUILDING
9	1109	EXISTING BUILDING
10	1110	EXISTING BUILDING
11	1111	EXISTING BUILDING
12	1112	EXISTING BUILDING
13	1113	EXISTING BUILDING
14	1114	EXISTING BUILDING
15	1115	EXISTING BUILDING
16	1116	EXISTING BUILDING
17	1117	EXISTING BUILDING
18	1118	EXISTING BUILDING
19	1119	EXISTING BUILDING
20	1120	EXISTING BUILDING

**PARKING SCHEDULE**

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2	1102	EXISTING BUILDING
3	1103	EXISTING BUILDING
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9	1109	EXISTING BUILDING
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17	1117	EXISTING BUILDING
18	1118	EXISTING BUILDING
19	1119	EXISTING BUILDING
20	1120	EXISTING BUILDING

**EXISTING STUDENT & STAFF INFORMATION**

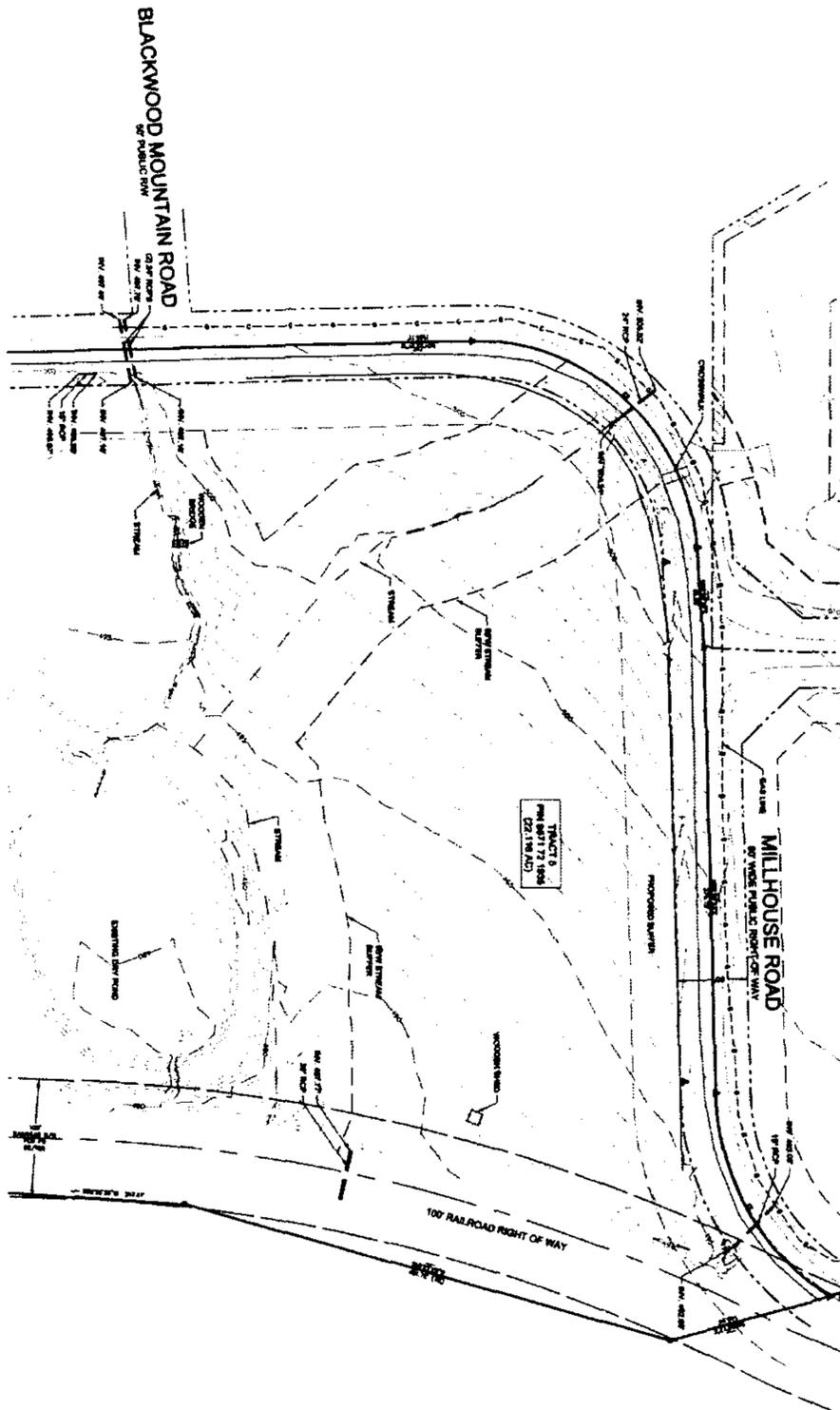
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2	100	10
3	100	10
4	100	10
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7	100	10
8	100	10
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**SITE INFORMATION**

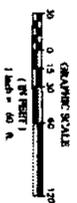
OWNER	THE WILLOW EDUCATIONAL ASSOCIATION OF NORTH CAROLINA
PROJECT NO.	14-0108
DATE	11/12/10
SCALE	AS SHOWN
DRAWN BY	NEWELL, TRUE, WOODY
CHECKED BY	CEA
DATE	11/12/10

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<p><b>TYPE 'A' SPECIAL USE PERMIT</b>  <b>EMERSON WALDORF SCHOOL</b>          6211 NEW JERICO ROAD          CHAPEL HILL, NC 27516</p>	<p><b>SUMMIT</b>          CONSTRUCTION</p>	<p>PROJECT ENGINEER/ARCHITECT          CEA [CEA.ABOTT@SUMMITDE.NET]          PROJECT MANAGER          CEA [CEA.ABOTT@SUMMITDE.NET]          DRAWN BY          NEWELL, TRUE, WOODY [NEWELL@SUMMITDE.NET]          SCALE          1" = 60'</p>	<p>REVISIONS</p> <table border="1"> <tr><td>7</td><td></td><td></td><td></td></tr> <tr><td>6</td><td></td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td></tr> <tr><td>1</td><td></td><td></td><td></td></tr> </table>	7				6				5				4				3				2				1			
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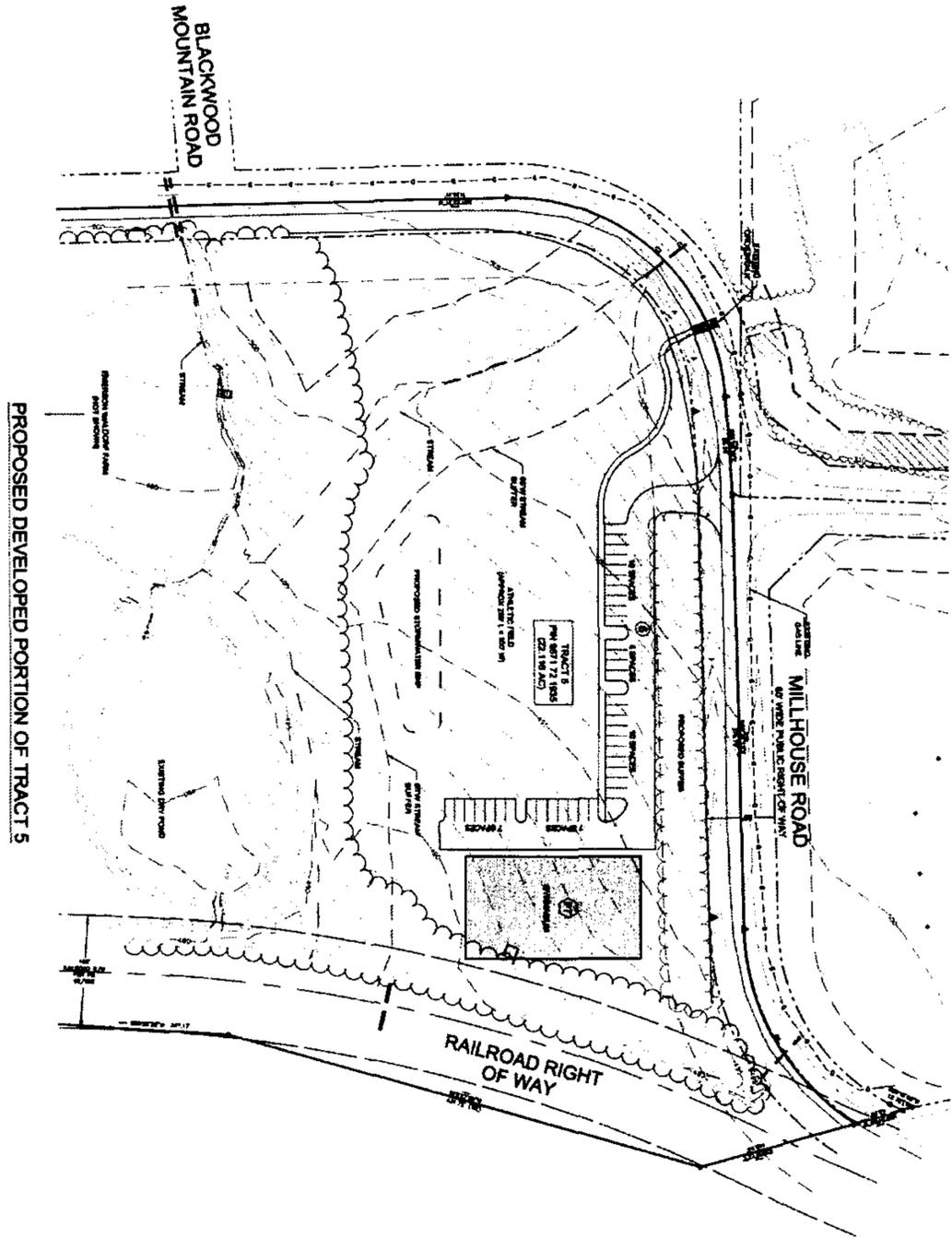


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<p>C-3</p> <p>14-0108</p> <p>14-0108_X03</p>	<p><b>TYPE "A" SPECIAL USE PERMIT</b></p> <p><b>EMERSON WALDORF SCHOOL</b></p> <p>6211 NEW JERCHO ROAD</p> <p>CHAPEL HILL, NC 27516</p>	<p><b>SUMMIT</b></p> <p>DESIGN AND ENGINEERING SERVICES</p> <p>Creatively Inspired - Technically Exceeded</p> <p>License #: P-6019                  101 Meadowcroft Drive                  Hillsborough, NC 27276-9991                  Phone: (919) 723-3663 Fax: (919) 723-6876                  www.summitse.net</p>	<p>PROJECT ENGINEER/ARCHITECT                  CEA (CHAD.ABBOTT@SUMMITSE.NET)</p> <p>PROJECT MANAGER                  CEA (CHAD.ABBOTT@SUMMITSE.NET)</p> <p>DRAWN BY                  KIM (KIM.LYUE.WOODY@SUMMITSE.NET)</p> <p>SCALE                  1" = 80'</p>	<p>COPYRIGHT © 2015                  SUMMIT DESIGN AND                  ENGINEERING SERVICES</p> <p>Revised: 11/20/15</p> <p>IT IS A VIOLATION OF LAW FOR ANY PERSON TO REPRODUCE OR TRANSMIT THIS DOCUMENT OR ANY PART THEREOF IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF SUMMIT DESIGN AND ENGINEERING SERVICES. ANY REPRODUCTION OR TRANSMISSION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF SUMMIT DESIGN AND ENGINEERING SERVICES IS STRICTLY PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.</p>	<table border="1"> <tr><td>7</td><td></td><td></td></tr> <tr><td>6</td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td></tr> <tr><td>1</td><td></td><td></td></tr> </table>	7			6			5			4			3			2			1		
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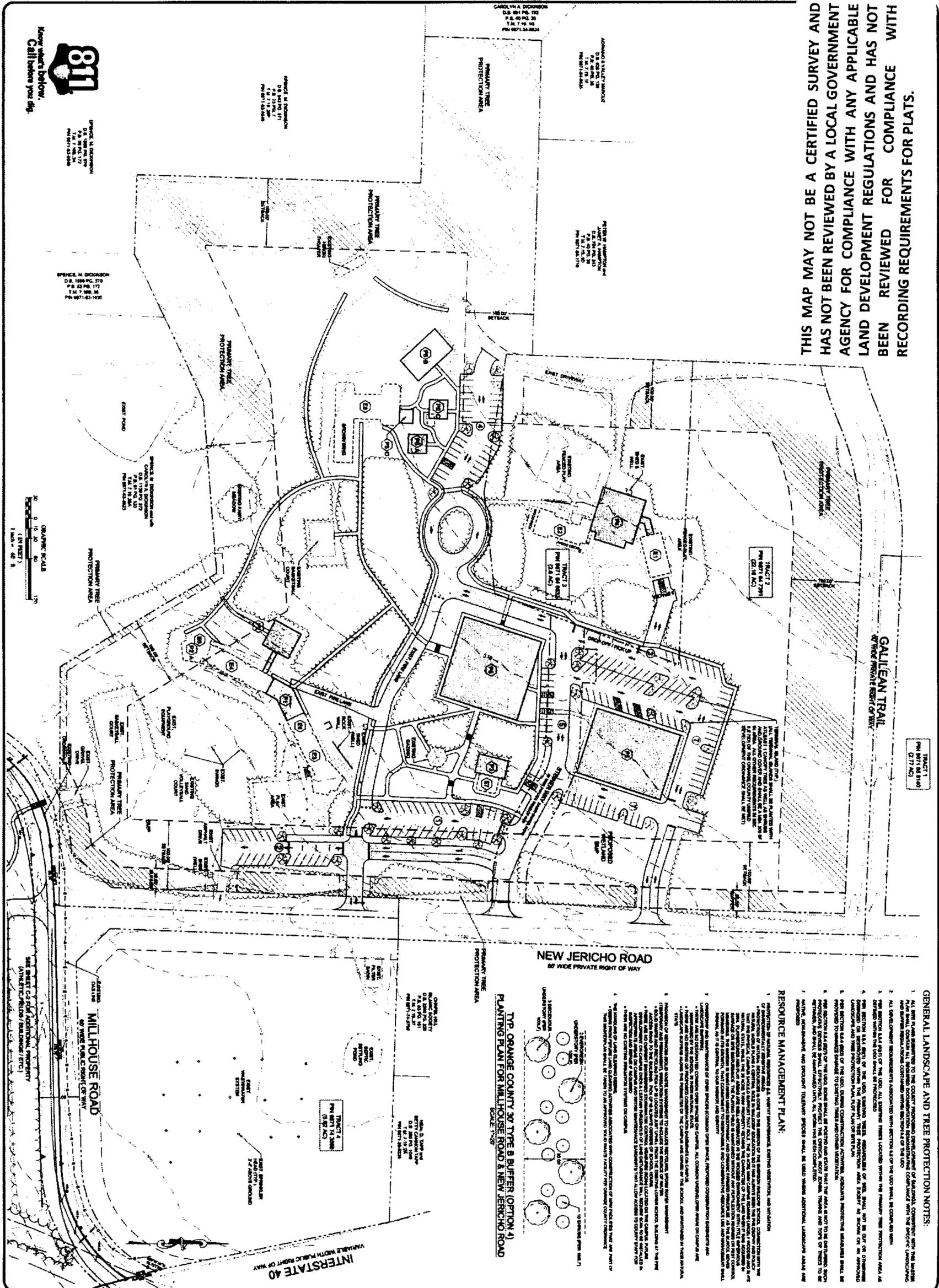




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<p>C-5</p>	<p>PROJECT NO. <b>14-0108</b></p> <p>DRAWING NO. <b>14-0108_S</b></p>	<p><b>TYPE "A" SPECIAL USE PERMIT</b>  <b>EMERSON WALDORF SCHOOL</b>                  8211 NEW JERCHO ROAD                  CHAPEL HILL, NC 27518</p> <p><b>MASTER SITE PLAN</b></p>	<p>Summit R P-0229                  800 Montford Drive                  Raleigh, NC 27628-4881                  Voice: (919) 732-0888 Fax: (919) 732-4878                  www.summitde.net</p>	<p>PROJECT ENGINEER/ARCHITECT                  CEA (CEA.ABOTT@SUMMITDE.NET)</p> <p>PROJECT MANAGER                  CEA (CEA.ABOTT@SUMMITDE.NET)</p> <p>DRAWN BY                  KBE (KBE.WOODY@SUMMITDE.NET)</p> <p>SCALE                  1" = 80'</p>	<p>COPYRIGHT © 2015                  SUMMIT DESIGN AND                  ENGINEERING SERVICES</p> <p>REVISIONS</p> <p>IT IS A VIOLATION OF LAW FOR ANY PERSON                  TO REPRODUCE OR TRANSMIT THIS DRAWING OR                  ANY PART THEREOF IN ANY MANNER OR BY                  ANY MEANS, ELECTRONIC OR MECHANICAL,                  INCLUDING PHOTOCOPYING, RECORDING,                  OR BY ANY INFORMATION STORAGE AND                  RETRIEVAL SYSTEM, WITHOUT THE WRITTEN                  PERMISSION OF THE CLIENT.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr><td>7</td><td></td><td></td><td></td></tr> <tr><td>6</td><td></td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td></tr> <tr><td>1</td><td></td><td></td><td></td></tr> </tbody> </table>	NO.	REVISIONS	DATE	BY	7				6				5				4				3				2				1			
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TRACT 1  
PM 0711 08 8146  
0.77 AC

**GENERAL LANDSCAPE AND TREE PROTECTION NOTES:**

1. ALL TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS AND SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS AND SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS.
2. ALL TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS AND SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS.
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6. ALL TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS AND SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS.
7. ALL TREE REMOVAL SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS AND SHALL BE IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS.

**RESOURCE MANAGEMENT PLAN:**

PROTECTION OF NATURAL RESOURCES IS A KEY COMPONENT OF THE DESIGN AND CONSTRUCTION OF THIS PROJECT. THE DESIGNER HAS CONDUCTED A VISUAL AND ENVIRONMENTAL IMPACT STUDY (VEIS) AND HAS IDENTIFIED SEVERAL NATURAL RESOURCES THAT ARE PRESENT ON THE PROJECT SITE. THESE RESOURCES INCLUDE:

- 1. **EXISTING TREES:** ALL EXISTING TREES SHALL BE PRESERVED AND PROTECTED TO THE MAXIMUM EXTENT POSSIBLE. ANY TREES THAT MUST BE REMOVED SHALL BE REPLACED WITH NEW TREES OF EQUAL OR GREATER SIZE AND SPECIES.
- 2. **WATERWAYS:** ALL WATERWAYS SHALL BE PROTECTED AND MAINTAINED IN GOOD CONDITION. ANY DISTURBANCE TO WATERWAYS SHALL BE RESTORED TO ORIGINAL CONDITIONS.
- 3. **SOILS:** ALL SOILS SHALL BE PROTECTED AND MAINTAINED IN GOOD CONDITION. ANY DISTURBANCE TO SOILS SHALL BE RESTORED TO ORIGINAL CONDITIONS.
- 4. **ROCKS:** ALL ROCKS SHALL BE PROTECTED AND MAINTAINED IN GOOD CONDITION. ANY DISTURBANCE TO ROCKS SHALL BE RESTORED TO ORIGINAL CONDITIONS.

**TYPE "A" SPECIAL USE PERMIT  
EMERSON WALDORF SCHOOL  
6211 NEW JERICO ROAD  
CHAPEL HILL NC 27518**

**LANDSCAPE, TREE PRESERVATION & NATURAL RESOURCE PLAN**

PROJECT NO: 14-0108  
DATE: 14-0108\_S  
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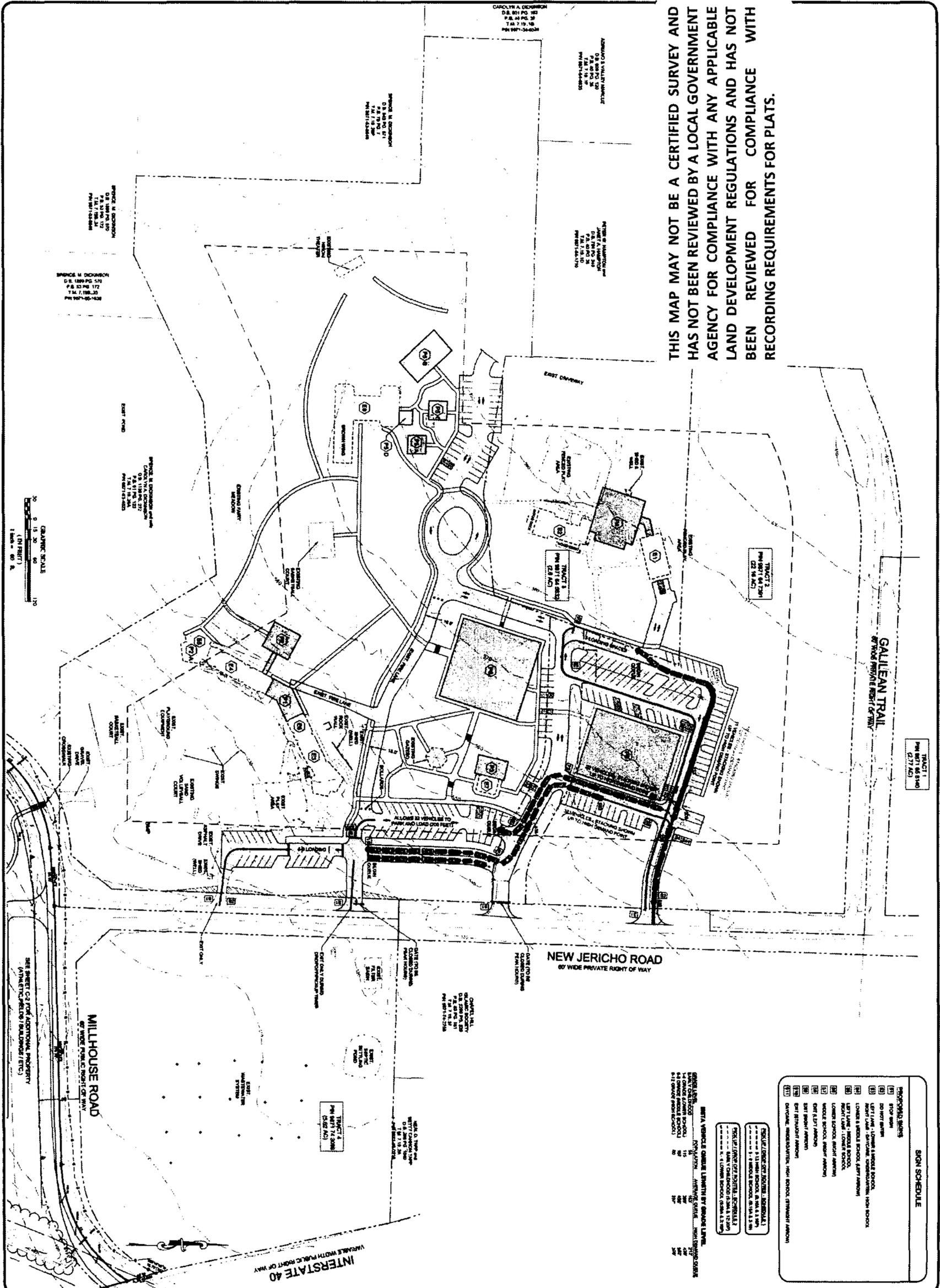
**TYPE "A" SPECIAL USE PERMIT  
EMERSON WALDORF SCHOOL  
6211 NEW JERICO ROAD  
CHAPEL HILL NC 27518**



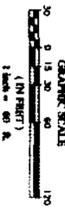
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CEA (CH04AB077@RAMTDE.NET)  
PROJECT MANAGER  
CEA (CH04AB077@RAMTDE.NET)  
DRAWN BY  
KBN (KBN15LE.HOODY@RAMTDE.NET)  
SCALE  
1" = 60'

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RENTY DERRON AND  
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THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS.



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<p>PROJECT NO. 14-0108 SHEET NO. TP-1</p>	<p><b>TYPE "A" SPECIAL USE PERMIT</b> <b>EMERSON WALDORF SCHOOL</b> 6211 NEW JERICO ROAD CHAPEL HILL, NC 27516</p>	<p><b>SUMMIT</b> CREATIVE AND TECHNICAL SERVICES</p> <p>100 Montford Drive Raleigh, NC 27609-9991 Phone: (919) 722-5000 Fax: (919) 722-8878 www.summit7.net</p>	<p>CHAD ABBOTT REGISTERED PROFESSIONAL ENGINEER NO. 14008 EXPIRES 12/31/2018</p>	<p>PROJECT ENGINEER/ARCHITECT CEA (CHAD.ABBOTT@SUMMIT7.NET)</p> <p>PROJECT MANAGER CEA (CHAD.ABBOTT@SUMMIT7.NET)</p> <p>DRAWN BY KIM WELLS (KIM.WELLS@SUMMIT7.NET)</p> <p>SCALE 1" = 60'</p>	<p>COPYRIGHT © 2015 SUMMIT DESIGN AND ENGINEERING SERVICES</p> <p>DATE: 11/11/15</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>7</td> <td></td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	BY	7				6				5				4				3				2				1			
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Orange County Planning & Inspections Department

131 W. Margaret Lane, Suite 200, Hillsborough, NC 27278

919-245-2575 or [planningapps@orangecountync.gov](mailto:planningapps@orangecountync.gov)

Special Use Permit Application

Please check all applicable boxes and complete the required documentation. Additional information and submittal requirements are contained in Section 2.7 of the Unified Development Ordinance (UDO).

If completing by hand, please use black or blue ink.

\* Please fill out all required fields

The Orange County Board of Adjustment shall approve or deny Special Use Permit applications as provided for within the Unified Development Ordinance (UDO) with a majority vote. The applicant must provide material, competent, and substantial evidence for each standard required by the UDO. Please check all applicable boxes and complete the required documentation.

Date: 04/10/2025

Contact Information\*

Property Owner(s): Waldorf Educational Association of NC, Inc.

Mailing Address: 6211 New Jericho Road, Chapel Hill, NC 27516

Phone: 919-967-1858 Email: iostrowski@emersonwaldorf.org

Applicant (if different than property owner): same as property owner

Mailing Address:

Phone: Email:

Property Information\*

Parcel ID Number (PIN): various (see next sheet)

Address: 6211 New Jericho Road, Chapel Hill, NC 27516

Zoning: RB Watershed: Old Field Creek

Certification and Signatures\*

I, MICHELLE FRIDMAN, have standing as described in Exhibit A and hereby request the Board of Adjustment to conduct an evidentiary hearing on my permit application, a use described, and limited as described, in Exhibit B. I anticipate the presentation of evidence to be:

Thirty (30) minutes or less, and understand Exhibits C, D, E and F are optional.

More than thirty (30) minutes and have included the following:

- A listing of intended evidence (Exhibit C),
Proposed Findings of Fact (Exhibit D),
Proposed Conditions (Exhibit E), and
Proposed Order (Exhibit F).

STATEMENT BY APPLICANT: I certify that the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Michelle Friedman (handwritten signature)

N/A

Owner Signature(s)

Applicant Signature (if different from owner)

6/10/25

Date

Date

<b>The Waldorf Educational Association of North Carolina</b>		<b>Parcel Information</b>
<b>PIN</b>		<b>Acreage</b>
9871-65-8140		2.77
9871-64-6437		24.76
9871-74-3098		5.62
9871-72-1935		22.12

**Exhibit A – Statement of Standing\***

- I am the sole owner of the property subject to this application.
- I have attached notarized letters authorizing this submittal from all entities or individuals with ownership rights to the property.

**Property Owner Information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Applicant Information**  Same as owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Agent Information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Law Firm Name: \_\_\_\_\_ Bar Number: \_\_\_\_\_

Note: Only attorneys may serve as agents during quasi-judicial hearings. Realtors, surveyors and other professionals may not apply or make arguments on behalf of owners.

**Exhibit B – Narrative of Proposed Land Use\***

Insert and label as “Exhibit B” a narrative description of the proposed land use. Include a detailed description of the proposed use of property, including an outline of the proposed operational characteristics of the proposed development. Also, include descriptions of structural components such as the basic size, form, and character of the buildings shown on the site plan.

EXHIBIT CEVIDENTIARY DISCLOSURES

The following is a list of documentary exhibits, lay witnesses and expert witnesses that the applicant intends to present at the evidentiary hearing on this SUP Application. The applicant reserves the right to introduce different or additional documentary exhibits and to call different or additional witnesses.

A. Documentary Exhibits.Document Exhibit No. 1

Application for SUP Permit, including Emerson Waldorf School Campus Master Plan Special Use Permit Modification Narrative and Exhibits thereto, Biological Inventory, Forest Stewardship Plan, Well Permit and Wastewater Permit. (Demonstrating compliance with UDO, including Section 5.3.2(A) (2) (a) and (B) (1)).

Document Exhibit No. 2

Value impact analysis report to be provided at the hearing. (Demonstrating compliance with UDO Section 5.3.2(A) (2) (B)).

Document Exhibit No. 3

Site survey

Document Exhibit No. 4

TIA Verification Letter  
(Demonstrating compliance with UDO, including Section 5.3.2(A) (2) (a) and (B) (1)).

B. Lay Witness Disclosure.Lay Witness No. 1

Ian Ostrowski  
Facilities Director  
Emerson Waldorf School  
6211 New Jericho Road  
Chapel Hill, NC 27516

Lay Witness No. 2

Michelle Fridman  
Director of Administration  
Emerson Waldorf School

6211 New Jericho Road  
Chapel Hill, NC 27516

Lay Witness No. 3

Luis Lopez Naranjo  
Chair, Board of Trustees  
Emerson Waldorf School  
6211 New Jericho Road  
Chapel Hill, NC 27516

C. Expert Witness Disclosure.

Expert Witness No. 1

Laura Holloman, AICP  
John R McAdams Company, Inc.  
621 Hillsborough Street, Suite 500  
Raleigh, NC 27603

Expert Witness No. 2

Spencer Christiansen, PE  
John R McAdams Company, Inc.  
621 Hillsborough Street, Suite 500  
Raleigh, NC 27603

Expert Witness No. 3:

Richard C. Kirkland, Jr., MAI  
State Certified General Appraiser  
Kirkland Appraisals  
9408 Northfield Court  
Raleigh, NC 27603

EXHIBIT DPROPOSED FINDINGS OF FACT.

1. The Subject Property is located at 6211 New Jericho Road at the intersection with Millhouse Road, Orange County Parcel I.D. Nos. 9871-65-8140 (2.77 acres), 9871-64-6437 (24.76 acres), 9871-74-3098 (5.62 acres), 9871-72-1935 (22.12 acres).
2. The property is owned by Waldorf Educational Association of NC, Inc.
3. The Modification of Special Use Permit Application (the "Application") was submitted by the owner, Waldorf Educational Association of NC, Inc.
4. The Application was submitted on the proper form and all required application fees were paid.
5. The Applicant proposes to use the Subject Project as it is currently being used, as a pre-K through grade 12 private school. The Applicant is requesting a modification to the previously approved 2015 Special Use Permit for an updated campus master plan that will provide a road map by which the school can plan for the location of new buildings and support facilities phased over a period of ten years.
6. At its duly noted meeting [insert date], the Orange County Board of Adjustment ("BOA") opened an evidentiary hearing on the Application and heard and considered the evidence submitted by the Applicant.
7. The Application, Staff Report and all accompanying materials were entered into the Record.
8. An appropriate oath was administered to each witness providing testimony to the BOA.
9. The Board accepted Richard C. Kirkland, MAI, as an expert witness in the field of appraisal of real property valuation, and his appraisal upon the following determination:
  - a. Mr. Kirkland is an MAI and state certified general appraiser.
  - b. Mr. Kirkland has considerable professional experience and education in the field of real estate valuation.
  - c. Mr. Kirkland has been admitted as an expert witness to testify as to the impact of valuation on contiguous and adjacent and nearby property in numerous jurisdictions.

- d. Mr. Kirkland's specialized technical knowledge will assist the BOA in understanding the evidence and the impact, if any, that the proposed special use as modified would have on the value of contiguous properties.
10. The Board accepted Laura Holloman, AICP, as an expert in Land Planning and Entitlements to present the Application upon the following determination:
  - a. Ms. Holloman has considerable professional experience and education in the fields of Land Planning and Entitlements and has been admitted as an expert witness in numerous jurisdictions.
  - b. Ms. Holloman's specialized knowledge will assist the BOA in understanding the evidence and the Application's compliance with UDO provisions.
11. The Applicant presented competent material and substantial evidence intended to establish that the standards applicable to the Application as described in the UDO are or will be met as follows:
  - a. TIA Verification Letter
  - b. Environmental Assessment
  - c. Preliminary Stormwater Memo
  - d. Biological Inventory
  - e. Forest Stewardship Plan
  - f. Well Permit
  - g. Wastewater Permit
12. The Applicant presented competent, material and substantial evidence intending to establish that the general standards for modification of a special use permit as described in the UDO, including at Section 5.3.2(A) are or will be met as follows:
  - a. The project as proposed will maintain or promote the public health, safety and general welfare if located where proposed and developed and operated in accordance with the plans submitted.

- b. The modification of special use as proposed will maintain or enhance the value of contiguous property.
  - c. The location and character of the proposed special use, if developed according to the plans submitted, will be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in the UDO in the County's Comprehensive Plan.
13. No competent material or substantial evidence was submitted to the contrary.

13788\01\M\003Exhibit D - Proposed Findings of Fact

18.	<b>Vehicle Access</b> Method and adequacy of vehicle access to the site and traffic conditions around the site.	5.3.2(B)(3)		
<b>Specific Development Standards for Proposed Land Use (Article 5)*:</b>				

\*The applicant is responsible for completing this section, identifying all development requirements/standards a proposed land use is required to abide by, and provide sufficient detail documenting what evidence has been submitted documenting compliance. An application shall be considered incomplete without the proposed Findings of Fact completed by the applicant

General Standards	UDO Section	SUPPORTING EVIDENCE (Finding of Fact)	Condition #
The use will maintain or promote the public health, safety and general welfare	5.3.2(A)(2)(a)		
The use will maintain or enhance the value of contiguous property (unless the use is a public necessity)	5.3.2(A)(2)(b)		
The use will be in harmony with the area and is in compliance with the Comprehensive Plan.	5.3.2(A)(2)(c)		

#### Emerson Waldorf School SUP Conditions

1. Unpaved, gravel parking areas shall be permitted on-site in accordance with the existing school development. Parking areas shall comply with UDO landscaping requirements.
2. Parking spaces shall be a minimum of 9'x18'.
3. Up to 5 principal buildings shall be permitted on site.
4. The maximum allowable building height shall be 35'.
5. The project will request a vesting period extension to the maximum of 5 years per UDO Section 2.5.5.

EXHIBIT FPROPOSED ORDER OF THE ORANGE COUNTY BOARD OF ADJUSTMENT PERTAINING TO  
A REQUEST SUBMITTED BY WALDORF EDUCATIONAL ASSOCIATION OF NC, INC. FOR  
MODIFICATION OF A SPECIAL USE PERMIT ON PROPERTY LOCATED AT 6211 NEW  
JERICHO ROAD, CHAPEL HILL, NC 275161. Subject Property:

6211 New Jericho Road  
Chapel Hill, NC 27516

(Orange County, Parcel I.D. Nos. 9871-65-8140 (2.77 acres), 9871-64-6437 (24.76 acres), 9871-74-3098 (5.62 acres), 9871-72-1935 (22.12 acres) (the "Subject Property").

2. The Subject Property is owned by Waldorf Educational Association of NC, Inc.
3. The Special Use Permit Application submitted in this case was submitted by Waldorf Educational Association of NC, Inc.
4. The Application was submitted on the proper form and all the required application fees were paid.
5. The Applicant proposes to use the Subject Property as it is currently being used, as a pre-K through grade 12 private school. The Applicant is requesting a modification to the previously approved 2015 Special Use Permit for an updated campus master plan that will provide a road map by which the school can plan for the location of new buildings and support facilities phased over a period of ten years.
6. At its duly noticed meeting on [inset date], the Orange County Board of Adjustment ("BOA") opened an evidentiary hearing on the Application and heard and considered the evidence submitted by the Applicant.
7. The Application, Staff Report and all accompanying materials were entered into the Record.
8. An appropriate oath was administered to each witness providing testimony to the BOA.
9. The BOA accepted Laura Holloman as an expert witness as to the plans submitted.
10. The BOA accepted Richard Kirkland, Jr. as an expert witness in the field of property valuation and appraisal.

11. The Applicant presented competent, material and substantial evidence intending to establish that the General Standards described in the UDO at Section 5.3.2(A) and the specific standards at Section 5.3.2(B) are met or will be met.
  
12. The Applicant presented competent, material and substantial evidence intending to establish that each of the following General Standards described in the UDO Section 5.3.2(A) are or will be met as follows:
  - a. The proposed special use as it exists and as is modified maintains and promotes the public health, safety and general welfare if located where proposed and developed and operated according to the plan as submitted.
  - b. The special use as proposed will maintain or enhance the value of contiguous property.
  - c. The special use as proposed and the location and character of the use, if developed in accordance with the plan submitted, will be in harmony with the area in which it is to be located, and the use is in compliance with the plan for the physical development of the County as embodied in the UDO and the Comprehensive Plan.
  
13. No competent, material or substantial evidence to the contrary was presented on the Record.

CONCLUSIONS OF LAW

Based on the competent, material and substantial evidence presented in the record, the proposed modification of special use proposed satisfies all standards set forth in the UDO applicable to this Application. Accordingly, based on the foregoing, the Orange County Board of Adjustment hereby approves the Application and authorizes the modification of the Special Use Permit as articulated in the Application.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Leon Meyers, Chair

**Exhibit F – Proposed Order:**

**FINDINGS OF THE ORANGE COUNTY BOARD OF ADJUSTMENT  
PERTAINING TO A REQUEST SUBMITTED BY  
\_\_\_\_Emerson Waldorf School\_\_\_\_ (APPLICANT)  
PROPOSING \_\_\_\_School\_\_, Private\_\_\_\_ (PROPOSED LAND USE)  
ON \_\_\_\_6211 Jericho Road Chapel Hill, NC 27516 (PINs on separate chart)\_\_\_\_ (ROAD NAME AND PINS OF  
PROPERTY INVOLVED WITH APPLICATION)**

As required under Section 5.2 *Table of Permitted Uses* of the Orange County Unified Development Ordinance (UDO), a Special Use Permit is required for the development/operation of a \_\_\_\_\_ (Proposed Land Use), in accordance with the provisions of Section 2.7 of the UDO.

Such permits shall comply with general and specific standards as set forth in Section(s) 5.3.2 and \_\_\_\_\_ (Section of Article 5 establishing development standards for proposed land use) of the UDO.

Section 5.3.2 (A) (2) of the UDO requires written findings certifying compliance with the following:

- (1) The use will maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted;
- (2) The use will maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not maintain or enhance the value of contiguous property); and
- (3) The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners;

In addition, the Board of Adjustment shall make findings certifying that the application is compliant with the following specific standards:

- (1) Specific standards for the submission of Special Use Permit applications as outlined within Section(s) 2.2 and 2.7 of the UDO.
- (2) Specific regulations governing the development of a \_\_\_\_\_ (Proposed land use) as set forth in Section \_\_\_\_\_ (Section of Article 5 establishing development standards for proposed land use) of the UDO.
- (3) Section 5.3.2 (B) relating to the method and adequacy of the provision of:
  - a. Sewage disposal facilities,
  - b. The adequacy of police, fire, and rescue squad protection, and
  - c. The adequacy of vehicular access to the site and traffic conditions around the site.
- (4) The general findings outlined within Section 5.3.2 (A) (2).

Upon holding of an evidentiary hearing, and accepting into the record of competent, material evidence and sworn testimony concerning the application, the Orange County Board Adjustment (BOA) hereby makes the following findings of fact and conclusions of law:

#	REQUIREMENT	UDO Section	SUPPORTING EVIDENCE (Finding of Fact)	Condition #
<b>Application Components and Required Submittal Information:</b>				
<b>Notification Requirements:</b>				
<b>Specific Standards:</b>				
<b>Specific Development Standards for Proposed Land Use (Article 5)*</b>				

Based on the competent material evidence and sworn testimony in the record the BOA hereby make(s) an affirmative finding on the specific standards of evaluation and general standards as detailed herein, further finding no evidence has been entered into the record demonstrating the applicant has:

- a. Failed to meet their burden of proof that the project complies with the specific development standards for a telecommunication facility, or
- b. Failed to comply with the general standards detailed within Section 5.3.2 (A) (2) of the UDO.

The BOA hereby approves the Special Use Permit subject to compliance with the following conditions:

(CONDITIONS HERE)



**Board of Adjustment**  
**Statutory Requirement of Standing for Parties**  
 Case: \_\_\_\_\_

Only Parties may call witnesses, introduce documents, make legal arguments and objections. North Carolina law requires that Parties have Standing which is defined in North Carolina General Statute (NCGS) 160D-1402(c). **Individuals seeking to be recognized as Parties are highly encouraged to seek independent legal counsel.** Note, North Carolina General Statute 84-2.1 and 84-4 prohibit the unauthorized practice of law, including representing others in these matters.

**North Carolina General Statute § 160D-1402(c)**

The following persons have standing to file a petition under this section:

- 1) Any person possessing any of the following criteria:
  - a. An ownership interest in the property that is the subject of the decision being appealed, a leasehold interest in the property that is the subject of the decision being appealed, or an interest created by easement, restriction, or covenant in the property that is the subject of the decision being appealed.
  - b. An option or contract to purchase the property that is the subject of the decision being appealed.
  - c. An applicant before the decision-making board whose decision is being appealed.
- 2) Any other person who will suffer special damages as the result of the decision being appealed.
- 3) An incorporated or unincorporated association to which owners or lessees of property in a designated area belong by virtue of their owning or leasing property in that area, or an association otherwise organized to protect and foster the interest of the particular neighborhood or local area, so long as at least one of the members of the association would have standing as an individual to challenge the decision being appealed, and the association was not created in response to the particular development or issue that is the subject of the appeal.
- 4) A local government whose decision-making board has made a decision that the governing board believes improperly grants a variance from or is otherwise inconsistent with the proper interpretation of a development regulation adopted by the governing board.

**I own or have a legal interest in the following parcels related to or impacted by this Special Use Permit application:**

Name: Waldorf Educational Association of NC, Inc.

Address: 6211 New Jericho Road, Chapel Hill, NC 27516

Property Identification Number (PIN): 9871-65-8140; 9871-64-6437; 9871-74-3098; 9871-72-1935

Register of Deeds Book/Page: D.B 2877, PG 477; D.B 6354, PG 570; D.B 1955, PG 193; D.B 3145, PG 250

That property will suffer the following Special Damage: \_\_\_\_\_

I have the following to demonstrate that Special Damage: \_\_\_\_\_

If that demonstration includes testimony which requires expert opinion per NCGS 160D-1402(j)(3)<sup>1</sup>, then it will be supplied by: \_\_\_\_\_

Their expertise in \_\_\_\_\_ will be established by the following education, training and experience: \_\_\_\_\_

1. North Carolina General Statute 160D-1402(j)(3) can be found at the follow link:

[https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_160D/GS\\_160D-1402.pdf](https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160D/GS_160D-1402.pdf)

**EMERSON WALDORF SCHOOL**  
**CAMPUS MASTER PLAN**  
**SPECIAL USE PERMIT MODIFICATION NARRATIVE**

**1. INTRODUCTION**

The Emerson Waldorf School (EWS), established in Chapel Hill in 1984, is a Pre-K thru grade 12 private school located on a 54-acre campus at 6211 New Jericho Road at its intersection with Millhouse Road in Orange County, NC. The existing school campus currently contains approximately 22,971 sf of classroom space and support facilities in twelve buildings with an existing student population of +/-294 supported by a staff of 48 FT/PT teachers and administrators. The school includes Early Childhood (Kindergarten and Nursery), Lower School (1<sup>st</sup>-8<sup>th</sup> grades), and High School (9<sup>th</sup> – 12<sup>th</sup> grades). There is an existing farm on site which will be seeking bona fide farm status.

**1.1 ABOUT WALDORF** – The EWS provides an integrated Waldorf curriculum and environment which encourages and promotes independent thinking and social responsibility as well as academic and artistic excellence. The EWS is affiliated with the international association of Waldorf Schools, one of the largest school movements in the world. Waldorf education, founded by Rudolf Steiner in Germany in 1919, is dedicated to the effort to guide the spirit in the human being to discover the spirit in the universe.

**1.2 PURPOSE AND INTENT** – The EWS is requesting a modification to the previously approved 2015 Special Use Permit for an updated campus masterplan that will provide a road map by which the school can plan for the location of new buildings and support facilities, phased over a period of 10 years, and would support an increase in student population to approximately 350 students and 55 staff by 2035, while decreasing approved square footage by 19,000 sq ft. All proposed improvements would be located on the existing 54-acre school campus. No increase in campus acreage is proposed.

The proposed square footage breakdown of previously approved versus what is currently proposed with this Special Use Permit modification is shown below:

Building	Previously Approved Square Footage	Proposed Square Footage
Arts Center	11,800	11,800
Auditorium	12,593	12,593
Early Childhood Center	5,220	5,220
Gymnasium	13,942	0
Building additions to High School Campus	6,644 (3 buildings)	4,722 (2 buildings)
Eurythmy (dance) Building	1,573	1,573
Connect East and West Wings of Lower School Building	1,776	1,776
8 <sup>th</sup> Grade Classroom Building	1,650	0
Shop Building Addition (Relocation of School Administration)	1,364	0
Total New Square Footage	56,562	37,684

Other improvements include:

- I internal roadways, surface parking and pedestrian improvements



### 1.3 PARCEL IDENTIFICATION NUMBERS AND ZONING FOR CAMPUS PARCELS

PIN	ZONING	PIN	ZONING
9871 64 6437	RB	9871 72 1935	RB
9871 65 8140	RB	9871 74 3098	RB

1.4 **CURRENT LAND USES** – the current campus is zoned RB (Rural Buffer) and the land use is Private School. Adjacent properties are zoned RB and PDHR1 and the current land uses are single family residential.

1.5 **PERMITTED USES** – The existing school campus is classified as a school, elementary, middle, and secondary. The current request is to modify the Special Use Permit approved in 2015, by updating the Master Plan to reflect current and future school programming.

1.6 **COMPLIANCE WITH FUTURE LAND USES** – This proposal conforms to the many goals and future visions for this area remaining in the “RURAL BUFFER” as set forth by Orange County’s Comprehensive Plan. Through the school’s managed growth and emphasis on respect for the environment and for their neighbors, the EWS will promote conformity to the County’s vision for this area of the county.

1.7 **OPERATION SCHEDULE** – The school operates 5 days a week on a traditional September to May school schedule. Summer camps are offered from mid-June through July from 8:30-3:30 daily M-F.

## 2. FINDINGS OF FACT (PERFORMANCE STANDARDS)

This project requires the review and approval of a Special Use Permit modification of the 2015 approval. There are standards contained within Section 2.7 of the Unified Development Ordinance that the County must affirm in approving the project. Within this portion of the narrative, the applicant would like to offer a summary of the evidence we intend to produce, justifying an affirmative finding.

### (1) THE USE WILL MAINTAIN AND PROMOTE THE PUBLIC, HEALTH, SAFETY AND GENERAL WELFARE.

School uses promote public health, safety and general welfare. This is a continued school use.

Campus improvements associated with implementation of the various elements proposed in the Master Plan include:

- I Internal traffic pattern adjustments and parking improvements, based on NCDOT MTSA Traffic Management Unit recommendations will provide the ability to stack carpool traffic on campus roads during daily student drop off and pickup times. These improvements will also better separate on- campus automobile circulation from pedestrian circulation.
- I Fire and EMS rescue access to existing and proposed buildings on campus will be better articulated to improve response times and reduce conflict with on-campus traffic. New buildings will be sprinklered where required by the Building Code. Nearby water points (ponds) will continue to provide adequate water for fire-fighting requirements.
- I Stormwater collection and treatment for improved areas of campus will meet current State requirements which are above those that were in place during the initial development. Low impact stormwater collection in disconnected systems will be promoted to allow more infiltration of stormwater run-off into the on-site soils.

(2) USE WILL MAINTAIN OR ENHANCE THE VALUE OF CONTIGUOUS PROPERTY (UNLESS THE USE IS A PUBLIC NECESSITY, IN WHICH CASE THE USE NEED NOT MAINTAIN OR ENHANCE THE VALUE OF CONTIGUOUS PROPERTY).

Future campus expansion as part of this Master Plan is planned to continue to develop in a low impact, pedestrian focused manner as all previous development on the campus. The goals of promoting walkability and on campus student safety, as well as minimizing the impact on the wooded, residential setting of the existing campus and on the surrounding residential areas will remain the mission and the development trend of the EWS. Parking and internal traffic improvements will reduce potential conflict and congestion on surrounding roads. The existing property use is not changing, and the values of contiguous properties will be maintained.

(3) THE LOCATION AND CHARACTER OF THE USE, IF DEVELOPED ACCORDING TO THE PLAN SUBMITTED, WILL BE IN HARMONY WITH THE AREA IN WHICH IT IS TO BE LOCATED AND THE USE IS IN COMPLIANCE WITH THE PLAN FOR THE PHYSICAL DEVELOPMENT OF THE COUNTY AS EMBODIED IN THESE REGULATIONS OR IN THE COMPREHENSIVE PLAN, OR PORTION THEREOF, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS.

The Master Plan improvements proposed to the campus are intended to be constructed in such a manner as to minimize visual, acoustic and aesthetic impacts on the surrounding area and to keep the expanding campus in harmony with the surrounding residential properties.

### 3. SPECIFIC STANDARDS OF EVALUATION

#### 3.1.1 HARMONIOUS AND EFFICIENT ORGANIZATION

This Master Plan has been strategically prepared to promote harmonious and efficient organization in relation to existing topography, existing vegetation, the character of adjoining property, the type and size of existing, and proposed building(s) by incorporating like sized structures organized to minimize disturbance to the natural environment. This allows EWS to preserve the topo and natural portions of the site to the greatest extent possible.

#### 3.1.2 PRESERVATION OF NATURAL STATE

The natural state of the property has been preserved to the greatest extent possible. The stream located on-site appears (from aerial photography) to have forested buffers on both sides and it would be important to maintain (and possibly enhance) those buffers to protect water quality and stream habitats. The northernmost Waldorf properties are in close proximity to a forested riparian corridor along New Hope Creek, which is located about 0.4 mile north of the Waldorf parcel on Galilean Trail. That section of New Hope Creek is identified as a significant wildlife corridor that links other protected open space properties. Maintaining the forest cover on the northernmost Waldorf parcels (as much as feasible) will contribute to the current relatively forested and open space character of that neighborhood, which also provides habitat to plants and wildlife that utilize the New Hope Creek corridor”.

Future site plans submitted under the Master plan will preserve desirable vegetation and other unique natural features in their natural state when practical and as required by the Orange County Unified Development Ordinance. A Biological Inventory was conducted to better assess the types of environmentally sensitive areas existing on-site and there are no findings or major indications that a development in accordance with the Master Plan would adversely impact significant wildlife. An Environmental Protection Plan will be provided with each future site plan for the development and shall include the locations of all existing trees 12” dbh and larger.

### 3.1.3 CULTURAL AND ARCHEOLOGICAL RESOURCES

The proposed development activity takes into consideration the adjacent historic resources. Additionally, the Cemetery Census map does not show any identified burials on the school parcels.

**3.1.4 ENHANCEMENT OF RESIDENTIAL PRIVACY** – Future site plans developed under this Master Plan will provide reasonable visual, lighting and acoustic privacy for all adjacent residential properties and public rights of way. Given the required 100' Vegetated buffer around much of the property that must remain, the Residential Privacy will be inherent and consistent with existing use/property as a school.

**3.1.5 EMERGENCY ACCESS** – The Master Plan updates have created additional drive widths, parking areas, etc. by which emergency vehicles can now improve their response time to emergency conditions at the EWS. During the individual site plan approval, other site features shall be arranged to permit practical emergency vehicle access to all sides of existing and proposed buildings.

**3.1.6 PEDESTRIAN CIRCULATION AND ACCESS TO PUBLIC WAYS** – A pedestrian circulation system is proposed which is direct, efficient, and pleasant. All buildings and parking areas on the campus are connected by a sidewalk system. Pedestrian sidewalks will be hard surfaces and ADA compliant where required. Pedestrian sidewalks are largely separated from vehicular traffic by wooded or landscaped areas. Landscaping is integrated into the pedestrian system to provide shade (trees) and aesthetic beauty, and to reinforce separation from motorized vehicles. Crosswalks are strategically located to safely cross pedestrians at primary building access points and at internal intersections. Future crosswalks will be at walk level, with no ramps or step downs. Pedestrian-way lighting may be provided by post lights as well as with bollard lights in high use areas.

**3.1.7 EXTERNAL AND INTERNAL CAMPUS TRAFFIC CIRCULATION** – A Traffic Impact Analysis (TIA) was performed by SEPI Engineering & Construction Inc. as part of this Special Use Permit modification request. We have provided a Traffic Review Memo verifying the updated Master Plan fits within the original scope of the approved SUP. The TIA has been reviewed by the NCDOT District Engineer and by the NCDOT Municipal and School Transportation Assistance (MSTA) Traffic Management Unit. The recommendations of those reviews by NCDOT are included in the proposed Master Plan’s Traffic Plan. The project as proposed provides adequate external and internal circulation.

**3.1.8 PROPOSED SCHEDULE FOR CAMPUS ACTIVITIES OUTSIDE OF REGULAR SCHOOL OPERATING HOURS** –

- - Arts Center - Besides classroom and academic space, this building will house a performance space and theater suitable for evening events. These events would occur once or twice a month. Smaller evening gatherings (committees, etc.) would use the facility on a weekly basis.
- - Eurythmy - Occasional (monthly) and small (50 person) evening performances.
- Auditorium - The auditorium would host larger performances and events perhaps once or twice monthly. The facility could also be available for occasional (once or twice a month) rental as availability dictates.
- Playing Field - The playing field is in use 3-5 afternoons per week in the Fall and Spring for sports practice. And the occasional pick-up game. The field will not be lit. The field is used during the school day for PE class.
- EWS Biodynamic Garden (South of Playing Field) - This property is currently used for the farming and gardening curriculum. Activities here include daily harvesting, weeding, gardening and similar activities. Classes are also taught here during the school day and on occasional weekend days.

Off-site Parking is neither needed nor anticipated for future parking needs at activities during normal school hours or for special events. All required parking is expected to remain on-site. Parking Counts/ Expectations are:

Auditorium 300 seats - 100 spaces vicinity of building.

Arts Center 150 seats - 38 spaces vicinity of building.

Concurrent events are not anticipated.

**3.1.9 SANITARY SEWER / SEPTIC SYSTEM** – NCDENR Division of Water Quality has issued and periodically updated Permit No. WQ0004508 for the continued operation of a 3,750 gpd wastewater collection, treatment and 77,850 sf surface irrigation disposal site on campus across New Jericho Road. The wastewater system includes individual septic tanks at each existing building. As new buildings are added in future phases of the Master Plan, the existing permit shall be updated to include additional waste flows. Additional septic field capacity may be required as the capacity of the existing surface irrigation disposal site is reached. The existing septic permit is in effect until August 31, 2026, and will be renewed by the school.

As each future building in the Master Plan undergoes construction plan review, NCDENR will review the adequacy of the existing septic system to serve that building and will revise/update the permit on file with NCDENR accordingly to include the sewer service load that the building will add to the existing septic system.

**3.1.10 POTABLE WATER** – NCDENR Division of Water Quality issued and has periodically updated Water System Permit No. NC0368470 for the continued operation of a 23 gallon per minute (16,500 gpd) well on the west side of the Emerson Waldorf campus. This well replaced 2 smaller capacity wells on campus and so is labeled “Well No. 3” on the Water System Permit. In addition to the well, constructed in 2001, the permit lists a 3000-gallon hydro-pneumatic tank, a hypochlorite feed system for lead and copper control, a sodium hydroxide feed for PH control, 1105 lf of 2” waterline, 178 lf of 1” waterline and 139 lf of ¾” waterline to serve the needs of the existing buildings on campus.

The Permit references an engineer’s report from Diehl and Phillips Engineers, Cary, NC, dated July 5, 2001, that contains the following water use projections (based on 10 gpd per students /staff - without showers or cafeteria):

5 yr – 260 students / staff growth (2006) – 2600 gpd requirement

10 yr – 300 students/ staff growth (2011) – 3000 gpd requirement

15 yr – 300 students / staff growth (2016) – 3000 gpd requirement

20 yr – 300 students / staff growth (2021) – 3000 gpd requirement

The school’s current Master Plan for growth to 2030 includes 350 students and 50 staff for a potable water requirement of 4,000 gpd – well below the current well capacity of 16,500 gpd.

As each future building in the Master Plan undergoes construction plan review, NCDENR will review the adequacy of the existing well system to serve that building and will revise/update the permit on file with NCDENR accordingly to include the water service load that the building will add to the existing well system.

**3.1.11 FIRE PROTECTION** – Per a meeting with Stephen Smith, the Orange County Fire Marshall, there are appropriate water supplies via utilizing nearby water points at ponds located on Blackwood Mountain Road and at Cornerstone Drive to accommodate fire response requirements for the existing school campus. As the school develops, additional supply and capacity needs may require supplemental water supply. This requirement and subsequent design of utilities (if necessary) will be provided at the individual site plan approval process.

**3.1.12 POLICE/EMS** – The school is currently served by, and will continue to be served by, the Orange County Sheriff’s Department and Orange County EMS.

3.1.13 **SOLID WASTE** – Existing collection of garbage and recyclables generated by the school is handled by private contractors. School composts organic waste where practicable. Waste areas are shown on the revised plans.

3.1.14 **STORM WATER CONTROL** – It is anticipated that the respective review departments associated with Stormwater Control will request site specific treatment options, locations, that will be tracked on an overall map to ensure that all disturbances and impervious areas are adequately tracked and treated. Protective measures will ensure that collection and treatment of storm water runoff created or altered by future phases will not adversely affect the campus or neighboring properties or public storm drainage systems. Provisions will be made for the construction of stormwater collection measures (SCM) including low impact design, grading, gutters, ditches, piping and the use of disconnected impervious surfaces to maximize stormwater infiltration on site as well as direct storm water to on-site SCMs. Surface water on all paved areas will be collected at intervals that do not obstruct vehicle or pedestrian traffic.

3.1.15 **EROSION CONTROL** – It is understood that land clearing and disturbance more than 20,000 sf associated with future buildings or site improvements cannot commence without a formal erosion and sedimentation control plan reviewed and approved by the County. All future construction will be thoughtfully planned, whether subject to County review or not, to preserve existing vegetation and landforms to the greatest extent possible.

3.1.16 **EXTERIOR LIGHTING** – The applicant will meet or exceed Orange County UDO standards for lighting. The applicant requests that the county staff assess the need for lighting for each individual submittal for proposed future buildings. Lighting will be pedestrian scale along walkways as previously noted. Fixture design will be complementary to building architecture and will feature sustainable finishes to the greatest extent possible. The school does not anticipate providing ball field lighting for the existing play field across Millhouse Road from the main campus.

3.1.17 PROTECTION OF PROPERTY VALUES – Elements of future phases of construction shall be arranged to have a minimum negative impact on adjoining property and other on-site uses. The organization of campus buildings and the orientation of the campus on site are designed to minimize unnecessary disturbance of natural areas, concentrate high activity areas into the center of the property, and maximize natural buffers adjacent to surrounding properties. This proposed Master Plan is not anticipated to negatively impact the adjacent property values since the “use” of the property is not changing.

#### 3.1.18 NEIGHBORHOOD MEETINGS

Though not required, a neighborhood meeting will be held. All notification standards will be provided as required by Orange County’s UDO.

### 4. CONCLUSION

Development and operation of the EWS Campus will be conducted in strict accordance with all applicable requirements of the Orange County UDO and applicable Master Plan Conditions of Approval as amended for the school campus. This Special Use Permit modification and associated plans are compiled and submitted to convey the owner’s intent. The timely review and processing of the information is appreciated and further input and guidance from staff and the respective boards is welcomed.

EXHIBIT – A

BIOLOGICAL

INVENTORY

# Biological Inventory

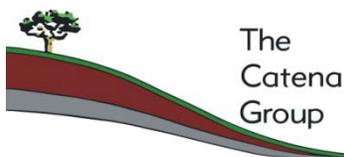
Emerson Waldorf School  
Orange County, North Carolina



## Prepared for:

Emerson Waldorf School  
6211 Jericho Road  
Chapel Hill, NC 27514

## Prepared by:



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**March 2015**

## Table of Contents

1.0	Introduction .....	1
2.0	Orange County Unified Development Ordinance (UDO) .....	1
3.0	Methodology .....	1
3.1.	Pre-Field Investigation Database Search.....	1
3.2.	Field Investigation .....	2
3.2.1.	Floral Communities .....	2
3.2.2.	Faunal Communities .....	2
4.0	Results .....	2
4.1.	Floral Communities and Associated Fauna .....	3
4.1.1.	Dry-Mesic Oak-Hickory Forest-Piedmont Subtype (37.7% coverage) .....	3
4.1.2.	Piedmont Headwater Stream Forest-Typic Subtype (7.6% coverage) .....	4
4.1.3.	Piedmont Semipermanent Impoundment-Shrub Subtype (2.3% coverage) .....	4
4.1.4.	Mixed Pine Forest (6.8% coverage).....	5
4.1.5.	Maintained/Disturbed (45.7% coverage) .....	5
4.2.	Rare Species .....	6
4.3.	Significant Trees .....	6
5.0	Conclusion .....	6
6.0	Standard of Care .....	6
7.0	References .....	7
	Figure 1. Vicinity Map .....	8
	Figure 2. Natural Communities.....	9
	Appendix A .....	10
	Appendix B .....	13
	Appendix C .....	18

## 1.0 INTRODUCTION

The Catena Group (Catena) was contracted by Charles Viles, Chair of the Emerson Waldorf School (EWS) Campus Planning Committee, to conduct a biological inventory as part of a Special Use Permit (SUP) application for proposed new development at the EWS campus located at 6211 Jericho Road, Chapel Hill, North Carolina (Figure 1). The study site is comprised of five parcels (PINs 987-172-1935, 987-165-8140, 987-164-5632, 987-164-7391, and 987-174-3098), totaling approximately 49 acres.

The purpose of this investigation is to conduct a basic flora and fauna inventory, with an emphasis on protected species and rare or significant natural habitats. This inventory provides a qualitative reference, or baseline, on general abundance, distribution, and habitat association for flora and fauna species occurring on the property.

## 2.0 ORANGE COUNTY UNIFIED DEVELOPMENT ORDINANCE (UDO)

As outlined in the January 13, 2015, Orange County Planning Department review of the EWS Master Plan and Class A Special Use Permit Materials, the follow items were requested:

“Per Section 5.8.4 (A) (1) (f) of the UDO you are required to provide a biological inventory for the properties subject to the permit application. This inventory has to be prepared in accordance with the standards detailed in Section 5.17.6 (A) (2) (b) of the UDO and is required to identify the following:

1. Habitat diversity,
2. Species diversity,
3. Species of special concern such as those designated as threatened or endangered,
4. Last known sighting,
5. Candidate species likely to be present which may warrant protection,
6. Specimen trees outstanding in size and/or species, and
7. The status and source of the information compiled in the inventory.

The biological inventory is also required to be accompanied by an analysis describing the following:

1. Habitat integrity;
2. Relationships between habitats and to ecological communities offsite;
3. Any existing threats to flora and fauna; and
4. Potential for habitat enhancement.”

## 3.0 METHODOLOGY

### **3.1. *Pre-Field Investigation Database Search***

Prior to conducting field surveys, Catena reviewed any available survey information for the area. The North Carolina Natural Heritage Program (NCNHP) systematic inventory (database) of rare

plant and animal species, the North Carolina Wildlife Resources Commission (NCWRC), and the US Fish and Wildlife Service (USFWS) list of threatened and endangered species for Orange County were consulted. Appendix A contains a list of threatened, endangered and rare species known in Orange County.

### **3.2. Field Investigation**

Catena conducted the field survey on March 11, 2015, under warm and partly sunny conditions. Floral (plant) communities, rare species habitat, and significant fauna (wildlife) observations were identified and notable features were surveyed using a hand-held GPS unit (sub-meter accuracy).

#### *3.2.1. Floral Communities*

Plant surveys were conducted during the field investigation. Natural communities follow those described by Michael Schafale in the *Guide to the Natural Communities of North Carolina, Fourth Approximation* (2012). A natural community is defined as, "A distinct and reoccurring assemblage of populations of plants, animals, bacteria, and fungi naturally associated with each other and their physical environment." (Schafale 2012). Plant community types significantly altered by human disturbance typically do not fall into a natural classification, and are thus categorized in general terms (i.e. shrub/scrub, maintained/disturbed, etc.). Specimen trees or other significant floral features encountered were noted and mapped.

#### *3.2.2. Faunal Communities*

Visual faunal surveys were conducted during the field investigation. This cursory effort identified the presence of habitats suitable for protected and rare species, and also included field identification of species encountered (visual observation of species, scat and/or tracks) to the highest taxonomic level as practicable in the allocated timeframe. Sampling results (faunal community) will be considered representative of the community/habitat type sampled. Important faunal locations as observed during the field investigation were noted and mapped.

## **4.0 RESULTS**

This section describes species composition and relative proportions of both natural and disturbed vegetative communities within the project area. Dominant species within each community are noted with a "D". Faunal species typical of the plant community are provided and species observed during the field investigation are noted with an "\*". Plant community mapping is displayed on Figure 2. Scientific names are included in Appendix B. Photographs are included in Appendix C.

#### 4.1. *Floral Communities and Associated Fauna*

Four communities were identified within the study area: Dry-Mesic Oak-Hickory Forest-Piedmont Subtype, Piedmont Headwater Stream Forest-Typic Subtype, Piedmont Semipermanent Impoundment-Shrub Subtype, Mixed Pine Forest, and Maintained/Disturbed (Figure 2). A description of each community type and the fauna associated with it follows.

##### 4.1.1. *Dry-Mesic Oak-Hickory Forest-Piedmont Subtype (37.7% coverage)*

The Dry-Mesic Oak-Hickory Forest community is found on the parcels located north of Millhouse Road and west of New Jericho Road (Figure 2). The parcel to the east of New Jericho Road is also used as the septic spray field for the EWS campus. Access was restricted to this area by NC Department of Environment and Natural Resources regulations (NCDENR). Based on surveys traversing the boundary of this parcel, it was included in this community. This community is typically dominated by various oak and hickory species along with varying amounts of pine, maple, and poplar. Soils are typically acidic and support acid tolerant species. Canopy species observed include American beech, black oak<sup>D</sup>, loblolly pine<sup>D</sup>, Eastern red-cedar, pignut hickory, post oak, red maple, scarlet oak, shortleaf pine, slippery elm, tulip poplar, Virginia pine<sup>D</sup>, white ash, white oak<sup>D</sup>, Southern red oak, sweetgum, and sycamore. Subcanopy/shrub species include American beech, American holly, black cherry, Blue Ridge blueberry, Callery pear, common persimmon, downy arrow-wood, eastern red-cedar, flowering dogwood, hillside blueberry, painted buckeye, possumhaw, red maple, slippery elm, sourwood, southern blackhaw, southern red oak, sugar maple, tulip poplar, virginia pine, white oak, sweetgum, sycamore, and winged elm. This layer also includes the invasive autumn olive, Chinese privet, and nandina. Herbaceous species observed in this community include Christmas fern, crane-fly orchid, poison ivy, rattlesnake plantain, rattlesnake weed, southern grape fern, and striped wintergreen. The invasive Japanese honeysuckle vine is also present in this community.

Faunal species expected to occur in the community are white-tailed deer\*, raccoon, grey fox, and the eastern gray squirrel\*. Bird species typical for this community type include yellow bellied sapsucker\*, red bellied woodpecker\*, downy woodpecker\*, hairy woodpecker\*, northern flicker\*, Carolina chickadee\*, northern cardinal, tufted titmouse\*, yellow-rumped warbler\*, northern mockingbird, and American robin\*. Predator and scavenger birds typically include the red-shouldered hawks\* and turkey and black vultures, respectively. Marbled salamander, redback salamander, red-spotted newt, spotted salamander, white-spotted slimy salamander, eastern box turtle, eastern fence lizard, eastern garter snake, racer, rat snake, ringneck snake, and worm snake are also expected to occur in the community.

While conducting the field survey, Keith Bartholomew of EWS, indicated the location of a ephemeral seep located near the western edge of this community. During the field assessment the seep was dry. Seeps offer unique habitat for many faunal species including frogs and salamanders. Species that could utilize this transient habitat include American toad, Fowlers toad, northern cricket frog, spring peeper, southern two-lined salamander, and three-lined salamander.

#### 4.1.2. *Piedmont Headwater Stream Forest-Typic Subtype (7.6% coverage)*

The Piedmont Headwater Stream Forest community is found on the southern parcels located south of Millhouse Road and east of New Jericho Road (Figure 2). This community is typically found along floodplains of small Piedmont streams. These forested areas are only moderately impacted by flooding and alluvial processes, resulting in vegetation that includes a majority of upland species with a few floodplain species. Soils within this community are typically coarse textured. Canopy species observed include black willow, eastern red-cedar, loblolly pine<sup>o</sup>, sweetgum, and willow oak. Subcanopy/shrub species include American elderberry, American persimmon, black willow, eastern red-cedar, Pennsylvania blackberry, river birch, strawberry bush, sugarberry, wax myrtle, and yaupon. The invasive Chinese privet, Japanese barberry, and Multiflora rose are also present. Herbaceous species include American pokeweed, common bottlebrush grass, common rush, gill-over-the-ground, sedge, and tall fescue. The invasive Japanese stiltgrass is prominent throughout this community. Vines observed include muscadine and whiteleaf catbriar in addition to the invasive English ivy, Japanese honeysuckle, and winter creeper. Mistletoe, a parasitic plant that only grows on the branches of deciduous trees, was also observed.

In the recent past, portions of this community were utilized by a plant nursery. Ginkgo, live oak, and golden rain tree were observed, which are remnants of this prior land use.

Faunal species expected to occur in the community are similar to the Dry Mesic Oak Hickory Forest which include white tailed deer\*, raccoon, grey fox, and the eastern gray squirrel\*. Bird species typical for this community type include yellow bellied sapsucker\*, red bellied woodpecker\*, downy woodpecker, hairy woodpecker\*, northern flicker\*, Carolina chickadee\*, yellow-rumped warbler\*, northern cardinal, tufted titmouse\*, northern mockingbird, Carolina wren, and American robin\*. Predator and scavenger birds typically include the red-shouldered hawks\* and turkey and black vultures, respectively. American toad, Fowlers toad, northern cricket frog, spring peeper, upland chorus frog, marbled salamander, redback salamander, red-spotted newt, southern two-lined salamander, spotted salamander, three-lined salamander, white-spotted slimy salamander, eastern box turtle, eastern fence lizard, eastern garter snake, eastern ribbon snake, racer, rat snake, ringneck snake, and worm snake are also expected to occur in the community.

#### 4.1.3. *Piedmont Semipermanent Impoundment-Shrub Subtype (2.3% coverage)*

The Piedmont Semipermanent Impoundment community is located on the parcel directly south of Millhouse Road at the location of an old farm pond. This community is composed of successional species typical of a breeched impoundment. Aerial photography from 2002 depicts a full pond within this community. Aerials from early 2004, depict a breeched impoundment and the area has since been undergoing succession. Black willow<sup>o</sup> is the dominant tree species dominating the western side of the community. Sycamore was observed along the community margins. The herbaceous layer was dominated by smartweed mixed with common rush and sedges.

Faunal species expected to use this community North American beaver, raccoon, and white tailed deer\*. Bird species typically include yellow-rumped warbler\*, tufted titmouse\*, Carolina chickadee\*, Northern cardinal, and great blue heron\*. American toad, Fowlers toad, northern cricket frog, spring peeper, upland chorus frog, marbled salamander, redback salamander, red-spotted newt, southern two-lined salamander, spotted salamander, three-lined salamander, white-spotted slimy salamander, eastern box turtle, eastern fence lizard, eastern garter snake, eastern ribbon snake, racer, rat snake, ringneck snake, and worm snake are also expected to occur in the community.

#### 4.1.4. *Mixed Pine Forest (6.8% coverage)*

The Mixed Pine Forest is located at the southern most end of the study area. The community contains a large area of downed, dead pine trees that were killed by *Ips* bark beetles according to the EWS Forestry Stewardship Plan developed in 2014. Remaining canopy species include a majority of loblolly pine<sup>o</sup> with a few green ash. Subcanopy/shrub species include Eastern red-cedar, mullet bush, and red maple. This layer also includes the invasive autumn olive and Chinese privet. The herbaceous layer was sparse but included azure bluet, common dandelion, dock, and purple henbit. Vines observed were Carolina jessamine and the invasive Japanese honeysuckle. Bradford pear and Burford holly were also observed. These non-native species are most likely escapees from the adjacent former plant nursery.

Faunal species expected to occur in the community are similar to the Dry Mesic Oak Hickory Forest which include white tailed deer\*, raccoon, grey fox, and the eastern gray squirrel\*. Bird species typical for this community type include yellow bellied sapsucker\*, red bellied woodpecker\*, downy woodpecker\*, hairy woodpecker\*, Northern flicker\*, Carolina chickadee\*, yellow-rumped warbler\*, northern cardinal, tufted titmouse\*, mockingbird, Carolina wren\*, and American robin\*. Predator and scavenger birds typically include the red-shouldered hawks\* and turkey and black vultures, respectively. American toad, Fowlers toad, redback salamander, red-spotted newt, eastern box turtle, eastern fence lizard, eastern garter snake, racer, rat snake, ringneck snake, and worm snake are also expected to occur in the community.

#### 4.1.5. *Maintained/Disturbed (45.7% coverage)*

Maintained/disturbed areas are found throughout the study area in places where the vegetation is periodically mowed, such as roadside shoulders, lawns, and landscaped areas around building and athletic courts. The vegetation in this community is comprised of low growing grasses and herbs, in addition to scattered, discontinuous, often non-native canopy and subcanopy/ shrub species. Canopy species observed include American beech, American sycamore, green ash, loblolly pine, post oak, red maple, tulip poplar, Virginia pine, and white oak. Subcanopy/ shrub species include abelia, azalea, black cherry, burning bush, crape-myrtle, eastern redbud, eastern red-cedar, fig, hemlock, inland American hornbeam, Japanese apricot, leatherleaf mahonia, leatherleaf viburnum, painted buckeye, and winged elm. This layer also includes the invasive autumn olive and thorny olive. Herbaceous plants observed included broomsedge along roadways and paths, Carolina horsenettle, crocus, daffodil, hellebore, lamb's ear, and poison ivy. In addition the invasive Chinese lespedeza and common chickweed were also observed. Vine species included clematis, common greenbriar, cross-vine, and the invasive Japanese

honeysuckle. The southern portion of the study area includes the EWS farm. Non-crop herbaceous species observed in the field area include Bermuda grass, daffodil, hairy bittercress, tall fescue, white clover, and wild garlic.

Faunal species expected to occur in the community are similar to the Dry Mesic Oak Hickory Forest which include white tailed deer\*, raccoon, grey fox, and the eastern gray squirrel. Bird species typical for this community type include Carolina chickadee\*, yellow-rumped warbler\*, northern cardinal, Eastern bluebird, house finch, American goldfinch, tufted titmouse\*, Northern mockingbird, Carolina wren\*, and American robin\*. Predator and scavenger birds typically include the red-tailed hawks\*, American kestrel, turkey vulture, and black vulture. American toad, Fowlers toad, redback salamander, red-spotted newt, eastern box turtle, eastern fence lizard, eastern garter snake, racer, rat snake, ringneck snake, and worm snake are also expected to occur in the community.

#### **4.2. Rare Species**

Catena searched for Orange County listed protected species and/or habitat in the study area (Appendix A). No protected species or habitat was observed within the project area.

#### **4.3. Significant Trees**

Across the EWS campus a few exceptionally large trees were noted (Figure 2). The Dry-Mesic Oak-Hickory Forest community contained a very large White oak and Post Oak. The Piedmont Semipermanent Impoundment community contained multiple very large loblolly pines.

### **5.0 CONCLUSION**

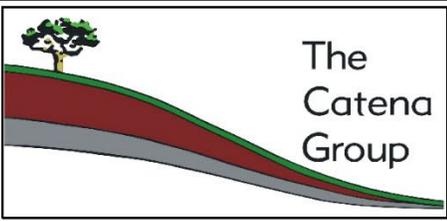
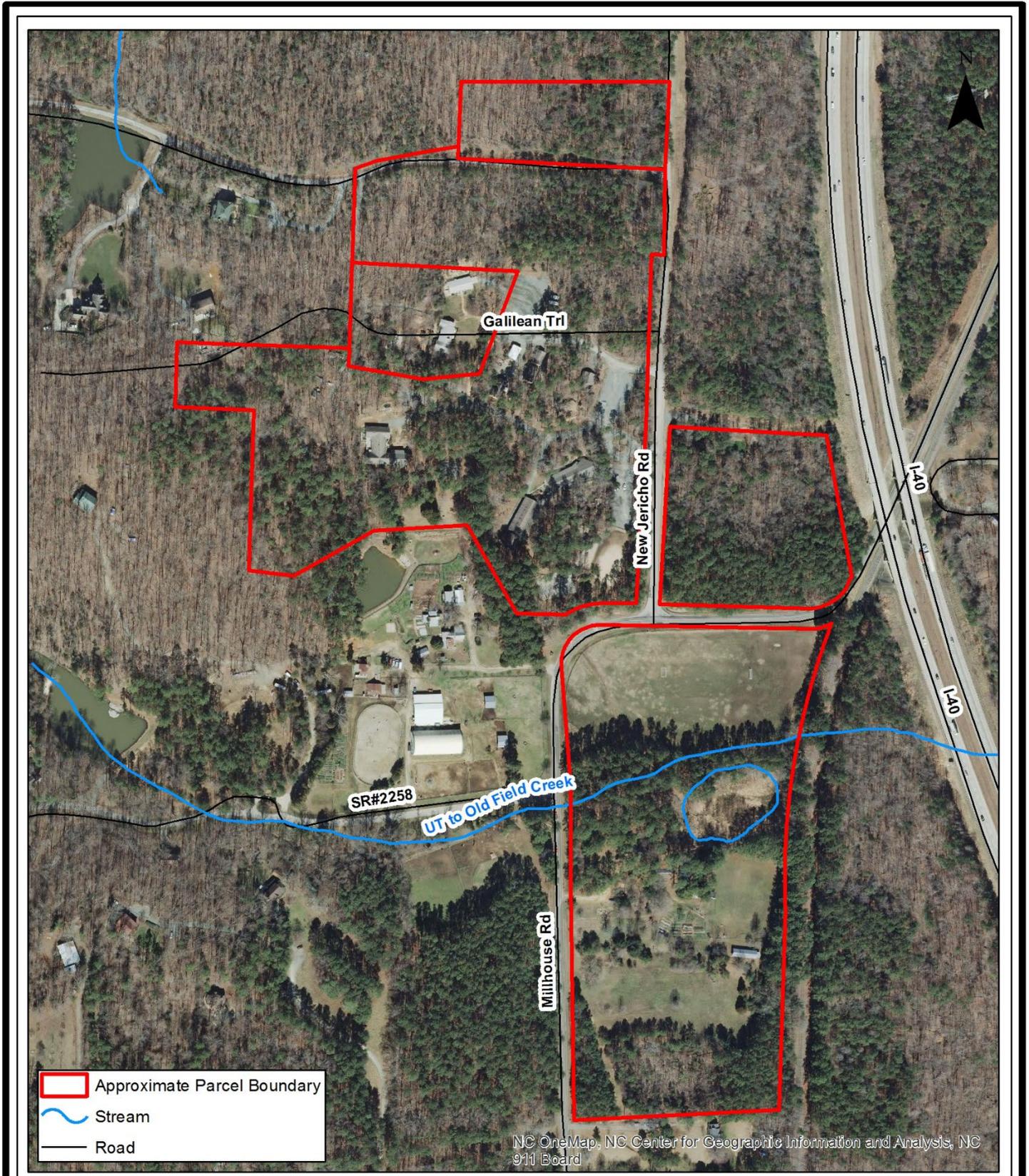
Disturbed communities (Mixed Pine Forest and Maintained/Disturbed) comprised the majority of the property (approximately 52.4% of the property). The remaining 47.6% is comprised of natural communities (Dry-Mesic Oak-Hickory Forest-Piedmont Subtype, Piedmont Headwater Stream Forest-Typic Subtype, and Piedmont Semipermanent Impoundment-Shrub Subtype). Plants and animals observed on this property are consistent with local communities. No protected species were observed within the property during the field investigation.

### **6.0 STANDARD OF CARE**

The environmental services performed by Catena have been conducted with that degree of care and skill ordinarily exercised under similar circumstances by reputable members of its industry practicing in the same locality under similar budget and time constraints. No other warranty, expressed or implied is made.

## 7.0 REFERENCES

- NC Natural Heritage Program (NHP). 2015. NCNHP Element Occurrence Data. Accessed March 10, 2015. Database updated January 2015.
- NC Wildlife Resources Commission (NCWRC). 2014. Protected Wildlife Species of North Carolina. Accessed March 10, 2015.  
[http://www.ncwildlife.org/portals/0/Conserving/documents/protected\\_species.pdf](http://www.ncwildlife.org/portals/0/Conserving/documents/protected_species.pdf).
- Schafale, M.P. 2012. Guide to the *Natural Communities of North Carolina*. Fourth Approximation. North Carolina Natural Heritage Program, Department of Environment and Natural Resources. Raleigh, NC.
- US Fish and Wildlife Service (USFWS). 2015. Endangered Species, Threatened Species, Federal Species of Concern, and Candidate Species; Orange County, NC.  
<http://www.fws.gov/raleigh/species/cntylist/orange.html>. Accessed March 10, 2015. Database updated December 27, 2012.

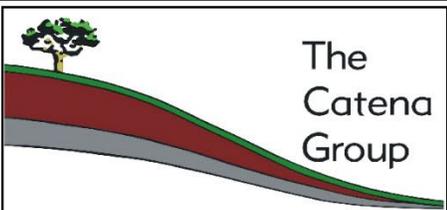
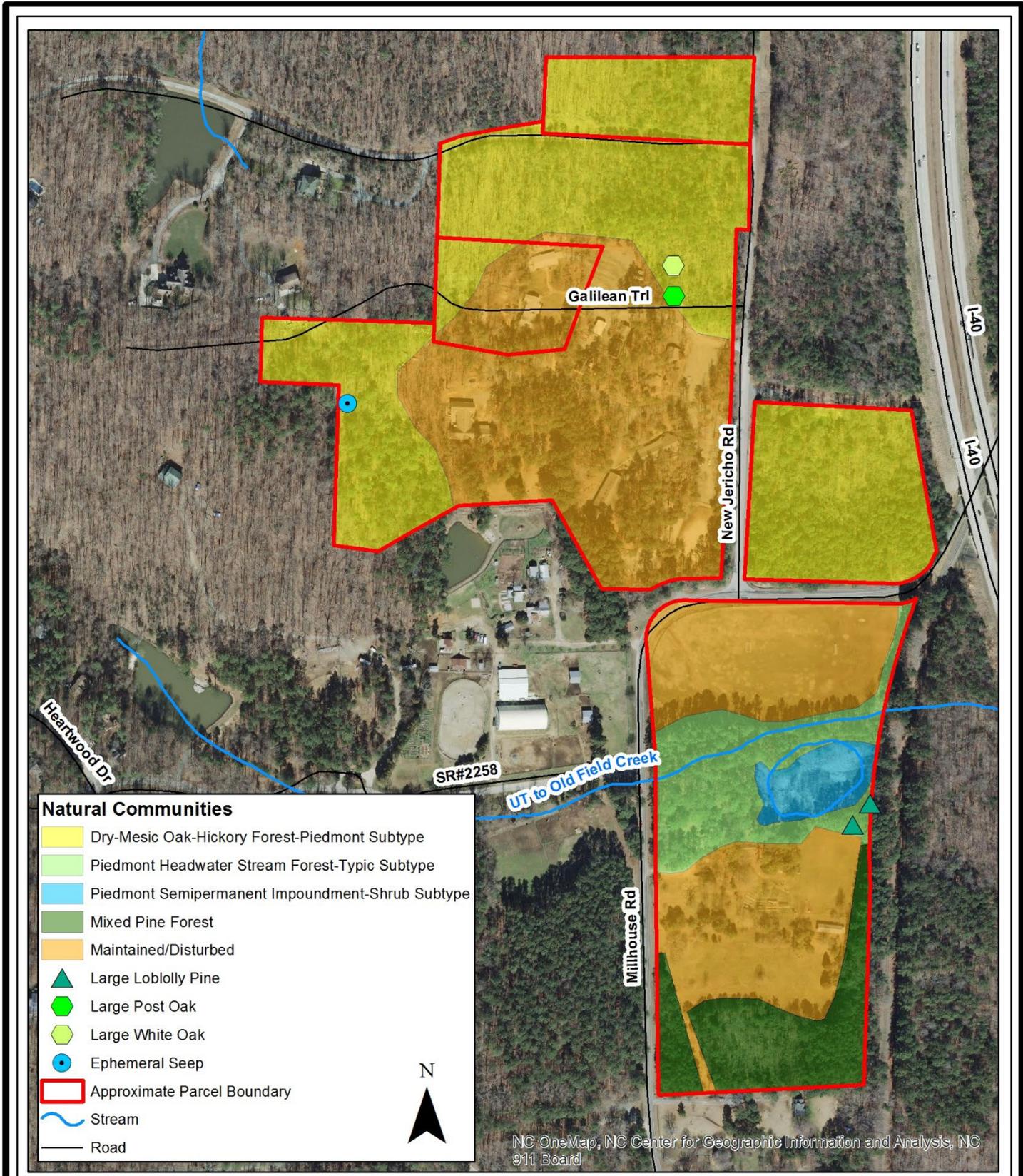


The  
Catena  
Group

**Emerson Waldorf School**  
 Biological Inventory  
 Vicinity Map  
 Orange County, North Carolina

Date: March 2015  
 Scale: 0 100 200 Feet  
 Job No.: 6210

Figure  
**1**



**Emerson Waldorf School**  
 Biological Inventory  
 Natural Communities  
 Orange County, North Carolina

Date: March 2015  
 Scale: 0 100 200 Feet  
 Job No.: 6210

Figure  
**2**

## **Appendix A**

### **Federally Threatened and Endangered Plant and Animal Species in Orange County**

## US Fish & Wildlife Service

### Endangered Species, Threatened Species, Federal Species of Concern, and Candidate Species, Orange County, North Carolina, Updated: 12-27-2012 (<http://www.fws.gov/raleigh/species/cntylist/orange.html>)

Common Name	Scientific name	Federal Status	Record Status
<b>Vertebrate:</b>			
American eel	<i>Anguilla rostrata</i>	FSC	Current
Bald eagle	<i>Haliaeetus leucocephalus</i>	BGPA	Current
Carolina darter	<i>Etheostoma collis lepidinion</i>	FSC	Current
Red-cockaded woodpecker	<i>Picoides borealis</i>	E	Historic
Roanoke bass	<i>Ambloplites cavifrons</i>	FSC	Current
<b>Invertebrate:</b>			
Atlantic pigtoe	<i>Fusconaia masoni</i>	FSC	Current
Brook floater	<i>Alasmidonta varicosa</i>	FSC	Current
Dwarf wedgemussel	<i>Alasmidonta heterodon</i>	E	Current
Green floater	<i>Lasmigona subviridis</i>	FSC	Current
Savannah lilliput	<i>Toxolasma pullus</i>	FSC	Current
Yellow lampmussel	<i>Lampsilis cariosa</i>	FSC	Current
<b>Vascular Plant:</b>			
Butternut	<i>Juglans cinerea</i>	FSC	Historic
Creamy tick-trefoil	<i>Desmodium ochroleucum</i>	FSC	Historic
Michaux's sumac	<i>Rhus michauxii</i>	E	Historic
Smooth coneflower	<i>Echinacea laevigata</i>	E	Historic
Sweet pinesap	<i>Monotropsis odorata</i>	FSC	Current
Torrey's Mountain-mint	<i>Pycnanthemum torrei</i>	FSC	Current

#### Definitions of Federal Status Codes:

E = endangered. A taxon "in danger of extinction throughout all or a significant portion of its range."

T = threatened. A taxon "likely to become endangered within the foreseeable future throughout all or a significant portion of its range."

C = candidate. A taxon under consideration for official listing for which there is sufficient information to support listing. (Formerly "C1" candidate species.)

BGPA =Bald and Golden Eagle Protection Act. See below.

FSC=Federal Species of Concern. FSC is an informal term. It is not defined in the federal Endangered Species Act. In North Carolina, the Asheville and Raleigh Field Offices of the US Fish and Wildlife Service (Service) define Federal Species of Concern as those species that appear to be in decline or otherwise in need of conservation and are under consideration for listing or for which there is insufficient information to support listing at this time. Subsumed under the term "FSC" are all species petitioned by outside parties and other selected focal species identified in Service strategic plans, State Wildlife Action Plans, or Natural Heritage Program Lists.

T(S/A) = threatened due to similarity of appearance. A taxon that is threatened due to similarity of appearance with another listed species and is listed for its protection. Taxa listed as T(S/A) are not biologically endangered or threatened and are not subject to Section 7 consultation. See below.

EXP = experimental population. A taxon listed as experimental (either essential or nonessential). Experimental, nonessential populations of endangered species (e.g., red wolf) are treated as threatened species on public land, for consultation purposes, and as species proposed for listing on private land.

P = proposed. Taxa proposed for official listing as endangered or threatened will be noted as "PE" or "PT", respectively.

### **Bald and Golden Eagle Protection Act (BGPA):**

In the July 9, 2007 Federal Register( 72:37346-37372), the bald eagle was declared recovered, and removed (de-listed) from the Federal List of Threatened and Endangered wildlife. This delisting took effect August 8,2007. After delisting, the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668d) becomes the primary law protecting bald eagles. The Eagle Act prohibits take of bald and golden eagles and provides a statutory definition of "take" that includes "disturb". The USFWS has developed National Bald Eagle Management Guidelines to provide guidance to land managers, landowners, and others as to how to avoid disturbing bald eagles. For mor information, visit <http://www.fws.gov/migratorybirds/baldeagle.htm>

### **Threatened due to similarity of appearance(T(S/A)):**

In the November 4, 1997 Federal Register (55822-55825), the northern population of the bog turtle (from New York south to Maryland) was listed as T (threatened), and the southern population (from Virginia south to Georgia) was listed as T(S/A) (threatened due to similarity of appearance). The T(S/A) designation bans the collection and interstate and international commercial trade of bog turtles from the southern population. The T(S/A) designation has no effect on land management activities by private landowners in North Carolina, part of the southern population of the species. In addition to its official status as T(S/A), the U.S. Fish and Wildlife Service considers the southern population of the bog turtle as a Federal species of concern due to habitat loss.

### **Definitions of Record Status:**

Current - the species has been observed in the county within the last 50 years.

Historic - the species was last observed in the county more than 50 years ago.

Obscure - the date and/or location of observation is uncertain.

Incidental/migrant - the species was observed outside of its normal range or habitat.

Probable/potential - the species is considered likely to occur in this county based on the proximity of known records (in adjacent counties), the presence of potentially suitable habitat, or both.

## **Appendix B**

### **Common and Scientific Names**

## Floral Species

Common name	Scientific Name
Abelia	<i>Abelia x grandiflora</i>
American beech	<i>Fagus grandifolia</i>
American elderberry	<i>Sambucus canadensis</i>
American holly	<i>Ilex opaca</i>
American persimmon	<i>Diospyros virginiana</i>
American pokeweed	<i>Phytolacca americana</i>
American sycamore	<i>Platanus occidentalis</i>
Autumn olive	<i>Elaeagnus umbellata*</i>
Azalea	<i>Rhododendron sp.</i>
Azure bluet	<i>Houstonia caerulea</i>
Bermuda grass	<i>Cynodon dactylon</i>
Black cherry	<i>Prunus serotina</i>
Black oak	<i>Quercus velutina</i>
Black willow	<i>Salix nigra</i>
Blue Ridge blueberry	<i>Vaccinium pallidum</i>
Bradford pear	<i>Pyrus calleryana "Bradford"</i>
Broomsedge	<i>Andropogon virginicus var. virginicus</i>
Burford holly	<i>Ilex cornuta</i>
Burning bush	<i>Euonymus alatus</i>
Callery pear	<i>Pyrus calleryana</i>
Carolina horsenettle	<i>Solanum carolinense</i>
Carolina jessamine	<i>Gelsemium sempervirens</i>
Chinese lespedeza	<i>Lespedeza cuneata*</i>
Chinese privet	<i>Ligustrum sinense*</i>
Christmas fern	<i>Polystichum acrostichoides</i>
Clematis	<i>Clematis sp.</i>
Common bottlebrush grass	<i>Elymus hystrix</i>
Common chickweed	<i>Stellaria media*</i>
Common dandelion	<i>Taraxacum officinale</i>
Common greenbriar	<i>Smilax rotundifolia</i>
Common persimmon	<i>Diospyros virginiana</i>
Common rush	<i>Juncus effusus ssp. Solutus</i>
Crane-fly orchid	<i>Tipularia discolor</i>
Crape-myrtle	<i>Lagerstroemia indica</i>
Crocus	<i>Crocus sp</i>
Cross-vine	<i>Bignonia capreolata</i>
Daffodil	<i>Narcissus sp.</i>
Dock	<i>Rumex sp.</i>

<b>Common name</b>	<b>Scientific Name</b>
Downy arrow -wood	<i>Viburnum rafinesqueanum</i>
Eastern redbud	<i>Cercis canadensis</i>
Eastern red-cedar	<i>Juniperus virginiana</i>
English ivy	<i>Hedera helix*</i>
Fig	<i>Ficus sp.</i>
Flowering dogwood	<i>Cornus florida</i>
Gill-over-the-ground	<i>Glechoma hederacea</i>
Ginkgo	<i>Ginkgo biloba</i>
Golden rain tree	<i>Koelreuteria paniculata</i>
Green ash	<i>Fraxinus pennsylvanica</i>
Hairy bittercress	<i>Cardamine hirsuta</i>
Hellebore	<i>Helleborus sp.</i>
Hemlock	<i>Tsuga canadensis</i>
Hillside blueberry	<i>Vaccinium pallidum</i>
Inland American hornbeam	<i>Carpinus caroliniana var. virginiana</i>
Japanese apricot	<i>Prunus mume</i>
Japanese barberry	<i>Berberis thunbergii*</i>
Japanese honeysuckle	<i>Lonicera japonica*</i>
Japanese stiltgrass	<i>Microstegium vimineum*</i>
Lamb's ear	<i>Stachys byzantina</i>
Leatherleaf mahonia	<i>Berberis bealei</i>
Leatherleaf viburnum	<i>Viburnum rhytidophyllum</i>
Live oak	<i>Quercus virginiana</i>
Loblolly pine	<i>Pinus taeda *</i>
Mimosa	<i>Albizzia julibrissin*</i>
Mistletoe	<i>Phoradendron leucarpium</i>
Mullet bush	<i>Baccharis halimifolia</i>
Multiflora rose	<i>Rosa multiflora*</i>
Muscadine	<i>Muscadinia rotundifolia</i>
Nandina	<i>Nandina domestica*</i>
Painted buckeye	<i>Aesculus sylvatica</i>
Pennsylvania blackberry	<i>Rubus pensilvanicus</i>
Pignut hickory	<i>Carya glabra</i>
Poison ivy	<i>Toxicodendron radicans</i>
Possomhaw	<i>Ilex decidua</i>
Post oak	<i>Quercus stellata</i>
Purple henbit	<i>Lamium amplexicaule</i>
Rattlesnake plantain	<i>Goodyera pubescens</i>
Rattlesnake weed	<i>Hieracium venosum</i>

<b>Common name</b>	<b>Scientific Name</b>
Red maple	<i>Acer rubrum</i>
River birch	<i>Betula nigra</i>
Scarlet oak	<i>Quercus coccinea</i>
Sedge	<i>Carex sp.</i>
Shortleaf pine	<i>Pinus echinata</i>
Slippery elm	<i>Ulmus rubra</i>
Smartweed	<i>Polygonum sp.</i>
Sourwood	<i>Oxydendrum arboreum</i>
Southern blackhaw	<i>Viburnum rufidulum</i>
Southern grape fern	<i>Sceptridium biternatum</i>
Southern red oak	<i>Quercus falcata</i>
Strawberry bush	<i>Eunymus americanus</i>
Striped wintergreen	<i>Chimaphila maculata</i>
Sugar maple	<i>Acer saccharum</i>
Sugarberry	<i>Celtis laevigata</i>
Sweetgum	<i>Liquidambar styraciflua</i>
Sycamore	<i>Platanus occidentalis</i>
Tall fescue	<i>Festuca arundinacea</i>
Thorny olive	<i>Elaeagnus pungens*</i>
Tulip poplar	<i>Liriodendron tulipifera</i>
Virginia pine	<i>Pinus virginiana</i>
Wax myrtle	<i>Morella cerifera</i>
White ash	<i>Fraxinus americana</i>
White clover	<i>Trifolium repens</i>
White oak	<i>Quercus alba</i>
Whiteleaf catbriar	<i>Smilax glauca</i>
Wild garlic	<i>Allium sp.</i>
Willow oak	<i>Quercus phellos</i>
Winged elm	<i>Ulmus alata</i>
Winter creeper	<i>Euonymus fortunei*</i>
Yaupon	<i>Ilex vomitoria</i>

\* Invasive Species

### **Faunal Species**

<b>Common Name</b>	<b>Scientific Name</b>
American goldfinch	<i>Spinus tristis</i>
American kestrel	<i>Falco sparverius</i>
American robin	<i>Turdus migratorius</i>
American toad	<i>Anaxyrus americanus</i>
Black vulture	<i>Coragyps atratus</i>

Carolina chickadee	<i>Poecile carolinensis</i>
Carolina wren	<i>Thryothorus ludovicianus</i>
Downy woodpecker	<i>Picoides pubescens</i>
Eastern bluebird	<i>Sialia sialis</i>
Eastern box turtle	<i>Terrapene carolina carolina</i>
Eastern fence lizard	<i>Sceloporus undulatus</i>
Eastern garter snake	<i>Thamnophis sirtalis</i>
Eastern gray squirrel	<i>Sciurus carolinensis</i>
Eastern ribbon snake	<i>Thamnophis sauritus sauritus</i>
Fowlers toad	<i>Anaxyrus fowleri</i>
Gray fox	<i>Urocyon cinereoargenteus</i>
Great blue heron	<i>Ardea herodias</i>
Hairy woodpecker	<i>Picoides villosus</i>
House finch	<i>Haemorhous mexicanus</i>
Marbled salamander	<i>Ambystoma opacum</i>
Northern cardinal	<i>Cardinalis cardinalis</i>
Northern flicker	<i>Colaptes auratus</i>
Northern mockingbird	<i>Mimus polyglottos</i>
Northern cricket frog	<i>Acris crepitans</i>
Raccoon	<i>Procyon lotor</i>
Racer	<i>Coluber constrictor</i>
Rat snake	<i>Elaphe obsoleta</i>
Redback salamander	<i>Plethodon cinereus</i>
Red-bellied woodpecker	<i>Melanerpes carolinus</i>
Red-shouldered hawk	<i>Buteo lineatus</i>
Red-spotted newt	<i>Notophthalmus viridescens</i>
Ringneck snake	<i>Diadophis punctatus</i>
Southern two-lined salamander	<i>Eurycea cirrigera</i>
Spotted salamander	<i>Ambystoma maculatum</i>
Spring peeper	<i>Pseudacris crucifer</i>
Three-lined salamander	<i>Eurycea guttolineata</i>
Tufted titmouse	<i>Baeolophus bicolor</i>
Turkey vulture	<i>Cathartes aura</i>
Upland chorus frog	<i>Pseudacris feriarum</i>
White-spotted slimy salamander	<i>Plethodon cylindraceus</i>
White-tailed deer	<i>Odocoileus virginianus</i>
Worm snake	<i>Carphophis amoenus</i>
Yellow-bellied sapsucker	<i>Sphyrapicus varius</i>
Yellow-rumped warbler	<i>Setophaga coronata</i>

## **Appendix C**

### **Site Photographs**



Large White Oak in the Dry-Mesic Oak-Hickory Forest-Piedmont Community



Large Post Oak in the Dry-Mesic Oak-Hickory Forest-Piedmont Community



Crane fly orchid



Dry-Mesic Oak-Hickory Forest community



Evidence of white tailed deer



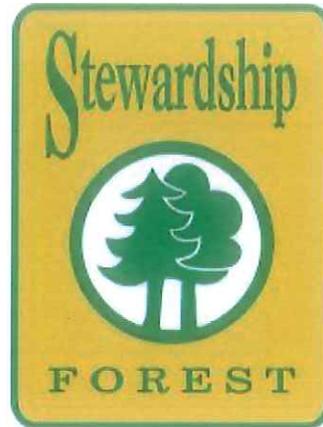
Large Loblolly pines in the Piedmont Headwater Stream Forest Community



*Ips* bark beetle evidence in the Mixed Pine Forest

# EXHIBIT – B

# FOREST STEWARDSHIP PLAN



**Forest Stewardship Plan**  
**Waldorf Educational Association**  
**of North Carolina, Inc.**

**6211 New Jericho Road**  
**Chapel Hill, NC 27516**

By:

John M. McBryde, District 11 Water Quality Forester  
 NC Registered Forester # 1639



Kelly Douglass, Forest Stewardship Biologist  
 Certified Wildlife Biologist  
 NC Certified Environmental Educator



**June 2014**

# Table of Contents

<u>Page</u>	<u>Description</u>
2-3	Property Description & Current Management Objectives
3-10	Area Descriptions & Recommendations
11	Invasive Plant Species Control
11-13	Water Quality & Road Maintenance
14-17	Misc. – Consulting Foresters, Selling Timber, Boundary Line Maintenance.
17	Final Thoughts
18	Schedule of Management Activities
19-26	Forest Stewardship Program Resource Elements

## Enclosures

- ✓ Accomplishing Forest Stewardship with Hand-Applied Herbicides (52)
- ✓ Crop Tree Management in North Carolina (53)
- ✓ North Carolina's Forestry Present-Use Property Tax Program (124)
- ✓ Prescribed burning contractors list (8)
- ✓ Selecting and Working with a Consulting Forester (18)
- ✓ Consulting Foresters List (19)
- ✓ Before You Sell Your Timber (21)
- ✓ Timber Sale Agreements (24)
- ✓ Clearcutting Made Clear (NCFS)
- ✓ The Use of Whole-tree Chippers (NCFS)
- ✓ Benefits of Prescribed Burning (65)
- ✓ Preventing and controlling runoff, erosion, and sedimentation (115)
- ✓ Wildlife & Forest Stewardship (134)
- ✓ Recreational Forest Trails: Plan for Success (192)
- ✓ Land Ownership, Liability, & the Law in NC (193)

## Property Description

The Waldorf Educational Association of North Carolina, Inc. is a private school that opened in 1984 (<http://www.emersonwaldorf.org/>) and is located at 6211 New Jericho Road in Chapel Hill, NC. The school teachings are based on the “philosophical and pedagogical indications of Dr. Rudolf Steiner,” which includes the following practices: multi-sensory learning, interdisciplinary, individual focus on students, creative play, and natural science exploration. The school offers classes for student’s age 0-18 and includes a nursery, Parent-Child, Pre-K, and K-12. The school is a fully sponsored member of the Association of Waldorf Schools in North America (AWSNA; since 1987) and the Waldorf Early Childhood Association of North America. In 2010, the school became accredited by the Southern Association of Colleges and Schools (SASC) and the Southern Association of Independent Schools (SAIS).

The property is comprised of 5 tax parcels that total 55.27 acres (This acreage is according to the tax records. For management purposes, the plan will use acreage reflected using ArcGIS totaling 49.23 acres). This includes the school grounds as well as woodland, open land, horse pasture, a rental cabin, and an abandoned pond. The property has received minimal forest and wildlife management in the past; however, it has been used for recreation and educational opportunities. Site improvements have been made for internal road access, additional educational buildings, and enhancing walking trails. The tract also includes an onsite farm, where students grow and sell produce at the Farmer’s Market open every Thursday.

### **Current Management Objectives**

The School plans to manage this tract for recreation, aesthetics, water quality, forest health, and as an educational tool for attending students. Their management objectives include:

- ✓ Providing a safe learning environment for students.
- ✓ Permaculture - a “philosophy of working with, rather than against nature...of looking at plants and animals in all their functions, rather than treating any areas as a single product system” Bill Mollison *\*\*The definition and description of permaculture is from Wikipedia\*\**
  - ✓ Branch of ecological/environmental design and engineering
  - ✓ Develops sustainable architecture and self-maintained agricultural systems
  - ✓ 3 core tenets: Care for the earth; Care for the people; Return of surplus
  - ✓ 12 design principles: Observe and interact; catch and store energy; obtain a yield; apply self-regulation and accept feedback; use and value renewable resources and services; produce no waste; design from patterns to details; integrate rather than

- segregate; use small and slow solutions; use and value diversity; use edges and value the marginal; creatively use and respond to change
- ✓ Common practices of permaculture: agroforestry, natural building, rainwater harvesting, sheet mulching, managed rotational grazing, etc
  - ✓ Enhancing the aesthetical and recreational values of the property
  - ✓ Ecological sustainability
  - ✓ Water quality and soil erosion
  - ✓ Native species management
  - ✓ Maintain farm/garden area for students
  - ✓ Maintain home/horse pasture (rental property)
  - ✓ Maintain playing field for students
  - ✓ Future development and expansion of the school

## Area Descriptions & Recommendations

*The following section breaks the property up into management areas based on timber types, management recommendations, and your objectives. Each of these areas is depicted on your management map located at the back of this plan.*

### Management Area 1

#### **Area Description**

Management Area 1; +/- 3.9 acres, is a mixed upland pine forest that is around 63-65 years of age. Dominant species include loblolly pine with Virginia pine and shortleaf pine scattered throughout. Co-dominant upland hardwood species include: scarlet oak, white oak, and southern red oak. Evidence of old skid trails and cedar stumps suggest that this area was logged 65 years ago and regenerated naturally on its own. Presently, the trees are 11-20 inches in diameter (at breast height) and are 75-80 feet tall. The midstory and understory are fairly open and consist of sweetgum, red maple, elm, grapevine, muscledwood, sourwood, beech, dogwood, white ash, black cherry, Japanese honeysuckle, green brier, crane fly orchid, and wood sorrel. There is an abundance of dead trees/debris on the forest floor, mostly Virginia pine, that have fallen due to age, stress, and past storm damage. The soils in this area are well drained with gentle slopes (4-8%).

#### **Management Area 1 Recommendations**

The timber in this area is approaching maturity and has become stagnant in growth. Many Virginia pine trees have died and fallen to the forest floor. This is typical of Virginia pine of this age and size. Virginia pine has a very shallow root system that

cannot support ice damage or very high winds well. The loblolly pine and shortleaf pine are of good to excellent quality and would bring in revenues, if harvested, that would assist in paying for reforestation as well as additional improvements across the property.

Below are 3 options for management. These options coincide with your objectives to provide the students with a safe learning environment and educational opportunities while also enhancing wildlife habitat, forest health, and biodiversity.

***Option #1 – Clearcut harvest (including removal of potential hazard trees), prepare the site for planting and subsequent planting of either shortleaf pine or loblolly pine seedlings.***

I recommend that you hire a consulting forester (see information below in plan on consultants) and clearcut harvest this area, which would include harvesting all merchantable and unmerchantable trees. Harvesting should occur when the soil is dry to prevent soil compaction and rutting. I have also included an abundance of information in the plan below about harvesting timber.

Once the trees have been harvested, ideally some type of site preparation should occur. Being that this is a small area, a back pack spray application of herbicides to kill any reproduction would aid in future tree planting. However, I understand that you are not interested in applying chemicals to your property, so a site preparation burn may be a more feasible practice. A site preparation burn would help to clean up the site, consume any Virginia pine seed that is on the ground, and also recycle nutrients back into the soil. If either of these 2 practices are not possible, then you will have to plant the pine seedlings without site preparation. However, if this occurs, it will take a lot of timber stand improvement to make sure survival of the seedlings is achieved (i.e. cutting undesirable competition with brushsaws, etc.). Site preparation (chemical application and burning) should occur during the summer months.

Once the site has been prepared, I recommend that you plant either loblolly pine seedlings or shortleaf pine seedlings across the entire area. The trees should be planted on a 10 X 10 foot spacing, yielding 436 pine trees per acre. I would recommend hiring a tree planting crew to complete this work; however, if you want to make this an educational opportunity, you could have students and/or faculty plant the trees under the supervision of a professional. Tree planting typically cost around \$80 per acre to plant loblolly pine seedlings and around \$100 per acre to plant shortleaf pine seedlings (trees and labor). The seedlings should be planted during the winter months (December through March) of the year following harvest.

***Option #2***

Similar to Option #1, this option would be to reforest the portion south of Galilean Trail in pines after the clearcut harvest, but not reforest the 1.5-acre portion north of Galilean Trail. As we discussed on-site, you could manage the 1.5-acre portion as early successional habitat to provide cover, forage, and nesting habitat for a variety of wildlife species. This would include installing fire lines around the area and burning the vegetation every 2-3 years. You can also broadcast native wildflower seed after the first burn to help create fine fuels (to help burn the area successfully) and encourage pollinator habitat. The creation and maintenance of early successional habitat can also be an excellent educational opportunity for your students, especially if they help broadcast the seed after the burn. For more information on creating fire lines, the benefits of prescribed burning, and selecting grass and flower seed to broadcast on the area, contact Kelly Douglass with the NC Wildlife Resources Commission at (919) 621-3317 or [kelly.douglass@ncwildlife.org](mailto:kelly.douglass@ncwildlife.org).

***Option #3***

A third option would be to maintain the current stand of trees. If this option is chosen, drastic improvements to the current stand would need to be made to provide a safe learning environment for your students. The condition of the walking trails throughout this area suggest that students frequently use this area for recreational purposes. This can be extremely dangerous with the amount of downed trees and more importantly the potential of other trees falling in this area. You would need to remove all trees that pose a threat to falling in this stand, which would include any snags and most of the Virginia pine.

**Maintain walking trails**

There are several walking trails throughout this area that could be improved. Once harvesting has ceased, cleaning up these trails should be done immediately so they are cleared and ready for restoring. If the logger is equipped with a whole tree chipper, mulch from this operation can be used to spread across the trails.

## Management Area 2

**Area Description**

Management Area 2; +/- 1.2 acres, is a mixed upland pine forest that is around 60 years of age. Dominant species include loblolly pine with Virginia pine and shortleaf pine scattered throughout. Presently, the trees are 10-19 inches in diameter (at breast height) and are 75-85 feet tall. The midstory and understory are fairly open and consist of eastern red cedar, red maple, blackgum, white oak, post oak, blackjack oak, American beech, elm, Japanese honeysuckle, green brier, crane fly orchid, mosses, and violets.

There are several downed/fallen trees in the understory but not nearly as much as in Area 1. The soils in this area are well drained with gentle slopes (4-8%).

### **Management Area 2 Recommendations**

The recommendations for this area are identical to Management Area 1 (options #1 & #3). If harvesting occurs, your consulting forester should make sure that the area is clearly marked so that the loggers do not cut near the sprinklers in Area 5.

## **Management Area 2A**

### **Area Description**

Management Area 2A; +/- 4.4 acres, is very similar to Area 2, but the trees are slightly larger and there is an abundance of invasive plant species. Presently, the trees are 13-23 inches in diameter (at breast height) and are 75-85 feet tall. The midstory and understory are fairly open and consist of eastern red cedar, red maple, blackgum, white oak, post oak, blackjack oak, American beech, elm, persimmon, eastern red bud, wax myrtle, multiflora rose, leatherleaf mahonia, Chinese privet, Japanese stilt grass, Russian olive, hellebore, Christmas fern, Chinese silvergrass, Japanese honeysuckle, and daffodil. The soils in this area are well and somewhat poorly drained with gentle slopes (2-6%).

### **Management Area 2A Recommendations**

The recommendations for this area are also identical to Management Areas 1 (options #1 & #3) & 2. I would most likely recommend that replant this area in loblolly pine seedlings, since that is what is currently growing now.

A major focus in this area should be maintaining water quality, since there is a stream that intersects this area. Appropriate forested buffers should be left along this area during harvesting in accordance with the Jordan Lake Buffer Rules (Cape Fear River Basin). See below for more information about buffer rules and rules affecting harvesting near streams.

Another major focus of this area, and several other areas on the property, should be eradication (or at least controlling) exotic, invasive plants to help promote the regeneration of native flora and increase plant diversity. See the section on invasive plant control later in the plan.

An old pond, with breached dam, exists in this area. It is currently providing excellent habitat for amphibians and reptiles and could either be fixed (drained and dam repaired) and used for fishing purposes, or maintained as is to continue providing habitat for

amphibians. This area, if left as is, could be used as an excellent educational opportunity for students to learn about the life cycle of certain species (like amphibians) and the importance of conserving water and protecting water quality.

### Management Area 3

#### **Area Description**

Management Area 3; +/- 5.7 acres, is an upland hardwood stand with scattered mixed pine throughout that is around 65 years of age. The stand is dominated by white oak, with pignut hickory, northern red oak, post oak, sweetgum, and loblolly pine throughout. Evidence of old skid trails and cedar stumps suggest that this area was logged 65 years ago and regenerated naturally on its own. Presently, the trees are 10-18 inches in diameter (at breast height) and are 70-75 feet tall. Stand quality is good with some mortality throughout and hypoxylon canker present on snags. The midstory and understory are fairly open and consist of red maple, black cherry, flowering dogwood, eastern red cedar, scattered blackgum, poverty grass, greenbrier, and low bush blueberry. The soils in this area are well drained with gentle slopes (3-8%).

#### **Management Area 3 Recommendations**

The trees in this area are growing well and should continue to do so. I recommend that you maintain this area as a mature hardwood forest, as this area is aesthetically pleasing and is used for school programs and student recreation.

The trees are healthy but some hazard trees should be removed from the area to prevent student injury. Wildlife habitat can be improved by a practice called crop tree release. This kind of work can be accomplished with a chainsaw by selecting a few crop trees per acre (a mix of red and white oaks) and removing the competing hardwoods on at least 3 sides (4 is preferred). Be sure to protect the other most producing trees in the area, including blackgum, black cherry, and flowering dogwood. Any snags left should be positioned away from walking trails. Maintain walking trails with mulch where possible.

### Management Area 4

#### **Area Description**

Management Area 4; +/- 3.6 acres, is mixed upland pine forest that is around 32 years of age. This area was hit hard by IPS beetles many years ago leaving a large hole in the canopy with several smaller holes throughout of dead and downed pine trees. Most of the damage was done to the east of the power line right of way. The overstory trees that are left standing are 7-16 inches in diameter (at breast height) and are 60-65 feet tall. The

holes where IPS beetles killed the overstory trees have regenerated naturally with low value hardwoods, including red maple, sweetgum, elm, and Russian olive. The soils in this area are well drained with gentle slopes (4-8%).



#### **Management Area 4 Recommendations**

This area is a major safety hazard not only to the students and faculty at the school, but to neighboring landowners as well. Many of the dead trees have already fallen within the stand but there is an abundance of dead trees still standing that pose a threat to falling on someone or adjacent property.

I recommend that you lump this area in with the other areas to be harvested so that clean up can begin. Have your consulting forester include this area with Areas 1, 2, and 2A when those harvests occur. The logger should harvest all standing timber that is living. If they are comfortable with it, they can also fell any dead trees still standing as well. Some site preparation will be necessary and may include bulldozer work and burning piles. I cannot give any site preparation recommendations at this time; once the timber harvest is complete, we can reassess what needs to be done to get this stand growing again.

Once the site preparation is completed, plant either loblolly or shortleaf pine seedlings following the guidance laid out in Area 1 & 2.

Again, I recommend eradicating, or at least controlling, the exotic, invasive plants in this area. See the section below for more information.

## Management Area 5

### **Area Description**

Management Area 5; +/- 3.8 acres, is the waste water spray field located on the property. This area is an upland pine hardwood stand that is around 65 years of age. Dominant species include: sweetgum, red maple, loblolly pine, shortleaf pine, Virginia pine, elm, white oak, and willow oak. Presently, the trees are 9-21 inches in diameter (at breast height) and are 75-80 feet tall. The midstory and understory are somewhat open and consist of eastern red cedar, red maple, black cherry, elm, American beech, Japanese honeysuckle, cranefly orchid, mosses, violets, greenbrier, leatherleaf mahonia (1 plant observed), and Japanese stilt grass. The soils in this area are well and somewhat poorly drained with gentle slopes (2-6%).

### **Management Area 5 Recommendations**

I recommend that you allow this area to continue to grow as long as the spray field is in place. No heavy equipment should be in this area and no students or faculty should enter either. Ensure that this area is marked as “Do Not Enter” and that the signs are visible from all sides when approaching the stand.

Again, I recommend eradicating, or at least controlling, the exotic, invasive plants in this area. See the section below for more information.

## Management Area A

### **Area Description**

Management Area A; +/- 21.7 acres total, is made up of the school administrative buildings, indoor and outdoor classrooms, playgrounds, parking lot, basketball court, school garden, and sports/playing field. There are pockets of trees located throughout this area, mostly dominated by loblolly pine. The trees are around 76 years of age, 12-30 inches in diameter (at breast height), and are 85-100 feet tall. The understory is manicured from the maintenance crew and has little vegetation growing, except for a few

areas near the basketball court where there is an understory and a midstory present. The soils in this area are well drained with gentle slopes (3-8%).

### **Management Area A Recommendations**

The trees in this area are approaching maturity with many already mature. We discussed ensuring that forest health and student safety are the main objectives for this area. I recommend that you identify the trees in this area that pose a hazard to falling and have those removed. This would include any snags, trees with tops broken out, and trees that are leaning on other trees (snags away from buildings and play areas should be maintained for wildlife). Continue to maintain this area for school activities. Continue to remove poison ivy from trees so that students do not touch (also use this as an educational opportunity for identification). Landscaping should consist of native plants and shrubs. Focus new development in this area so other areas can be more easily managed. Songbird boxes can be erected throughout the area to encourage various species to frequent the area and can also be used as an educational opportunity for the students (especially if they help monitor and maintain the boxes). These should be maintained annually in the winter months (remove wasp nests, old nesting material, etc). Boxes should be placed on metal poles using predator guards.

## **Management Area B**

### **Area Description**

Management Area B; +/- 5.0 acres, includes the rental cabin, horse pasture, and surrounding areas (see map). This area is mostly made up with various yard trees and shrubs, many of which are exotic, invasive species. Species include: crepe myrtle, nandina, star magnolia, multiflora rose, leatherleaf mahonia, Russian olive, hellebore, Chinese silvergrass, Japanese honeysuckle, and daffodil.

### **Management Area B Recommendations**

I recommend that you maintain this area as is.

Again, I recommend eradicating, or at least controlling, the exotic, invasive plants in this area. See the section below for more information.

### **Invasive Plant Species Control**

During our site visit, we noted the presence of 5 exotic, invasive plants: tree-of-heaven, multiflora rose, Japanese stilt grass, Chinese privet, and Japanese honeysuckle. We recommend controlling these species through the use of targeted, spot spray herbicide applications. Be sure to use the correct herbicide and application rates. When using herbicides, follow all label instructions. Near the stream and pond, we recommend using herbicides approved for aquatic use only, or using glyphosate with a surfactant with low toxicity to aquatic animals (e.g., Agri-dex Spray Adjuvant). Most likely, it will take several herbicide applications to keep these species under control. Information on controlling this species may be found at the following website:

<http://www.invasive.org/eastern/srs/>. See the forestry leaflets *Exotic, Non-native and Invasive Plants are a Problem*, *Multiflora Rose*, *Tree-of-Heaven*, *Japanese Stilt Grass*, *Chinese Privet*, and *Japanese Honeysuckle* for more information.

## Water Quality

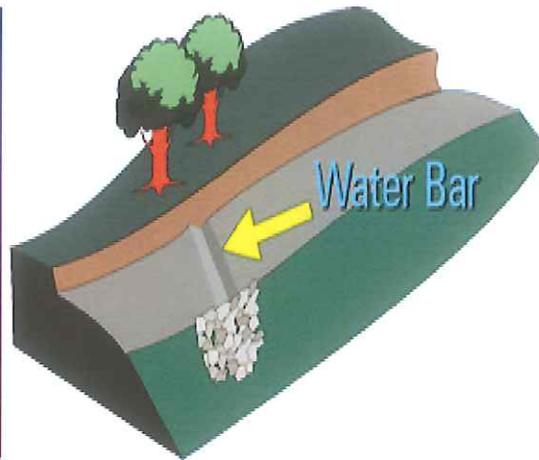
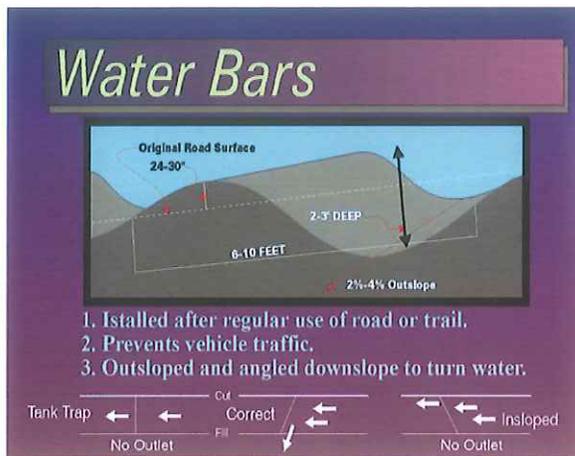
Overall, water quality on your property is good and you have been maintaining your internal road system well. If you decide to install new roads or renovate existing roads, the following information could be useful to you. Some of these can also be used on walking trails (on a much smaller scale) if erosion becomes a problem. Below are some tips and diagrams.

### **Water Bars**

Constructed with a bulldozer or tractor, a water bar is an earthen fill "mound-trench" built into the road or trail at a 15 to 30 degree down slope angle. It diverts rainwater off the pathway, thus minimizing erosion by preventing stormwater runoff from moving long distances along travel corridors. The water bar should be built such that the uphill end of the bar ties into any adjacent bank or cutwall to receive ditch flow. An energy absorber on the downslope outfall, such as riprap, brush, and treetops, will serve to slow and dissipate the water's movement; particularly if outflow can lead to gully erosion. When installed in series, the number used is dependent on the slope of the road or trail as follows:

<b>Grade of Road/Trail (Degrees)</b>	<b>Spacing (feet) between Water Bars</b>
5	135
10	80
15	60
20	45
30	35

Water bars are usually installed after regular use of the forest road or skid trail has ended. A high relief water bar (three feet or greater in height) will serve as a deterrent for normal vehicle traffic. Water bars should be stabilized with grass seeding/mulching or volunteer growth at the time of project closeout. Armoring the water bars with crushed stone should be considered under circumstances of steep grades and highly erodible soils. After the tract is closed and before vegetation has fully re-colonized and stabilized the water bar, it is important to check in periodically to be certain a major storm flow event has not damaged the water bar and rendered it nonfunctional.



### Broad-based Dips

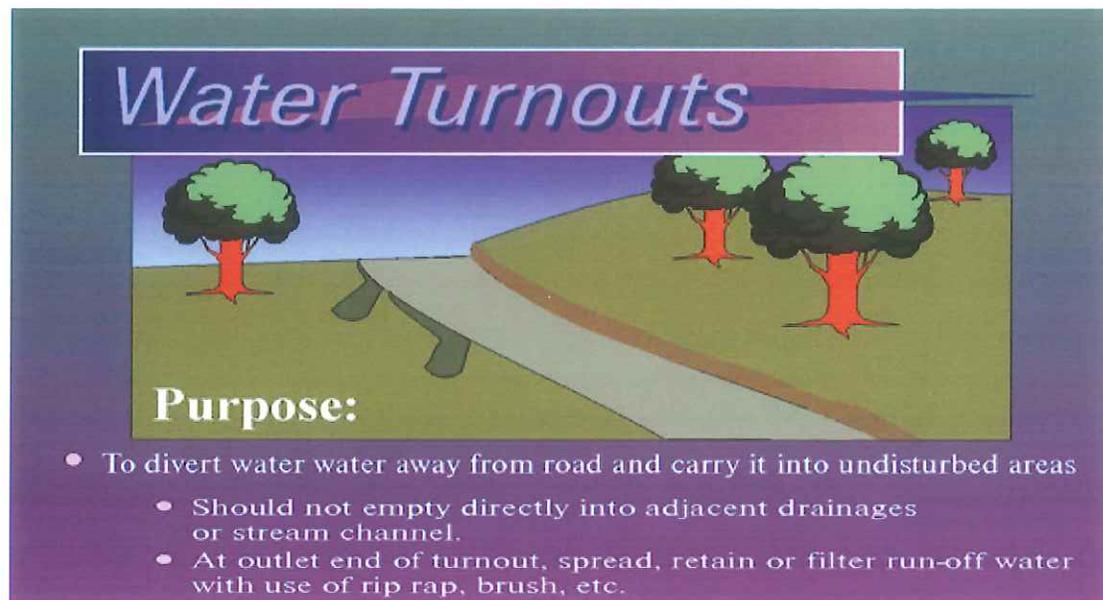
As its name implies, a broad-based dip is a broad earthen dip-hump combination built into the surface of a flat or insloped access road. The dip forms a reverse or outsloped cross-drain to divert flowing water from one side of the roadway to the other. This structure is usually applied to haul roads with slopes less than 12%. The dip is preferred over the water bar as it allows truck traffic to maintain a fairly uniform speed traversing the tract as opposed to the stop and go, "speed bump" characteristics of the water bars. A broad-based dip is not a substitute stream crossing method but rather a method to control transport of water from a paralleling road should ditch on one side of the road to the other. Slope of the land again dictates the spacing of this BMP as follows:

Road Grade (%) )	Broad-Based Dip Spacing
2-4	200-300
5-7	160-180
8-10	140-150

Key points to remember during the installation phase include installing the dip at a 30-degree downslope, tying the upper end of the dip into an adjacent bank to avoid water by-passing the dip, providing a cross-drain outslope of about 3%, and energy absorbers as described in the [water bar](#) discussion. On highly erodible soils, the broad-based dip should be armored with crushed stone or rock ballast.

### Water Turnouts

Water turnouts can be a ditch, trench, or other conveyance used to divert stormwater runoff away from a road surface or adjacent ditch. The turnout, which can be the width of a backhoe bucket or a bulldozer blade, carries water into undisturbed areas of vegetation to both dissipate energy and disperse water flow to the forest floor. Water turnouts should intersect a ditch line at the same depth and be outsloped 1-3%. On sloping roads, turnouts should be 30-45 degrees downslope. The use of water turnouts is often dependent on gradient of the property and availability of suitable outlets. Water turnouts should be spaced at a distance to provide good road drainage thus avoiding water pooling which can lead to soil compaction, souping, or rutting. A water turnout can have a secondary application of functioning as a minor sediment trap, therefore, maintenance is important to ensure the turnout is neither subject to erosion itself from excessive runoff events or sedimentation to the point of becoming nonfunctional. As with other water control structures covered in this section, tract closure should include perennial grass seeding/mulching or volunteer vegetation growth to enhance long-term stability of the turnout. Most importantly, water turnouts must not empty directly into streams or other water channels (i.e., drainage ways, ditches, channalized streams, etc.) leading directly to streams and other waters of the State.



## Miscellaneous

### Selling Timber & Consulting Foresters

#### *Consulting Forester*

I HIGHLY recommend having a private consulting forester handle your timber sale. Although they charge a fee, consultants generally find their landowner a better price for their stumpage. This should be the first thing you do, as your consultant can help you decide when to begin work. I have enclosed a list of consultants that you may contact.

Attached you will find some information about selling timber and information that needs to be part of the timber sale contract. As with any forestry operation, someone should monitor the operation closely. You could also notify the NC Forest Service when logging is occurring so we can perform a water quality inspection.

### Environmental Concerns

All forestry activities should be performed in a responsible manner and with minimum site disturbance. The following need to be considered when harvesting:

- ✓ All forestry activities are required to follow the NC Forest Practice Guidelines (FPG's) in order to remain exempt from the Sedimentation Pollution Control Act. FPG's are performance standards established to help protect North Carolina's water quality.
- ✓ The law holds you equally responsible for compliance with these regulations. You need to use your timber contract to put the responsibility back on the logger and timber buyer.
- ✓ Forestry activities must also comply with the Neuse, Tar-Pamlico, and Jordan Lake River Basin rules (where applicable).
- ✓ Any activity involving heavy machinery should be done when the soil is dry to help prevent rutting and soil compaction.

### **Timber "Basis"**

$$\text{Timber Sale \$\$} - \text{Timber Basis} = \text{Taxable Income}$$

You will owe federal and state tax on any net timber sale income (your "gain"). Your taxable income is the gross dollar value of the sale, less any costs of selling the timber (consultant fees, temporary road improvements, etc.), AND less your adjusted timber "basis".

Your original basis is usually one of the following:

- 1) the purchase price of your timber on the day that you purchased that timber (probably purchased with the land).
- 2) the fair market value at date of death in the case of inheritance (assuming the estate was valued at full fair market value, including the timber).
- 3) the donor's basis if the timber is received by gift.
- 4) all capitalized reforestation expenditures (If you planted the trees and did not expense the reforestation costs, then your basis will be the cost of reforestation).

The adjusted basis will be the original basis plus any capitalized annual management expenses or less any depletion, casualty loss, amortization or other tax write-off of basis dollars.

**It is very important to establish your basis before the timber sale in order to reduce the amount of your federal taxes.** This basis should be established by a registered forester and should be assigned **BEFORE** the timber is cut.

#### **Taxation of Timber Sale Income – Capital Gains**

- ✓ Timber is real property and is therefore a capital asset (like land or houses).
- ✓ When you sell timber, the money you make (minus the costs of selling timber and minus your timber basis) is a “long-term capital gain”, assuming that you have owned the timber for more than one year.
- ✓ The Federal Government taxes “long-term capital gains” at a lower rate than regular income (wages or farm income).
- ✓ The top “capital gains” rate is currently set at 15% while tax rates on regular income can be as high as 35%. Additionally, “capital gains” are not subject to self-employment taxation (currently 15%) as is farm income.
- ✓ As you can see, reporting timber sale income as a “capital gain” can greatly reduce your tax burden.
- ✓ You may want to enlist the services of a tax accountant who is familiar with the minutia of forestry taxation.

#### **Reforestation**

**Following harvest, you should contact us immediately so a reforestation plan can be prepared.** Site preparation can run as high as \$250 per acre; however, it is usually much less and is often nothing. Planting tree seedlings costs about \$75 per acre. All reforestation costs are eligible for cost-share funds that pay up to 40% of the total cost.

There are also substantial Federal Tax Incentives for Reforestation that can further reduce the amount of your reforestation investment. Contact us as soon as cutting is finished. Delaying can raise the cost of reforestation substantially.

### **Federal Tax Incentives for Reforestation**

Up to \$10,000 of qualifying reforestation expense may be taken as a federal tax deduction in the year that the reforestation expenses are incurred. Any additional reforestation expenses (with no limit) can be amortized over the next 84 months as additional federal tax deductions. The proper use of these tax incentives can greatly reduce the total amount of your forestry investment. Be sure to mention these incentives to your accountant. Also, see this web site: <http://www.timbertax.org/>

Keep in mind that all cost-share payments are “income” and you will receive a Federal 1099 in January of the following year. You will have to pay income tax on any cost-share payment unless you elect the option to exclude these reforestation cost-share payments from taxable income (IRS Code Section 126). However, if you chose to do this, you will not be able to count the cost-shared portion of your reforestation expense toward the Reforestation Tax Deductions mentioned above.

### **Boundary Line Maintenance and Landowner Liability**

It is important that you maintain the boundary line around your property. I have enclosed a brochure entitled “Woodland Owner Notes: Maintaining Forest Property Boundaries.” It is also important that you understand your obligation to those who have permission to use your land as well as anyone trespassing on your land. Please refer to the enclosed brochure entitled “Woodland Owner Notes: Land Ownership, Liability, and the Law in North Carolina.”

A great way for the students to learn more about wildlife, ecosystems, and permaculture would be getting involved in a few citizen science projects that are sponsored by conservation agencies. Below are a few projects that may be of interest to you:

- Dragonfly Pond Watch Program (The Xerces Society): <http://www.xerces.org/dragonfly-migration/pondwatch/>
- Bumble Bee Watch (The Xerces Society): <http://www.xerces.org/bumble-bee-watch/>
- The Great Backyard Bird Count (The Cornell Lab of Ornithology, National Audubon Society, Bird Studies Canada): <http://gbbc.birdcount.org/>
- Christmas Bird Count (National Audubon Society): <http://birds.audubon.org/christmas-bird-count>
- Hummingbirds at Home (National Audubon Society): <http://www.hummingbirdsathome.org/>
- NestWatch (The Cornell Lab of Ornithology): <http://nestwatch.org/>

- FrogWatch USA (Association of Zoos and Aquariums):  
<http://www.aza.org/frogwatch/>

### North Carolina's Forestry Present-Use Valuation (PUV) Property Tax Program

You may want to check with the Tax Office in Hillsborough to see if your property qualifies for the present use tax valuation. This valuation is used on tracts of timber, over 20 acres that are being managed in a responsible manner. This classification could greatly reduce your tax burden. **Take a copy of this plan down to the Tax Office upon receipt, if needed!**

### Final Thoughts

Thank you for keeping North Carolina a beautiful place to work and live. Your interest in forest stewardship is to be commended. Kelly Douglass and I enjoyed talking with you about the future management of your property. If you have any questions or concerns, please don't hesitate to call us. I can be reached in Hillsborough at 919-732-8105 and Kelly can be reached at (919) 621-3317.

Sincerely,



John M. McBryde

District 11 Water Quality Forester

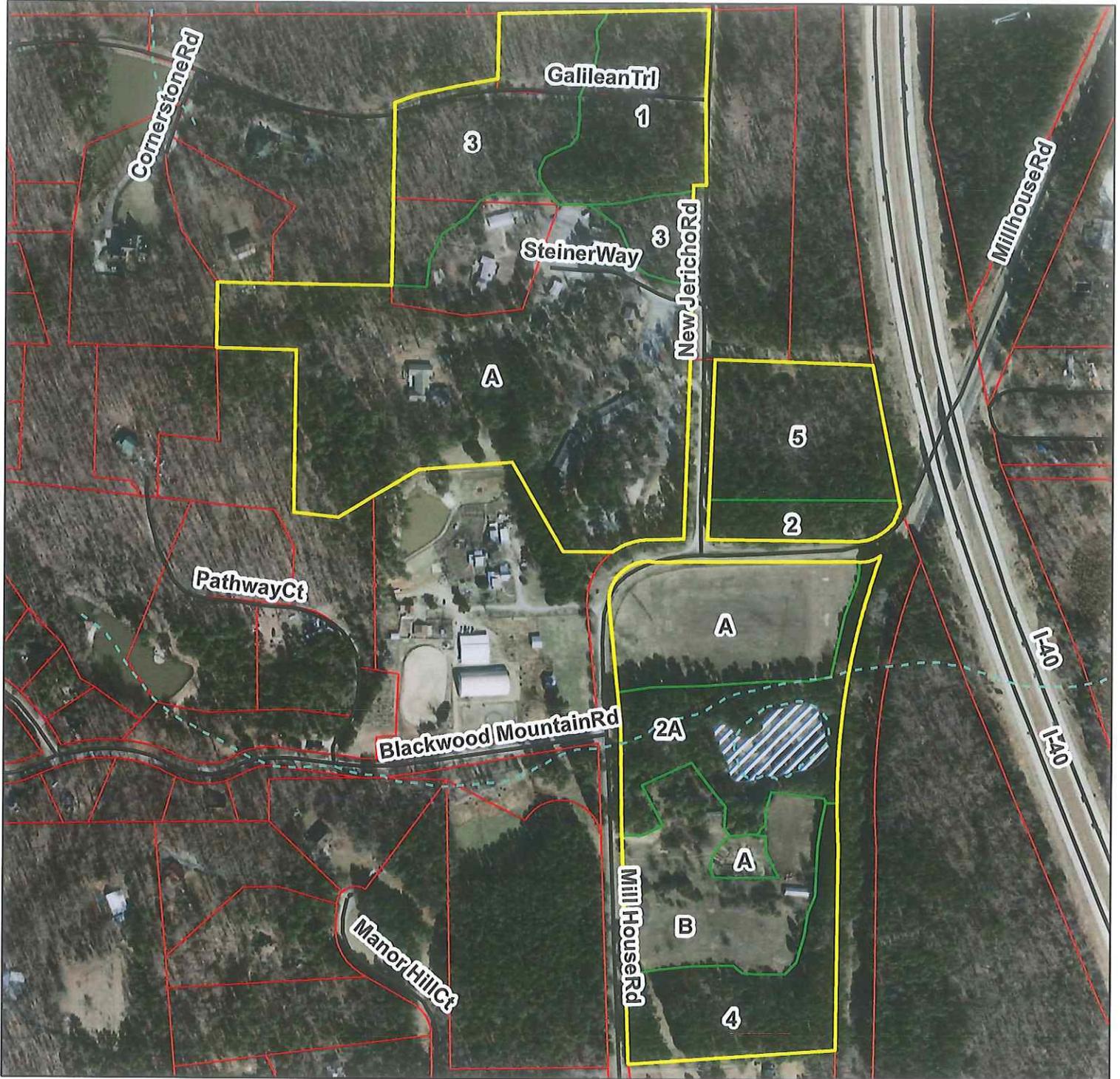
NC Registered Forester # 1639



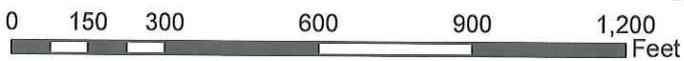
# Management Map

## Emerson Waldorf School

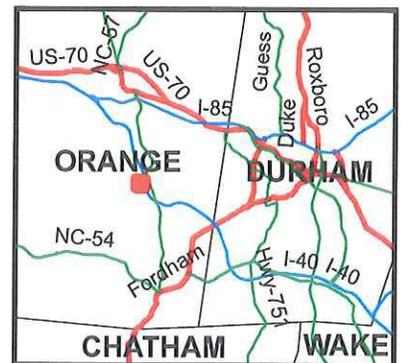
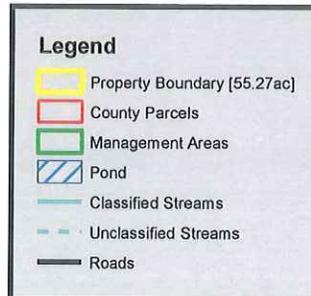
171



Boundaries and acreages are approximate.



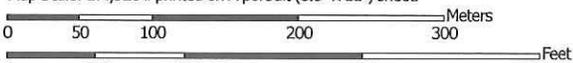
Landowner: Waldorf Educational Association of NC, Inc.  
 Location: 6211 Jerico Rd., Chapel Hill, NC  
 PINs: 9871647391; 9871645632; 9871658140;  
 9871743098; 9871721935  
 County: Orange  
 Date: March 26, 2014  
 Data Source: NC One Map Orthophoto 2010



Soil Map—Orange County, North Carolina  
(PropBoundAll)



Map Scale: 1:4,920 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

## MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Water Features
 Borrow Pit	 Streams and Canals
 Clay Spot	 Transportation
 Closed Depression	 Rails
 Gravel Pit	 Interstate Highways
 Gravelly Spot	 US Routes
 Landfill	 Major Roads
 Lava Flow	 Local Roads
 Marsh or swamp	 Background
 Mine or Quarry	 Aerial Photography
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Orange County, North Carolina  
Survey Area Data: Version 13, Dec 21, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 10, 2010—Apr 30, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Orange County, North Carolina (NC135)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
EnB	Enon loam, 2 to 6 percent slopes	13.5	26.5%
EnC	Enon loam, 6 to 12 percent slopes	24.9	48.9%
HrB	Herndon silt loam, 2 to 6 percent slopes	7.8	15.3%
HwB	Lloyd clay loam, 2 to 6 percent slopes	0.4	0.8%
TaD	Tarrus silt loam, 8 to 15 percent slopes	3.6	7.0%
TaE	Tarrus silt loam, 15 to 25 percent slopes	0.2	0.4%
W	Water	0.6	1.1%
<b>Totals for Area of Interest</b>		<b>50.9</b>	<b>100.0%</b>

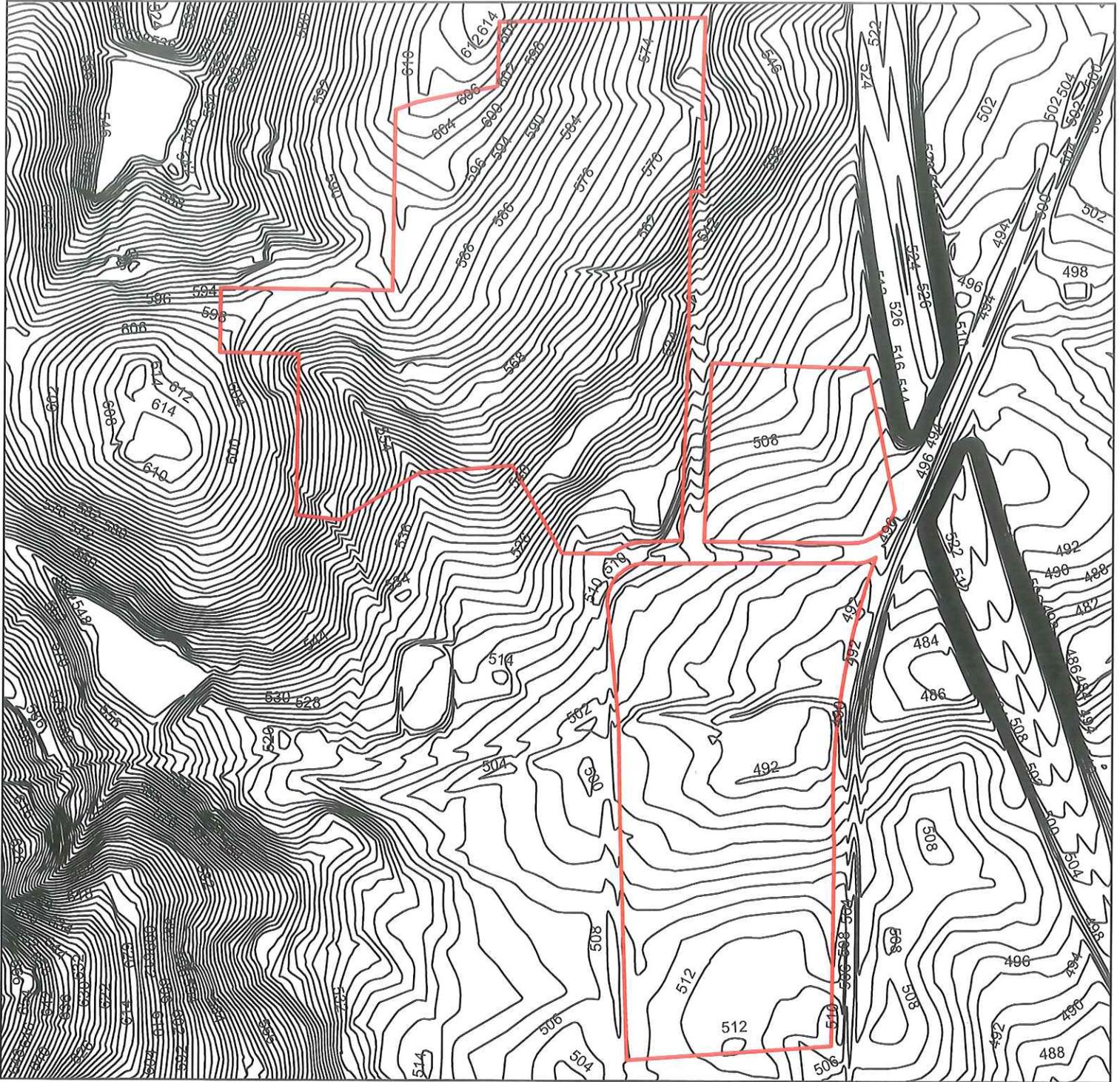




# Topographic Map

## Emerson Waldorf School

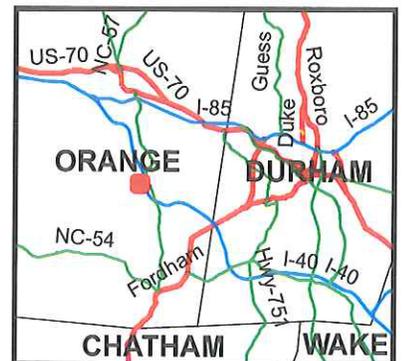
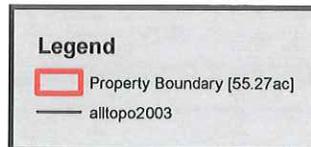
175



Boundaries and acreages are approximate.



Landowner: Waldorf Educational Association of NC, Inc.  
Location: 6211 Jerico Rd., Chapel Hill, NC  
PINs: 9871647391; 9871645632; 9871658140;  
9871743098; 9871721935  
County: Orange  
Date: March 26, 2014  
Data Source: NC One Map Orthophoto 2010



## Schedule of Management Activities

<b>Recommended Date</b>	<b>Area</b>	<b>Acres</b>	<b>Practice Description</b>	<b>Date Completed</b>
2014-2019	ALL	49.23	Begin eradicating invasive species as possible.	
2014	1, 2, 2A, 4	13.1	Hire consulting forester to begin planning your harvest regime.	
2014-2019	ALL	49.23	Maintain and improve walking trails.	
2014-2019	ALL	49.23	Remove hazard trees from entire property. Continue as needed.	
2014-2017	1, 2, 2A, 4	13.1	Clearcut harvest, site prepare, and plant loblolly or shortleaf pine seedlings.	
2024	ALL	49.23	Have property re-examined. Update forest stewardship plan.	

## Forest Stewardship Program Resource Elements

The following thirteen (13) natural resource elements are addressed in all Forest Stewardship Management Plans when they are present and/or applicable to the landowner and the management of their property:

Soil & Water	Biological diversity	Aesthetic quality
Recreation	Timber	Fish & wildlife
Threatened & Endangered Species	Forest health	Archeological, cultural & historic sites
Wetlands	Fire	Carbon cycle
Range/Silvopasture/Agroforestry		

This document provides information on the 13 required Forest Stewardship Program natural resource elements. Your Forest Stewardship Plan will likely contain additional details on these resource elements as they relate to your property and management objectives. Your plan may not address one or more of these resource elements if they were not observed on your property or was not identified as one of your management objectives. If you would like more information, contact your Forest Stewardship Program plan writer or local NC Forest Service (NCFS) office. Additional information and brochures may be available through your local NCFS office or at:

<http://www.ncforestservice.gov/publications.htm>

### Soil and Water

Soil fertility is of major importance when it comes to forest management. Just as fertile soil is needed to produce high quality agricultural crops, specific soil conditions are required to grow good quality timber stands. Soil requirements vary by tree species. In forest silviculture, soil productivity is expressed as the “Site Index.” Site index (SI) is the measure of growth in a tree species on a particular soil over a 25 or 50-year period. It is important to understand the nature of your tract’s soils and to avoid heavy equipment use on certain soil types during wet conditions. Information on local soils and accompanying data can be found on the Natural Resources Conservation Service (NRCS) website:

<http://soils.usda.gov/>

All forestry activities must protect water quality and comply with, among others, the North Carolina Forest Practices Guidelines Related to Water Quality (FPGs). Refer to the following website on FPGs:

<http://ncforestservice.gov/publications/Forestry%20Leaflets/WQ01.pdf> NCFS personnel can perform FPG site inspections upon request.

Additionally, the state and some local governments have also established rules to protect vegetated riparian buffers found along streams, rivers, and reservoirs in various parts of North Carolina. Refer to the following website:

[http://ncforestservice.gov/water\\_quality/buffer\\_rules.htm](http://ncforestservice.gov/water_quality/buffer_rules.htm)

Your Forest Stewardship Plan should draw attention to water bodies located on your property that should be protected during forest management activities. This may include the establishment of streamside management zones (SMZs) which are meant to prevent sedimentation and maintain healthy water temperatures. Proper pre-harvest planning prior to cutting timber can help ensure protection of both soil and water resources. Information on forestry activities and water quality issues can be found on the NCFS website: [http://ncforestservice.gov/water\\_quality/water\\_quality.htm](http://ncforestservice.gov/water_quality/water_quality.htm)

**Soil and Water on Your Property:** The property lies in the Cape Fear River Basin and is subject to the Jordan Lake Buffer Rules. Soil erosion and runoff are discussed extensively in the plan. The landowner is interested in preserving and protecting water quality throughout the property.

### **Biological Diversity**

Biodiversity is the variety of life (including diversity of species, genetic diversity and diversity of ecosystems) and the processes that support it. Landowners can contribute to the conservation of biodiversity by providing a diversity of habitats. It is important to select management options that offer the greatest opportunities for promoting wildlife habitat and conserving biodiversity while fulfilling other land ownership objectives. Some of these options include, but are not limited to, conserving wildlife habitat and biodiversity by:

1. Managing stand-level habitat features.
2. Promoting *aquatic* and riparian areas.
3. Managing landscape features.
4. Conserving rare species and communities.
5. Protecting special features and sites.
6. Developing partnerships with natural resource agencies and conservation organizations.

For more information on managing for biological diversity, refer to the following website: <http://www.fs.fed.us/ecosystemservices/biodiversity.shtml>

(intermediate stand management), or implement a harvest to utilize the mature trees and/or remove the current stand of undesirable trees to start a new stand.

**Timber on your property:** Several areas need some type of harvest to meet your objectives. This is addressed in the FSP.

### **Fish and Wildlife**

Fish and other aquatic species depend on healthy water quality and quantity. The forest management choices you make have a direct impact on both of these. Proactive and positive things landowners can do include establishing streamside management zones (SMZs), preventing or mitigating sources of sedimentation, and leaving un-mown areas around ponds. Landowners that have water bodies present on their property may contact various natural resource professionals to obtain technical assistance on improvement, aquatic maintenance, and fish stocking. Visit the following website for information on pond management and fishing opportunities:

[http://www.ces.ncsu.edu/nreos/wild/fisheries/mgt\\_guide/chapter1.html](http://www.ces.ncsu.edu/nreos/wild/fisheries/mgt_guide/chapter1.html)

Forestry activities and how they relate to water quality are discussed at:

[http://ncforestservice.gov/water\\_quality/water\\_quality.htm](http://ncforestservice.gov/water_quality/water_quality.htm)

An explanation of streamside management zones is located at:

<http://www.woodlandstewardseries.com/landowner-information-for-managing-woodland/documents/ExplainingStreamsideManagementZones.pdf>

Wildlife has four basic requirements: food, cover, water and space. Different wildlife species require different stages of forest growth to meet these needs. For example, quail and partridge feed on seeds of annual and perennial weeds and grasses that occur in young stands of timbers, where sunlight reaches the forest floor. This is early successional habitat. Pileated woodpeckers depend on dead and rotting trees found in mature forests. This is late successional habitat. Still other wildlife prefer mid-successional habitat. Several aspects of your property determine how many species can live and thrive in your forest - plant cover, harvest operations, water resources and topography. Your property may have woodland, streams, swamps, rivers, ponds, and areas that adjoin fields, pastures, roads and other openings. Managing these "edges" of your forest is crucial to abundant populations of some wildlife species. The relationship between vegetation management and wildlife species habitat is well established.

Understanding relationships is the first step in determining how your property can be managed to promote the wildlife species you want to attract. For more information on managing fish and wildlife on your forestland and ponds contact a Forest Stewardship

Biologist at [http://ncforestservice.gov/fsandfl/stewardship\\_contacts.htm](http://ncforestservice.gov/fsandfl/stewardship_contacts.htm) or visit the North Carolina Wildlife Resources Commission webpage: <http://www.ncwildlife.org/>

**Wildlife on Your Forest:** Addressed in FSP.

### **Threatened and Endangered Species**

The North Carolina Natural Heritage Program provides information on state and federal threatened and endangered (T&E) plants and wildlife, habitats of particular conservation concern, and stewardship actions designed to benefit these important natural resources. The site has an online mapping tool, “The Virtual Workroom”, that can provide geographic information on T&E species and natural communities of concern that are within a 2-mile radius of a specified location. A searchable database that can provide county-level and US Geological Survey (USGS) information is also available. The North Carolina Natural Heritage Program lists T&E species information at the following websites:

- <http://www.ncnhp.org/Pages/heritagedata.html>
- <http://www.ncnhp.org/Pages/guide.htm>
- <http://www.ncnhp.org/Images/2010%20Rare%20Animal%20List.pdf>

**T& E Species on Your Property:** No threatened or endangered species were noted on the property.

### **Forest Health**

A healthy forest is a forest that possesses the ability to sustain the unique species composition and processes that exist within it. The health of our forests must be maintained to ensure the survival of plant and animal species that make the forest their home, and to protect those processes that maintain a healthy environment. A healthy forest must also be able to accommodate the present and future needs of people for a variety of values, products, and services. Forest health protection issues are often directly related to the active management of insects and diseases, invasive plants and wildfire. Yearly inspections for signs of insects, diseases or invasive plant infestations should be completed by the landowner. More forest health information can be found on the following websites:

- [www.forestpests.org](http://www.forestpests.org)
- <http://www.fs.fed.us/foresthealth/>
- <http://www.fs.fed.us/r8/foresthealth/>
- [http://ncforestservice.gov/forest\\_health/forest\\_health.htm](http://ncforestservice.gov/forest_health/forest_health.htm)

**Forest Health on Your Property:** A major objective, addressed in FSP.

### Archeological, Cultural and Historic Sites

Cultural resources refer to landscapes, structures, archeological artifacts, and vegetation that represent a culture or society. These remains are pieces of history that can provide a glimpse into the technology, culture, and environment of earlier societies and reveal much about our country's origins and development. Make sure you alert your forester or ranger to any such sites as they begin to develop your Forest Stewardship Plan. If you have specific questions about such sites, it may also be possible to work with a trained expert from the North Carolina Cultural Resources staff. It is especially critical to understand where such sites may be located prior to conducting ground disturbing projects. Information concerning Archeological, Cultural and Historic sites can be found at these websites:

- <http://www.ces.ncsu.edu/forestry/resources/publications/documents/won45.pdf>
- North Carolina Cultural Resources (<http://www.ncdcr.gov/>)
- North Carolina Office of Archives and History (<http://www.history.ncdcr.gov/>)

**Archeological Cultural and Historical Sites on Your Property:** No archeological, cultural, or historical sites were observed on your property.

### Wetlands

Wetlands are highly productive areas, whether it be in terms of timber production, water quality protection, wildlife habitat, etc. Due to their wet-natured soils and longer rotation hardwood stands, they are also sensitive ecosystems that need to be managed carefully. Some of the forestry activities done on "high ground" may still be carried out in wetland areas, but others practices may not. It is the responsibility of the landowner to understand the regulations related to forestry before engaging in forestry practices or contracting with a forest management service to work on their land. This can seem a daunting responsibility, especially when it comes to wetland areas, but answers to your forest management questions can be provided if the landowner asks the right questions. The NCFS; private consulting foresters; the NC Forestry Association; and the NC Forestry Extension Program can be good sources of information on allowable forestry practices in wetlands. The two primary agencies that regulate activities in wetlands are the NC Division of Water Quality and the US Corps of Engineers.

More information on North Carolina wetlands, as well as forestry activities that may be carried out in them, can be found at these websites:

- <http://dcm2.enr.state.nc.us/wetlands/brochure.htm>
- [http://ncforestservice.gov/publications/WQ0107/BMP\\_chapter06.pdf](http://ncforestservice.gov/publications/WQ0107/BMP_chapter06.pdf)

**Wetlands on your property:** One unclassified stream and one pond with dam breached on property.

## Fire

Prescribed fire is the planned use of fire under pre-determined weather and fuel conditions to obtain specific management objectives. This is also known as "controlled" burning, and when done correctly it mimics the frequent burning that used to occur in NC naturally. Prescribed burning is a critical management tool that benefits North Carolina's forests, wildlife and overall environment. It also helps reduce the devastating impacts of uncontrolled wildfire hazards. Prescribed fire is especially important in North Carolina due to the large amount of land lying in the Wildland/Urban Interface (WUI). The N.C. General Assembly recognized the importance of prescribed burning in the NC Prescribed Burning Act, which may be reviewed at the following website:

[http://www.ncleg.net/EnactedLegislation/Statutes/PDF/ByArticle/Chapter\\_106/Article\\_80.pdf](http://www.ncleg.net/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_106/Article_80.pdf)

The NC Forest Service and its partners train, plan and coordinate with local fire services and before a prescribed fire is started in order to ensure that all burning regulations are obeyed. There are also private contract burners that provide this service in various parts of the state.

Additional information on prescribed burning may be found at:

- [http://ncforestsservice.gov/Managing\\_your\\_forest/managing\\_your\\_forest.htm](http://ncforestsservice.gov/Managing_your_forest/managing_your_forest.htm)
- <http://www.ces.ncsu.edu/forestry/pdf/ag/AG-616.pdf>
- <http://www.ncfirewise.org/>
- [http://ncforestsservice.gov/fire\\_control/fc\\_wui.htm](http://ncforestsservice.gov/fire_control/fc_wui.htm)

**Prescribed Fire Opportunities on Your Property:** Addressed in FSP.

## Carbon Cycle

All forest plants and soils “store” carbon, so your management influences the natural cycles of that storage in both living and dead plant material. The removal of carbon from the atmosphere is the process of carbon sequestration. Trees are roughly 50% carbon, based on dry weight. Certain forest management practices can promote more plant growth per acre. Timber harvests can lead to durable wood products that store carbon for long periods of time. You enable the trees on your forest to use and store carbon by maintaining forest health, replanting areas that have been harvested and actively managing a dynamic growing forest.

In recent years, programs dealing with “carbon sequestration”, “carbon credits” and “biomass” have been in the news. While the resulting financial benefit to forest landowners is still in question, this may still be a topic to watch. The amount of carbon

credits on your property can be computed based on a forest inventory cruise of your property. Age, stocking levels, species and site index of the soils are factors that can affect this inventory. Many consulting foresters can complete the base-line inventory for an associated fee. Should you decide to participate in a carbon sequestration market, you should take into consideration the commitment period, contracts, associated fees, market access, inventory methods, aggregators, certification programs, afforestation and silvicultural treatments. More information on this topic can be found at:

[http://www.ces.ncsu.edu/forestry/programs/woody\\_biomass/pubs\\_and\\_research.php](http://www.ces.ncsu.edu/forestry/programs/woody_biomass/pubs_and_research.php)

### **Range/Silvopasture/Agroforestry**

Silvopasture dates back to when humans first started burning and thinning forests to promote forage for the animals they relied on for food. The practice is increasingly popular in the South as a way to supplement timber income on small pine plantations and some hardwood stands. Trees can provide longer-term returns from sawlogs for lumber, while livestock in a rotational grazing system provides steady annual income. There can be, however, problems with combining the two management schemes if it is not done correctly. Before any new silvopasture system is established, landowners should thoroughly explore the associated economic and environmental considerations along with local land use, zoning, cost-share program, and tax regulations. Forest and agricultural land may have separate zoning and land-use regulations accompanied by different tax assessments. Environmental requirements (ex. planting trees, stream-side protection, and wildlife habitat maintenance) also may vary with land use.

More information on silvopasture may be found at these websites:

- <http://www.srs.fs.usda.gov/compass/issue15/03pastures.html>
- <http://www.srs.fs.usda.gov/compass/issue15/03top.html>
- [http://www.silvopasture.org/pdf\\_content/silvopasture\\_handbook.pdf](http://www.silvopasture.org/pdf_content/silvopasture_handbook.pdf)
- <http://www.srs.fs.usda.gov/compass/issue15/03what.html>

EXHIBIT CEVIDENTIARY DISCLOSURES

The following is a list of documentary exhibits, lay witnesses and expert witnesses that the applicant intends to present at the evidentiary hearing on this SUP Application. The applicant reserves the right to introduce different or additional documentary exhibits and to call different or additional witnesses.

A. Documentary Exhibits.Document Exhibit No. 1

Application for SUP Permit, including Emerson Waldorf School Campus Master Plan Special Use Permit Modification Narrative and Exhibits thereto, Biological Inventory, Forest Stewardship Plan, Well Permit and Wastewater Permit. (Demonstrating compliance with UDO, including Section 5.3.2(A) (2) (a) and (B) (1)).

Document Exhibit No. 2

Value impact analysis report to be provided at the hearing. (Demonstrating compliance with UDO Section 5.3.2(A) (2) (B)).

Document Exhibit No. 3

Site survey

Document Exhibit No. 4

TIA Verification Letter  
(Demonstrating compliance with UDO, including Section 5.3.2(A) (2) (a) and (B) (1)).

B. Lay Witness Disclosure.Lay Witness No. 1

Ian Ostrowski  
Facilities Director  
Emerson Waldorf School  
6211 New Jericho Road  
Chapel Hill, NC 27516

Lay Witness No. 2

Michelle Fridman  
Director of Administration  
Emerson Waldorf School

6211 New Jericho Road  
Chapel Hill, NC 27516

Lay Witness No. 3

Luis Lopez Naranjo  
Chair, Board of Trustees  
Emerson Waldorf School  
6211 New Jericho Road  
Chapel Hill, NC 27516

C. Expert Witness Disclosure.

Expert Witness No. 1

Laura Holloman, AICP  
John R McAdams Company, Inc.  
621 Hillsborough Street, Suite 500  
Raleigh, NC 27603

Expert Witness No. 2

Spencer Christiansen, PE  
John R McAdams Company, Inc.  
621 Hillsborough Street, Suite 500  
Raleigh, NC 27603

Expert Witness No. 3:

Richard C. Kirkland, Jr., MAI  
State Certified General Appraiser  
Kirkland Appraisals  
9408 Northfield Court  
Raleigh, NC 27603

EXHIBIT DPROPOSED FINDINGS OF FACT.

1. The Subject Property is located at 6211 New Jericho Road at the intersection with Millhouse Road, Orange County Parcel I.D. Nos. 9871-65-8140 (2.77 acres), 9871-64-6437 (24.76 acres), 9871-74-3098 (5.62 acres), 9871-72-1935 (22.12 acres).
2. The property is owned by Waldorf Educational Association of NC, Inc.
3. The Modification of Special Use Permit Application (the "Application") was submitted by the owner, Waldorf Educational Association of NC, Inc.
4. The Application was submitted on the proper form and all required application fees were paid.
5. The Applicant proposes to use the Subject Project as it is currently being used, as a pre-K through grade 12 private school. The Applicant is requesting a modification to the previously approved 2015 Special Use Permit for an updated campus master plan that will provide a road map by which the school can plan for the location of new buildings and support facilities phased over a period of ten years.
6. At its duly noted meeting [insert date], the Orange County Board of Adjustment ("BOA") opened an evidentiary hearing on the Application and heard and considered the evidence submitted by the Applicant.
7. The Application, Staff Report and all accompanying materials were entered into the Record.
8. An appropriate oath was administered to each witness providing testimony to the BOA.
9. The Board accepted Richard C. Kirkland, MAI, as an expert witness in the field of appraisal of real property valuation, and his appraisal upon the following determination:
  - a. Mr. Kirkland is an MAI and state certified general appraiser.
  - b. Mr. Kirkland has considerable professional experience and education in the field of real estate valuation.
  - c. Mr. Kirkland has been admitted as an expert witness to testify as to the impact of valuation on contiguous and adjacent and nearby property in numerous jurisdictions.

- d. Mr. Kirkland's specialized technical knowledge will assist the BOA in understanding the evidence and the impact, if any, that the proposed special use as modified would have on the value of contiguous properties.
10. The Board accepted Laura Holloman, AICP, as an expert in Land Planning and Entitlements to present the Application upon the following determination:
  - a. Ms. Holloman has considerable professional experience and education in the fields of Land Planning and Entitlements and has been admitted as an expert witness in numerous jurisdictions.
  - b. Ms. Holloman's specialized knowledge will assist the BOA in understanding the evidence and the Application's compliance with UDO provisions.
11. The Applicant presented competent material and substantial evidence intended to establish that the standards applicable to the Application as described in the UDO are or will be met as follows:
  - a. TIA Verification Letter
  - b. Environmental Assessment
  - c. Preliminary Stormwater Memo
  - d. Biological Inventory
  - e. Forest Stewardship Plan
  - f. Well Permit
  - g. Wastewater Permit
12. The Applicant presented competent, material and substantial evidence intending to establish that the general standards for modification of a special use permit as described in the UDO, including at Section 5.3.2(A) are or will be met as follows:
  - a. The project as proposed will maintain or promote the public health, safety and general welfare if located where proposed and developed and operated in accordance with the plans submitted.

- b. The modification of special use as proposed will maintain or enhance the value of contiguous property.
  - c. The location and character of the proposed special use, if developed according to the plans submitted, will be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in the UDO in the County's Comprehensive Plan.
13. No competent material or substantial evidence was submitted to the contrary.

13788\01\M\003Exhibit D - Proposed Findings of Fact

# EXHIBIT E

# WELL PERMIT



State of North Carolina  
 Department of Environmental Quality  
 Division of Water Resources  
 Public Water Supply Section  
 1634 Mail Service Center, Raleigh, NC  
 Telephone (919) 707-9100

EMERSON WALDORF SCHOOL\_368468  
 6211 NEW JERICO RD  
 CHAPEL HILL, NC 27516

SYSTEM NAME: EMERSON WALDORF SCH-GRADE SCH

RESPONSIBLE PERSON: OSTROWSKI, IAN  
 6211 NEW JERICO RD  
 EMERSON WALDORF SCHOOL  
 CHAPEL HILL, NC 27516

PWS ID: NC0368470 Orange County  
 OWNER ID: 49481

## 2025 PERMIT TO OPERATE A PUBLIC WATER SYSTEM

POPULATION SERVED: 335

The above named Community or Non-Transient Non-Community Public Water Supply System is granted a permit to operate this facility for the calendar year 2025. The permit expires at midnight on December 31, 2025.

The permit signifies that the annual fee has been paid in full and that a completed annual operating permit application has been submitted.

All permitted community and non-transient non-community water systems shall comply with *15A NCAC 18C, North Carolina's Rules Governing Public Water Systems*. Rule .2102(f) requires that the supplier of water who holds a current operating permit shall inform the Department of any changes of address or transfer of ownership within 30 days of the changes.

Payment of the 2026 operating permit fee is due by November 2, 2025. Administrative Penalties will be assessed for payments not received by December 31, 2025. Renewal notices will be sent in September 2025.

Sincerely,

Rebecca Sadosky, Ph.D., Chief  
 Public Water Supply Section  
 Division of Water Resources, NCDEQ

cc: TRESHA PRICE, Regional Engineer

**EXHIBIT F**

**WASTEWATER**

**PERMIT**



NORTH CAROLINA  
Environmental Quality

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

S. DANIEL SMITH

Director

April 20, 2020

IAN OSTROWSKI – FACILITIES MANAGER  
THE WALDORF EDUCATIONAL ASSOCIATION OF NORTH CAROLINA, INC.  
6211 NEW JERICO ROAD  
CHAPEL HILL, NORTH CAROLINA 27516-8171

Subject: Permit No. WQ0004508  
Emerson Waldorf School WWTF  
Wastewater Irrigation System  
Orange County

Dear Mr. Ostrowski:

In accordance with your permit renewal request received February 27, 2020, we are forwarding herewith Permit No. WQ0004508 dated April 20, 2020, to The Waldorf Educational Association of North Carolina, Inc. for the continued operation of the subject wastewater treatment and irrigation facilities. Please note that this renewed permit shall become effective on July 1, 2020 (i.e., the day after the expiration date of the existing permit).

This permit shall be effective from July 1, 2020 through August 31, 2026, shall void Permit No. WQ0004508 issued January 28, 2015, and shall be subject to the conditions and limitations therein. **The Permittee shall submit a renewal application no later than March 4, 2026.**

Please pay attention to the monitoring requirements listed Attachments A and B for they may differ from the previous permit issuance. Failure to establish an adequate system for collecting and maintaining the required operational information shall result in future compliance problems.

**The Division has removed the following permit conditions since the last permit issuance dated January 28, 2015:**

- Old Condition II.10. – The condition was removed and the setbacks are covered under new Condition II. 11.
- Old condition VI.2. – This permit is not voidable.

**The following permit conditions are new since the last permit issuance dated January 28, 2015:**

- Condition II.3. – This condition requires wastewater collection system facilities be properly maintained and operated at all times.
- Conditions II.11. – The setbacks were updated based on the time the facilities were originally permitted or modified.
- Condition III.16. – This condition requires the metering equipment shall be tested and calibrated annually.



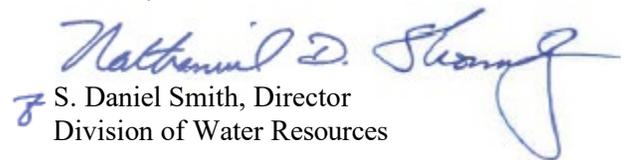
North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000

- Conditions VI.8. and VI.9. – Updated general conditions language.
- Condition VI.10. – Prevents the permit from being renewed if the Permittee has any unpaid overdue annual fees.

If any parts, requirements, or limitations contained in this permit are unacceptable, the Permittee has the right to request an adjudicatory hearing upon written request within 30 days following receipt of this permit. This request shall be in the form of a written petition, conforming to Chapter 150B of the North Carolina General Statutes, and filed with the Office of Administrative Hearings at 6714 Mail Service Center, Raleigh, NC 27699-6714. Otherwise, this permit shall be final and binding.

If you need additional information concerning this permit, please contact Vivien Zhong at (919) 707-3627 or [vivien.zhong@ncdenr.gov](mailto:vivien.zhong@ncdenr.gov).

Sincerely,

  
S. Daniel Smith, Director  
Division of Water Resources

cc: Orange County Health Department (Electronic Copy)  
Raleigh Regional Office, Water Quality Regional Operations Section (Electronic Copy)  
Laserfiche File (Electronic Copy)  
Digital Permit Archive (Electronic Copy)

**NORTH CAROLINA**  
**ENVIRONMENTAL MANAGEMENT COMMISSION**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**RALEIGH**  
**WASTEWATER IRRIGATION SYSTEM PERMIT**

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In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations

PERMISSION IS HEREBY GRANTED TO

**The Waldorf Educational Association of North  
 Carolina, Inc.**  
 Orange County

FOR THE

continued operation of a 3,750 gallon per day (GPD) wastewater collection, treatment, and irrigation facility consisting of:

a 2,000 gallon baffled septic tank serving the high school; a 1,200 gallon baffled septic tank serving the daycare and kindergarten buildings; a 1,200 gallon baffled septic tank serving the main office; a 1,500 gallon baffled septic tank serving the modular classroom building; a 4,000 gallon baffled septic tank serving the lower school building; approximately 1,250 linear feet (LF) of 4-inch gravity sewer lines; approximately 1,200 LF of 4-inch gravity sewer lines connecting the daycare building to the kindergarten building septic tank; a 1,000 gallon pump tank with a 100 gallon per minute (GPM) submersible pump and high-water alarms; a 1,100 square foot (ft<sup>2</sup>) sand filter; a 675 gallon chlorine contact tank with a tablet chlorinator; a 32,000 gallon storage lagoon with a 115 GPM spray irrigation pump; a 1.79 acre spray irrigation area; and all associated piping, valves, controls, and appurtenances

to serve the Emerson Waldorf School WWTF, with no discharge of wastes to surface waters, pursuant to the application received February 27, 2020, and in conformity with the Division-approved plans and specifications considered a part of this permit.

This permit shall be effective from July 1, 2020 through August 31, 2026, shall void Permit No. WQ0004508 issued January 28, 2015, and shall be subject to the following conditions and limitations:

**I. SCHEDULES**

1. The Permittee shall request renewal of this permit on Division-approved forms no later than March 4, 2026. [15A NCAC 02T .0105(b), 02T .0109]

## II. PERFORMANCE STANDARDS

1. The Permittee shall maintain and operate the subject non-discharge facilities so there is no discharge to surface waters, nor any contravention of groundwater or surface water standards. In the event the facilities fail to perform satisfactorily, including the creation of nuisance conditions due to improper operation and maintenance, or failure of the irrigation areas to assimilate the effluent, the Permittee shall take immediate corrective actions, including Division required actions, such as the construction of additional or replacement wastewater treatment or disposal facilities. [15A NCAC 02T .0108(b)(1)(A)]
2. This permit shall not relieve the Permittee of their responsibility for damages to groundwater or surface water resulting from the operation of this facility. [15A NCAC 02T .0108(b)(1)(A)]
3. The wastewater collection facilities shall be properly maintained and operated at all times. The following performance criteria shall be met:
  - a. The collection system shall be effectively maintained and operated at all times to prevent discharge to land or surface waters, and to prevent contravention of groundwater or surface water standards.
  - b. A map of the collection system shall be developed and maintained.
  - c. An operation and maintenance plan shall be developed, implemented, and maintained.
  - d. Pump stations not connected to a telemetry system shall be inspected every day (i.e., 365 days per year) unless otherwise approved. Pump stations connected to a telemetry system shall be inspected at least once per week.
  - e. High-priority sewers shall be inspected at least once every six months.
  - f. A general observation of the entire collection system shall be conducted at least once per year.
  - g. Overflows and bypasses shall be reported to the Raleigh Regional Office in accordance with 15A NCAC 02B .0506(a), and public notice shall be provided as required per G.S.143-215.1C.
  - h. A grease control program shall be developed, implemented, and maintained.
  - i. Right-of-ways and easements shall be maintained.
  - j. Inspection and maintenance records shall be maintained for a period of at least three years, except for the map, which shall be maintained for the life of the system.  
[15A NCAC 02T .0403(a)]
4. Effluent quality shall not exceed the limitations specified in Attachment A. [15A NCAC 02T .0108(b)(1)(A)]
5. Application rates, whether hydraulic, nutrient, or other pollutant, shall not exceed those specified in Attachment B. [15A NCAC 02T .0108(b)(1)(A)]
6. Wastewater irrigation fields permitted on or after December 30, 1983 have a compliance boundary that is either 250 feet from the wastewater irrigation area, or 50 feet within the property boundary, whichever is closest to the wastewater irrigation area. Any exceedance of groundwater standards at or beyond the compliance boundary shall require corrective action. Division-approved relocation of the compliance boundary shall be noted in Attachment B. Multiple contiguous properties under common ownership and permitted for use as a disposal system shall be treated as a single property with regard to determination of a compliance boundary. [15A NCAC 02L .0106(d)(2), 02L .0107(b), 02T .0105(h), G.S. 143-215.1(i), G.S. 143-215.1(k)]
7. The review boundary is midway between the compliance boundary and the wastewater irrigation area. Any exceedance of groundwater standards at or beyond the review boundary shall require preventative action. [15A NCAC 02L .0106(d)(1), 02L .0108]

8. The Permittee shall apply for a permit modification to establish a new compliance boundary prior to any sale or transfer of property affecting a compliance boundary (i.e., parcel subdivision). [15A NCAC 02L .0107(c)]
9. No wells, excluding Division-approved monitoring wells, shall be constructed within the compliance boundary except as provided for in 15A NCAC 02L .0107(g). [15A NCAC 02L .0107]
10. Except as provided for in 15A NCAC 02L .0107(g), the Permittee shall ensure any landowner who is not the Permittee and owns land within the compliance boundary shall execute and file with the Orange County Register of Deeds an easement running with the land containing the following items:
  - a. A notice of the permit and number or other description as allowed in 15A NCAC 02L .0107(f)(1);
  - b. Prohibits construction and operation of water supply wells within the compliance boundary; and
  - c. Reserves the right of the Permittee or the State to enter the property within the compliance boundary for purposes related to the permit.

The Director may terminate the easement when its purpose has been fulfilled or is no longer needed.

[15A NCAC 02L .0107(f)]

11. The facilities herein were permitted per the following setbacks:
  - a. The irrigation sites and facilities permitted June 25, 1986 have no setbacks. The original permit (Permit No. 13329) pre-dates administrative code 15A NCAC 02H .0219(j), which was effective October 1, 1987. Since no modifications or expansions have been made to the originally permitted facility, the facility is still covered under the 15A NCAC 02H .0200 rules effective February 1, 1976, which contain no setback requirements. [15A NCAC 02H .0200]
  - b. The 1,200 gallon septic tank serving the daycare and kindergarten buildings was originally permitted April 19, 1991. The setbacks for storage and treatment units originally permitted or modified from October 1, 1987 to January 31, 1993 are as follows (all distances in feet):
 

a. Each private or public water supply source:	100
b. Each well with exception of monitoring wells:	100
c. Each property line:	50 <sup>1</sup>
d. Nitrification field:	20

<sup>1</sup> Setbacks to property lines are not applicable when the Permittee, or the entity from which the Permittee is leasing, owns both parcels separated by the property line.

[15A NCAC 02H .0219(j)(5)]

- c. The 1,500 gallon septic tank serving the modular classroom building and the 1,200 gallon septic tank serving the shop building were originally permitted January 16, 2002. The 2,000 gallon septic tank serving the high school was originally permitted April 25, 2003. The 4,000 gallon septic tank serving the main classroom building was modified July 14, 2006. The setbacks for storage and treatment units originally permitted or modified from February 1, 1993 to August 31, 2006 are as follows (all distances in feet):
 

i. Each private or public water supply source:	100
ii. Surface waters:	50
iii. Each well with exception of monitoring wells:	100
iv. Each property line:	50 <sup>1</sup>
v. Nitrification field:	20

<sup>1</sup> Setbacks to property lines are not applicable when the Permittee, or the entity from which the Permittee is leasing, owns both parcels separated by the property line.

[15A NCAC 02H .0219(j)(5)]

**III. OPERATION AND MAINTENANCE REQUIREMENTS**

1. The Permittee shall operate and maintain the subject facilities as a non-discharge system. [15A NCAC 02T .0500]
2. The Permittee shall maintain an Operation and Maintenance Plan, which shall include operational functions, maintenance schedules, safety measures, and a spill response plan. [15A NCAC 02T .0507(a)]
3. Upon the Water Pollution Control System Operators Certification Commission's (WPCSOCC) classification of the subject non-discharge facilities, the Permittee shall designate and employ a certified operator in responsible charge (ORC), and one or more certified operators as back-up ORCs. The ORC or their back-up shall operate and visit the facilities as required by the WPCSOCC. [15A NCAC 02T .0117]
4. The Permittee shall maintain vegetative cover on the irrigation sites, such that crop health is optimal, allows even effluent distribution, and allows inspection of the irrigation system. [15A NCAC 02T .0507(b)]
5. The Permittee shall take measures to prevent effluent ponding in or runoff from the irrigation sites listed in Attachment B. [15A NCAC 02T .0507(c)]
6. The Permittee shall not irrigate treated effluent during inclement weather, or when the soil is in a condition that will cause ponding or runoff. [15A NCAC 02T .0505(x)]
7. Irrigation equipment shall be tested and calibrated once per permit cycle. [15A NCAC 02T .0507(d)]
8. Only treated effluent from Emerson Waldorf School WWTF shall be irrigated on the sites listed in Attachment B. [15A NCAC 02T .0501]
9. The Permittee shall not allow vehicles or heavy machinery on the irrigation area, except during equipment installation or maintenance activities. [15A NCAC 02T .0507(e)]
10. The Permittee shall prohibit public access to the wastewater treatment, storage, and irrigation facilities. [15A NCAC 02T .0505(q)]
11. The Permittee shall dispose or utilize generated residuals in a Division-approved manner. [15A NCAC 02T .0508, 02T .1100].
12. The Permittee shall not divert or bypass untreated or partially treated wastewater from the subject facilities. [15A NCAC 02T .0505(j)]
13. Freeboard in the 32,000 gallon storage lagoon shall not be less than two feet any time. [15A NCAC 02T .0505(d)]
14. A gauge to monitor waste levels in the 32,000 gallon storage lagoon shall be provided. This gauge shall have readily visible permanent markings, at inch or tenth of a foot increments, indicating the following elevations: maximum liquid level at the top of the temporary liquid storage volume; minimum liquid level at the bottom of the temporary liquid storage volume; and the lowest point on top of the dam. [15A NCAC 02T .0507(f)]
15. A protective vegetative cover shall be established and maintained on all berms, pipe runs, erosion control areas, surface water diversions, and earthen embankments (i.e., outside toe of embankment to maximum allowable temporary storage elevation on the inside of the embankment). Trees, shrubs, and other woody vegetation shall not be allowed to grow on the earthen dikes or embankments. Earthen embankments shall be kept mowed or otherwise controlled and accessible. [15A NCAC 02T .0507(g)]

16. Metering equipment shall be tested and calibrated annually. [15A NCAC 02T .0507(d)]

#### **IV. MONITORING AND REPORTING REQUIREMENTS**

1. The Permittee shall conduct and report any Division required monitoring necessary to evaluate this facility's impact on groundwater and surface water. [15A NCAC 02T .0108(c)]
2. A Division-certified laboratory shall conduct all analyses for the required effluent, groundwater, and surface water parameters. [15A NCAC 02H .0800]
3. Flow through the treatment facility shall be continuously monitored, and daily flow values shall be reported on Form NDMR. Facilities with a permitted flow less than 10,000 GPD may estimate their flow from water usage records provided the water source is metered. [15A NCAC 02T .0105(k), 02T .0108(c)]
4. The Permittee shall monitor the treated effluent at the frequencies and locations for the parameters specified in Attachment A. [15A NCAC 02T .0108(c)]
5. The Permittee shall maintain records tracking the amount of effluent irrigated. These records shall include the following information for each irrigation site listed in Attachment B:
  - a. Date of irrigation;
  - b. Volume of effluent irrigated;
  - c. Site irrigated;
  - d. Length of time site is irrigated;
  - e. Continuous weekly, monthly, and year-to-date hydraulic (inches/acre) loadings;
  - f. Continuous monthly and year-to-date loadings for any non-hydraulic parameter specifically limited in Attachment B;
  - g. Weather conditions; and
  - h. Maintenance of cover crops.

[15A NCAC 02T .0108(c)]

6. Freeboard (i.e., waste level to the lowest embankment elevation) in the 32,000 gallon storage lagoon shall be measured to the nearest inch or tenth of a foot, and recorded weekly. Weekly freeboard records shall be maintained for five years, and shall be made available to the Division upon request. [15A NCAC 02T .0108(c)]
7. Three copies of all monitoring data (as specified in Conditions IV.3. and IV.4.) on Form NDMR for each PPI and three copies of all operation and disposal records (as specified in Conditions IV.5. and IV.6.) on Form NDAR-1 for every site in Attachment B shall be submitted on or before the last day of the following month. If no activities occurred during the monitoring month, monitoring reports are still required documenting the absence of the activity. All information shall be submitted to the following address:

Division of Water Resources  
Information Processing Unit  
1617 Mail Service Center  
Raleigh, North Carolina 27699-1617

[15A NCAC 02T .0105(l)]

8. The Permittee shall maintain a record of all residuals removed from this facility. This record shall be maintained for five years, and shall be made available to the Division upon request. This record shall include:
  - a. Name of the residuals hauler;
  - b. Non-Discharge permit number authorizing the residuals disposal, or a letter from a municipality agreeing to accept the residuals;
  - c. Date the residuals were hauled; and
  - d. Volume of residuals removed.

[15A NCAC 02T .0508(b)]

9. A maintenance log shall be kept at this facility. This log shall be maintained for five years, and shall be made available to the Division upon request. This log shall include:
  - a. Date of flow measurement device calibration;
  - b. Date of irrigation equipment calibration;
  - c. Visual observations of the plant and plant site; and
  - d. Record of preventative maintenance (e.g., changing of equipment, adjustments, testing, inspections and cleanings, etc.).

[15A NCAC 02T .0507(h)]

10. An annual representative soils analysis (i.e., Standard Soil Fertility Analysis) shall be conducted on each irrigation site listed in Attachment B. These results shall be maintained at the facility for five years, and shall be made available to the Division upon request. Each Standard Soil Fertility Analysis shall include the following parameters:

Acidity	Exchangeable Sodium Percentage	Phosphorus
Base Saturation (by calculation)	Magnesium	Potassium
Calcium	Manganese	Sodium
Cation Exchange Capacity	Percent Humic Matter	Zinc
Copper	pH	

[15A NCAC 02T .0108(c)]

**11. Noncompliance Notification:**

The Permittee shall report to the Raleigh Regional Office, telephone number (919) 791-4200, within 24 hours of first knowledge of the following:

- a. Treatment of wastes abnormal in quantity or characteristic, including the known passage of a hazardous substance.
- b. Any process unit failure (e.g., mechanical, electrical, etc.) rendering the facility incapable of adequate wastewater treatment.
- c. Any facility failure resulting in a discharge to surface waters.
- d. Any time self-monitoring indicates the facility has gone out of compliance with its permit limitations.
- e. Ponding in or runoff from the irrigation sites.

Emergencies requiring reporting outside normal business hours shall call the Division’s Emergency Response personnel at telephone number (800) 662-7956, (800) 858-0368, or (919) 733-3300. All noncompliance notifications shall file a written report to the Raleigh Regional Office within five days of first knowledge of the occurrence, and this report shall outline the actions proposed or taken to ensure the problem does not recur. [15A NCAC 02T .0108(b)(1)(A)]

**V. INSPECTIONS**

1. The Permittee shall perform inspections and maintenance to ensure proper operation of the wastewater treatment and irrigation facilities. [15A NCAC 02T .0507(i)]
2. The Permittee shall inspect the wastewater treatment and irrigation facilities to prevent malfunctions, facility deterioration, and operator errors that may result in discharges of wastes to the environment, threats to human health, or public nuisances. The Permittee shall maintain an inspection log that includes the date and time of inspection, observations made, and maintenance, repairs, or corrective actions taken. The Permittee shall maintain this inspection log for a period of five years from the date of the inspection, and this log shall be made available to the Division upon request. [15A NCAC 02T .0507(h), 02T .0507(i)]
3. Division authorized representatives may, upon presentation of credentials, enter and inspect any property, premises, or place related to the wastewater treatment and irrigation facilities permitted herein at any reasonable time for determining compliance with this permit. Division authorized representatives may inspect or copy records maintained under the terms and conditions of this permit, and may collect groundwater, surface water, or leachate samples. [G.S. 143-215.3(a)(2)]

**VI. GENERAL CONDITIONS**

1. Failure to comply with the conditions and limitations contained herein may subject the Permittee to a Division enforcement action. [G.S. 143-215.6A, 143-215.6B, 143-215.6C]
2. This permit is effective only with respect to the nature and volume of wastes described in the permit application, and Division-approved plans and specifications. [G.S. 143-215.1(d)]
3. Unless specifically requested and approved in this permit, there are no variances to administrative codes or general statutes governing the construction or operation of the facilities permitted herein. [15A NCAC 02T .0105(n)]
4. The issuance of this permit does not exempt the Permittee from complying with all statutes, rules, regulations, or ordinances that other jurisdictional government agencies (e.g., local, state, and federal) may require. [15A NCAC 02T .0105(c)(6)]
5. If the permitted facilities change ownership, or the Permittee changes their name, the Permittee shall submit a permit modification request on Division-approved forms. The Permittee shall comply with all terms and conditions of this permit until the permit is transferred to the successor-owner. [G.S. 143-215.1(d3)]
6. The Permittee shall retain a set of Division-approved plans and specifications for the life of the facilities permitted herein. [15A NCAC 02T .0105(o)]
7. The Permittee shall maintain this permit until the proper closure of all facilities permitted herein, or until the facilities permitted herein are permitted by another authority. [15A NCAC 02T .0105(j)]

8. This permit is subject to revocation or modification upon 60-day notice from the Division Director, in whole or part for:
  - a. violation of any terms or conditions of this permit or Administrative Code Title 15A Subchapter 02T;
  - b. obtaining a permit by misrepresentation or failure to disclose all relevant facts;
  - c. the Permittee's refusal to allow authorized Department employees upon presentation of credentials:
    - i. to enter the Permittee's premises where a system is located or where any records are required to be kept;
    - ii. to have access to any permit required documents and records;
    - iii. to inspect any monitoring equipment or method as required in this permit; or
    - iv. to sample any pollutants;
  - d. the Permittee's failure to pay the annual fee for administering and compliance monitoring; or
  - e. a Division determination that the conditions of this permit are in conflict with North Carolina Administrative Code or General Statutes.

[15A NCAC 02T .0110]

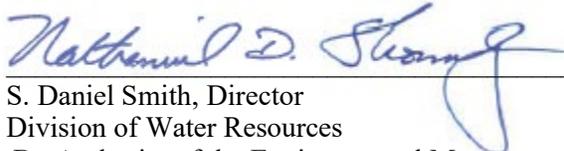
9. Unless the Division Director grants a variance, expansion of the facilities permitted herein shall not occur if any of the following apply:
  - a. The Permittee or any parent, subsidiary, or other affiliate of the Permittee has been convicted of environmental crimes under G.S. 143-215.6B, or under Federal law that would otherwise be prosecuted under G.S. 143-215.6B, and all appeals of this conviction have been abandoned or exhausted.
  - b. The Permittee or any parent, subsidiary, or other affiliate of the Permittee has previously abandoned a wastewater treatment facility without properly closing the facility.
  - c. The Permittee or any parent, subsidiary, or other affiliate of the Permittee has not paid a civil penalty, and all appeals of this penalty have been abandoned or exhausted.
  - d. The Permittee or any parent, subsidiary, or other affiliate of the Permittee is currently not compliant with any compliance schedule in a permit, settlement agreement, or order.
  - e. The Permittee or any parent, subsidiary, or other affiliate of the Permittee has not paid an annual fee.

[15A NCAC 02T .0120(b), 02T .0120(d)]

10. This permit shall not be renewed if the Permittee or any affiliation has not paid the required annual fee.  
[15A NCAC 02T .0120(c)]

Permit issued this the 20<sup>th</sup> day of April 2020

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION



8

S. Daniel Smith, Director  
Division of Water Resources  
By Authority of the Environmental Management Commission

**Permit Number WQ0004508**

PPI 001 – WWTF Effluent

EFFLUENT CHARACTERISTICS		EFFLUENT LIMITS					MONITORING REQUIREMENTS	
PCS Code	Parameter Description	Units of Measure	Monthly Average	Monthly Geometric Mean	Daily Minimum	Daily Maximum	Measurement Frequency	Sample Type
00310	BOD, 5-Day (20 °C)	mg/L					3 x Year <sup>1</sup>	Grab
50060	Chlorine, Total Residual	mg/L					Weekly	Grab
31616	Coliform, Fecal MF, M-FC Broth, 44.5 °C	#/100 mL					3 x Year <sup>1</sup>	Grab
50050	Flow, in Conduit or thru Treatment Plant	GPD	3,750				Monthly	Estimate
00610	Nitrogen, Ammonia Total (as N)	mg/L					3 x Year <sup>1</sup>	Grab
00625	Nitrogen, Kjeldahl, Total (as N)	mg/L					3 x Year <sup>1</sup>	Grab
00620	Nitrogen, Nitrate Total (as N)	mg/L					3 x Year <sup>1</sup>	Grab
00600	Nitrogen, Total (as N)	mg/L					3 x Year <sup>1</sup>	Grab
00400	pH	su					Weekly	Grab
00665	Phosphorus, Total (as P)	mg/L					3 x Year <sup>1</sup>	Grab
00530	Solids, Total Suspended	mg/L					3 x Year <sup>1</sup>	Grab

1. 3 x Year sampling shall be conducted in January, May, and September.

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The Waldorf Educational Association of North Carolina, Inc. – Emerson Waldorf School WWTF

IRRIGATION AREA INFORMATION							APPLICATION LIMITATIONS			
Field	Owner	County	Latitude	Longitude	Net Acreage	Dominant Soil Series	Parameter	Hourly Rate	Yearly Max	Units
1	The Waldorf Educational Association of North Carolina, Inc.	Orange	35.986716°	-79.076263°	1.79		01284 – Non-Discharge Application Rate	0.25	26	inches
<b>Totals</b>					<b>1.79</b>					

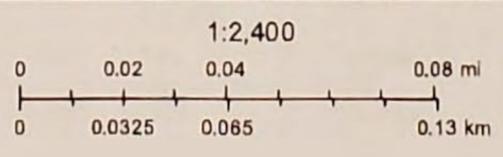
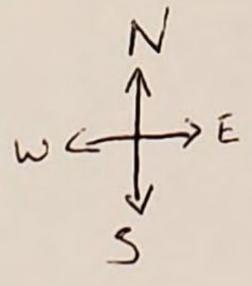
# Orange County



February 25, 2020

Image from Orange County GIS

WWTf WQ 0004508  
PIN# 9871743098



- Field 1 - Cover crop; Hardwood forest
- Building 1 - 1<sup>st</sup>-4<sup>th</sup> grade classrooms
- Building 2 - 5<sup>th</sup>-8<sup>th</sup> grade classrooms

# Orange County



February 25, 2020

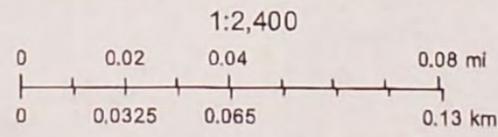


EXHIBIT G

PROPOSED ORDER OF THE ORANGE COUNTY BOARD OF ADJUSTMENT PERTAINING TO  
A REQUEST SUBMITTED BY WALDORF EDUCATIONAL ASSOCIATION OF NC, INC. FOR  
MODIFICATION OF A SPECIAL USE PERMIT ON PROPERTY LOCATED AT 6211 NEW  
JERICHO ROAD, CHAPEL HILL, NC 27516

1. Subject Property:

6211 New Jericho Road  
Chapel Hill, NC 27516

(Orange County, Parcel I.D. Nos. 9871-65-8140 (2.77 acres), 9871-64-6437 (24.76 acres), 9871-74-3098 (5.62 acres), 9871-72-1935 (22.12 acres) (the "Subject Property").

2. The Subject Property is owned by Waldorf Educational Association of NC, Inc.
3. The Special Use Permit Application submitted in this case was submitted by Waldorf Educational Association of NC, Inc.
4. The Application was submitted on the proper form and all the required application fees were paid.
5. The Applicant proposes to use the Subject Property as it is currently being used, as a pre-K through grade 12 private school. The Applicant is requesting a modification to the previously approved 2015 Special Use Permit for an updated campus master plan that will provide a road map by which the school can plan for the location of new buildings and support facilities phased over a period of ten years.
6. At its duly noticed meeting on [inset date], the Orange County Board of Adjustment ("BOA") opened an evidentiary hearing on the Application and heard and considered the evidence submitted by the Applicant.
7. The Application, Staff Report and all accompanying materials were entered into the Record.
8. An appropriate oath was administered to each witness providing testimony to the BOA.
9. The BOA accepted Laura Holloman as an expert witness as to the plans submitted.
10. The BOA accepted Richard Kirkland, Jr. as an expert witness in the field of property valuation and appraisal.

11. The Applicant presented competent, material and substantial evidence intending to establish that the General Standards described in the UDO at Section 5.3.2(A) and the specific standards at Section 5.3.2(B) are met or will be met.
  
12. The Applicant presented competent, material and substantial evidence intending to establish that each of the following General Standards described in the UDO Section 5.3.2(A) are or will be met as follows:
  - a. The proposed special use as it exists and as is modified maintains and promotes the public health, safety and general welfare if located where proposed and developed and operated according to the plan as submitted.
  - b. The special use as proposed will maintain or enhance the value of contiguous property.
  - c. The special use as proposed and the location and character of the use, if developed in accordance with the plan submitted, will be in harmony with the area in which it is to be located, and the use is in compliance with the plan for the physical development of the County as embodied in the UDO and the Comprehensive Plan.
  
13. No competent, material or substantial evidence to the contrary was presented on the Record.

CONCLUSIONS OF LAW

Based on the competent, material and substantial evidence presented in the record, the proposed modification of special use proposed satisfies all standards set forth in the UDO applicable to this Application. Accordingly, based on the foregoing, the Orange County Board of Adjustment hereby approves the Application and authorizes the modification of the Special Use Permit as articulated in the Application.

This the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Leon Meyers, Chair

#### Emerson Waldorf School SUP Conditions

1. Unpaved, gravel parking areas shall be permitted on-site in accordance with the existing school development. Parking areas shall comply with UDO landscaping requirements.
2. Parking spaces shall be a minimum of 9'x18'.
3. Up to 5 principal buildings shall be permitted on site.
4. The maximum allowable building height shall be 35'.
5. The project will request a vesting period extension to the maximum of 5 years per UDO Section 2.5.5.



## Kirkland Appraisals, LLC

Richard C. Kirkland, Jr., MAI, ARA  
9408 Northfield Court  
Raleigh, North Carolina 27603  
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[rkirkland2@gmail.com](mailto:rkirkland2@gmail.com)  
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December 1, 2025

LeAnn Nease Brown  
Brown & Bunch, PLLC  
101 North Columbia Street  
Chapel Hill, NC 27514

Ms. Brown:

I have considered the likely impact of the proposed modifications to the Emerson Waldorf school located at 6211 New Jericho Road, Chapel Hill, Orange County, North Carolina.

The site plan shows 55.27 acres on this site in four tracts.

The scope of this assignment is to address the likely impact this may have on adjoining properties. To this end I have reviewed the site plan and considered the impacts on adjoining properties.

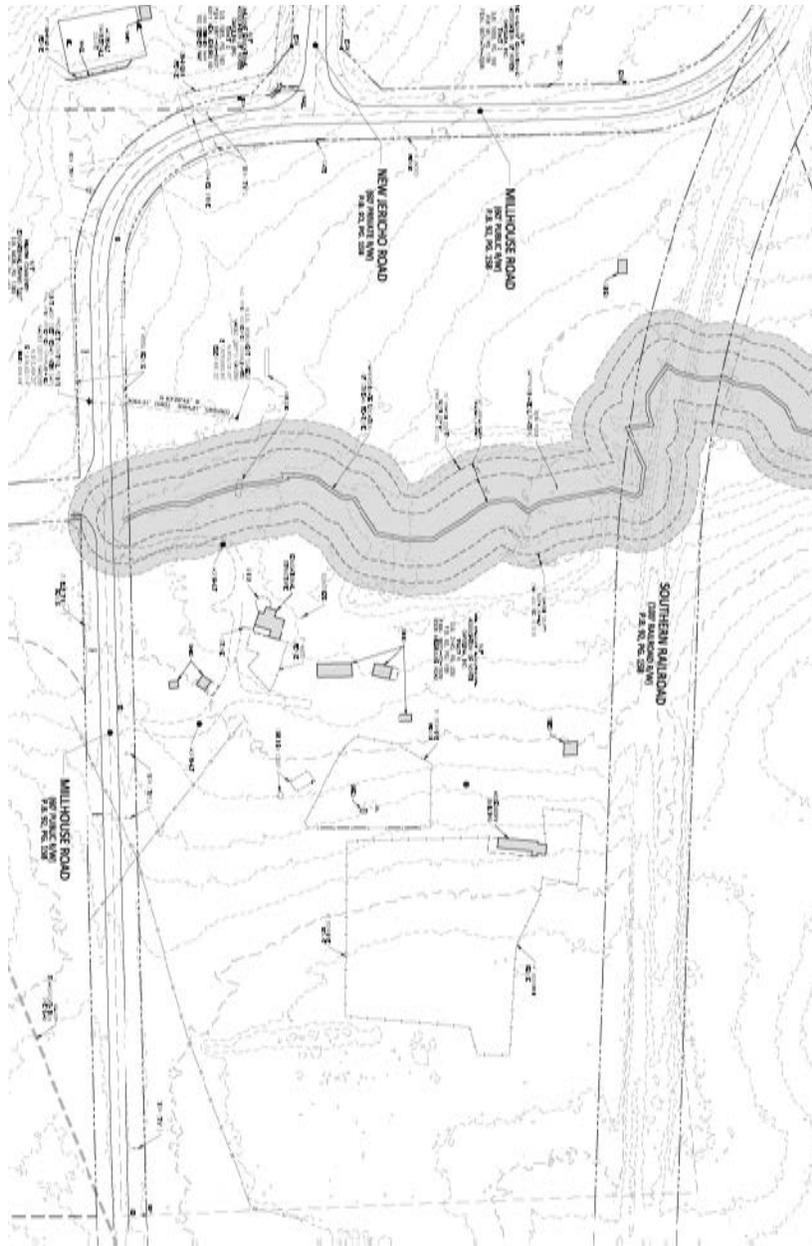
This letter is a limited report of a real property appraisal consulting assignment and subject to the limiting conditions attached to this letter. My client is Brown & Bunch, PLLC, represented to me by Ms. LeAnn Nease Brown. The intended use is to assist in the Special Use Permit application. The effective date of this consultation is December 1, 2025.

### **Existing Use Description**

The property is currently improved and operated as a school on the main campus parcel with 17 buildings with 26,929 s.f. approved to serve 294 students and 48 staff. I also identified a residential single family home and various agricultural buildings located on the southern parcel at 6506 Millhouse Road. These structures are identified on the site plan as educational buildings.

The property is currently operating under a Special Use Permit that allows the total square footage for the school to be up to 56,562 s.f.

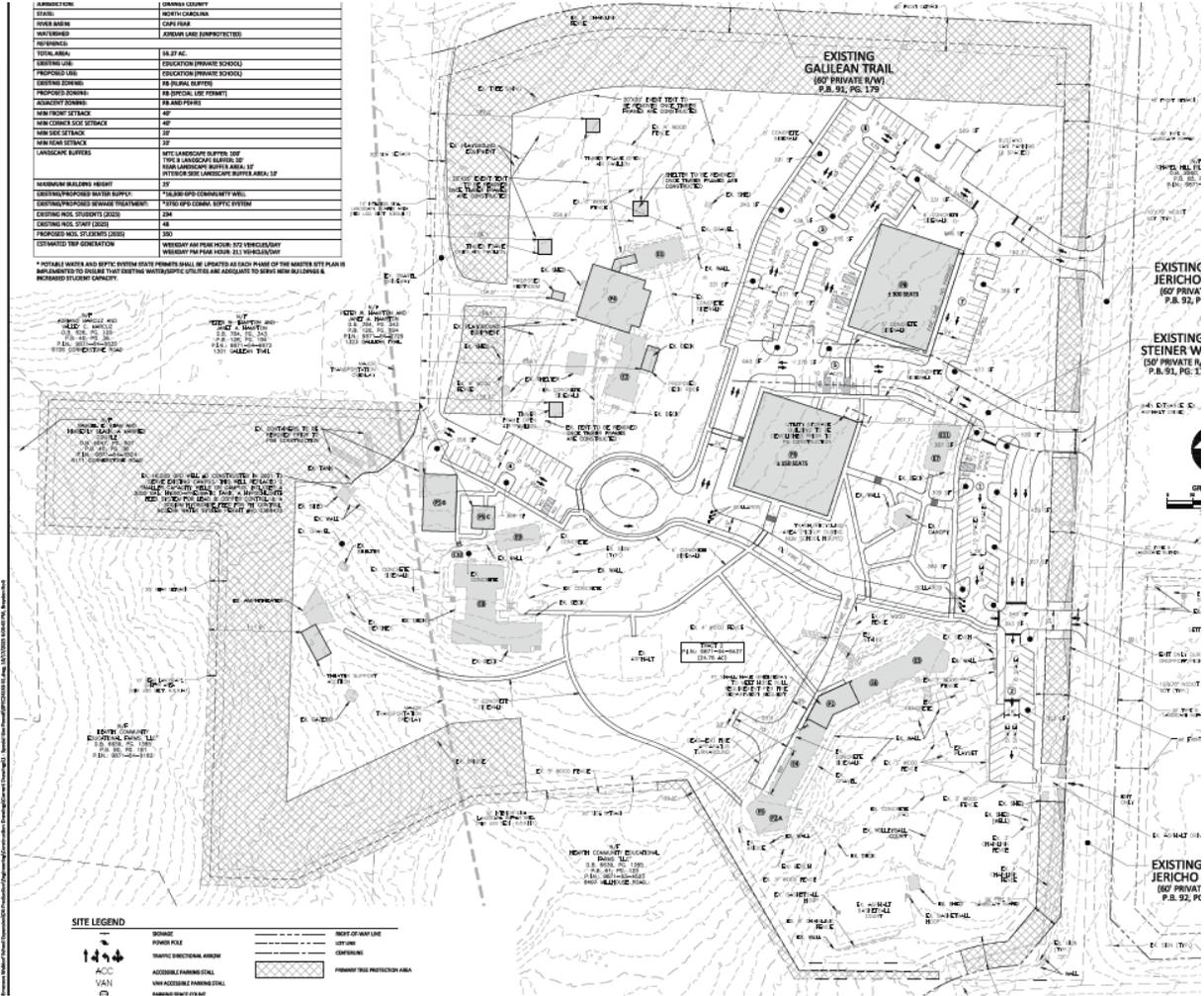


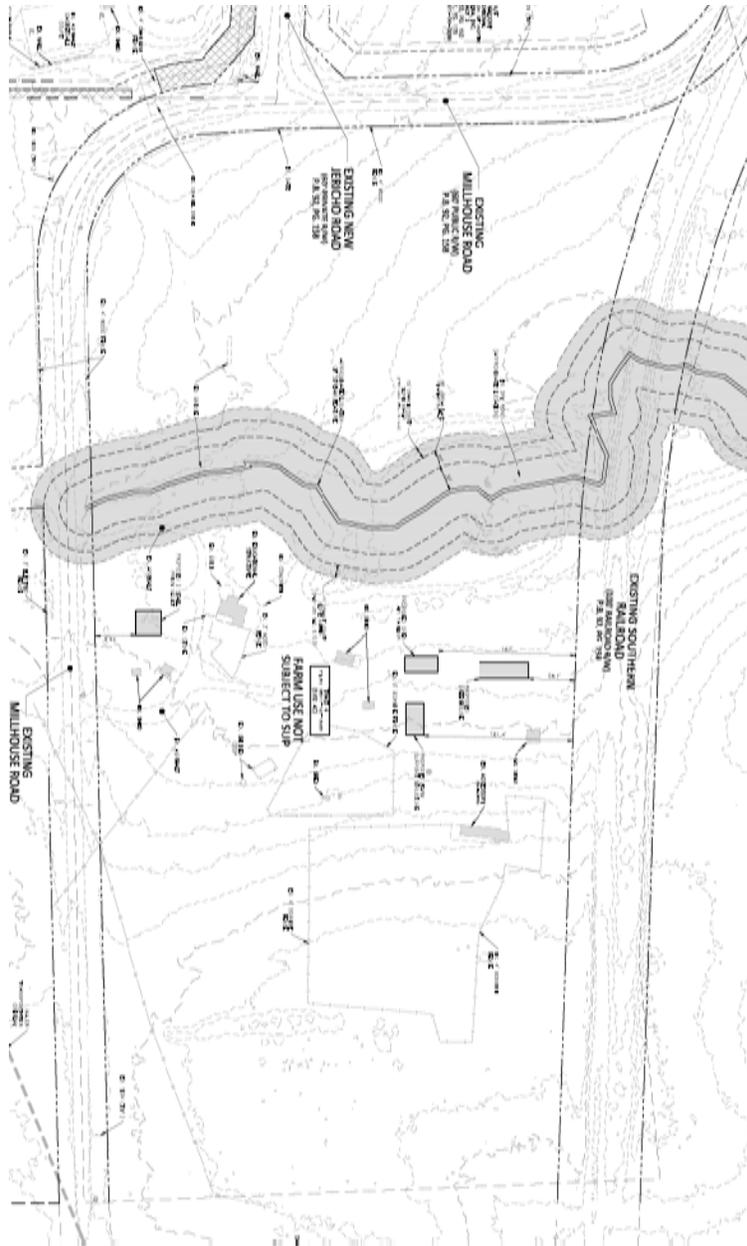


### Proposed Use Description

The property is proposed to modify the Special Use Permit to reduce the overall square footage – primarily in eliminating the gymnasium down to 37,684 square feet. As can be seen the new buildings are primarily located on the eastern and central portions of the main tract.

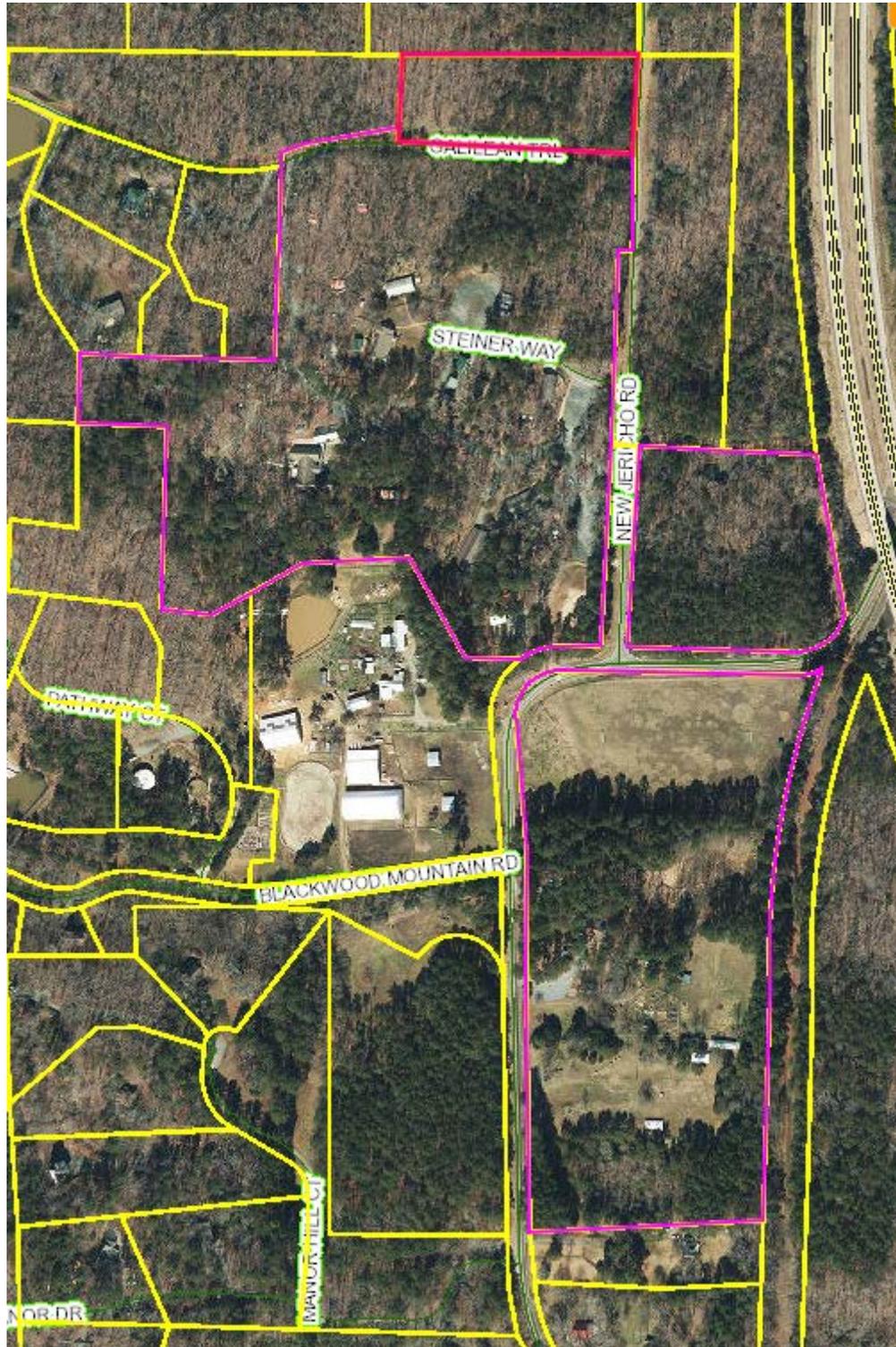
The other primary impact of the modification would increase the student population up to 350 students and up to 55 staff.





**Adjoining Uses**

There are 16 adjoining parcels to the school parcels. The largest adjoining use is the Hearth Community Educational Farms, LLC located to the south. The other adjoining uses are primarily residential single family use and vacant land.



## Discussion

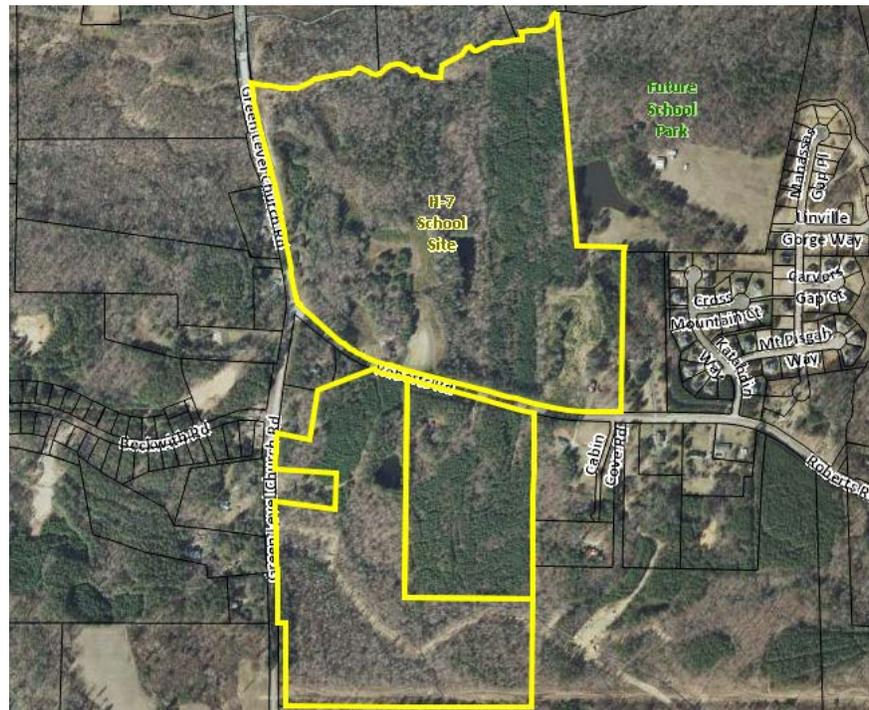
The proposed changes to the property will not bring any of the school buildings closer to the adjoining homes. The school has been in this use since 1985. This is a reduction in overall school building area allowed but a higher student population.

I regularly appraise subdivisions as part of my appraisal practice. Subdivisions in close proximity to schools are generally considered to be enhanced by that proximity and developers often choose such sites over other similar sites for that reason.

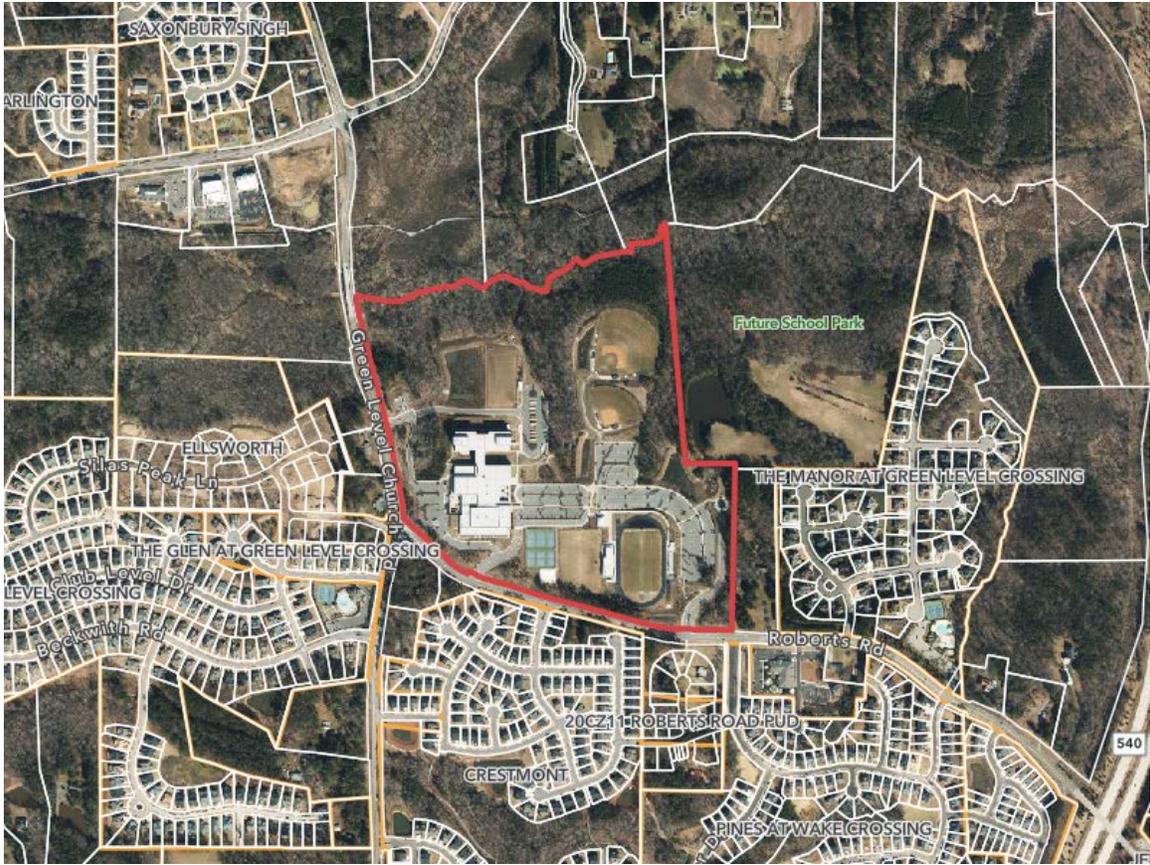
Marketing brochures for new homes frequently point out close proximity to schools as a positive feature for new homes. I have never seen any evidence of any negative impact due to proximity to schools in my appraisal work.

Schools do typically have some setbacks and reasonable screening from nearby residential uses, though not from the primary thoroughfare for access.

A good example of this is in Cary at the corner of Roberts Road and Green Level Church Road, where Wake County built a multistory high school building and directly across the street Standard Pacific simultaneously began developing a new subdivision.



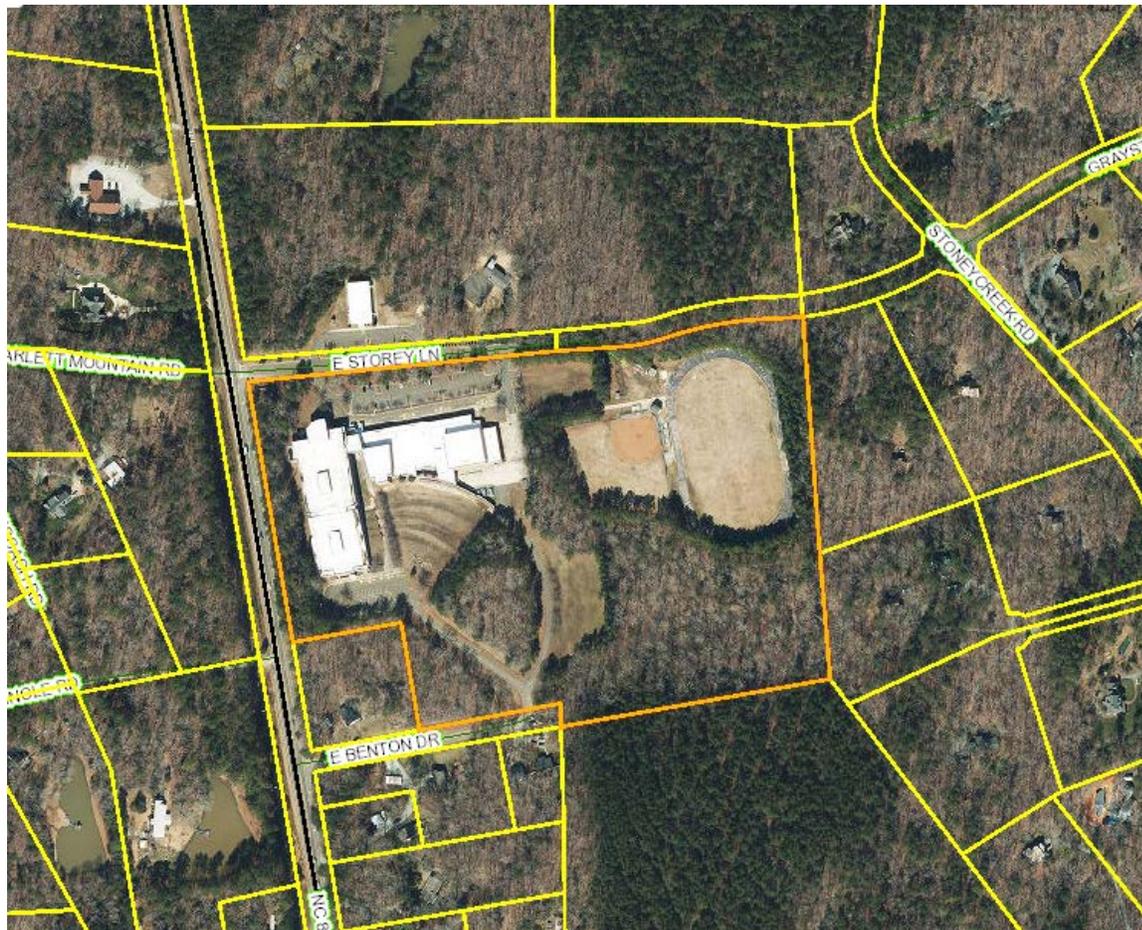
As shown in the map above, the high school was being constructed on the north side of Roberts Road. The map above is an aerial from 2013 with 2018 lot lines overlaid. On the following page, I show this same location with the 2021 aerial overlay with 2023 lot lines overlaid. Multiple subdivisions have been constructed in the area with steadily increasing land and home values.



## Data – Orange/Alamance County Market

I considered the following school sites in order to illustrate compatibility between rural schools and adjoining residential uses.

### Comparable 1 – Stanback Middle School, Hillsborough, NC



This school site is located at the southeast corner of NC 86 S and E Storey Lane. Orange County School Community Relations is located on the tract to the north, but otherwise adjoining uses are all residential. Homes located on Stoney Creek Road to the east are selling for prices ranging from \$600,000 to \$1,200,000.

The home on the parcel adjacent to the school and located at 3800 S NC 86 Highway sold on March 27, 2018 for \$375,000 after being on the market for 46 days with an asking price of \$375,000. This 1.5 story home was built in 1967 with 4 bedrooms and 2 full bathrooms in 2,502 s.f. on 2.07 acres. This home was designed by an architect for personal use and was renovated with new windows, roof, and updated kitchen and bathrooms. These upgrades coupled with the age make it difficult to compare this home to nearby home sales, but for comparison purposes the sales price works out to \$149.88 per square foot.

I did compare this to nearby 3908 Stoneycreek Road that is a 2 story home on 4.75 acres that sold on November 8, 2018 for \$326,825, or \$148.29 per square foot. This home was built in 1980 and includes 3 bedrooms, 2 full bathrooms, and one half bathroom. This home is located off of NC 86S so has better privacy and is located on a lot greater than twice the size of the home adjoining the

school. It has one less bedroom, but one more half bathroom and it is 13 years newer than the home adjoining the school. Despite the many superior features of this home, it still sold for effectively the same price per square foot as the home adjoining the school. Again, this is likely associated with upgrades in that home, but still strongly shows the home adjoining the school in a favorable light as compared to the home not adjoining the school.

### Comparable 2 – Pathways Elementary School/Eno River Academy, Hillsborough, NC



Pathways Elementary School is highlighted in red in the map above, while Eno River Academy is located to the southeast of that. The homes along Village Grove Court were built in 2017 through 2018, while the elementary school was built in 2000. These homes being developed, built and purchased next to the existing school is another example of homes clustering near schools. Eno River Academy was built in 2016/2017 for the original campus that was located further south than the buildings shown in the image above. The northernmost buildings shown in the map were built in 2018/2019.

The homes built on Village Grove Court sold for prices ranging from \$375,000 to \$635,000. Most of the homes sold between 2017 and 2018 for prices between \$400,000 and \$420,000. The highest price paid was for the home at the southern end of Village Grove Court that sold on September 26, 2022 for \$635,000 for a 3,247 s.f. home built in 2018, or \$195.57 per square foot.

The median price paid for a single family home built after 2016 in Hillsborough between September 2021 and March 2023 is \$196.66 per square foot with a median age of 2021. This means that newer homes around Hillsborough are selling for effectively the same price per square foot as this

home in close proximity to the school. This strongly supports the assertion that the two nearby schools are not having a negative impact on home value at this property.

### Comparable 3 – Orange High School, Hillsborough, NC



Orange High School is located in close proximity to a number of residential homes including those in Burkes Meadow located just north of the High School. Homes in Burkes Meadow were built after the High School.

I focused on one of the closest home sales to the school and sports fields which was 603 Harold Latta Drive. This 2-story brick home was built in 2000 with 3,318 s.f. with 4 bedrooms, 2 full bathrooms, one half bathroom, with a sunroom, and a 2-car garage. This home sold on September 26, 2013 for \$335,000 with \$10,000 in financing concessions, for an effective purchase price of \$325,000, or \$97.95 per s.f.

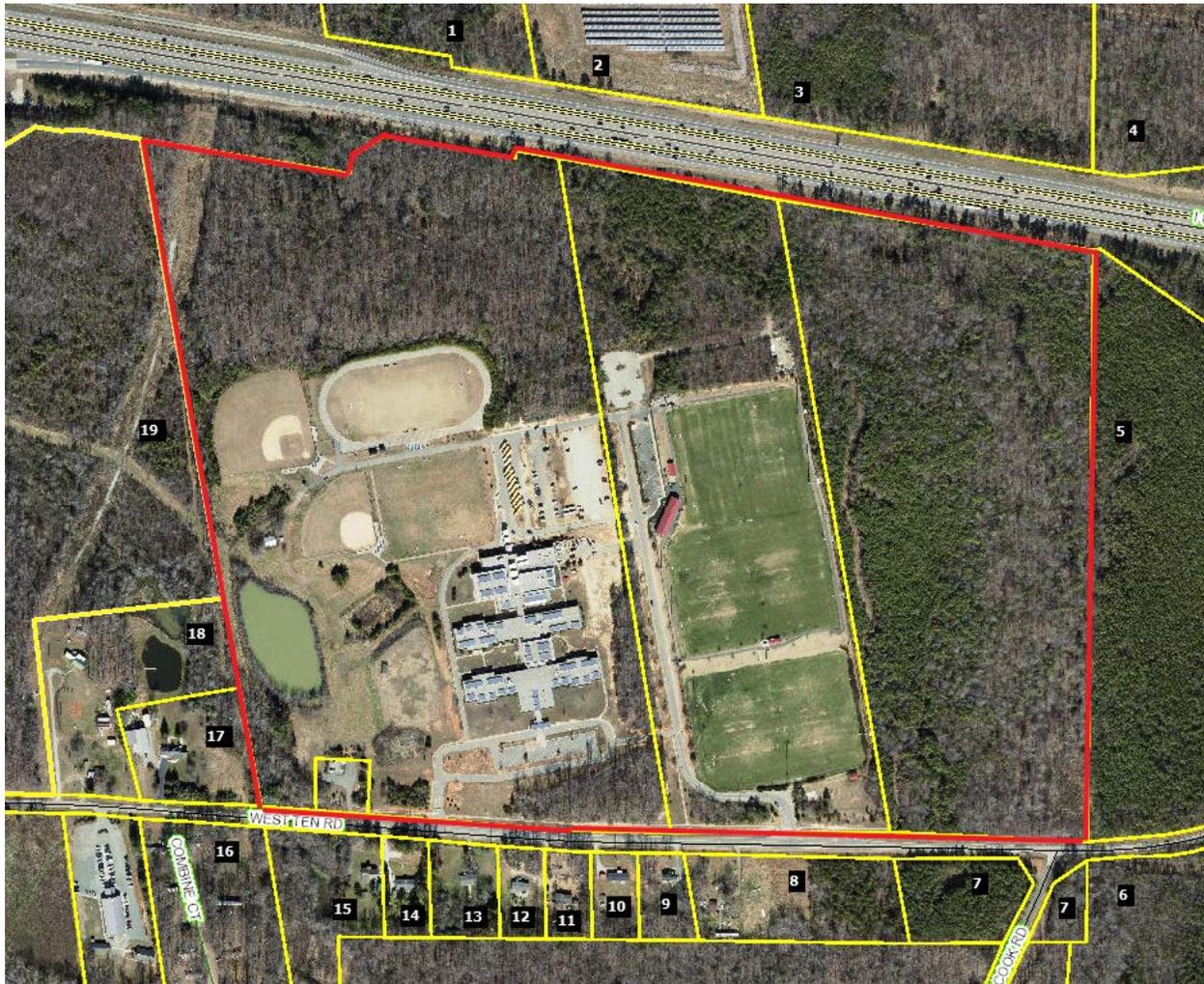
Comparing this to similar homes sold in that time period in Burkes Meadows, but not near the school, I first considered 612 Lemontree Lane that sold on January 27, 2012 for \$260,000 with a \$3,000 concession for an adjusted sales price of \$257,000 for this 2-story brick home with 3,000 s.f. and 2-car garage. This works out to \$85.67 per s.f. Adjusting this upward by 6% for growth in the market over time that works out to \$90.81 per s.f. This home actually sold for less than the home closer to the school.

I also considered 604 Governor Drive that is in nearby Cameron Estates that sold on March 15, 2013 for \$316,500 with a \$2,700 financing concession for an effective purchase price of \$313,800, or \$95.64 per s.f. This was a 2-story brick dwelling with 3,281 s.f. and a 2 car garage. Adjusting this upward by 2% for time, the indicated value is \$97.55 per s.f., which is very similar to the 603 Harold Latta Drive sales price.

I also considered 712 Governor Drive in Cameron Estates that sold on November 26, 2013 for \$335,000 with a \$5,000 financing concession for an effective purchase price of \$330,000, or \$104.07 per s.f. This 3,171 s.f. home was built in 2006 and includes a 3-car garage, 4 full bathrooms, one half bathroom, and 4 bedrooms. Adjusting this downward by \$5,000 for the extra garage space, and \$20,000 for the two additional bathrooms, the adjusted indicated price is \$305,000, or \$96.18 per s.f. This is very similar to the sales price at Harold Latta Drive and also supports a finding of no impact on value due to the proximity of the school.

Based on these paired sales, I find no basis for an impact on property value due to the adjacent school.

**4 – Gravelly Hill Middle School, 4801 West Ten Road, Efland**



This school site is located in Orange County south of I-40 on the north side of West Ten Road. The tract identified as 19 above was recently partly rezoned for an industrial use, but has historically been agricultural.

**Adjoining Use Breakdown**

	<b>Acreage</b>	<b>Parcels</b>
Residential	5.74%	63.16%
Agricultural	65.57%	31.58%
Industrial	28.68%	5.26%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>

The homes across West Ten Road from the school are as close as 310 feet to the closest parking lot area for the school.

Parcel 10, with a street address of 4804 W Ten Road, sold on June 20, 2018 for \$122,000 for a 1,848 square foot manufactured home built in 1997 on 1 acre. This is a three bedroom, two-bathroom dwelling with a 96 s.f. covered back deck and a storage shed. This works out to be \$66.02 per square foot. This home is

I have compared this home to 703 Dewey Road which is a 1,602 s.f. manufactured home built in 1994 with three bedrooms and two bathrooms on a 1.88 acre lot that sold for \$125,000 on June 30, 2019. This works out to be \$78.03 per square foot. This is a nearby similar manufactured home, but it also adjoins land owned by Orange County that is in close proximity to Seven Mile Creek Preserved open space. Furthermore, Dewey Road is an easement at this location with minimal traffic. Adjusting this price per square foot downward by 5% for the smaller size and 10% for the preserved adjoining land, I derive an adjusted price per square foot of \$66.33 per square foot.

I have also compared the subject property to 915 Buckhorn Road in Mebane. That manufactured home includes 1,165 square feet with three bedrooms and two bathrooms that was built in 1994 on 2.21 acres. This home sold on June 1, 2018 for \$95,000, or \$81.55 per square foot. Adjusting this value per square foot downward by 15% for the significantly smaller size, I derive an indicated value of \$69.31 per square foot.

Finally, I considered 6334 Olde Scarlett Court which is a 1,976 square foot manufactured home with four bedrooms and three bathrooms built in 1999 on a 1 acre lot that sold on June 22, 2018 for \$132,500. This works out to \$67.05 per square foot. This is a similar size, age, and lot size and requires no adjustment.

All three of those comparables show no impact on Parcel 10 due to the adjacent rural school site.

**Comparable 5 – Bradford Christian School, Mebane, NC**

This school site is located on the south side of Third Street in Mebane and was opened in 2008. The subdivision to the west has adjoining homes as close as 185 feet in that subdivision. Homes in that development are selling between \$390,000 and \$560,000 each.

**Comparable 6 – Alamance Christian School, Graham, NC**



This school site is located at 1336 Town Branch Road with adjoining homes as close as 305 feet.

**Comparable 7 – Eno River Academy, Hillsborough, NC**



This school site is located at 1212 NC Highway 57 with adjoining homes as close as 440 feet.

## Supplemental Data – Rural Durham Market

I considered the following school sites in order to illustrate compatibility between rural schools and adjoining residential uses.

### Comparable 8 - Lucas Middle School, 923 Snow Hill Road, Durham, NC



This school site is located just north of Snow Hill Road and west of Treyburn. The building is 425 feet from the nearest property lines. The school adjoins Snow Hill Road Park. The property includes a large single school building with three wings and a football field and surrounding asphalt paved track. This school was constructed in 2011 with the opening school year in 2012.

#### Adjoining Use Breakdown

	Acreage	Parcels
Residential	9.14%	85.71%
Agricultural	90.86%	14.29%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>

I searched nearby home sales along Snow Hill Road after the school was completed to determine if any of the sales show any impact from the school construction.

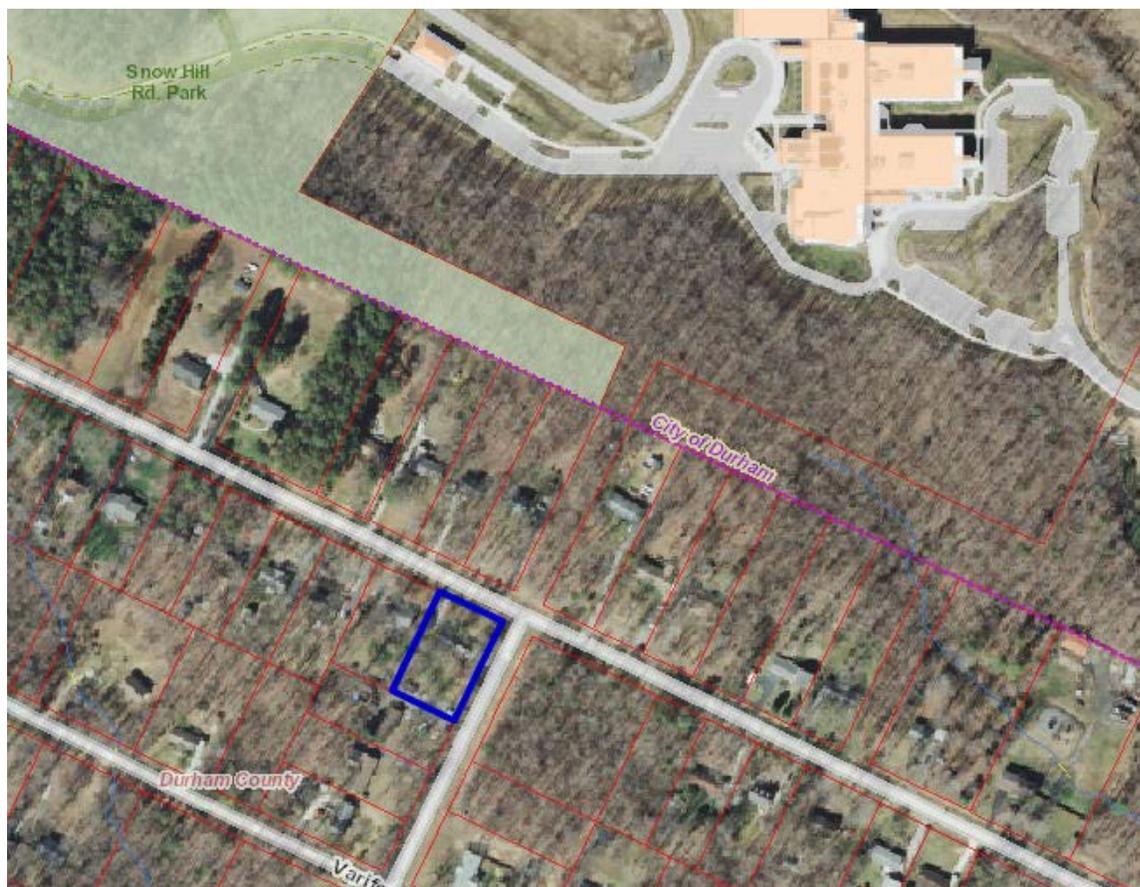
The home at 920 Snow Hill Road sold on 4/25/14 which was two years after the Lucas Middle School opened. That home sold for \$168,500 with a \$3,500 financing concession for an effective sales price of \$165,000 for a 1,524 square foot two-story dwelling built in 1985 with an attached two-car garage all located on a 0.572 acres. The indicated sales price works out to be \$108.26 per square foot of GLA. This is a three bedroom dwelling with two and a half bathrooms. The property also includes a detached 1 car garage/workshop. MLS write up indicates the property “needs a little love.”

I compared that sale to 605 Infinity Road that sold on 6/19/14 for \$175,000 with a \$5,000 financing concession for an effective sales price of \$170,000 for a 1,662 s.f. two-story dwelling built in 1994 with an attached two-car carport on a 0.51 acre lot. The indicated sales price works out to be \$102.29 per square foot. This is a three bedroom dwelling with two and a half bathrooms. The property includes a large deck and stone patio and is noted as “move in ready.”

No adjustments applied to these sales shows no impact on the Snow Hill property, which in fact sold for more per square foot.

Adjusting this comparable upward by \$5,000 for the inferior carport, downward by \$7,875 for age, downward by \$8,500 for superior upfit/condition, but upward by \$5,000 for lack of a detached garage, the indicated adjusted comparable value is \$163,625, or \$98.45 per square foot as compared to the Snow Hill Comparable at \$168,500, or \$108.26 per square foot.

This matched pair shows no negative impact due to the proximity to Lucas Middle School.



I also looked at 1009 Snow Hill Road which sold on 12/19/2017 for \$170,000 for a 1,539 s.f. one-story, brick dwelling built in 1972 on 0.84 acres. This brick ranch indicated new paint and flooring

throughout as well as new kitchen counter tops, and new vanities in the bathroom. The MLS also notes the roof was replaced in 2009 along with new doors and windows in 2015. This is a three bedroom and two bathroom dwelling. This property sold in 33 days. This sale included a \$4,000 sales concession for an indicated sales price of \$166,000.

I compared this to 111 Barclay Road which sold on 6/9/17 for \$160,000 for a 1,280 s.f. one-story dwelling built in 1963 on 0.50 acres. This brick ranch has a new kitchen and bathroom with new granite counters and breakfast bar, as well as new exterior and interior paint, new roof, and new heat pump. The property also includes an attached single car garage. The dwelling includes three bedrooms and two bathrooms, a fenced back yard and is located within a subdivision. This property sold in 39 days. This sale included the seller paying for the loan with no amount stated. I have used \$4,000 for this estimated cost, for an adjusted indicated price of \$156,000.

These ranches are similar in style and age, but there is a size difference that requires adjustment. Adjusting the comparable upward by \$18,130 for the difference in size, as well as upward by \$7,020 for an inferior age, but downward by \$10,000 for the single car garage and downward by \$5,000 for the location in a subdivision, I derive an adjusted indication of value of \$166,150.

Based on this matched pair I discern no impact on property value attributable to the proximity to the school.



### Comparable 9 – Little River Elementary, 2315 Snow Hill Road, Durham



This school site is located on the east side of Snow Hill Road and has an adjoining elderly care center, fire department and Durham Technical Community College as well as residential single family uses.

#### Adjoining Use Breakdown

	Acreage	Parcels
Residential	12.41%	75.00%
Agricultural	67.35%	8.33%
Institutional (Fire Dept)	6.25%	8.33%
School	13.99%	8.33%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>

Parcel 8 sold on March 19, 2018 for \$188,000 for a dwelling built in 1978 with 1,292 square feet on 0.49 acres. This home is brick with three bedrooms and two bathrooms. The sales price works out to \$145.51 per square foot. This home was advertised as having a custom designer kitchen with lots of upgrades including stainless steel appliances, bamboo flooring, and granite kitchen counters.

I have compared this to 1900 Torredge Road which is a dwelling that sold on July 2, 2018 for \$185,000 for a 1,352 square foot brick dwelling built in 1976 with three bedrooms and two bathrooms. This is on a 0.49 acre lot. The indicated price works out to \$136.83 per square foot. Adjusting this upward by 10% for inferior upgrades, the indicated price is \$150.51 per square foot. This is within 3% of Parcel 8 and does not support an indication of a negative impact.

I have also compared Parcel 8 to 1607 Infinity Road which sold on September 20, 2018 for a 1,870 square foot brick dwelling built in 1974 on a 0.50-acre lot with three bedrooms, two bathrooms, a carport, and a detached two-car garage. This sold for \$215,000, or \$114.97 per square foot. Adjusting this upward by 15% for an inferior larger size, 10% for inferior upgrades, but downward

by 10% for the superior parking, I derive an adjusted indication of value of \$132.22 per square foot. This is 10% lower than the value of the home adjoining the school and actually suggests a slight premium for adjoining the school.

I also compared Parcel 8 to 1009 Snow Hill Road which is a one story brick dwelling built in 1972 with three bedrooms and two bathrooms on a 0.84-acre lot and a gross living area of 1,539 square feet. This sold on December 18, 2018 for \$170,000, or \$110.46 per square foot. Adjusting this upward by 10% for size, 10% for quality and 2% for time, I derive an adjusted indication of value of \$134.76 per square foot. This is 8% less than the value of the home adjoining the school and actually suggests a slight premium for adjoining the school.

**Comparable 10 – Mangum Elementary, 9008 Quail Roost Road, Bahama**



This school site is located on the west side of Quail Roost Road at Ball Road with a mix of adjoining residential and agricultural uses.

**Adjoining Use Breakdown**

	<b>Acreage</b>	<b>Parcels</b>
Residential	20.71%	88.24%
Agricultural	79.29%	11.76%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>

I considered Parcel 11, with a street address of 8813 Quail Roost Road, that sold on January 11, 2018 for \$141,500 for a 1,298 square foot dwelling built in 1941 with two bedrooms and one bathroom. This is on a 1.14-acre lot. The property is reported as having a 3-bedroom septic and has an unfinished 2<sup>nd</sup> level walk up, screened porch, basement garage, and detached two-car garage. I specifically note that the marketing for this property highlights the fact that this home is directly across the street from Mangum as a beneficial feature. This purchase works out to be \$109.01 per square foot.

I have compared this to 8219 Cassam Road that sold on September 5, 2017 for \$169,000 for a 1,102 square foot dwelling with three bedrooms and one bathroom built in 1959 on a 7.15-acre parcel. This has an attached carport. Adjusting this property downward for the excess land the indicated purchase price is \$109,000. This adjustment is based on \$9,000 per acre for the

difference in acreage. The value of the site based on 1 acre and the home is \$115,000, or \$104.36 per square foot. Adjusting this downward by 5% for the smaller size, downward 5% for the superior year built, but upward for the lack of parking and potential second floor space, I derive an adjusted indication of value of \$104.36 per square foot. This is 4% less than the value of the site adjoining the school.

I therefore conclude that this matched pair supports no impact on Parcel 11 due to the proximity to the school. The marketing highlighting the school proximity further supports this assertion.

### Data Summary

The comparables identified above have homes as close as 170 feet to the buidings and the median closest distance to a home is 340 feet. The subject property has a closest home at 315 feet, which is consistent with the larger market data and very close to the median.

### Summary of Schools

#	Name	City	County	Acres	Adjoin		%Adjoin Residential	Closest Home	Avg. Dist Home
					Parcels	Parcels			
1	Stanback	Hillsborough	Orange	32	10	8	80%	365	758
2	Pathways	Hillsborough	Orange	18	12	12	100%	265	448
3	Orange High	Hillsborough	Orange	N/A	N/A	N/A	N/A	N/A	N/A
4	Gravelly	Eland	Orange	66	17	11	65%	560	746
5	Bradford	Mebane	Alamance	8	19	19	100%	170	283
6	Alamance	Graham	Alamance	19	9	5	56%	305	582
7	Eno River	Hillsborough	Alamance	34	19	6	32%	440	672
8	Lucas	Durham	Durham	32	22	19	86%	565	810
9	Little River	Durham	Durham	23	10	6	60%	765	830
10	Mangum	Bahama	Durham	22	15	13	87%	170	953
				27		<b>Average</b>	75%	392	655
				23		<b>Median</b>	83%	340	709
				66		<b>High</b>	100%	765	953
				8		<b>Low</b>	32%	170	283

The proposed use is consistent with the existing uses in this area as residential uses and school uses are highly compatible. I regularly appraise subdivision developments and proximity to schools is considered a positive in most marketing packages for subdivisions. This is further illustrated throughout the MLS where the school districts are a prominent searchable feature and access to good private schools is often noted in the comments section of the MLS.

The schools shown above are located in proximity to multiple residential uses.

Paired sales analysis shows no impact on the adjoining residential property value.

**Conclusion**

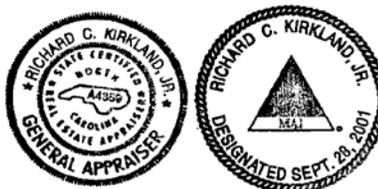
I conclude that the proposed modifications to this SUP for the school use is harmonious with the location and surrounding uses and further that it will have no negative impact on those adjoining properties.

If you have any further questions please call me any time.

Sincerely,



Richard C. Kirkland, Jr., MAI, ARA  
State Certified General Appraiser



Nicholas D. Kirkland  
State Certified General Appraiser



## ***Certification***

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;
3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results;
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal;
7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;
8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
10. I have not made a personal inspection of the property that is the subject of this report;
11. No one provided significant real property appraisal assistance to the person signing this certification.
12. As of the date of this report I have completed the requirements of the continuing education program of the Appraisal Institute;
13. I have completed an appraisal assignment on this property within the last three years as described at the beginning of this report.

Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the Appraisal Institute and the National Association of Realtors.

Neither all nor any part of the contents of this appraisal report shall be disseminated to the public through advertising media, public relations media, news media, or any other public means of communications without the prior written consent and approval of the undersigned.



Richard C. Kirkland, Jr., MAI, ARA  
State Certified General Appraiser



Ms. LeAnn Nease Brown  
December 1, 2025

### ***Certification – Nicholas D. Kirkland***

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;
3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results;
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal;
7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;
8. My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
10. Nicholas D. Kirkland has not made a personal inspection of the property that is the subject of this report, and;
11. No one provided significant real property appraisal assistance to the person signing this certification.
12. As of the date of this report Nicholas D. Kirkland has completed the Standards and Ethics Education Requirements for Candidates of the Appraisal Institute.
13. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
14. My analyses, opinions, and conclusions were developed, and the appraisal and this report have been prepared for use in a lending transaction that may include Farmer Mac as an intended user.

Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the Appraisal Institute and the National Association of Realtors.

Neither all nor any part of the contents of this appraisal report shall be disseminated to the public through advertising media, public relations media, news media, or any other public means of communications without the prior written consent and approval of the undersigned.

*Nicholas D. Kirkland*

Nicholas D. Kirkland  
State Certified General Appraiser





**Orange County Planning & Inspections Department**

131 W. Margaret Lane, Suite 200, Hillsborough, NC 27278

919-245-2575 or [planningapps@orangecountync.gov](mailto:planningapps@orangecountync.gov)

**Environmental Assessment**

Please check all applicable boxes and complete the required documentation.  
Additional information is contained in Section 2.25 of the Unified Development Ordinance (UDO).

If completing by hand, please use black or blue ink.

**\* Please fill out all required fields**

*An Environmental Assessment (EA) shall be required for each individual parcel proposed for development consistent with applicable criteria as detailed within the UDO.*

Date: 06/09/2025

**Contact Information\***

Property Owner(s): Waldorf Educational Association of NC, Inc.

Mailing Address: 6211 New Jericho Road, Chapel Hill, NC 27516

Phone: 919-967-1858 Email: iostrowski@emersonwaldorf.org

Applicant (if different than property owner): same as property owner

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**I. Property Information\***

Parcel ID Number (PIN): 9871658140; 9871646437; 9871743098; 9871721935

Address: 6211 New Jericho Road, Chapel Hill, NC 27516

Acreage: 55.27 Township: Chapel Hill

Zoning District: RB

Watershed Overlay: Old Field Creek

Other Overlay: \_\_\_\_\_

**II. General Site Information\***

**A. Adjacent Property**

Zoning North: RB South: RB

East: RB West: RB

Land Use North: Residential South: Farm, Residential

East: Highway West: Farm, Residential

**B. Topography**

▪ Highest Elevation: 612'

▪ Lowest Elevation: 490'

▪ General direction of slope: Southeast

▪ **Estimated % of property with:**

**0 – 5% slope:** 38%  
**5 – 15% slope:** 49%  
**15 – 25% slope:** 10%  
**More than 25% slope:** 3%

**C. Water Features and Drainage**

**The following water features are located on the property:**

Streams  Wetlands  Ponds  Drainage Easements  Special Flood Hazard Area

**Describe**

A Jordan Lake Unprotected Watershed water feature is currently running through Tract 5. The water feature is subject to buffer regulations requiring an undisturbed buffer along both sides, as calculated per the Orange County UDO.

(attach additional sheets if needed)

**D. Does the property contain any of the following Inventory of Natural or Cultural Resources?**

As identified in the “Inventory of Sites of Cultural, Historical, Recreational, Biological, and Geological Significance in the Unincorporated Portions of Orange County” or the “Inventory of Natural Areas and Wildlife Habitats of Orange County, North Carolina”.

- 1. Cemeteries  Yes  No
- 2. Archaeological sites  Yes  No
- 3. Historic sites  Yes  No
- 4. Areas of geological significance  Yes  No
- 5. Designated natural areas  Yes  No
- 6. Designated habitat  Yes  No

For each yes answer above, please indicate the location on the site plan and complete Attachment A.

**III. Project Description\***

**A. Describe proposed use of property:**

The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.

**B. Number of lots:**

4

**C. Number of structures:**

40

**D. Estimated square footage of area to be graded for development of attached residential units (excluding roads, but including parking areas)**

0

**E. Estimated square footage of area to be graded for non-residential use (excluding roads)**

350,000 SF

**F. Estimated area to be graded for roads** 20,000 sf

- **Road type:**  Public  Private
  - Class A
  - Class B
- **Total road length:** 450 LF

**III. State Permits Required\***

**A. Does the project involve the mining of earth products?**  Yes  No

- **If yes, how many cubic feet of material are expected to be excavated?** \_\_\_\_\_
- **Has an application for a Mining Permit been submitted to NCDRCDD?**  Yes  No  
Please attach map indicating expected extent of proposed activity.

**B. Does the project involve generation or storage of hazardous or toxic wastes, as identified by the Environmental Protection Agency?**

Yes  No

- **Describe the wastes to be generated:**

N/A

- **How much material is expected to be generated per month?** \_\_\_\_\_
- **Will any material be treated onsite?**  Yes  No If yes, indicate volume: \_\_\_\_\_
- **Will any material be stored onsite?**  Yes  No If yes, indicate volume: \_\_\_\_\_
- **Where will disposal of the material take place?**

N/A

- **How will materials be transported to the disposal site?**
- **What measures are proposed to protect water quality and air quality in case of spills?**

N/A

**C. Will the project involve a land application system for treatment of wastewater?**

- Yes  No - If yes, describe

An existing septic settling pond and irrigation spray field will be utilized

- Has an application for a non-discharge permit been submitted to the NC Department of Environmental Management or Orange County Department of Environmental Health?  Yes  No

**D. Is a septic tank system proposed which has a design capacity of more than 3,000 gallons per day?**

- Yes  No - If yes, describe

There are (5) septic tanks serving the property.

**E. Does the activity involve sludge disposal?**  Yes  No

- If yes, where is the source of the sludge?

N/A

- Describe where and how the sludge is being disposed

N/A

- Has a NPDES permit from the NC Division of Environmental Quality been issued?

Yes  No

**F. Water Usage**

- Estimated number of employees: 342 x 25 gallons per day (gpd) = 8,550 gpd

- Estimated water use for climate control = 0 gpd

**Process Water**

10 % Consumed

65 % Discharged to septic system

25 % Discharged to surface (including storm sewers) - Describe:

Children's toy cleaning, plant watering, outdoor sinks, vehicle washing

0 % Evaporated

0 % Reclaimed/reused

0 % Other

= 100%

- Water used for cooling, heating, etc., in association with production or manufacturing

0 % Reused

0 % Consumed

0 % Discharged - Describe: \_\_\_\_\_

= 100%

8,550 gpd Total Water Usage

- Describe source of water:

16,500 GPD community well

**Attachment A\***

To be completed only if inventory sites are identified in I.D.  
(attach additional sheets if necessary)

**1.a. Impact on Resource from Proposed Development**

**1.b. Proposed Mitigation**

**2.a. Impact on Resource from Proposed Development**

**2.b. Proposed Mitigation**

**Certification and Signatures\***

Statement by Applicant - I certify that the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Michelle Friedman                      6/10/25  
**Applicant**                                      **Date**



**MCADAMS**

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www.mcadamsco.com

**CONTACT**

SPENCER CHRISTIANSEN, PE  
CHRISTIANSEN@MCADAMSCO.COM  
PHONE: 919. 361. 5000

**CLIENT**

EMERSON WALDORF SCHOOL  
6211 NEW JERICO ROAD  
CHAPEL HILL, NORTH CAROLINA 27516  
IAN OSTROWSKI  
PHONE: 919. 967. 1858

**PROJECT DIRECTORY**

# EMERSON WALDORF SCHOOL EXPANSION

6211 NEW JERICO ROAD  
CHAPEL HILL, NORTH CAROLINA, 27516

## TYPE "A" SPECIAL USE PERMIT MODIFICATION

PROJECT NUMBER: SPEC-24555

DATE: AUGUST 21, 2025

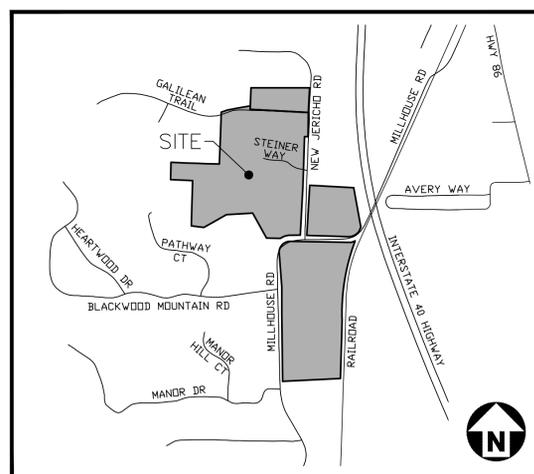
REVISED: OCTOBER 17, 2025

**SHEET INDEX**

C1.00	EXISTING CONDITIONS - AREA 'A'
C1.01	EXISTING CONDITIONS - AREA 'B'
C1.02	EXISTING CONDITIONS - AREA 'C'
C1.03	INTERIM SITE LAYOUT PLAN
C2.00	MASTER SITE PLAN - AREA 'A'
C2.01	MASTER SITE PLAN - AREA 'B'
C2.02	MASTER SITE PLAN - AREA 'C'
C2.10	TRAFFIC PLAN
L5.00	LANDSCAPE PLAN

**PUBLIC SERVICE CONTACTS**

WELLS	ORANGE COUNTY ENVIRONMENTAL HEALTH 131 W. MARGARET LANE, UNIT 100 HILLSBOROUGH, NC 27278 (919) 245-2360	TELEPHONE:  GAS:	
SEPTIC SYSTEMS	ORANGE COUNTY ENVIRONMENTAL HEALTH 131 W. MARGARET LANE, UNIT 100 HILLSBOROUGH, NC 27278 (919) 245-2360	RECYCLING:	ORANGE COUNTY SOLID WASTE DIRECTOR - ROBERT WILLIAMS 1207 EUBANKS ROAD CHAPEL HILL, NC 27516 (919) 968-2788
EROSION CONTROL:	ORANGE COUNTY PLANNING & INSPECTIONS EROSION CONTROL DIVISION DEPUTY DIRECTOR - PATRICK MALLET 131 W. MARGARET LANE, SUITE 201 HILLSBOROUGH, NC 27278 (919) 245-2577	PLANNING/ZONING:	ORANGE COUNTY PLANNING & INSPECTIONS 131 W. MARGARET LANE, UNIT 100 HILLSBOROUGH, NC 27278 (919) 245-2575
ROADWAY:	NC DOT - DIV 7 - DIST 1 DISTRICT ENGINEER - C. N. (CHUCK) EDWARDS, PE 115 EAST CRESCENT SQUARE DR. GRAHAM, NC 27253 (336) 570-6853	STORMWATER:	ORANGE COUNTY PLANNING & INSPECTIONS EROSION CONTROL DIVISION DEPUTY DIRECTOR - PATRICK MALLET 131 W. MARGARET LANE, SUITE 201 HILLSBOROUGH, NC 27278 (919) 245-2577
ELECTRIC:	DUKE ENERGY		



**VICINITY MAP**

1" = 800'

X:\Projects\SPEC\24555 Emerson Waldorf School Expansion\Production Drawings\Current Drawings\1 - Special Use Permit\SPEC24555-031.dwg, 10/17/2025 1:57:35 PM, Brandon Hoyt



**REVISIONS**

NO.	DATE	REVISION
1	10/17/2025	REVISED PER 1ST DAC REVIEW

**SPECIAL USE PERMIT MODIFICATION DRAWINGS FOR:**

EMERSON WALDORF SCHOOL EXPANSION  
6211 NEW JERICO ROAD  
CHAPEL HILL, NORTH CAROLINA, 27516  
PROJECT NUMBER: SPEC-24555



McADAMS

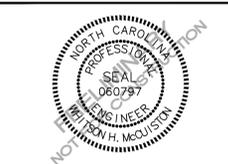
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EMERSON WALDORF SCHOOL EXPANSION
TYPE "A" SPECIAL USE PERMIT MODIFICATION
6211 NEW JERICO ROAD
CHAPEL HILL, NORTH CAROLINA, 27516



REVISIONS

Table with 2 columns: NO. and DATE. Row 1: 1, 10/17/2025 REVISED PER 1ST DAC REVIEW

PLAN INFORMATION

Table with 2 columns: PROJECT NO. and FILENAME. Row 1: SPEC-24555, SPEC24555-XC1

EXISTING CONDITIONS - AREA 'A'

C1.00

SITE DATA table with fields: OWNER, PINS, JURISDICTION, STATE, RIVER BASIN, WATERSHED, REFERENCE, TOTAL AREA, EXISTING USE, EXISTING ZONING, ADJACENT ZONING, MAXIMUM BUILDING HEIGHT, EXISTING/PROPOSED WATER SUPPLY, EXISTING/PROPOSED SEWAGE TREATMENT, EXISTING NOS. STUDENTS (2025), EXISTING NOS. STAFF (2025)

\* POTABLE WATER AND SEPTIC SYSTEM STATE PERMITS SHALL BE UPDATED AS EACH PHASE OF THE MASTER SITE PLAN IS IMPLEMENTED TO ENSURE THAT EXISTING WATER/SEPTIC UTILITIES ARE ADEQUATE TO SERVE NEW BUILDINGS & INCREASED STUDENT CAPACITY.

EXISTING STUDENT & STAFF INFORMATION

Table with columns: STUDENTS, STAFF, and list of school levels from NURSERY to FACILITIES/MAINTENANCE. Includes a note: 'NOTE: THE KINDERGARTEN & DAYCARE OPERATION IS PERMITTED USE OF PROPERTY SUBJECT TO A PREVIOUSLY ISSUED CLASS B SPECIAL USE PERMIT BY THE COUNTY.'

EXISTING BUILDING INFORMATION table with columns: Building ID, Area, and Description (e.g., E1: 1,661 SF EARLY CHILDHOOD - NURSERY)

PARKING SCHEDULE table with columns: EXISTING PARKING, Spaces, and Description (e.g., 22 SPACES MAIN PARKING LOT)

NOTE: THE SCHOOL DOES NOT PROVIDE BUS TRANSPORTATION TO OR FROM THE SCHOOL. THE SCHOOL CURRENTLY HAS 1 BUS AND 1 VAN THAT ARE USED FOR DESIGNATED TRIPS ONLY AND NOT FOR DAILY PICKUP/DROP OFF.



LEGEND table with symbols and descriptions for various site features like concrete monuments, iron pipes, fences, and utility lines.

GENERAL NOTES
1. EXISTING CONDITIONS WERE COMPILED FROM AN IMPERVIOUS SURVEY OF THE SITE PREPARED BY MCADAMS, DATED 04/28/2025...
2. BEARINGS FOR THIS SURVEY ARE BASED ON NAD 83 (2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. ZONING: RB PER ORANGE COUNTY GIS.
5. AREA BY COORDINATE GEOMETRY.
6. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A. F.I.M. COMMUNITY PANEL #3710987300R DATED 11/17/2017.
7. REFERENCES: AS SHOWN
8. UTILITY STATEMENT: THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA...

SEE SHEET C1.01

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

Vertical text on the left edge: X:\Projects\SPEC\SPEC24555 Emerson Waldorf School Expansion\Production\Engineering\Construction Drawings\Current Drawings\1 - Special Use Permit\SPEC24555-XC1.dwg, 10/17/2025 4:04:31 PM, Brandon Holt



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PHONE: 919. 967. 1858

EMERSON WALDORF SCHOOL EXPANSION
TYPE "A" SPECIAL USE PERMIT MODIFICATION
6211 NEW JERICO ROAD
CHAPEL HILL, NORTH CAROLINA, 27516



REVISIONS

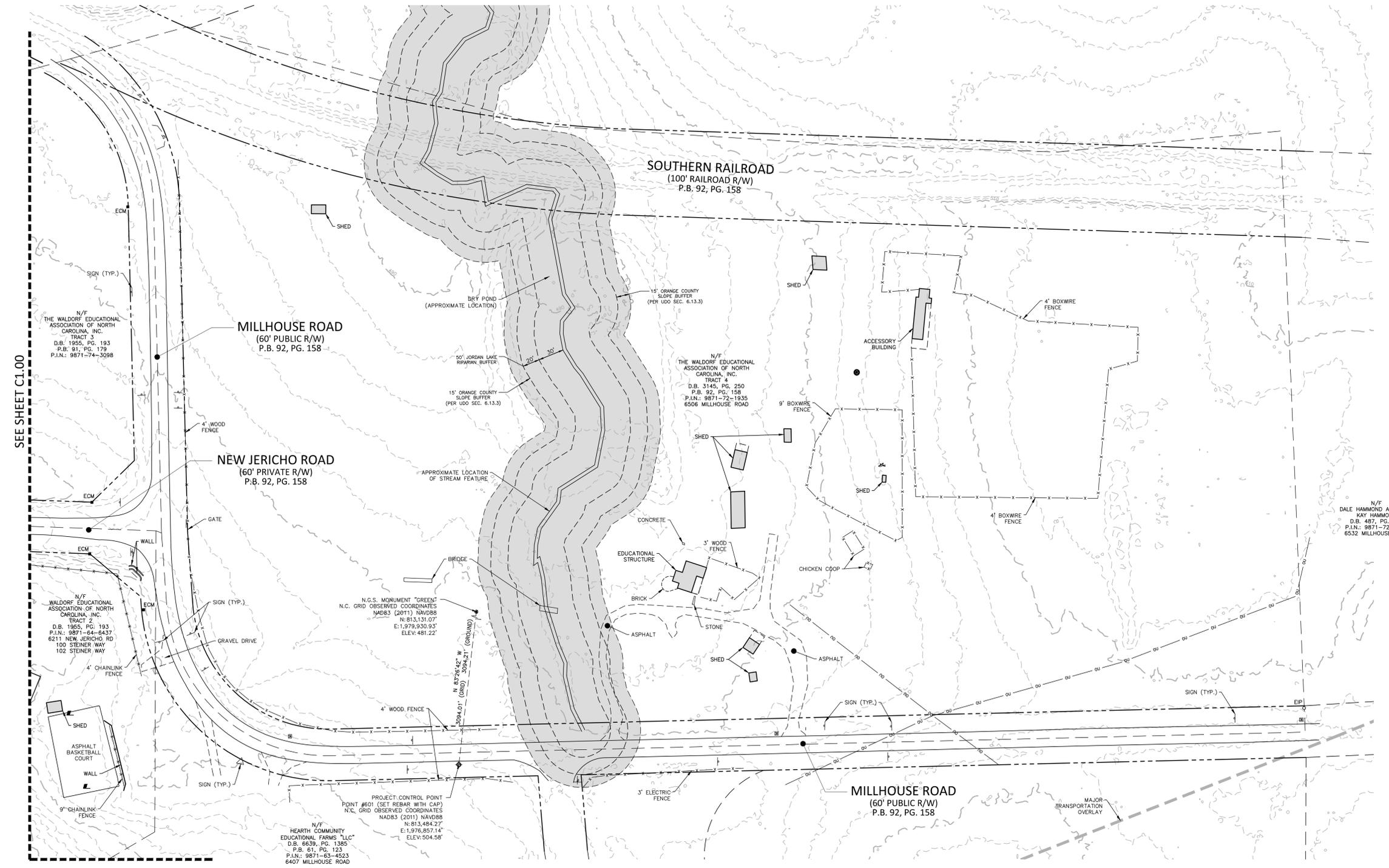
Table with 2 columns: NO. and DATE. Row 1: 1, 10/17/2025 REVISED PER 1ST DAC REVIEW

PLAN INFORMATION

Table with 2 columns: FIELD NAME and VALUE. Includes PROJECT NO. (SPEC-24555), FILENAME (SPEC24555-XC1), CHECKED BY (SJC), DRAWN BY (BAH), SCALE (1" = 60'), DATE (08. 21. 2025)

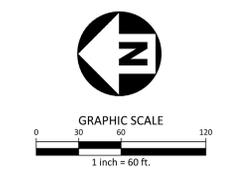
EXISTING CONDITIONS - AREA 'B'

C1.01



LEGEND table with symbols for various site features like monuments, fences, and structures.

GENERAL NOTES
1. EXISTING CONDITIONS WERE COMPILED FROM AN IMPERVIOUS SURVEY OF THE SITE PREPARED BY MCADAMS, DATED 04/28/2025...
2. BEARINGS FOR THIS SURVEY ARE BASED ON N.C. GRID NAD83 (2011) NAVD88...
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES...
4. ZONING: RB PER ORANGE COUNTY GIS...
5. AREA BY COORDINATE GEOMETRY...
6. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE...
7. REFERENCES: AS SHOWN...
8. UTILITY STATEMENT...
9. THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT BENEFIT OF A TITLE REPORT...
10. ELEVATIONS FOR THIS SURVEY ARE BASED ON NAVD88...
11. PARCELS 9871-64-6437 AND 9871-74-3098 BOUNDARY LINES, ALONG WITH ALL RIGHT OF WAY AND RAILROAD RIGHT OF WAY LINES...



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

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**EMERSON WALDORF  
SCHOOL EXPANSION  
TYPE "A" SPECIAL USE PERMIT  
MODIFICATION**  
6211 NEW JERICO ROAD  
CHAPEL HILL, NORTH CAROLINA, 27516



**REVISIONS**

NO.	DATE
1	10/17/2025 REVISED PER 1ST DAC REVIEW

**PLAN INFORMATION**

PROJECT NO.	SPEC-24555
FILENAME	SPEC24555-XC1
CHECKED BY	SJC
DRAWN BY	BAH
SCALE	1" = 60'
DATE	08. 21. 2025

**SHEET**

**EXISTING CONDITONS  
- AREA 'C'**

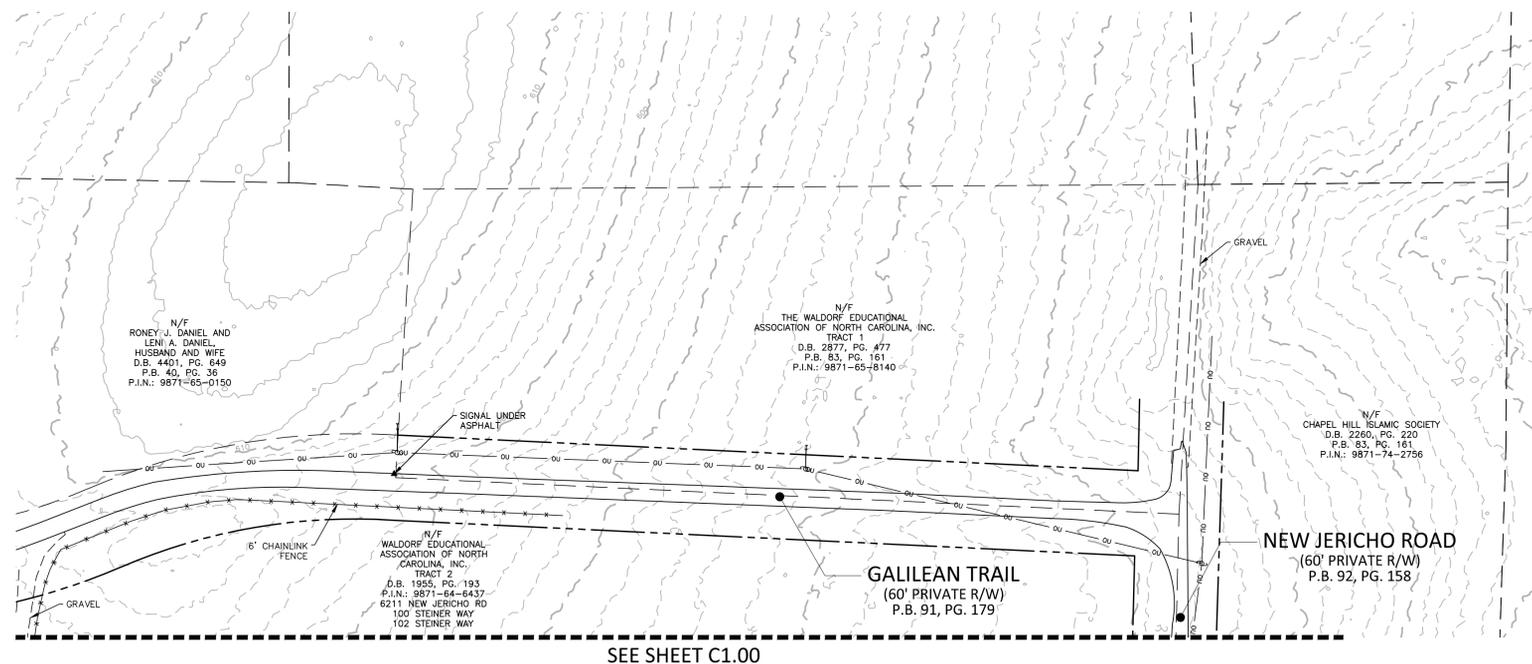
**C1.02**

**LEGEND**

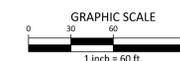
EXISTING CONCRETE MONUMENT	ARTWORK/STATUE	N.G.S.	NATIONAL GEODETIC SURVEY
EXISTING IRON PIPE	BIRD BATH	R.C.P.	REINFORCED CONCRETE PIPE
CALCULATED POINT	BOLLARD LIGHT	C.M.P.	CORRUGATED METAL PIPE
N.G.S. MONUMENT	NOW OR FORMERLY	C.P.P.	CORRUGATED PLASTIC PIPE
EXISTING REBAR	DEED BOOK	P.V.C.	POLYVINYL-CHLORIDE PIPE
GUY WIRE	PLAT BOOK		BOUNDARY LINE NOT SURVEYED, SEE NOTE 11
LIGHT POLE	PAGE		RIGHT OF WAY LINE NOT SURVEYED, SEE NOTE 11
POWER/UTILITY POLE	EXISTING IRON PIPE		FENCE
BOLLARD	EXISTING REBAR		HANDRAIL
SIGN	EXISTING CONCRETE MONUMENT		CANOPY/BUILDING OVERHANG
MAILBOX	S.F.		CHAINLINK FENCE
WATER WELL	ACRE		OVERHEAD ELECTRIC LINE
SATELLITE DISH			SILT FENCE
BASKETBALL HOOP			

**GENERAL NOTES**

- EXISTING CONDITIONS WERE COMPILED FROM AN IMPERVIOUS SURVEY OF THE SITE PREPARED BY MCADAMS, DATED 04/28/2025. PREVIOUS BOUNDARY SURVEY PREPARED SUMMIT ENGINEERING, AND GIS DATA. ALTHOUGH EFFORT HAS BEEN MADE TO ACCURATELY LOCATE EXISTING CONDITIONS, ACTUAL FIELD CONDITIONS MAY VARY. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS BEFORE STARTING LAND DISTURBING ACTIVITY, DEMOLITION, OR CONSTRUCTION AND SHALL REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF WORK. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ACTUAL CONDITIONS AS THEY EXIST ON SITE.
- BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD83 (2011).
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- ZONING: RB PER ORANGE COUNTY GIS.
- AREA BY COORDINATE GEOMETRY.
- FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A. F.L.E.M. COMMUNITY PANEL #3710987100K DATED 11/27/2017.
- REFERENCES: AS SHOWN
- UTILITY STATEMENT  
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- THIS SURVEY PERFORMED AND PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THIS SURVEY SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
- ELEVATIONS FOR THIS SURVEY ARE BASED ON NAVD83.
- PARCELS 9871-64-6437 AND 9871-74-3098 BOUNDARY LINES, ALONG WITH ALL RIGHT OF WAY AND RAILROAD RIGHT OF WAY LINES, FROM OTHERS PER SUMMIT ENGINEERING CAD FILE TITLED, "14-0108\_BASE" PARCELS 9871-72-1935 AND 9871-65-8140 ARE PER RECORD PLATS AND TIED TO BOUNDARY FROM OTHERS.



SEE SHEET C1.00



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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TYPE "A" SPECIAL USE PERMIT MODIFICATION
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REVISIONS

Table with 2 columns: NO. and DATE. Revision 1: 10/17/2025 REVISED PER 1ST DAC REVIEW

PLAN INFORMATION

Table with 2 columns: PROJECT NO. (SPEC-24555), FILENAME (SPEC24555-XC1), CHECKED BY (SJC), DRAWN BY (BAH), SCALE (1" = 60'), DATE (08. 21. 2025)

INTERIM SITE LAYOUT PLAN

C1.03

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

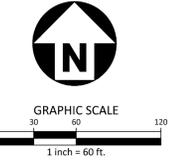
EXISTING BUILDING INFORMATION

- Legend for existing buildings: E1 ±1,661 SF EARLY CHILDHOOD - NURSERY, E2 ±2,515 SF EARLY CHILDHOOD - KINDERGARTEN, E3 ±2,992 SF LOWER SCHOOL (EAST WING), E4 ±3,053 SF MIDDLE SCHOOL, E5 ±1,447 SF LOWER/MIDDLE SCHOOL FACULTY & EURHYTHM (DANCE), E6 ±627 SF LOWER SCHOOL OFFICE, E7 ±682 SF WOODLAND SHOP, E8 ±6,120 SF HIGH SCHOOL, E9 ±1,291 SF CLASSROOMS, E10 ±1,263 SF TRELIS PATIO, E11 ±945 SF ADMINISTRATION (WOODLAND SHOP EXPANSION), E12 ±144 SF BLACKSMITH SHOP, E13 ±315 SF MAINTENANCE SHOP, M1 ±960 SF WOODWORKING (MODULAR - TO BE REMOVED), M2 ±850 SF MAINTENANCE (MODULAR - TO BE REMOVED), M3 ±1,200 SF HANDWORKING (MODULAR - TO BE REMOVED), M4 ±864 SF MUSIC (MODULAR - TO BE REMOVED), ±26,929 SF TOTAL BUILDING AREA, 17 EXISTING BUILDINGS (INCLUDING 4 MODULAR UNITS)

PARKING SCHEDULE

- EXISTING PARKING: ±22 SPACES MAIN PARKING LOT, ±22 SPACES LOWER/MIDDLE SCHOOL TEACHER PARKING LOT, ±44 SPACES EARLY CHILDHOOD PARKING LOT, ±10 SPACES HIGH SCHOOL PARKING LOT, ±98 SPACES TOTAL SPACES

NOTE: THE SCHOOL DOES NOT PROVIDE BUS TRANSPORTATION TO OR FROM THE SCHOOL. THE SCHOOL CURRENTLY HAS 1 BUS AND 1 VAN THAT ARE USED FOR DESIGNATED TRIPS ONLY AND NOT FOR DAILY PICK-UP/DROP-OFF.



LEGEND table with symbols for various site features like monuments, pipes, fences, and utilities.

GENERAL NOTES

- 1. EXISTING CONDITIONS WERE COMPILED FROM AN IMPERVIOUS SURVEY OF THE SITE PREPARED BY MCADAMS, DATED 04/28/2025. PREVIOUS BOUNDARY SURVEY PREPARED SUMMIT ENGINEERING AND GIS DATA. ALTHOUGH EFFORT HAS BEEN MADE TO ACCURATELY LOCATE EXISTING CONDITIONS, ACTUAL FIELD CONDITIONS MAY VARY. CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS BEFORE STARTING LAND DISTURBING ACTIVITY, DEMOLITION, OR CONSTRUCTION AND SHALL REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF WORK. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ACTUAL CONDITIONS AS THEY EXIST ON SITE.
2. BEARINGS FOR THIS SURVEY ARE BASED ON NAD 83 (2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. ZONING: RB PER ORANGE COUNTY GIS.
5. AREA BY COORDINATE GEOMETRY.
6. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A.F.I.R.M COMMUNITY PANEL 83710987100K DATED 11/17/2017.
7. REFERENCES: AS SHOWN.
8. UTILITY STATEMENT: THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
9. THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THIS SURVEY SUBJECT TO ANY FACTS AND CIRCUMSTANCES WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
10. ELEVATIONS FOR THIS SURVEY ARE BASED ON NAVD83.
11. PARCELS 9871-64-6437 AND 9871-78-3098 BOUNDARY LINES, ALONG WITH ALL RIGHT OF WAY AND RAILROAD RIGHT OF WAY LINES, FROM OTHERS PER SUMMIT ENGINEERING CAD FILE TITLED, "14-0108\_BASE". PARCELS 9871-72-1935 AND 9871-65-8140 ARE PER RECORD PLATS AND TIED TO BOUNDARY FROM OTHERS.



McADAMS

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CLIENT

EMERSON WALDORF SCHOOL 6211 NEW JERICO ROAD CHAPEL HILL, NORTH CAROLINA 27516 PHONE: 919. 967. 1858

EMERSON WALDORF SCHOOL EXPANSION TYPE "A" SPECIAL USE PERMIT MODIFICATION 6211 NEW JERICO ROAD CHAPEL HILL, NORTH CAROLINA, 27516



REVISIONS

Table with 2 columns: NO. and DATE. Row 1: 1, 10/17/2025, REVISED PER 1ST DAC REVIEW

PLAN INFORMATION

Table with 2 columns: PROJECT NO. and FILENAME. PROJECT NO.: SPEC-24555. FILENAME: SPEC24555-S1.DWG. CHECKED BY: SJC. DRAWN BY: BAH. SCALE: 1" = 60'. DATE: 08. 21. 2025.

SHEET

MASTER SITE PLAN - AREA 'A'

C2.00

BUILDING SCHEDULE

Table with 2 columns: EXISTING BUILDINGS and PROPOSED BUILDINGS. Lists building numbers, areas, and descriptions such as 'EARLY CHILDHOOD - NURSERY', 'BUS AND VAN PARKING', 'ACADEMIC WING', etc.

PARKING SCHEDULE

Table with 2 columns: EXISTING PARKING and PROPOSED SCHOOL PARKING. Lists parking lot numbers, capacities, and descriptions like 'MAIN PARKING LOT', 'VISITOR PARKING', etc.

- NOTES: 1. THE SCHOOL DOES NOT PROVIDE BUSES OR VANS FOR DAILY STUDENT TRANSPORTATION TO AND FROM SCHOOL. 2. PROPOSED PARKING SPACES SHALL BE 9'W X 18'L.

SEE SHEET C2.02

SEE SHEET C2.01

SITE DATA table containing owner information (THE WALDORF EDUCATIONAL ASSOCIATION OF NORTH CAROLINA), jurisdiction (ORANGE COUNTY), state (NORTH CAROLINA), and various zoning and setback requirements.

\* POTABLE WATER AND SEPTIC SYSTEM STATE PERMITS SHALL BE UPDATED AS EACH PHASE OF THE MASTER SITE PLAN IS IMPLEMENTED TO ENSURE THAT EXISTING WATER/SEPTIC UTILITIES ARE ADEQUATE TO SERVE NEW BUILDINGS & INCREASED STUDENT CAPACITY.

ADRIANO MARCUZ AND VALLEY C. MARCUZ... PETER W. HAMPTON AND JANET A. HAMPTON... SAMUEL E. BEAM AND KIMBERLY BLACK... HEARTH COMMUNITY EDUCATIONAL FARMS 'LHC'...

EX. 16,500 GPD WELL #3 CONSTRUCTED IN 2001 TO SERVE EXISTING CAMPUS. THIS WELL REPLACED 2 SMALLER CAPACITY WELLS ON CAMPUS. INCLUDES A 3000 GAL. HYDRO-PNEUMATIC TANK, A HYPOCHLORITE FEED SYSTEM FOR LEAD & COPPER CONTROL & A SODIUM HYDROXIDE FEED FOR PH CONTROL. NCDENR WATER SYSTEM PERMIT # NC-0368470

EX. 3,750 GPD WASTEWATER COLLECTION & TREATMENT SYSTEM WITH A 77,850 SF SURFACE IRRIGATION DISPOSAL AREA ON THIS TRACT. SYSTEM INCLUDES INDIVIDUAL SEPTIC TANKS AT EACH EXISTING BUILDING ON CAMPUS - PIPED TO A COLLECTION TANK ON THIS TRACT. NCDENR SEPTIC SYSTEM PERMIT # W000045008

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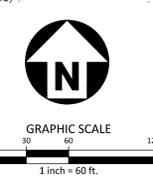
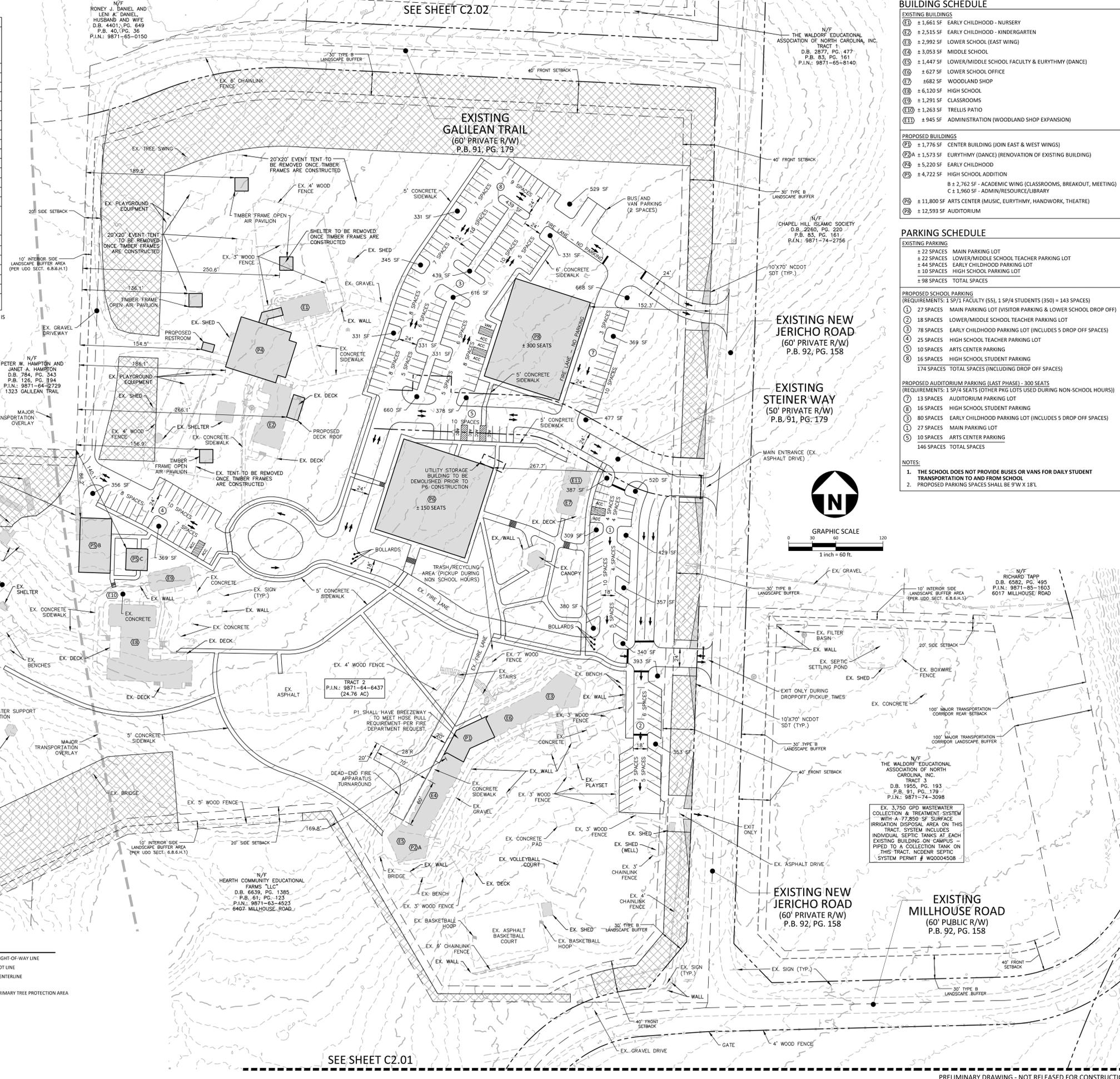
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SITE LEGEND table defining symbols for signage, power poles, traffic directional arrows, accessible parking stalls, van accessible parking stalls, parking space count, accessible ramps, accessible routes, phase lines, and property lines.





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license number: C-0293, C-187

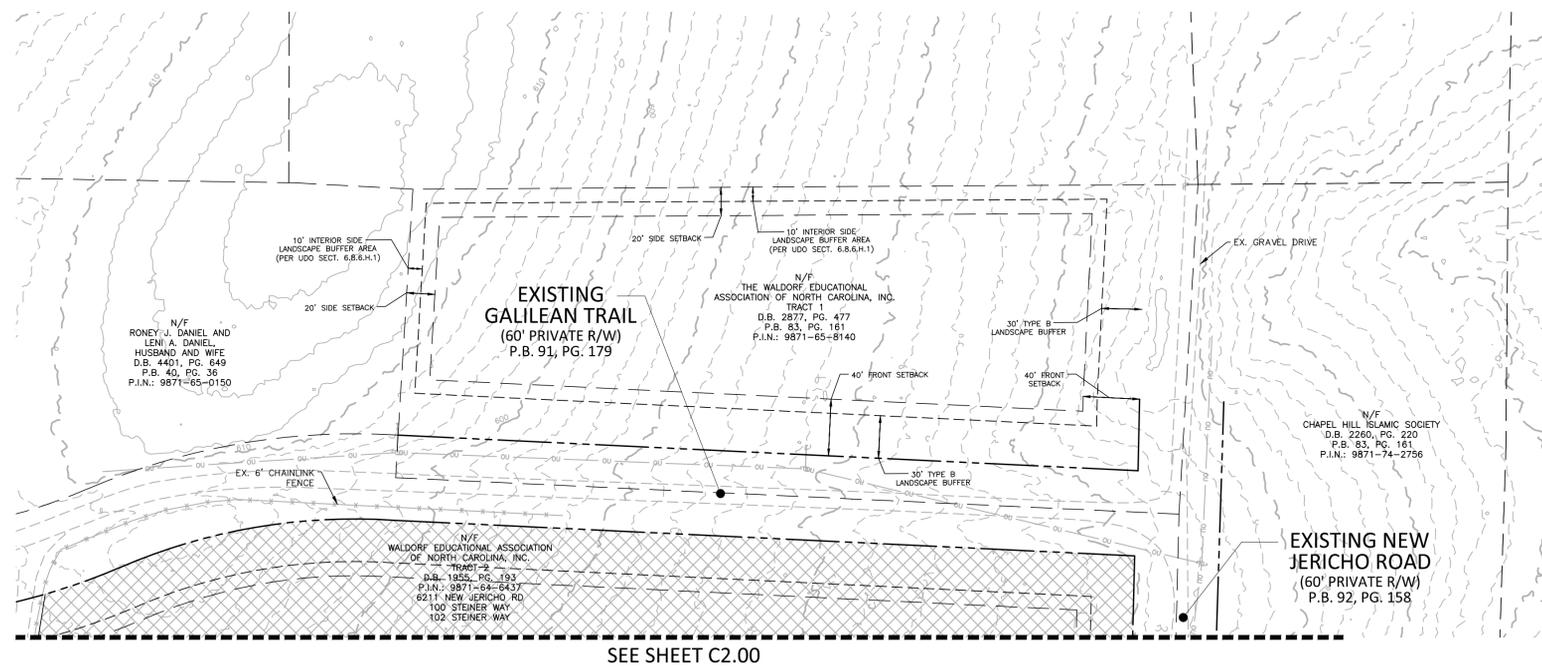
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CHAPEL HILL, NORTH CAROLINA 27516  
PHONE: 919. 967. 1858

**SITE LEGEND**

- SIGNAGE
- POWER POLE
- TRAFFIC DIRECTIONAL ARROW
- ACCESSIBLE PARKING STALL
- VAN ACCESSIBLE PARKING STALL
- PARKING SPACE COUNT
- ACCESSIBLE RAMPS
- ACCESSIBLE ROUTE
- PHASE LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- CENTERLINE
- PRIMARY TREE PROTECTION AREA



SEE SHEET C2.00

**EMERSON WALDORF  
SCHOOL EXPANSION  
TYPE "A" SPECIAL USE PERMIT  
MODIFICATION**  
6211 NEW JERICO ROAD  
CHAPEL HILL, NORTH CAROLINA, 27516



**REVISIONS**

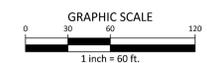
NO.	DATE	REVISION
1	10/17/2025	REVISED PER 1ST DAC REVIEW

**PLAN INFORMATION**

PROJECT NO.	SPEC-24555
FILENAME	SPEC24555-S1.DWG
CHECKED BY	SJC
DRAWN BY	BAH
SCALE	1" = 60'
DATE	08. 21. 2025

**SHEET**

**MASTER SITE  
PLAN - AREA 'C'  
C2.02**





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SCHOOL EXPANSION
TYPE "A" SPECIAL USE PERMIT MODIFICATION
6211 NEW JERICO ROAD
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SIGN SCHEDULE

- PROPOSED SIGNS
[S1] STOP SIGN
[S2] DO NOT ENTER
[S3] LEFT LANE - LOWER & MIDDLE SCHOOL
[S4] RIGHT LANE - DAYCARE, KINDERGARTEN, HIGH SCHOOL
[S5] LOWER & MIDDLE SCHOOL (LEFT ARROW)
[S6] LEFT LANE - MIDDLE SCHOOL
[S7] RIGHT LANE - LOWER SCHOOL
[S8] LOWER SCHOOL (RIGHT ARROW)
[S9] MIDDLE SCHOOL (RIGHT ARROW)
[S10] EXIT (LEFT ARROW)
[S11] EXIT (RIGHT ARROW)
[S12] EXIT (STRAIGHT ARROW)
[S13] DAYCARE, KINDERGARTEN, HIGH SCHOOL (STRAIGHT ARROW)

- PICK UP / DROP OFF ROUTES - SCHEDULE 1
[Red dashed line] 9 - 12 HIGH SCHOOL (8:10A & 3:15P)
[Green dashed line] 5 - 8 MIDDLE SCHOOL (8:15A & 3:15P)

- PICK UP / DROP OFF ROUTES - SCHEDULE 2
[Blue dashed line] EARLY CHILDHOOD (8:30A & 12:30P)
[Black dashed line] K - 4 LOWER SCHOOL (8:30A & 3:15P)

MSTA VEHICLE QUEUE LENGTH BY GRADE LEVEL

Table with 4 columns: GRADE LEVEL, POPULATION, AVERAGE QUEUE, HIGH DEMAND QUEUE. Rows include EARLY CHILDHOOD, 1-4 GRADE (LOWER SCHOOL), 5-8 GRADE (MIDDLE SCHOOL), 9-12 GRADE (HIGH SCHOOL).

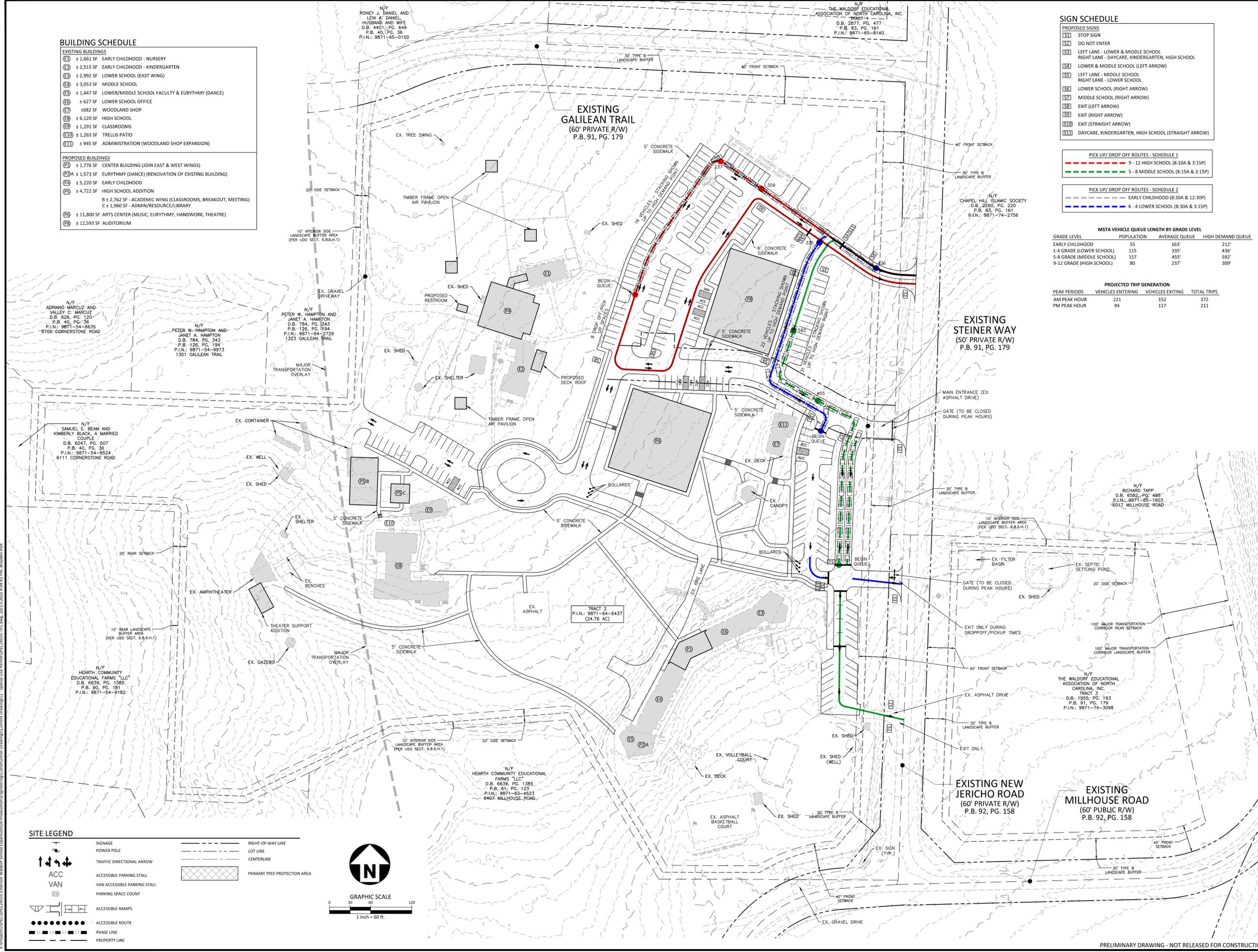
PROJECTED TRIP GENERATION

Table with 4 columns: PEAK PERIODS, VEHICLES ENTERING, VEHICLES EXITING, TOTAL TRIPS. Rows include AM PEAK HOUR, PM PEAK HOUR.

BUILDING SCHEDULE

- EXISTING BUILDINGS
[E1] ± 1,661 SF EARLY CHILDHOOD - NURSERY
[E2] ± 2,515 SF EARLY CHILDHOOD - KINDERGARTEN
[E3] ± 2,992 SF LOWER SCHOOL (EAST WING)
[E4] ± 3,053 SF MIDDLE SCHOOL
[E5] ± 1,447 SF LOWER/MIDDLE SCHOOL FACULTY & EURYTHMY (DANCE)
[E6] ± 627 SF LOWER SCHOOL OFFICE
[E7] ± 682 SF WOODLAND SHOP
[E8] ± 6,120 SF HIGH SCHOOL
[E9] ± 1,291 SF CLASSROOMS
[E10] ± 1,263 SF TRELIS PATIO
[E11] ± 945 SF ADMINISTRATION (WOODLAND SHOP EXPANSION)

- PROPOSED BUILDINGS
[P1] ± 1,776 SF CENTER BUILDING (JOIN EAST & WEST WINGS)
[P2A] ± 1,573 SF EURYTHMY (DANCE) (RENOVATION OF EXISTING BUILDING)
[P2B] ± 5,220 SF EARLY CHILDHOOD
[P2C] ± 4,722 SF HIGH SCHOOL ADDITION
[P3] ± 2,762 SF - ACADEMIC WING (CLASSROOMS, BREAKOUT, MEETING)
[P4] ± 1,960 SF - ADMIN/RESOURCE/LIBRARY
[P5] ± 11,800 SF ARTS CENTER (MUSIC, EURYTHMY, HANDWORK, THEATRE)
[P6] ± 12,593 SF AUDITORIUM



SITE LEGEND

- Signage symbols: ACC, VAN, accessible parking stall, accessible ramp, accessible route, phase line, property line.
Traffic symbols: power pole, traffic directional arrow, accessible parking stall, van accessible parking stall, parking space count, accessible ramps, accessible route, phase line, property line.
Other symbols: right-of-way line, lot line, centerline, primary tree protection area.



REVISIONS

Table with 2 columns: NO., DATE. Row 1: 1, 10/17/2025, REVISED PER 1ST DAC REVIEW.

PLAN INFORMATION

PROJECT NO. SPEC-24555
FILENAME SPEC24555-TP1.DWG
CHECKED BY SJC
DRAWN BY BAH
SCALE 1" = 60'
DATE 08.21.2025

SHEET

TRAFFIC PLAN

C2.10



McADAMS

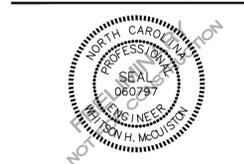
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REVISIONS

Table with 3 columns: NO., DATE, REVISION. Row 1: 1, 10/17/2025, REVISED PER 1ST DAC REVIEW

PLAN INFORMATION

Table with 2 columns: FIELD, VALUE. Includes PROJECT NO. (SPEC-24555), FILENAME (SPEC24555-L5.1.DWG), CHECKED BY (SJC), DRAWN BY (BAH), SCALE (1" = 60'), DATE (08.21.2025), SHEET

LANDSCAPE PLAN

L5.00

GENERAL LANDSCAPE AND TREE PROTECTION NOTES:

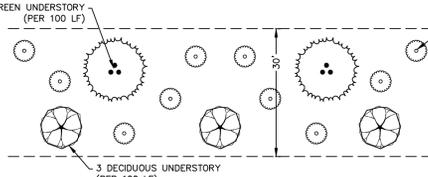
- 1. ALL SITE PLANS SUBMITTED TO THE COUNTY PROPOSING DEVELOPMENT OF BUILDINGS, CONSISTENT WITH THIS MASTER PLAN SHALL CONTAIN ALL REQUIRED DOCUMENTATION DEMONSTRATING COMPLIANCE WITH THE SPECIFIC LANDSCAPING AND TREE PROTECTION REGULATIONS CONTAINED WITHIN SECTION 6.8 OF THE UDO.
2. ALL DEVELOPMENT REQUIREMENTS ASSOCIATED WITH SECTION 6.8 OF THE UDO SHALL BE COMPLIED WITH.
3. PER SECTION 6.8.4 (A)(1) OF THE UDO, ALL EXISTING TREES LOCATED WITHIN THE PRIMARY TREE PROTECTION AREA AS DEFINED WITHIN THE UDO SHALL BE PROTECTED.
4. PER SECTION 6.8.4 (B)(1) OF THE UDO, EXISTING TREES, REGARDLESS OF SIZE, SHALL NOT BE CUT OR OTHERWISE DAMAGED OR DESTROYED WITHIN THE PRIMARY TREE PROTECTION AREA EXCEPT AS SHOWN ON AN APPROVED LANDSCAPE AND TREE PROTECTION PLAN, PLOT PLAN OR SITE PLAN.
5. PER SECTION 6.8.4 (B)(3) OF THE UDO, DURING CONSTRUCTION ACTIVITIES, ADEQUATE PROTECTIVE MEASURES SHALL BE PROVIDED TO MINIMIZE DAMAGE TO EXISTING TREES AND OTHER VEGETATION.
6. PER SECTION 6.8.4 (B)(7) OF THE UDO, SIGNS SHALL BE POSTED AND STATE THAT THE AREA IS NOT TO BE DISTURBED, SUCH PROTECTIVE DEVICES SHALL EFFECTIVELY PROTECT THE CRITICAL ROOT ZONES, TRUNKS AND TOPS OF TREES TO BE RETAINED, AND SHALL BE MAINTAINED UNTIL ALL WORK HAS BEEN COMPLETED.
7. NATIVE, NON-INVASIVE AND DROUGHT TOLERANT SPECIES SHALL BE USED WHERE ADDITIONAL LANDSCAPE AREAS ARE PROPOSED.
8. ALL STREET TREES WILL MEET THE REQUIREMENTS SPECIFIED IN SECTION 6.8.6(F) OF THE ORANGE COUNTY UDO.
9. ALL BETWEEN LOT PLANTINGS WILL MEET THE REQUIREMENTS SPECIFIED IN SECTION 6.8.6(H) OF THE ORANGE COUNTY UDO.
10. ALL FOUNDATION PLANTINGS WILL MEET THE REQUIREMENTS SPECIFIED IN SECTION 6.8.6(I) OF THE ORANGE COUNTY UDO.
11. ALL LANDSCAPING OF VEHICULAR USE AREAS WILL MEET THE REQUIREMENTS SPECIFIED IN SECTION 6.8.6(J) OF THE ORANGE COUNTY UDO.
12. OPEN BURNING OF TREES, LIMBS, STUMPS, AND/OR CONSTRUCTION DEBRIS ASSOCIATED WITH THE PERMITTED ACTIVITY IS EXPRESSLY PROHIBITED.
13. ALL PROPOSED LIGHTING SHALL BE REQUIRED TO MEET SECTION 6.11 OF THE ORANGE COUNTY UDO.

RESOURCE MANAGEMENT PLAN:

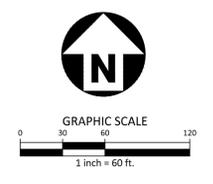
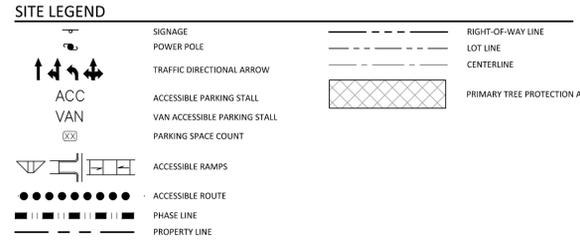
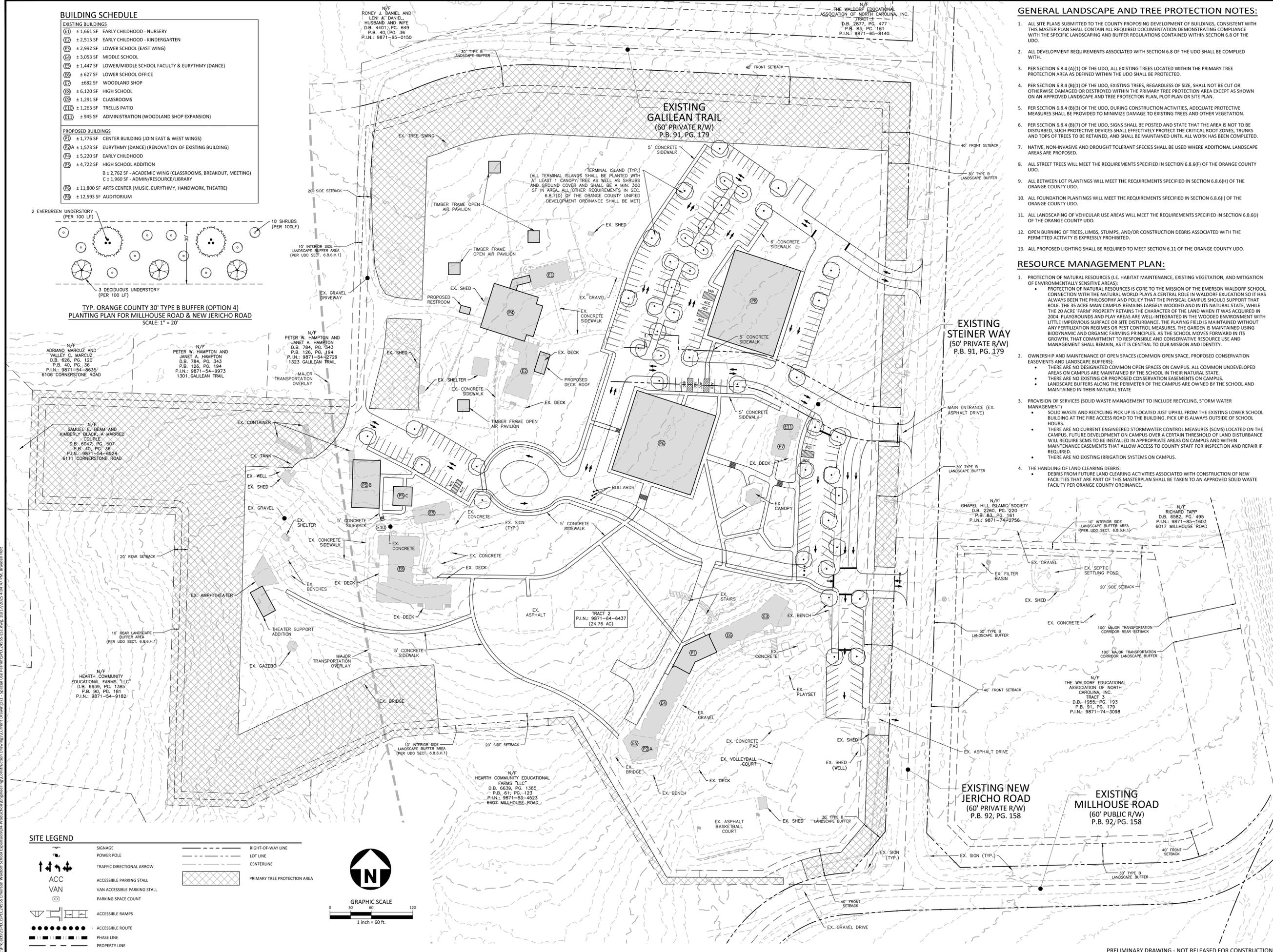
- 1. PROTECTION OF NATURAL RESOURCES (I.E. HABITAT MAINTENANCE, EXISTING VEGETATION, AND MITIGATION OF ENVIRONMENTALLY SENSITIVE AREAS).
- PROTECTION OF NATURAL RESOURCES IS CORE TO THE MISSION OF THE EMERSON WALDORF SCHOOL CONNECTION WITH THE NATURAL WORLD PLAYS A CENTRAL ROLE IN WALDORF EDUCATION SO IT HAS ALWAYS BEEN THE PHILOSOPHY AND POLICY THAT THE PHYSICAL CAMPUS SHOULD SUPPORT THAT ROLE. THE 35 ACRE MAIN CAMPUS REMAINS LARGELY WOODED AND IN ITS NATURAL STATE, WHILE THE 20 ACRE 'FARM' PROPERTY RETAINS THE CHARACTER OF THE LAND WHEN IT WAS ACQUIRED IN 2004. PLAYGROUNDS AND PLAY AREAS ARE WELL-INTEGRATED IN THE WOODED ENVIRONMENT WITH LITTLE IMPERVIOUS SURFACE OR SITE DISTURBANCE. THE PLAYING FIELD IS MAINTAINED WITHOUT ANY FERTILIZATION REGIMES OR PEST CONTROL MEASURES. THE GARDEN IS MAINTAINED USING BIODYNAMIC AND ORGANIC FARMING PRINCIPLES. AS THE SCHOOL MOVES FORWARD IN ITS GROWTH THAT COMMITMENT TO RESPONSIBLE AND CONSERVATIVE RESOURCE USE AND MANAGEMENT SHALL REMAIN, AS IT IS CENTRAL TO OUR MISSION AND IDENTITY.
2. OWNERSHIP AND MAINTENANCE OF OPEN SPACES (COMMON OPEN SPACE, PROPOSED CONSERVATION EASEMENTS AND LANDSCAPE BUFFERS):
- THERE ARE NO DESIGNATED COMMON OPEN SPACES ON CAMPUS. ALL COMMON UNDEVELOPED AREAS ON CAMPUS ARE MAINTAINED BY THE SCHOOL IN THEIR NATURAL STATE.
- THERE ARE NO EXISTING OR PROPOSED CONSERVATION EASEMENTS ON CAMPUS.
- LANDSCAPE BUFFERS ALONG THE PERIMETER OF THE CAMPUS ARE OWNED BY THE SCHOOL AND MAINTAINED IN THEIR NATURAL STATE.
3. PROVISION OF SERVICES (SOLID WASTE MANAGEMENT TO INCLUDE RECYCLING, STORM WATER MANAGEMENT):
- SOLID WASTE AND RECYCLING PICK UP IS LOCATED JUST UP HILL FROM THE EXISTING LOWER SCHOOL BUILDING AT THE FIRE ACCESS ROAD TO THE BUILDING. PICK UP IS ALWAYS OUTSIDE OF SCHOOL HOURS.
- THERE ARE NO CURRENT ENGINEERED STORMWATER CONTROL MEASURES (SCMS) LOCATED ON THE CAMPUS. FUTURE DEVELOPMENT ON CAMPUS OVER A CERTAIN THRESHOLD OF LAND DISTURBANCE WILL REQUIRE SCMS TO BE INSTALLED IN APPROPRIATE AREAS ON CAMPUS AND WITHIN MAINTENANCE EASEMENTS THAT ALLOW ACCESS TO COUNTY STAFF FOR INSPECTION AND REPAIR IF REQUIRED.
- THERE ARE NO EXISTING IRRIGATION SYSTEMS ON CAMPUS.
4. THE HANDLING OF LAND CLEARING DEBRIS:
- DEBRIS FROM FUTURE LAND CLEARING ACTIVITIES ASSOCIATED WITH CONSTRUCTION OF NEW FACILITIES THAT ARE PART OF THIS MASTER PLAN SHALL BE TAKEN TO AN APPROVED SOLID WASTE FACILITY PER ORANGE COUNTY ORDINANCE.

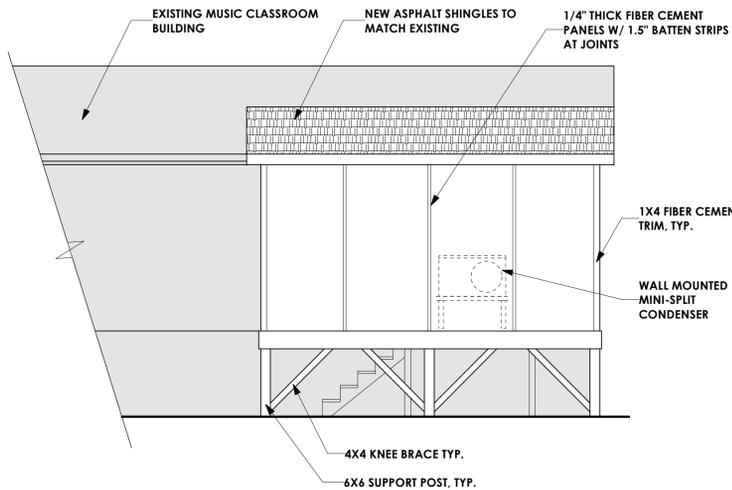
BUILDING SCHEDULE

Table with 2 columns: BUILDING ID, DESCRIPTION. Includes EXISTING BUILDINGS (E1-E11) and PROPOSED BUILDINGS (P1-P8).

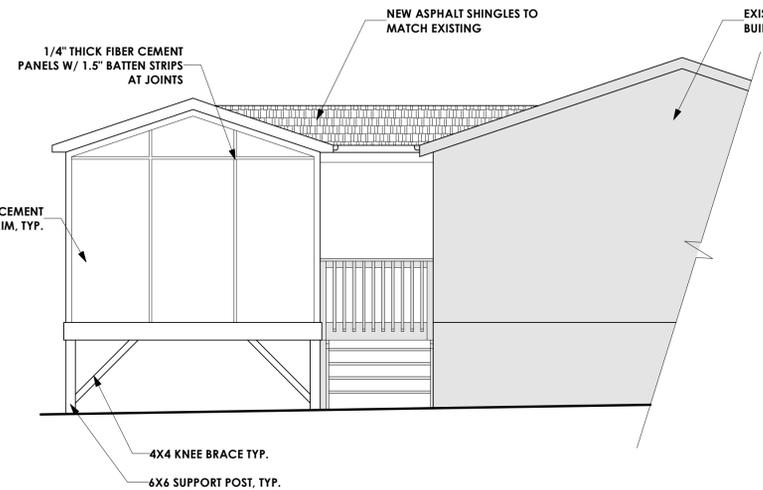


TYP. ORANGE COUNTY 30' TYPE B BUFFER (OPTION 4) PLANTING PLAN FOR MILLHOUSE ROAD & NEW JERICO ROAD SCALE: 1" = 20'

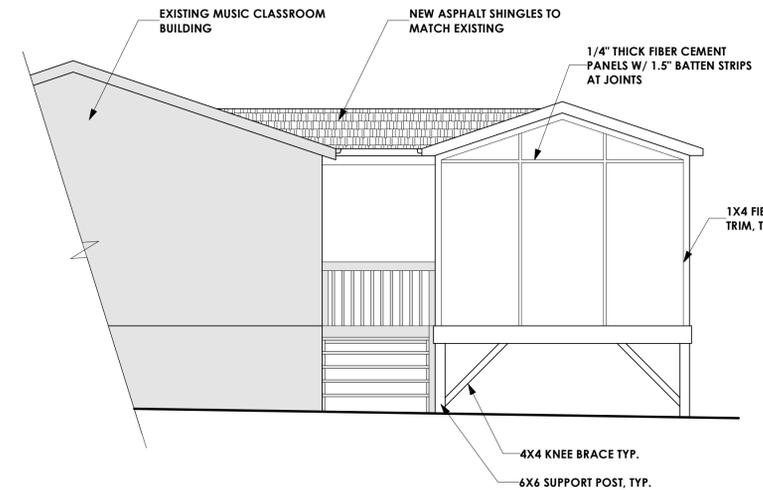




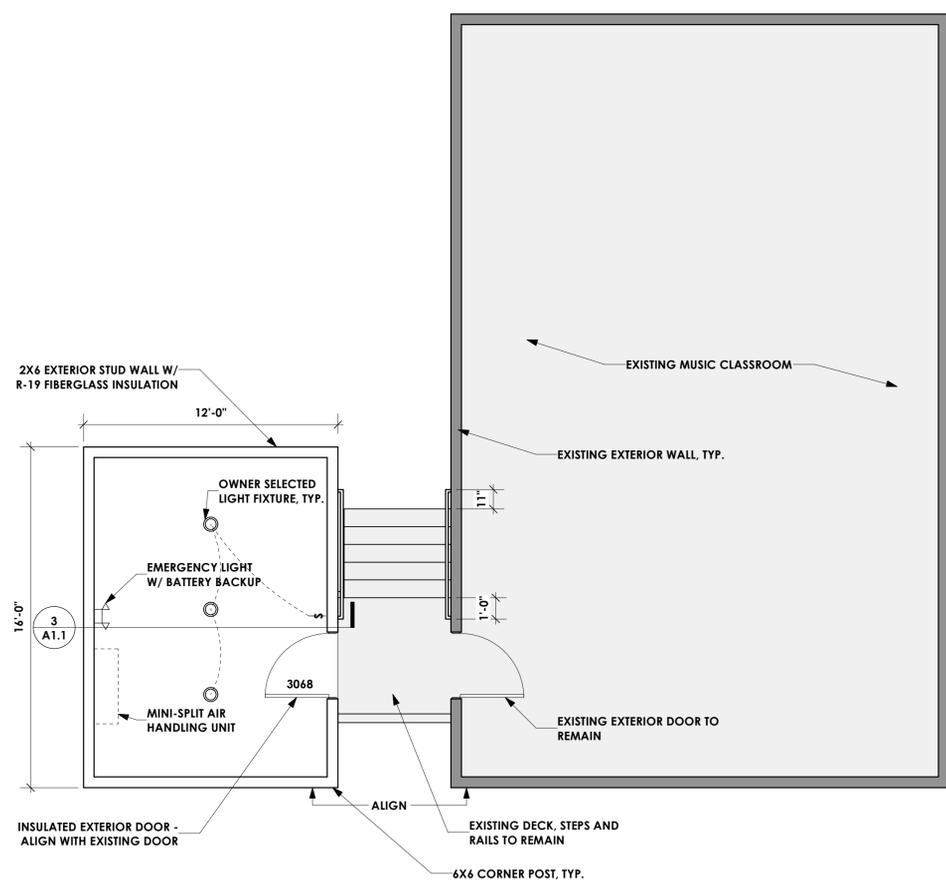
**3 FRONT ELEVATION**  
1/4" = 1'-0"



**4 SIDE ELEVATION**  
1/4" = 1'-0"



**5 SIDE ELEVATION**  
1/4" = 1'-0"



**1 FLOOR PLAN**  
1/4" = 1'-0"



**2 ROOF PLAN**  
1/4" = 1'-0"



**EMERSON WALDORF MUSIC ROOM  
STORAGE ADDITION**

REVISIONS

NO.	DESCRIPTION

DATE: 02\_11\_25

FLOOR PLAN,  
ROOF PLAN &  
ELEVATIONS

**A1.0**





# SHEET INDEX ARCHITECTURE

JASON LENHARDT ARCHITECT

- A0.0 COVER SHEET
- A0.1 CODE SUMMARY
- A0.2 ARCHITECTURAL SITE PLAN
- A1.0 FLOOR PLAN, ROOF PLAN, BUILDING SECTION & EXTERIOR ELEVATIONS

## STRUCTURAL

EXCEL ENGINEERING

S1 FOUNDATION PLAN, ROOF FRAMING PLAN & DETAILS

**J**ASON  
**L**ENHARDT  
**A**RCHITECT

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# EMERSON WALDORF

## ADMINISTRATION BUILDING (ADDITION)

### CHAPEL HILL, NC

### LOCATION MAP



### CONTACT INFORMATION

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**EMERSON WALDORF**  
**FARM PAVILION**  
CHAPEL HILL, NC

### REVISIONS

NO.	DATE	DESCRIPTION

DATE: 06\_19\_24

COVERSHEET

# A0.0



# SHEET INDEX ARCHITECTURE

JASON LENHARDT ARCHITECT

- AD.0 COVER SHEET
- AD.1 CODE SUMMARY
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- A1.0 FLOOR PLAN, ROOF PLAN, BUILDING SECTION & EXTERIOR ELEVATIONS & DETAIL

**J**ASON  
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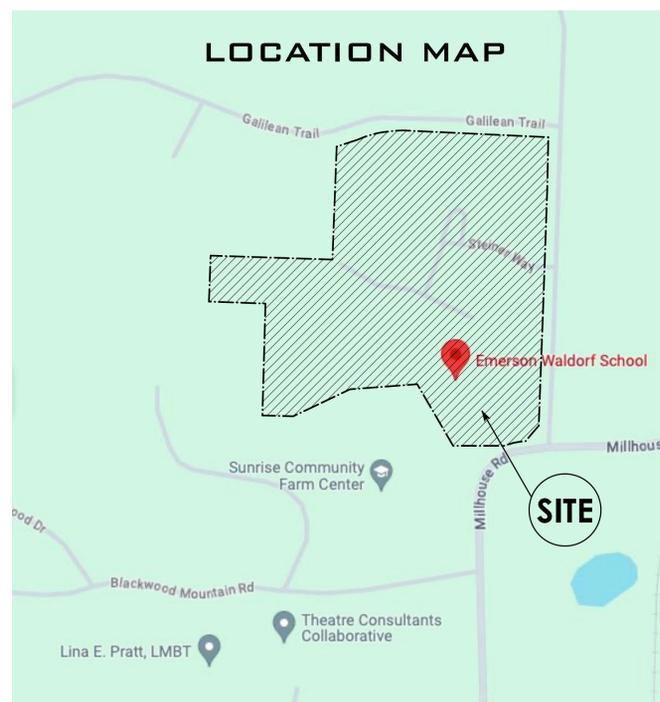
## EMERSON WALDORF OUTDOOR CLASSROOM CHAPEL HILL, NC

EMERSON WALDORF  
OUTDOOR CLASSROOM  
CHAPEL HILL, NC

### CONTACT INFORMATION

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### LOCATION MAP



### REVISIONS

NO.	DATE	DESCRIPTION

DATE: 07\_08\_24

COVER SHEET

**A0.0**



621 Hillsborough Street  
 Suite 500  
 Raleigh, NC 27603  
 919. 361. 5000

June 06, 2025

**Michelle Fridman**  
**Emerson Waldorf School**  
 6211 Ne Jericho Road  
 Chapel Hill, NC 27516

RE: Emerson Waldorf School – Durham, North Carolina – Traffic Impact Analysis Validation Letter

Dear Ms. Fridman,

## Traffic Impact Analysis Validation

This Traffic Impact Analysis (TIA) Validation letter presents a summary of the previously approved TIA, dated October 31, 2014, in comparison to the current operation for the Emerson Waldorf School in Chapel Hill, North Carolina. The existing school is located west of I-40 on New Jericho Road. The school is served through three driveways on New Jericho Road for Early Childhood (Kindergarten and Nursery), Lower School (1<sup>st</sup> -8<sup>th</sup> grades) and High School (9<sup>th</sup> -12<sup>th</sup> grades). The total current population of the school is 290. The enrollment for Early Childhood School is 61 students, Lower School is 116 students, Middle School is 60 students, and High School is 57 students for the 2024-2025 school year.

The original TIA, completed by SEPI Engineering in October 2014, utilized trip generation projected by the NCDOT's Municipal and School Transportation Assistance's (MSTA) school calculator. The number of students projected in the 2014 study was 350 students to generate the traffic during AM and PM peak periods. Weekday AM peak hour total trips generated were 372 vehicles with 221 vehicles entering and 152 vehicles exiting. School PM peak hour total trips generated was 211 with 94 vehicles entering and 117 vehicles exiting. The current population of the school is 290 students, which is still below the previously analyzed density of 350 students.

A Traffic Management Plan (TMP) was also completed in 2014 by Summit Engineering which outlined the carpool operations and circulations recommendations associated with the planned campus expansions for a maximum of 350 students. Based on changes to these plans, an updated TMP was prepared in November 2024 by Kimley-Horn utilizing the existing driveways and parking lot layouts. This November 2024 TMP was prepared for 239 students grades 1-12 with Pre-K and Kindergarten students recommended to be walked in/out of school by their parents.

A sight distance analysis was completed for the driveways of the Emerson Waldorf School to determine if there are any possible safety concerns that need to be addressed. The following are the sight distance findings for each driveway:

### I Northern Driveway

- Looking right – no issues. Clear view of the New Jericho Road/Millhouse Road intersection.
- Looking left, measured a sight distance of 525'.
  - This meets a design speed of 50 mph (45 mph posted).
  - No posted speed limit, which would typically indicate 55 mph posted on a state-maintained road outside Town limits. This would suggest a 60-mph design speed and therefore 575' left-looking sight distance. However, the geometry of the road does not allow for safe operation at this speed.
  - State maintenance ends just south of this driveway. North of this point, since this is a private road, so there is no NCDOT-set speed limit (the 55-mph default speed limit is not likely to apply).

- Vehicle speeds are low at the intersection of New Jericho Road and Galilean Trail. New Jericho Road is unpaved north of Galilean Trail. Most traffic appeared to originate from Galilean Trail, though both routes service a few private residences.
- No changes are recommended at this driveway as sight distance is adequate given practical considerations.

#### I Middle Driveway

- Looking right – no issues. Clear view of the New Jericho Road/Millhouse Road intersection.
- Looking left, measured a sight distance of 750'.
  - This is more sight distance than any applicable design speed here could require.
  - The “Welcome Grades 1-8” sign (see picture in the appendix) technically obstructs an outbound driver’s view to the left when the driver’s eye is between 8’ and 12’ from the edge of travel. Driver can see through/around, but moving this sign further offset from New Jericho Road could be beneficial and recommended.

#### I Southern Driveway

- Looking right – no issues. Clear view of the New Jericho Road/Millhouse Road intersection.
- Looking left, measured a sight distance of 950'.
  - This is more sight distance than any applicable design speed here could require.
  - The “Welcome Grades 1-8” sign at the Middle Driveway (see picture in the appendix) technically obstructs an outbound driver’s view to the left when the driver’s eye is less than 12’ from the edge of travel. Since this sign is at the next driveway north, it obstructs a narrower portion of the field of view the crest of the hill near Galilean Trail. Drivers most likely would be able to see through/around it, but moving this sign further offset from New Jericho Road could be beneficial and recommended.

Due to the minimal change in the number of students, the October 2014 TIA and November 2024 TMP are expected to still accurately reflect the transportation operations and conditions of the subject school and is expected to still be applicable and representative of the present conditions. As such, no additional transportation improvements are expected for the existing conditions. Sight distance analysis shows no significant deficiencies apart from moving one sign for better visibility.

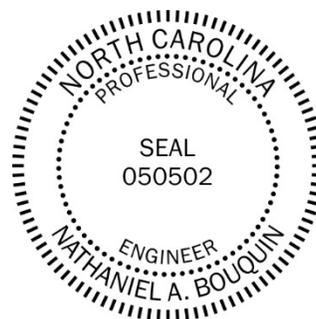
Due to the reasons outlined above, it is my professional opinion that the TIA dated October 31, 2014, and November 2024 TMP is valid, and representative of the transportation improvements needed for the school and as such, a TIA / TIA Update / TIA Addendum is not expected to be needed. Excerpts from this approved TIA and TMP are included in the attachments of this letter.

Please let us know if you have any questions.

Sincerely,  
**McAdams**

Nate Bouquin, PE, PTOE | Traffic Engineering Lead  
bouquin@mcadamsco.com | 919. 961. 4065

The John R. McAdams Company, Inc.  
NC License #C-0293



# Sign at Middle Driveway





# TRAFFIC IMPACT ANALYSIS

## Emerson Waldorf School TIA

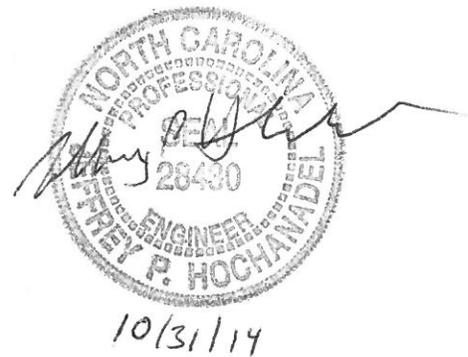
Prepared by  
**SEPI Engineering & Construction**

Prepared for  
**Emerson Waldorf School**

October 2014

Emerson Waldorf School  
Chapel Hill, North Carolina

## ***Traffic Impact Analysis***



Prepared by  
***SEPI Engineering and Construction***  
1025 Wade Avenue  
Raleigh, NC 27605  
License Number: C-2197

Prepared for  
***Emerson Waldorf School***  
6211 New Jericho Road  
Chapel Hill, NC 27516

***October 2014***

## EXECUTIVE SUMMARY

### I. Existing Conditions

The Emerson Waldorf School is proposing a renovation and expansion. **Figure ES-1** shows the general site location of the existing school. The existing school is located off New Jericho Road north of Millhouse Road just west of I-40 in Chapel Hill, North Carolina. The proposed renovations/expansion are scheduled to be complete by 2030. This report analyzes the full build-out scenario for the year 2030, the no-build scenario for 2030, as well as 2014 existing year traffic conditions.

The existing site currently contains approximately 22,121 square feet (sf) of space in 11 buildings, with a total student population of 258. The school includes Early Childhood (Kindergarten and Nursery), Lower School (1<sup>st</sup> – 8<sup>th</sup> grades) and High School (9<sup>th</sup> – 12<sup>th</sup> grades). **Figure ES-2** shows the existing school layout and locations of the three site driveways and three primary parking lots (total of approximately 98 parking spaces) currently used for student pick-up / drop-off. For future site build-out, the site will contain approximately 54,589 sf of space in 20 buildings with a student population of 350 students. Access to the site with the proposed expansion will remain the same as existing with the three site driveways. Approximately 145 parking spaces are proposed throughout the site under the proposed expansion, and an additional 131 spaces for auditorium parking, when needed. **Figure ES-3** shows the proposed project site plan and location of the future expansion. **Figure ES-3** also shows the specific locations of the proposed buildings, traffic circulating driveways, and parking facilities.

Specific analyses were conducted to analyze the internal traffic circulation and queuing vehicle storage. In addition, the site will be analyzed to ensure that it will meet the NCDOT's recommended 350-feet of queue storage. Current vehicle queue storage for student drop off and pick up stretches from the southernmost parking lot fronting New Jericho Road northward to the second site driveway.

This report analyzes and presents the traffic impacts that the proposed development will have on the following intersections:

- Site Driveway 1 / SR 1899 (New Jericho Road)
- Site Driveway 2 / SR 1899 (New Jericho Road)
- Site Driveway 3 / SR 1899 (New Jericho Road)
- NC-86 / SR 1718 (Mt Sinai Road) / SR 1725 (Millhouse Road)
- SR 1899 (New Jericho Road) / SR 1725 (Millhouse Road)
- Clyde Road / Chapel Hill Public Works Driveway / SR 1725 (Millhouse Road)
- SR 1725 (Millhouse Road) / SR 1727 (Eubanks Road)

The impacts of the site traffic from the renovation / expansion on the existing intersections (listed above) will be evaluated during the AM and (school) PM peak hours of an average weekday. The following analysis is based on the 2014 existing year traffic, the 2030 traffic with the addition of ambient growth and approved area development traffic volumes, the 2030 total traffic with the addition of estimated site-generated traffic produced by the school, and the future year 2030 total traffic with the addition of recommended roadway improvements. Currently, there is one background development (The Edge) to be completed (prior to 2030) within the surrounding area. To account for area-wide 2030 ambient traffic growth, an annual growth rate of 1.0 percent per year was applied to the existing volumes. This growth rate was provided to SEPI by the NCDOT.

The project study area is primarily serviced by three corridors (NC-86, Millhouse Road, and Eubanks Road) with several other corridors in the project study (New Jericho Road and Mt Sinai Road). There are currently three site driveways connecting to New Jericho Road. Site Driveway 1 functions as an “exit-only” driveway from the southernmost school parking lot. Site Driveway 2 is a full movement driveway, and services the two existing parking lots that front New Jericho Road and drop-off area located in front of the Main Office / 1<sup>st</sup>-4<sup>th</sup> Grade Building. Site Driveway 3 provides access to the daycare / kindergarten buildings (and parking lot) located in the northwest corner of the property as well as the northernmost parking lot fronting New Jericho Road.

To provide a more conservative vehicle estimate, no adjustments were made to anticipated traffic volumes to account for transit use. Additionally, no adjustments were made to anticipated traffic volumes to account for alternative / non-motorized modes of transportation (bicycle or pedestrian).

## **II. Background Conditions**

Currently there is one Town of Chapel Hill development near the study area which is scheduled for completion by 2019, through a phased approach, and will be used as approved area development traffic. This development, currently known as The Edge, will include a mix of land uses and be located along Eubanks Road just west of NC 86. The Edge site plan includes four direct access driveways to Eubanks Road over a distance of approximately 2,500 feet, 431 residential units (apartments), 157,000-sf office space, and 196,250-sf commercial/retail space (potentially including 250 hotel rooms). There were no recommended improvements within the project study area.

To account for area-wide future ambient traffic growth, an annual growth rate of 1.0 percent was applied to the existing traffic volumes.

Currently there are no Town of Chapel Hill projects scheduled for construction in the project study area. Because of this, no adjustments were made to the existing area lane configuration. All analyses will be conducted using the existing lane configurations.

### III. Project Conditions

The site generation potential of the proposed development was determined using the trip generation rates projected by the NCDOT's Municipal and School Transportation Assistance's (MSTA) school calculator. The approximate number of students (350) was used to estimate the traffic generated during the AM and (school) PM peak hours. It should be noted that the MSTA school calculator provides only the peaking characteristics of the school. While the AM peak hour trips generated by the school occur at the same time as the AM peak hour for the project study area roadway facilities; the PM peak hour generated trips do not correspond with the peaking characteristics of the project study area roadway facilities. The school's PM peak hour will occur at approximately 2:30 – 3:30 p.m., whereas the PM peak hour of the project study area roadway facilities occurs between 4:00 p.m. – 6:00 p.m. For this reason, PM traffic was analyzed during the school's PM peak period (2:00 p.m. – 4:00 p.m.). AM trips generated totaled 372 vehicles with 221 vehicles entering and 152 vehicles exiting. PM trips generated totaled 211 vehicles with 94 vehicles entering and 117 vehicles exiting.

Because the existing MSTA school calculator volumes closely resembled the existing traffic data collected (see **Table ES-1** below), it was assumed (for purposes of analysis) that the MSTA calculator would provide an accurate representation of future on-site trips and on-site queuing. Therefore, trips generated by the MSTA calculator were used for all on-site Condition 3 analyses. The net differences in trips between the future and existing trips calculated by the MSTA calculator were applied to the traffic network for all off-site Condition 3 analyses.

**Table ES-1** summarizes the estimated traffic generation for the proposed development during the AM and (school) PM peak hour. No attempt was made to reduce the number of trips by a transit factor (due to the lack of accessible bus routes in the area), nor were the trips reduced due to pass-by trips. A heavy vehicle percentage of two percent was calculated by the MSTA school calculator and assumed for the purposes of this analysis. Existing peak hour factors were used for analysis due to the fact that existing school trips are currently using the same network as commuter trips.

Table ES-1 – Peak Hour Trip Generation (Vehicles / Hour)

TYPE	SCHOOL	NUMBER OF STUDENTS	AM PEAK HOUR			PM PEAK HOUR		
			Enter	Exit	Total	Enter	Exit	Total
<b>Existing Conditions</b>								
MSTA	Early Childhood	55	31	24	55	15	15	30
	Lower	158	89	68	157	42	42	84
	High	45	39	20	59	12	25	37
	<b>Total</b>	<b>258</b>	<b>159</b>	<b>112</b>	<b>271</b>	<b>69</b>	<b>82</b>	<b>151</b>
<b>Existing Conditions</b>								
Counts	<b>Total</b>	<b>258</b>	<b>158</b>	<b>115</b>	<b>263</b>	<b>98</b>	<b>106</b>	<b>214</b>
<b>Future Conditions</b>								
MSTA	Early Childhood	55	31	24	55	15	15	30
	Lower	215	121	93	214	57	57	114
	High	80	69	35	103	22	45	67
	<b>Total</b>	<b>350</b>	<b>212</b>	<b>145</b>	<b>357</b>	<b>90</b>	<b>113</b>	<b>203</b>
<b>Net Difference</b>								
<b>TOTAL</b>			<b>54</b>	<b>34</b>	<b>88</b>	<b>22</b>	<b>31</b>	<b>53</b>

### Existing Conditions

Currently, the procedure for drop-off / pick-up is based on grade level. All children in grades 4 and under are required to be walked into school by a parent. Bus transportation is not offered at the school. The parent vehicles for the Early Childhood program (Kindergarten and under) enter the site through Site Driveway 3, travel north and park in the parking lot adjacent to the Early Childhood buildings. These vehicles use Site Driveway 3 to exit the site.

Parent vehicles for the elementary and middle school children currently use both Site Driveway 2 and Site Driveway 3 for entering / exiting the school site. A portion of these vehicles use Site Driveway 3 to enter the site and park in the parking lot in front of the Pavilion (see **Figure 2**). Once these parents walk their children into school, they exit the site using Site Driveway 2 or Site Driveway 3. Parents of elementary and middle school children also enter via Site Driveway 2 and either park in the parking lot located adjacent to the Lower School area or use Site Driveway 2 and the main parking lot to drop off their children. The majority of the vehicles for the Lower School use Site Driveway 1 to exit the site. A few of the vehicles that drop off children via Site Driveway 2 use the same drive for exiting the site. In addition, if Site Driveway 2 backs up with vehicles, some parents travel down New Jericho Road and enter through Site Driveway 3,

circle through the main parking lot back to Site Driveway 2 for drop-offs. During the busiest period of drop-off / pick-up, a small amount of queuing occurs on New Jericho Road.

High school students and parents use Site Driveway 3 to enter and exit the site. A percentage of the high school students park on-site in the parking areas adjacent to the Early Childhood buildings and High School building (see **Figure 2**). It is important to note that the vehicles coming from the western portion of the site (High School and Early Childhood) cannot use Site Driveway 2, as it is a dedicated fire lane blocked off from through traffic.

The existing access and on-site circulation of vehicles create several conflict points, especially between pedestrians and vehicles. Parents and students walking to the buildings cross moving traffic in parking areas and access drives with no visible crosswalks, specifically Site Driveway 2. This creates a safety concern, and causes vehicles to back-up within access drives and onto New Jericho Road while waiting for pedestrians to cross. In addition, the school provides coffee for parents during morning drop-off in an area adjacent to the Main Office / 1<sup>st</sup>-4<sup>th</sup> Grades Building. This amenity results in a grouping of people in an area that is busy with vehicles and vehicles occupying parking spaces for a longer period of time.

### **Future Conditions – On-Site**

The proposed expansion includes improvements that will address existing circulation and queuing concerns. As illustrated in **Figure ES-3**, the three existing site driveways will continue to provide ingress/egress as they currently function. However, the drop-off / pick-up will be organized to provide sufficient on-site queuing and mitigate conflict points, as demonstrated in **Figure ES-4**. Site Driveway 3 will serve as ingress for all parents/students, with parents of the Early Childhood program and the High School using Site Driveway 3 to also exit. Site Driveway 2 will act primarily as a site egress point during school pick-up / drop-off, but will be full movement throughout the school day. Site Driveway 1 will act as a site egress only and will service parents that have picked-up / dropped-off students that do not need to be walked into school.

Early Childhood parents, parents picking-up / dropping-off only high school students, as well as high school students allowed to park on campus will enter / exit the site via Site Driveway 3. Site Driveway 3 will be the sole access route to the northwesternmost site parking lot that fronts the Early Childhood buildings. Based on the current bell schedule, high school students will arrive on campus and park (or be picked-up / dropped-off) prior to the arrival of the Early Childhood parents / students. Additionally, Early Childhood parents / students leave site at approximately 12:00 p.m.; consequently, these age groups should not conflict. However, a vehicular conflict point is created for those vehicles existing Site

Driveway 3 and those wishing to turn south towards the proposed parking lot or queue storage lane (located between Site Driveways 3 and 2). However, as discussed later in the document, Condition 3 Synchro analyses reveal that the conflict point created causes only insignificant delays and does not exacerbate on-site queuing.

Site Driveway 3 will also serve as the main entrance for parents / students wishing to access the Lower and Middle Schools. Vehicular movements, once on the site, will turn left into either a linear parking lot (for parents picking-up / dropping-off students in Grades 1 – 4) or a queue storage lane (for parents picking-up / dropping-off students in Grades 5 – 8). Vehicles using the parking lot will exit Site Driveway 2, where vehicles using the queue storage lane will cross Site Driveway 2 and ultimately exit via Site Driveway 1. A vehicular conflict point is created for those vehicles existing Site Driveway 2 and those wishing to cross Site Driveway 2 and exit via Site Driveway 1. However, as discussed later in the document, Condition 3 Synchro analyses reveal that the conflict point created causes only insignificant delays and does not exacerbate on-site queuing.

A one-way (southbound only) traffic pattern has been designed through the proposed parking lot (located between Site Driveways 2 and 3) to help facilitate on-site traffic flow to Site Driveway 2. A sidewalk, located adjacent to the parking lot will provide access for Grade 1 – 4 parents and students. Vehicles will park in this lot and access the sidewalk. An unimpeded crossing is provided for pedestrians from this sidewalk to the lower buildings. In addition, the morning coffee station, currently located in front of the Main Office / 1<sup>st</sup> – 4<sup>th</sup> Grades Building, will be relocated to the existing gazebo in the Pavilion area. This area provides more space for gathering and is protected from the vehicle circulation. These improvements will improve on-site safety and greatly reduce pedestrian / vehicular conflict points.

It should be noted that the extension of Site Driveway 2 will continue to be blocked to through traffic and used only as an emergency / fire lane. Parents / students will cross this fire lane from the proposed parking lot to access the school buildings to the south. Additionally, this area is currently used by students to move from building to building throughout the day. On-site observations revealed students running between buildings and not realizing they were crossing a vehicular route. Opening this lane to traffic would create a significant number of unmarked pedestrian / vehicular conflict points and would create significant safety concerns.

The queue storage area (located between Site Driveways 2 and 3) will allow vehicles to store on campus before crossing Site Driveway 2 and ultimately picking-up / dropping off students near Site Driveway 1. This southbound route will be for vehicular storage / passage only and will have no pedestrian

crossings. This improvement will allow for all vehicular queuing to occur on-site. It should be noted that, for purposes of analysis, it was assumed that all parents picking-up / dropping off students in the 5<sup>th</sup> – 12<sup>th</sup> grade will use this vehicular path. This represents a “worst case” scenario for future queuing projections. In actuality, all parents picking-up / dropping-off high school students (only) will enter / exit the site via Site Driveway 3 and will never enter the queue storage lane. Only when parents have students in both the lower school and high school will they use the queue storage lane to access pick-up / drop-off.

The older student (5<sup>th</sup> grade and higher) pick-up / drop-off location will be relocated to the southernmost parking lot. The equivalent of approximately three parking spaces will be provided for parents just west of Site Driveway 1. As previously discussed, vehicles will enter via Site Driveway 3, pick-up / drop-off students, and exit via Site Driveway 1. There is approximately 400 feet of on-site queue storage with the proposed expansion. With a projected MSTTA queue length of 350 feet, adequate on-site storage will be available for queued vehicles.

Staff members are projected to arrive on-site prior to vehicular queuing in the AM peak hour and leave the site after vehicular queuing in the PM peak hour. Early Childhood and High School teachers will use the northwesternmost parking lot and will enter and exit the site via Site Driveway 3. Teachers for Grades 1 – 8 will enter the site via Site Driveway 3, turn south through the queuing lane, and park in the southernmost site parking lot. After school, these teachers will leave the site through Site Driveway 1.

Several future MSTTA calculator spreadsheets were created to help route traffic through the site. An overall spreadsheet was created to show all future trips (summarized in **Table ES-1** above). A second spreadsheet was created accounting for the Early Childhood student population (55 students) and staff (assumed 7), high school student drivers (23 students), and high school staff (assumed 11) which will enter / exit the site via Site Driveway 3. A third spreadsheet was created accounting for the proposed students in Grades 1 – 4 (115 students) that will park in the parking lot located between Site Driveways 2 and 3. These trips will enter the site via Site Driveway 3 and exit the site via Site Driveway 2. A fourth spreadsheet was created accounting for the proposed students in Grades 1 – 5 (100 students) and Grades 9 – 12 (57 students) being picked-up / dropped-off and Grades 1 – 8 staff members parking in the southernmost parking lot. These trips will enter the site via Site Driveway 3 and exit the site via Site Driveway 1.

### **Future Conditions – Off-Site**

The directional traffic patterns, or trip distribution, of the (net) site generated traffic was determined based on existing off-site travel patterns. Based on traffic data collected by SEPI, 51% of the projected trips will approach / depart the site

from the northeast using Millhouse Road and 49% of the projected trips will approach / depart the site from the west using Millhouse Road. The distribution percentages were applied to the generated trips to predict routes and project traffic volumes for the 2030 build-out scenario.

#### **IV. Traffic Operations Analysis**

As is typical for a traffic impact analysis, each of the study area intersections were first analyzed under existing conditions. The intersections (existing and future) were then analyzed with and without the addition of site traffic during the project build-out year (2030). Next, mitigated improvements were introduced to the network so that each intersection either operated at a LOS D (or better) or operated at a LOS equal to or better than the without site traffic condition.

For this analysis, the following four conditions were evaluated:

Condition 1: 2014 Existing Traffic

Condition 2: Build-Out Year (2030) Without Site Traffic

Condition 3: Build-Out Year (2030) With Site Traffic

Condition 4: Build-Out Year (2030) With Site Traffic & Mitigated Improvements

**Table ES-2** shows the (critical intersection movement) results of the intersection analyses for each Condition.

**Table ES-2 – Level of Service and Delay (sec/veh) Results –  
Study Area Intersections**

Intersection	2014 Condition 1 Existing Traffic		2030 Condition 2 Without Site Traffic		2030 Condition 3 With Site Traffic		2030 Condition 4 With Site Traffic & Improvements	
	AM	PM	AM	PM	AM	PM	AM	PM
Site Driveway 1 / SR 1899 (New Jericho Road)	A (9.3)^	A (9.2)^	A (9.3)^	A (9.2)^	A (9.6)^	A (9.4)^		
Site Driveway 2 / SR 1899 (New Jericho Road)	A (3.8)^	A (5.1)^	A (3.8)^	A (5.1)^	A (9.0)^	A (9.0)^		
Site Driveway 3 / SR 1899 (New Jericho Road)	A (8.6)^	A (8.6)^	A (8.6)^	A (8.6)^	A (8.5)^	A (8.6)^		
NC-86 / SR 1718 (Mt Sinai Road) / SR 1725 (Millhouse Road)	<i>F (109.8)^</i>	<i>E (36.4)^</i>	<i>F (505.8)^</i>	<i>F (151.5)^</i>	<i>F (744.0)^</i> <i>C (21.7)</i>	<i>F (215.8)^</i> <i>B (14.6)</i>		
SR 1899 (New Jericho Road) / SR 1725 (Millhouse Road)	B (12.3)^	B (11.1)^	B (12.6)^	B (11.2)^	C (16.1)^	B (12.8)^		
Clyde Road / Chapel Hill Public Works Driveway / SR 1725 (Millhouse Road)	A (8.0)	A (8.1)	A (8.2)	A (8.4)	A (8.7)	A (8.6)		
SR 1725 (Millhouse Road) / SR 1727 (Eubanks Road)	A (8.9)	A (7.5)	B (11.0)	A (8.5)	B (13.8)	A (8.7)		

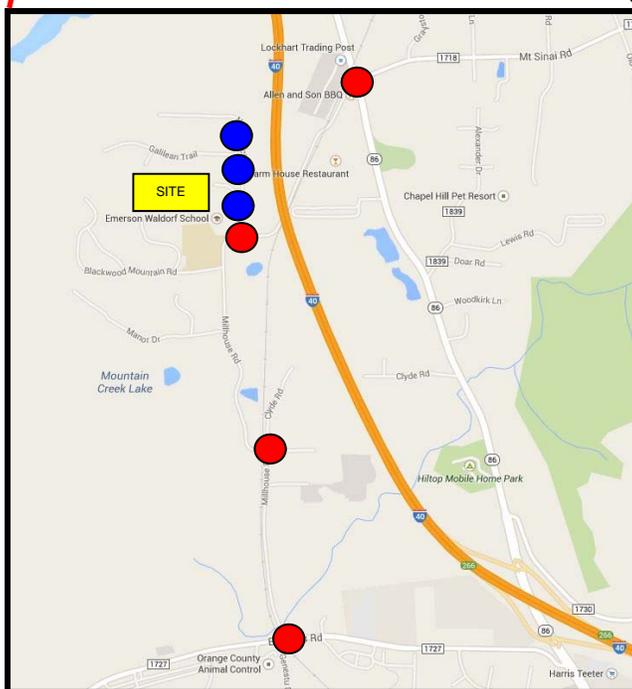
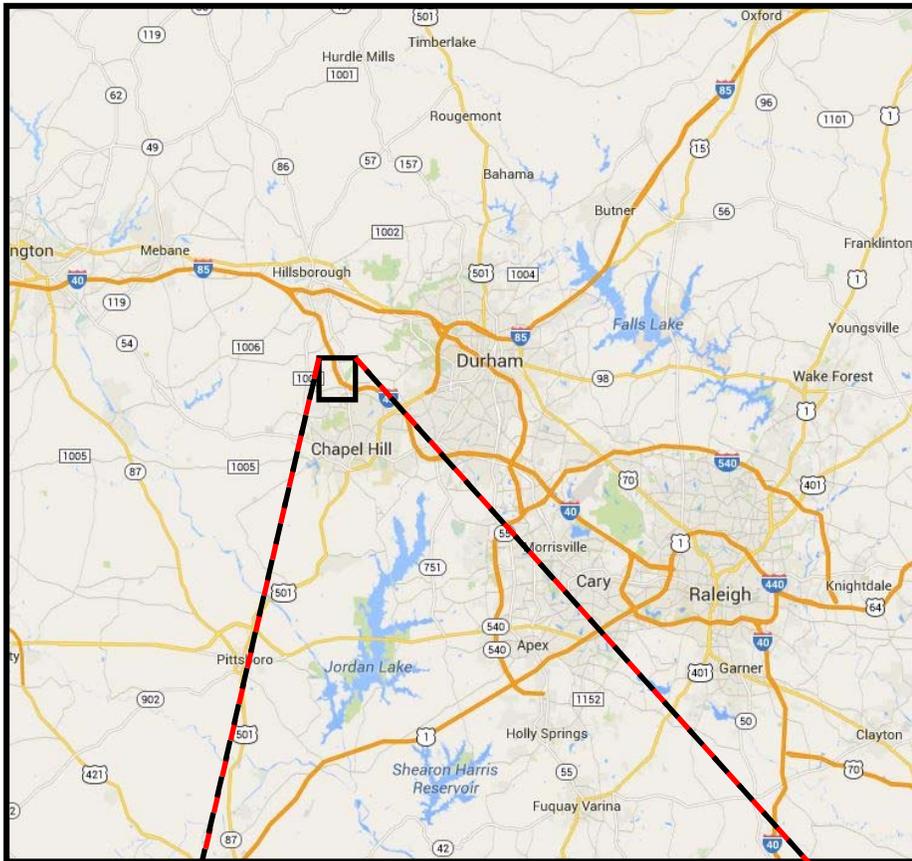
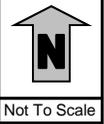
^ =&gt; Key unsignalized intersection movement

\* =&gt; Delay incalculable

X (##.#) =&gt; SimTraffic LOS &amp; Delay (average of 5 runs)

## V. Conclusions and Recommendations

In conclusion, the Emerson Waldorf School was analyzed for four separate conditions: 2014 existing (Condition 1), 2030 without the addition of site traffic (Condition 2), 2030 with the addition of site traffic (Condition 3), and finally 2030 with the addition of site traffic and mitigated improvements (Condition 4). **Table ES-2** above shows the levels of service and delay values for each analyzed condition. Traffic counts, performed by SEPI, form the basis for the analysis of Conditions 1 - 4. No offsite intersection improvements are recommended or necessary to help mitigate delay due to site traffic from the Emerson Waldorf School expansion.



Legend

- = Study Area Intersection
- = Driveway Intersection



**Emerson Waldorf School  
Chapel Hill, North Carolina**

Site Location Map

Figure ES-1

# EMERSON WALDORF SCHOOL

6211 New Jencho Road • Chapel Hill, North Carolina 27516



Not To Scale



## Emerson Waldorf School TIA Chapel Hill, North Carolina

Existing Site Layout

Figure ES-2





# Traffic Management Plan - Emerson Waldorf School

## Emerson Waldorf School Lower School (Grades 1-8)

184 Student Population  
 543 Feet 30% High Demand Length (MSTA Private School Trip Calculator)  
 600 Feet Desired Queue

This Design Provides  
 770 Feet Total Queue (Shown in Green)\*

\*This queue length does not include the loading zone area

## Emerson Waldorf School High School (Grades 9-12)

55 Student Population  
 261 Feet 30% High Demand Length (MSTA Private School Trip Calculator)  
 300 Feet Desired Queue

This Design Provides  
 400 Feet Total Queue (Shown in Red)

## Emerson Waldorf School - Trip Generation

### Early Childhood:

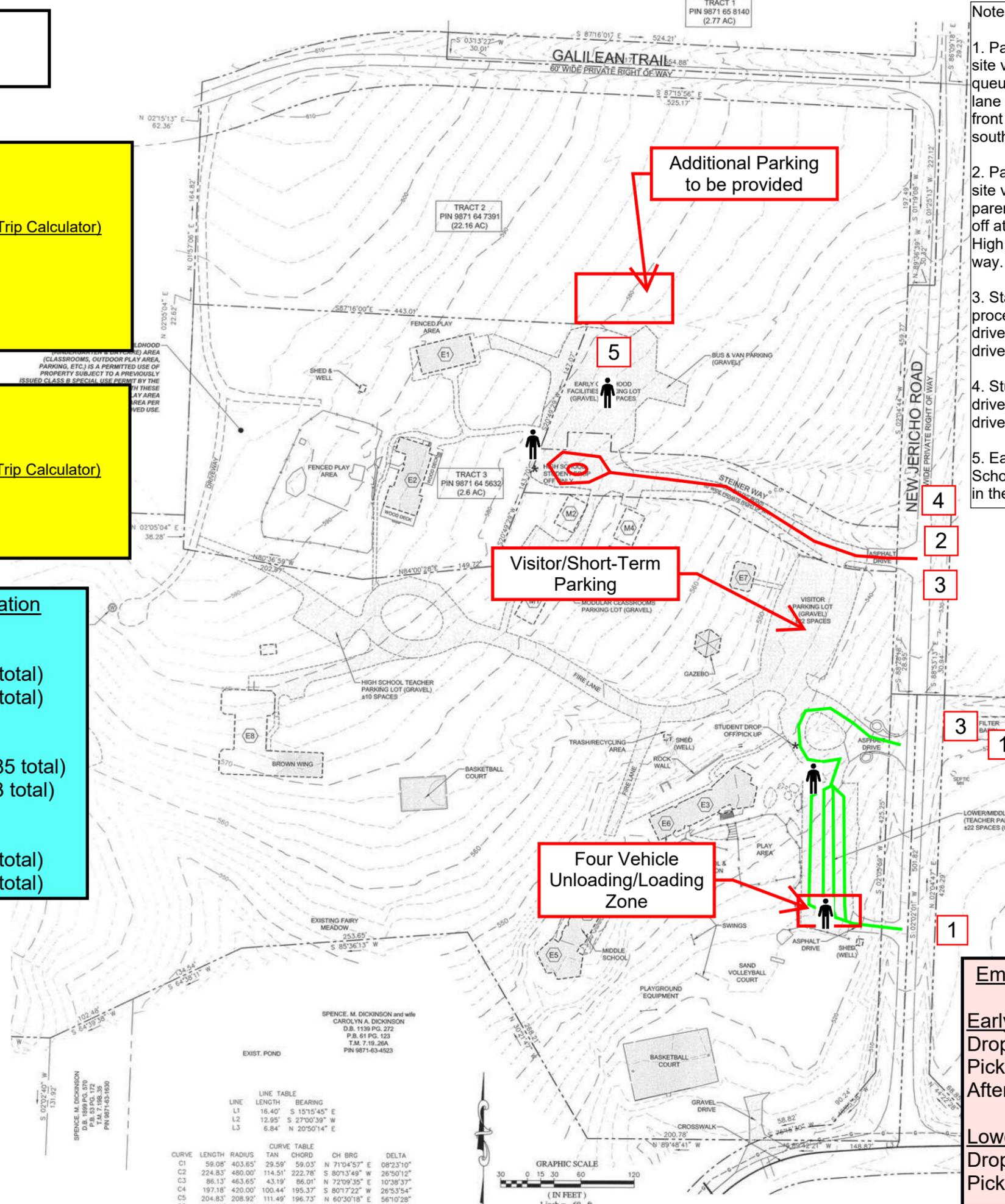
AM Peak Hour: 44 entering, 34 exiting (78 total)  
 PM Peak Hour: 24 entering, 34 exiting (58 total)

### Lower School:

AM Peak Hour: 105 entering, 80 exiting (185 total)  
 PM Peak Hour: 49 entering, 74 exiting (123 total)

### High School:

AM Peak Hour: 43 entering, 20 exiting (62 total)  
 PM Peak Hour: 16 entering, 41 exiting (57 total)



### Notes:

1. Parents of students in grades 1-8 (Lower School) will enter the site via the middle site driveway along New Jericho Road and queue around the loop. These parents will then queue in a four lane bay and drop students off at the end of each queue lane in front of the Lower School Building. Parents will exit the site via the southern driveway.
2. Parents of students in grades 9-12 (High School) will enter the site via the northern site driveway along New Jericho Road. These parents will continue straight along Steiner Way and drop students off at the existing Student Drop Off/Pick Up location in front of the High School Building. Parents will exit the site via that same driveway.
3. Staff members will be directed to enter the site prior to loading procedures. Lower School staff will enter the site via the middle driveway and Upper School staff will enter the site via the northern driveway along New Jericho Road.
4. Students will be directed to enter the site via the northern site driveway along New Jericho Road and exit the site via the same driveway.
5. Early Childhood (Pre K/K) pick-up should occur prior to High School loading procedures. All early childhood parents should park in the parking lot and walk students to/from their vehicles.

STAFF MEMBER LOCATION

## Emerson Waldorf School - Current Bell Schedule

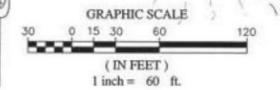
**Early Childhood:**  
 Drop-Off: Begins at 8:00am  
 Pick-Up: Early Dismissal begins at 12:30,  
 Afternoon dismissal begins at 3:00pm

**Lower/High School:**  
 Drop-Off: Begins at 8:00am  
 Pick-Up: Begins at 3:15pm

LINE	LENGTH	BEARING
L1	16.40'	S 15°15'45" E
L2	12.95'	S 27°00'39" W
L3	6.84'	N 20°50'14" W

CURVE	LENGTH	RADIUS	TAN	CHORD	CH BRG	DELTA
C1	59.08'	403.65'	29.59'	59.03'	N 71°04'57" E	08°23'10"
C2	224.83'	480.00'	114.51'	222.78'	S 80°13'49" W	26°50'12"
C3	86.13'	463.65'	43.19'	86.01'	N 72°09'35" E	10°38'37"
C4	197.18'	420.00'	100.44'	195.37'	S 80°17'22" W	26°53'54"
C5	204.83'	208.92'	111.49'	196.73'	N 60°30'18" E	56°10'28"
C6	192.30'	178.92'	106.62'	183.18'	N 57°48'05" E	61°34'53"



October 7, 2025

**NOTICE OF NEIGHBORHOOD INFORMATION MEETING (NIM)****Special Use Permit: SUP25-0009, Emerson Waldorf School**

To Whom It May Concern:

We (the applicant) have submitted a Special Use Permit Application proposing to develop property located at 6211 New Jericho Road (PINs 9871658140, 9871646437, 9871743098, 9871721935) for Education (Private School). This is a modification to the existing school master plan and SUP approved in 2015. Per Section 2.7, Special Use Permits of the Unified Development Ordinance, you are receiving this letter because property you own is within 1,000 ft. of this parcel. The parcel is further described below:

Property Information	
<b>Parcel ID Numbers (PIN)</b>	9871658140, 9871646437, 9871743098, 9871721935
<b>Owner</b>	The Waldorf Educational Association of NC
<b>Applicant</b>	McAdams on behalf of the Emerson Waldorf School
<b>Location</b>	6211 New Jericho Road
<b>Acreage</b>	55.27 acres
<b>Zoning</b>	RB
<b>Watershed Designation</b>	Jordan Lake (Unprotected)

**What is being proposed?**

The proposed project will allow for an expansion of the existing school. New arts rooms and buildings are proposed as part of this SUP application.

**What is this meeting for?**

This Neighborhood Information Meeting (NIM) will allow you and other nearby property owners to meet with the applicant and discuss the proposal.

**When and where is the meeting?**

Meeting Information	
<b>Date</b>	October 22, 2025
<b>Time</b>	5:30pm-6:30pm
<b>Place</b>	Brown Wing, Emerson Waldorf School
<b>Address</b>	6211 New Jericho Road
<b>Assigned Planner</b>	Ashley Moncado, Planner III 919-245-2589 amoncado@orangecountync.gov

\*\*\*

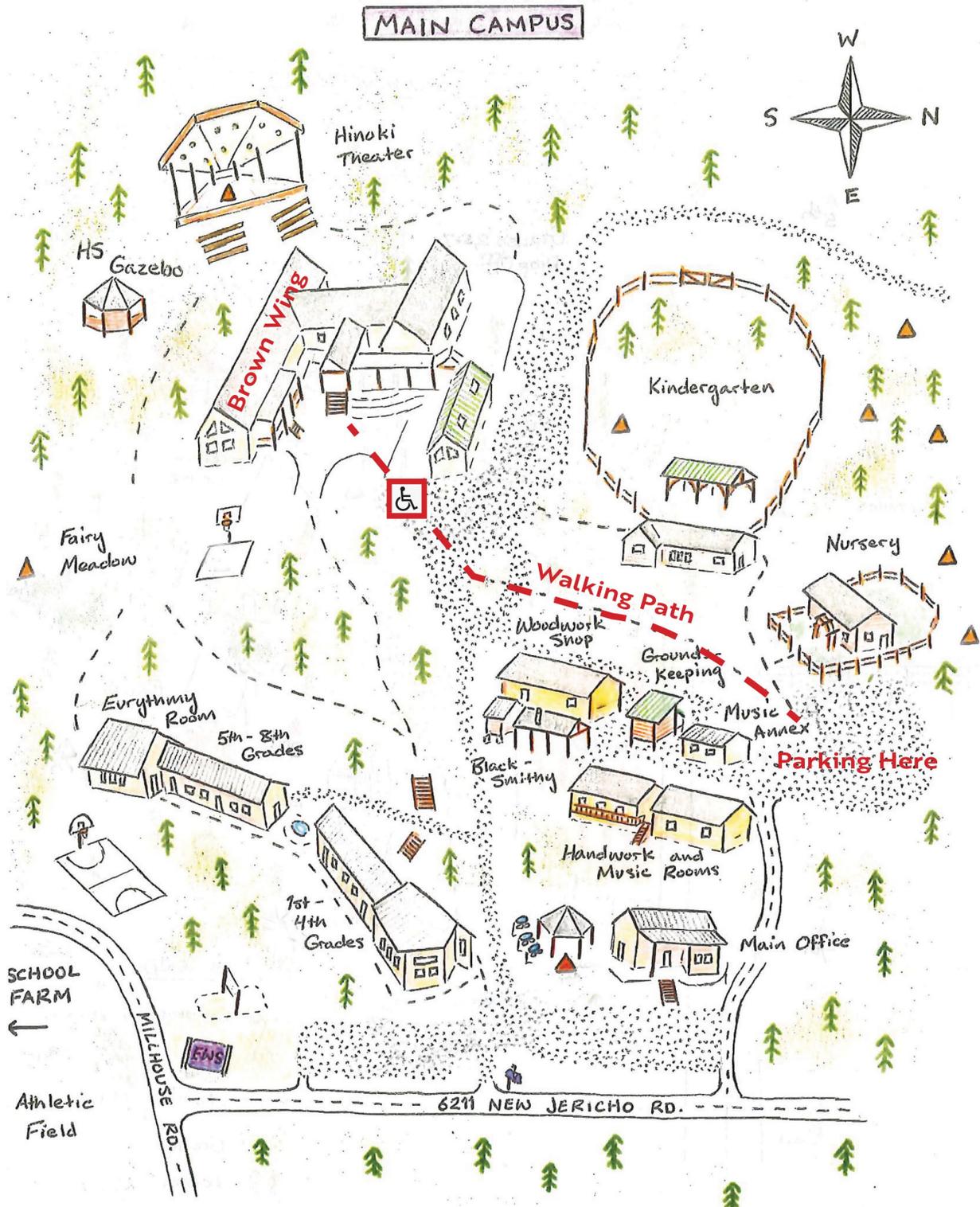
Following the NIM, this proposal will go on to the Board of Adjustment for an evidentiary hearing. You will also receive a letter regarding when that meeting will take place and at what time.

If you have any question regarding this project, feel free to reach out to us, my contact information is listed below.

Best Regards,

Laura Holloman, holloman@mcadamsco.com, 919-361-5000

Enclosures: Concept Plan, Directional Site Map





McADAMS

The John R. McAdams Company, Inc.
621 Hillsborough Street
Suite 500
Raleigh, NC 27603
phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

CLIENT

EMERSON WALDORF SCHOOL
6211 NEW JERICO ROAD
CHAPEL HILL, NORTH CAROLINA 27516
PHONE: 919. 967. 1858

EMERSON WALDORF SCHOOL EXPANSION
TYPE "A" SPECIAL USE PERMIT MODIFICATION
6211 NEW JERICO ROAD
CHAPEL HILL, NORTH CAROLINA, 27516



REVISIONS

Table with columns: NO., DATE

PLAN INFORMATION

Table with columns: PROJECT NO., FILENAME, CHECKED BY, DRAWN BY, SCALE, DATE

MASTER SITE PLAN - AREA 'A'
C2.00

BUILDING SCHEDULE

Table listing existing and proposed buildings with descriptions and square footages.

PARKING SCHEDULE

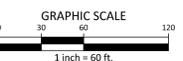
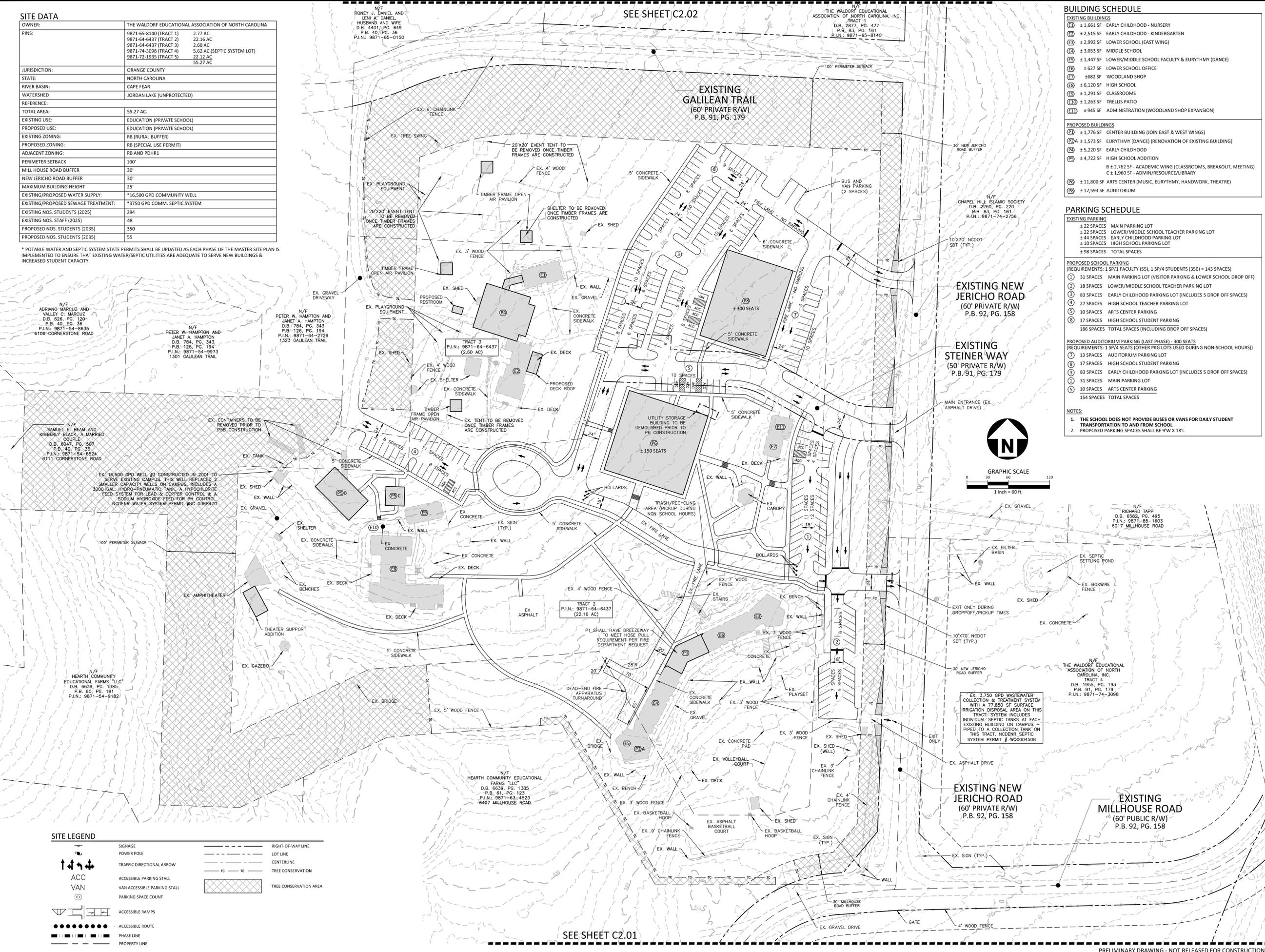
Table listing existing and proposed parking spaces with requirements and counts.

SITE DATA table containing owner, jurisdiction, area, and zoning information.

\* POTABLE WATER AND SEPTIC SYSTEM STATE PERMITS SHALL BE UPDATED AS EACH PHASE OF THE MASTER SITE PLAN IS IMPLEMENTED TO ENSURE THAT EXISTING WATER/SEPTIC UTILITIES ARE ADEQUATE TO SERVE NEW BUILDINGS & INCREASED STUDENT CAPACITY.

SEE SHEET C2.02

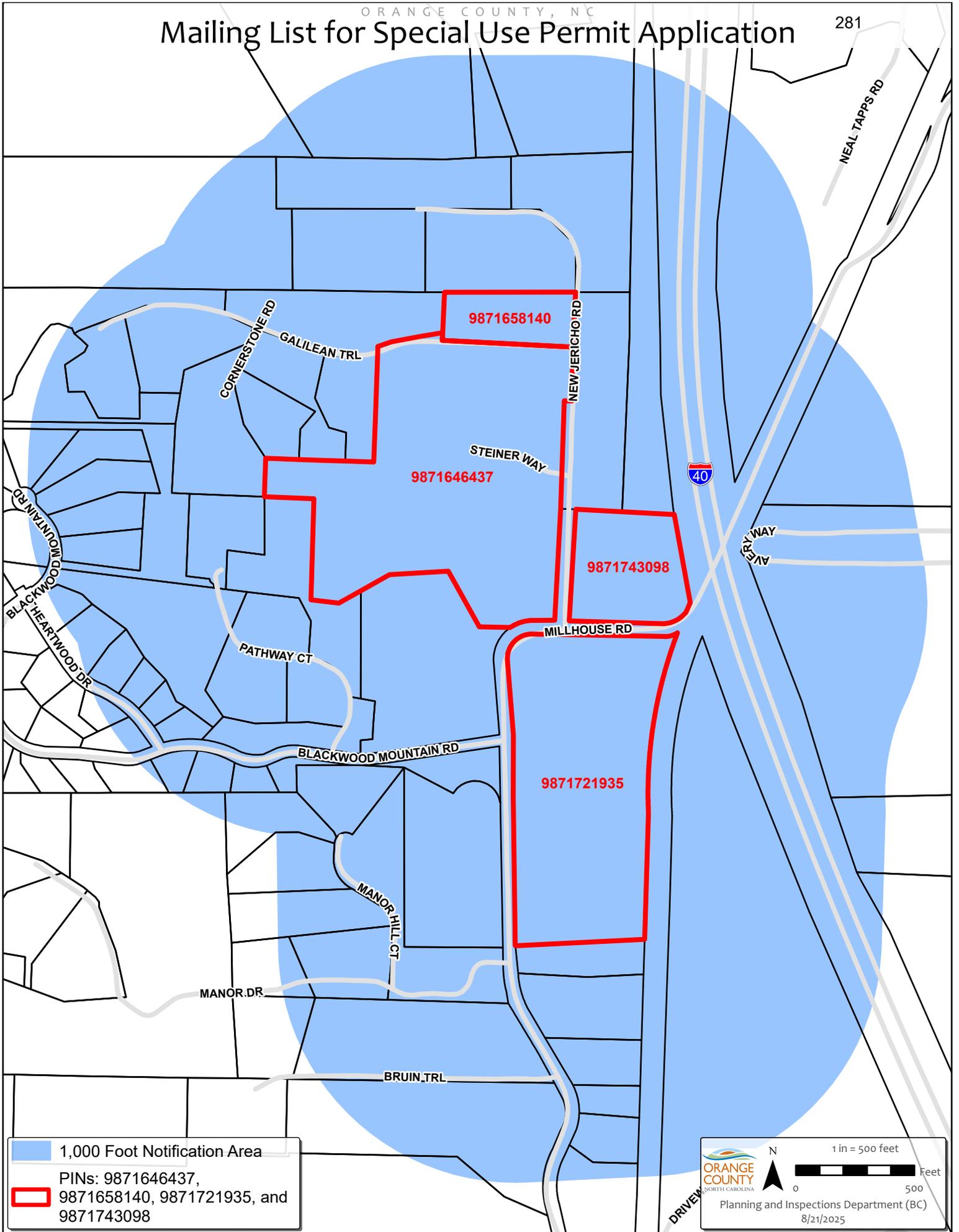
SEE SHEET C2.01



SITE LEGEND table defining symbols for signage, power poles, traffic arrows, accessible stalls, ramps, routes, and property lines.

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

# Mailing List for Special Use Permit Application



 1,000 Foot Notification Area  
PINs: 9871646437,  
 9871658140, 9871721935, and  
9871743098

 N  
1 in = 500 feet  
0 500 feet  
Planning and Inspections Department (BC)  
8/21/2025

SUP25-0009 Neighborhood Information Meeting (NIM) Sign Posting 10.8.25



EXISTING NOS. STAFF (2025)	48
PROPOSED NOS. STUDENTS (2035)	350
ESTIMATED TRIP GENERATION	WEEKDAY AM PEAK HOUR: 372 VEHICLES/DAY WEEKDAY PM PEAK HOUR: 211 VEHICLES/DAY

\* POTABLE WATER AND SEPTIC SYSTEM STATE PERMITS SHALL BE UPDATED AS EACH PHASE OF THE MASTER SITE PLAN IS IMPLEMENTED TO ENSURE THAT EXISTING WATER/SEPTIC UTILITIES ARE ADEQUATE TO SERVE NEW BUILDINGS & INCREASED STUDENT CAPACITY.



**EMERSON WALDORF SCHOOL EXPANSION**  
 TYPE "A" SPECIAL USE PERMIT MODIFICATION  
 621.1 NEW JERICHO ROAD  
 CHAPEL HILL, NORTH CAROLINA, 27516



# EMERSON WALDORF SCHOOL SUP AMENDMENT

Neighborhood Information Meeting

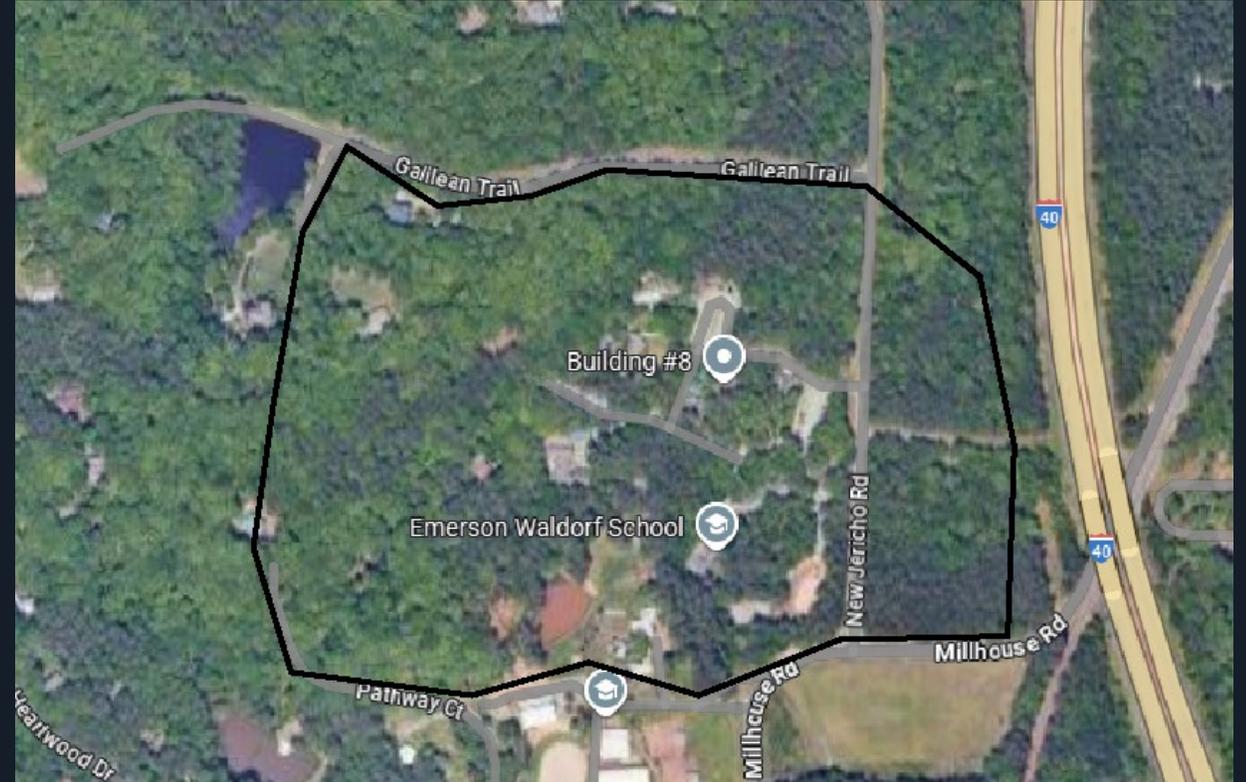
10/22/2025



# SITE OVERVIEW

## SITE HISTORY

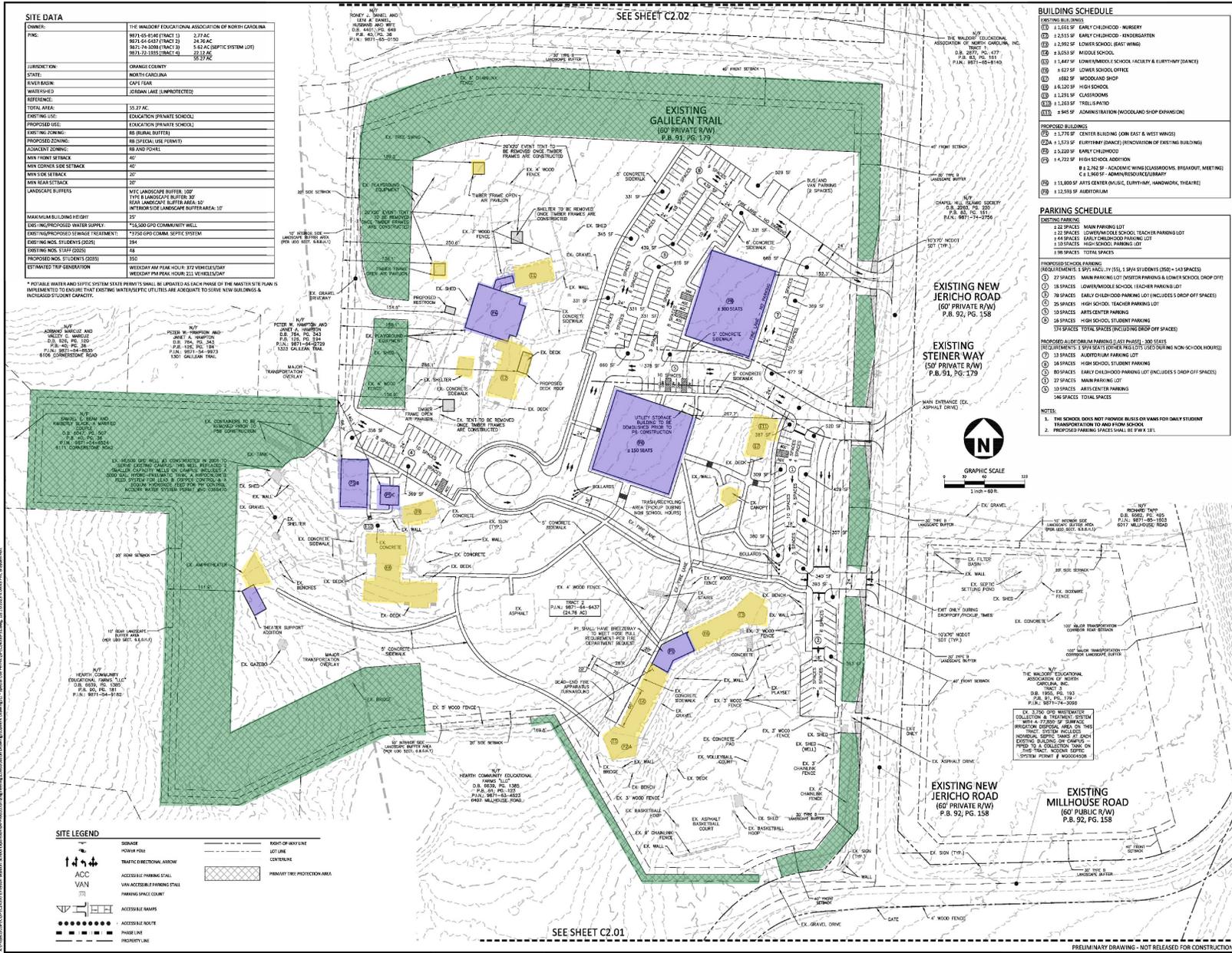
- | This is an amendment to the previously approved SUP Site Plan for the school.
- | Proposing 4-5 new buildings, mostly connecting existing buildings to each other or expanding on an existing space.



Emerson Waldorf School  
Orange County, NC

# SITE PLAN

Blue/Purple- New  
Yellow- Existing  
Green: Tree Save



The John R. McAdams Company, Inc.  
621 Hillborough Street  
Suite 500  
Raleigh, NC 27603  
phone 919.361.3000  
fax 919.361.2200  
license number: C-0293, C-187  
www.mcadamsco.com

**CLIENT**  
EMERSON WALDORF SCHOOL  
6211 NEW BUCKLE ROAD  
CHAPEL HILL, NORTH CAROLINA 27516  
PHONE: 919.967.1858

**EMERSON WALDORF SCHOOL EXPANSION**  
TYPE "A" SPECIAL USE PERMIT MODIFICATION  
6211 NEW BUCKLE ROAD  
CHAPEL HILL, NORTH CAROLINA, 27516



**REVISONS**

NO. DATE	REVISION
1 10/17/2025	REVISED PER 10/17/2025

**PLAN INFORMATION**

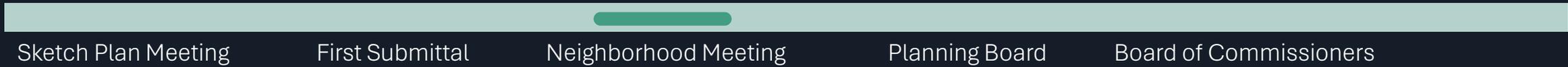
PROJECT NO.	SPEC-24555
FILENAME	SPEC-24555-S1.DWG
CHECKED BY	SIC
DRAWN BY	BAH
SCALE	1" = 60'
DATE	08.21.2025

**SHEET**  
MASTER SITE PLAN - AREA 'A'  
**C2.00**



# SUP Timeline

We are here.



The overall rezoning process will take 4-6 months from sketch plan meeting.

\*If the SUP is approved, the next step will be a construction drawing review.

THANK YOU



### Emerson Waldorf School Neighborhood Information Meeting Minutes

The meeting was held at the Brown Wing of the Emerson Waldorf School at 6pm on October 22, 2025. Nine (9) people attended the meeting. Seven (7) of the attendees were representatives of the project. Two (2) attendees were neighbors.

Laura Holloman provided a brief history of the project and an overview of the proposed new buildings, as well as an overview of the SUP process. LeAnn Brown, project attorney, outlined the quasi-judicial process. The neighbors in attendance asked about the timing of the project. The team responded that it would likely be over several years but that the expansion of the early childhood wing is the highest priority and would take place in the next 1-3 years. There was some general discussion of the railroad crossing and its future as well.

The neighbors left after about 20 minutes. The team remained at the meeting space for the full hour the meeting was scheduled for. The meeting ended at 7pm.

Name	Address	Email
Laura Holloman McAdams	621 Hillsborough St Suite 500 Raleigh, NC 27603	holloman@mcadamsco.com
Kellen Brown Brown & Stuck	101 N. Columbia St. Suite 100 Chapel Hill, NC 27514	LNEASE@BROWNANDSTUCK.COM
Luis Lopez Harangio EWS Board Chair	6211 New Jericho Rd Chapel Hill, NC 27516	Lopez@emersonwaldorf.org
Ian Ostrowski EWS Employee	2402 Wabash Rd Chapel Hill, NC 27516	iostrowski@emersonwaldorf.org
Kate Murdoch McAdams	621 Hillsborough St Suite 500 Raleigh NC 27603	murdoch@mcadamsco.com
Spencer Christiansen McAdams	621 Hillsborough St STE 500 Raleigh, NC 27603	Christiansen@mcadamsco.com
Josh Kitzner Alex Kitzner	6306 Millhaver Rd Chapel Hill NC 27516	McKitzner@yaleu.com
Michelle Fridman EWS Employee	6211 New Jericho Rd Chapel Hill, NC 27516	mfridman@emersonwaldorf.org

PLANNING *and* INSPECTIONS

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Cy Stober, AICP, Director | cstober@orangecountync.gov | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

**CERTIFICATION OF MAILING  
BOARD OF ADJUSTMENT EVIDENTIARY HEARING  
ORANGE COUNTY, NORTH CAROLINA**

I, Ashley Moncado, with Orange County, North Carolina, DO HEREBY CERTIFY that in accordance with the provisions of Section 2.7 of the Orange County Unified Development Ordinance (UDO) I have mailed, or caused to be mailed, via mail a Board of Adjustment Evidentiary Hearing Notice regarding a Special Use Permit application proposing a Schools: Elementary, Middle, and Secondary use located at 6211 New Jericho Road, Chapel Hill (PINs 9871646437, 9871658140, 9871743098, and 9871721935) on November 25, 2025.

This notice informed those property owners within 1,000 of the subject property of the proposed Special Use Permit. The owners were identified according to the Tax Records and as required by the UDO.

The mailed notice specified the date, time, place and subject of the Evidentiary Hearing meeting and provided information on the Special Use Permit review process.

WITNESS my hand, this 25th day of November 2025.

A handwritten signature in cursive script that reads "Ashley Moncado".

---

Ashley Moncado, AICP  
Planner III  
Orange County Planning and Inspections Department



PLANNING *and* INSPECTIONS

Cy Stober, AICP, Director | cstober@orangecountync.gov | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

November 25, 2025

**NOTICE OF BOARD OF ADJUSTMENT EVIDENTIARY HEARING**  
**TO REVIEW A SPECIAL USE PERMIT APPLICATION PROPOSING**  
**A MAJOR MODIFICATION TO A PREVIOUSLY APPROVED SPECIAL USE**  
**PERMIT FOR A SCHOOLS: ELEMENTARY, MIDDLE, AND SECONDARY**

Dear Property Owner:

This notice is to inform you of a December 10, 2025 Board of Adjustment meeting, at which an application for a Major Modification to a previously approved Special Use Permit for a parcel located at 6211 New Jericho Road, Chapel Hill, NC (PINs: 9871646437, 9871658140, 9871743098, and 9871721935) will be reviewed in an evidentiary hearing. The +/-55.27 acre site is located within the Chapel Hill Township. This notification is occurring in accordance with the provisions of Section 2.7 *Special Use Permits* of the Orange County Unified Development Ordinance (UDO).

The Special Use Permit request will be reviewed by the Orange County Board of Adjustment at **7:00 p.m., December 10, 2025 at the Whitted Meeting Facility (300 West Tryon Street, Hillsborough, NC).**

**NO CHANGES ARE PROPOSED FOR YOUR PROPERTY. You are receiving this notice because you own property located within 1,000-feet of parcel requested for a Special Use Permit.**

PROPERTY INFORMATION	
<b>Parcel ID Number (PIN)</b>	9871646437, 9871658140, 9871743098, and 9871721935
<b>Owner</b>	Waldorf Educational Association of North Carolina
<b>Applicant</b>	Waldorf Educational Association of North Carolina
<b>Location</b>	6211 New Jericho Road, Chapel Hill, NC
<b>Acreage</b>	+/- 55.27 acres
<b>Current Zoning</b>	Rural Buffer
<b>Proposed Special Use(s)</b>	No change - Schools: Elementary, Middle, and Secondary
<b>Watershed Designation</b>	Jordan Lake Unprotected

The Evidentiary Hearing is open to the public. **It is a quasi-judicial hearing and testimony is limited to individuals/parties that have legal standing**, as established by State law, and reflected in Section 2.12 of the UDO. Opinions, hearsay, and/or statements that are not competent, significant and material to the case will not be considered by the BOA.

If you wish to speak and/or establish your legal standing in the case, we strongly recommend that you complete the enclosed Legal Standing Form, and e-mail the document to planning staff at [planningapps@orangecountync.gov](mailto:planningapps@orangecountync.gov) in advance of the meeting. We also strongly recommend that you seek legal advice/representation in the matter. Establishing legal standing is a formal part of the evidentiary hearing process with a legal burden of proof on the requestor to establish their standing and evidence that their evidence material(s) are legally relevant and applicable to the case.

If you cannot attend the Board of Adjustment meeting and the website does not answer your questions about the requested Special Use Permit, you may call 919-245-2575 during regular business hours and you will be directed to a staff person who can assist you.

Sincerely,



Cy Stober, Director  
Orange County Planning and Inspections Department

Additional information is available on the Orange County Planning Department's website: <https://www.orangecountync.gov/3038/Active-Development-Projects> or scan below:



*Si desea servicios de traducción para esta carta y otros documentos relacionados con el caso/asunto; y/o servicios de interpretación de idiomas en una reunión relacionada con este caso/asunto, comuníquese con Current Planning Division al correo electrónico: [planningapps@orangecountync.gov](mailto:planningapps@orangecountync.gov) o llame al 919-245-2575. Por favor, espere al menos 10 días para que nuestro personal organice estos servicios.*

CC: File; Energov.

Attachments: Statement of Standing and Intended Evidence Form



**Orange County Planning & Inspections Department**  
 131 W. Margaret Lane, Suite 200, Hillsborough, NC 27278  
 919-245-2575 or [planningapps@orangecountync.gov](mailto:planningapps@orangecountync.gov)

**Statement of Standing and Intended Evidence**

Please check all applicable boxes and complete the required documentation.  
 If completing by hand, please use black or blue ink.

**Statement of Standing**

Individuals asserting they have standing to present evidence/testimony on a request are required to submit evidence supporting this claim including:

1. A person with legal interest in the subject parcel including:
  - a. Property owner;
  - b. An individual who has an ownership or leasehold interest;
  - c. An individual who has an option or contract to purchase the subject property; or
  - d. An interest created by an easement, restriction, or covenant.
2. A person who will suffer special damages as the result of a decision;  
 NOTE: Individuals are required to substantiate what special damages they will suffer for the Board to consider if they have standing. This typically includes proximity to the subject parcel, action on the proposal could result in economic damages such as a decrease in property values, or action on the proposal could result in direct adverse impacts on their property.

Individual asserting standing are required to do more than simply state that they live in the vicinity of the subject property and allege action on a proposal will harm property values. The party asserting standing must allege secondary impacts providing documentation of same.

3. An association organized to promote the interests of a particular area, such as a homeowners association, so long as at least one member of the group would have standing as an individual and the association was not created in response to the development/application being acted upon by the Board of Adjustment.

**Standing is a legal question to be determined by the Board of Adjustment. Staff does not have the discretion to make this determination.**

**Receipt of a meeting notice from the County is not a basis to assert 'standing'.**

**Person with Standing**

Based on the information above, I am asserting that I am a person with standing to offer testimony and/or evidence on the request. My standing is based on: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**Intended Evidence**

I intend to introduce the following document and have attached it.  
 Exhibit #1 entitled: \_\_\_\_\_  
 Description: \_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**



PLANNING *and* INSPECTIONS

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Cy Stober, AICP, Director | [cstober@orangecountync.gov](mailto:cstober@orangecountync.gov) | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

November 5, 2025

Emerson Waldorf School Special Use Permit (SUP) Application  
Case #: SUP25-0009  
PINs: 9871646437, 9871658140, 9871743098, and 9871721935

**Re: Development Advisory Committee Report for SUP25-0009 (UDO Section 1.9.5)**

The Orange County Development Advisory Committee (DAC) met on September 4, 2025, for a final review and discussion of the special use permit application for PINs 9871646437, 9871658140, 9871743098, and 9871721935 (Case #: SUP25-0009).

The Orange County DAC has no objections to the approval of the special use permit application so long as the items in the attached departmental memos are addressed. The application package features an abstract and staff report that provide the foundations for my recommendation regarding this application and request.

Sincerely,

A handwritten signature in black ink, appearing to be "C. Stober", written over a horizontal line.

Cy Stober  
Director  
Orange County Planning and Inspections Department

PLANNING *and* INSPECTIONS

Cy Stober, AICP, Director | cstober@orangecountync.gov | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

## Development Advisory Committee (DAC) Comments

DAC review comments and recommendations **do not** constitute plan or permit approval for this application and/or replace any other plans and permits that may be required by other County departments and State agencies.

<b>Project:</b>	SUP25-0009 (Emerson Waldorf) Special Use Permit Modification
<b>Location/PIN:</b>	9871646437, 9871658140, 9871721935, and 9871743098
<b>Applicant:</b>	Waldorf Educational Association
<b>Staff Planner:</b>	Ashley Moncado, Planner III
<b>DAC Meeting Date:</b>	9-4-2025

<b>Addressing and Land Records</b>	<b>Date:</b>	8.28.25	<b>Staff:</b>	Britney Pendleton <a href="mailto:brpendleton@orangecountync.gov">brpendleton@orangecountync.gov</a> 919-245-2576
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- The addressing team would like to get in touch to talk about making sure that our E911 mapping accurately reflects the roads and buildings for the campus. We might need to expand our current street mapping for Steiner Way, and possibly add additional E911 addresses for some of the campus buildings that don't have them in our system. Email is [addressing@orangecountync.gov](mailto:addressing@orangecountync.gov) and our GIS website will show current mapping: <https://gis.orangecountync.gov/orangeNCGIS/default.htm>

<b>Attorney's Office</b>	<b>Date:</b>		<b>Staff:</b>	James Bryan <a href="mailto:jbryan@orangecountync.gov">jbryan@orangecountync.gov</a> 919-245-2319
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No comments recieved

<b>Building Inspections</b>	<b>Date:</b>	8/26/25	<b>Staff:</b>	Michael Rettie <a href="mailto:mrettie@orangecountync.gov">mrettie@orangecountync.gov</a> 919-245-2604
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- Any proposed construction regulated by the NC State Code requires a Permit.

<b>DEAPR</b>	<b>Date:</b>		<b>Staff:</b>	Chris Hirni <a href="mailto:chirni@orangecountync.gov">chirni@orangecountync.gov</a> 919-245-2514
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No comments recieved

<b>Environmental Health</b>	<b>Date:</b>	2025/09/02	<b>Staff:</b>	Thomas Privott <a href="mailto:Tprivott@orangecountync.gov">Tprivott@orangecountync.gov</a> 919-245-2374
-----------------------------	--------------	------------	---------------	--

- The Department has records for this parcel.

<b>Erosion Control</b>	<b>Date:</b>		<b>Staff:</b>	Tyler Sliger <a href="mailto:Tsliger@orangecountync.gov">Tsliger@orangecountync.gov</a> 919-245-2582
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1. Any project proposing to disturb over 21, 780 sq. Ft. Of disturbance will need to obtain a land disturbance permit.

<b>Fire and Life Safety</b>	<b>Date:</b>	09/3/25	<b>Staff:</b>	Stephen Smith <a href="mailto:stesmith@orangecountync.gov">stesmith@orangecountync.gov</a> 919-245-6151
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1. Occupancy falls under NC Fire code regulations.
2. Any additional Fire and life safety systems or system modifications will require a permit and plan review approval.

<b>NCDOT</b>	<b>Date:</b>		<b>Staff:</b>	David Genwright <a href="mailto:digenwright@ncdot.gov">digenwright@ncdot.gov</a> 336-570-6833
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This project appears to fall within the limits of a study that was completed and reviewed in 2015. This study looked at an expansion to 350 students and the accesses that would be used at designated times. Based on the proposal, the current plan does not have any major changes relative to access and internal circulation. If major changes are proposed here or in the future, we will have to revisit the study and update recommendations based on the revisit. As is, no NCDOT action or approval will be required.

<b>Planning</b>	<b>Date:</b>		<b>Staff:</b>	Ashley Moncado <a href="mailto:amoncado@orangecountync.gov">amoncado@orangecountync.gov</a> 919-245-2589
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#### Current Planning Comments

##### General

1. Statement from the applicant in justification of any request for vesting for a period of more than two years.
2. Confirm with staff if conditions are being proposed. If yes, please provide to staff for review.

##### Application

1. The narrative notes a submittal of a TIA Traffic Review Memo. However, this does not appear in the application package. Please provide to staff.
2. Statement from the applicant indicating the anticipated development schedule for the project.
3. Elevations of structures proposed to be used in the development.

##### Site Plan

1. Provide building height and finished floor elevations for all structures on the site plan.
2. Existing stream shall require a 65 ft. buffer.
3. Label primary tree protection areas per Section 6.8.4(A).
4. Identify plantings or note Section 6.8.6(F) Street Trees will be met.
5. Identify plantings or note Section 6.8.6(H) Between Lot Plantings will be met.
6. Identify plantings or note Section 6.8.6(I) Foundation Plantings will be met.
7. Identify plantings or note Section 6.8.6(J) Landscaping of Vehicular Use Areas will be met
8. Label required landscape buffers (i.e. 30 ft. Type B Landscape Buffer) per Section 6.8.6 of the UDO.
9. Add note stating "Open burning of trees, limbs, stumps, and/or construction debris associated with the permitted activity is expressly prohibited"
10. Provide building setbacks to the closest parcel line for all proposed buildings.
11. Add minimum building setbacks to the Site Date table.

12. Identify and label required Major Transportation Corridor setback and landscape buffer requirements per Sections 4.6.4 and 6.6.4.
13. Per Section 6.9.10, standard parking spaces shall be a minimum of 180 sq. ft. Compact parking spaces are permitted per Section 6.9.10(B)(2).
14. No more than ten parking spaces shall be permitted in a continuous row without being interrupted by a terminal landscape island. There appears to be three rows with more than 10 continuous spaces.
15. Parking terminal islands shall have a minimum of 300 square feet. Please add dimensions for proposed terminals.
16. All parking spaces and maneuvering space shall be surfaced with an all-weather paving material, such as asphalt or concrete, and maintained in a safe, sanitary and neat condition. If all-weather paving materials is not to be met, a condition will need to be submitted for BOA approval.
17. Estimated traffic generated by the proposed development in trips per day, including AM and PM peak numbers shall be added to the site plan.
18. Add note stating all proposed lighting shall be required to meet Section 6.11 of the Orange County Unified Development Ordinance.

<b>Solid Waste</b>	<b>Date:</b>	9/2/25	<b>Staff:</b>	Matt Taylor <a href="mailto:mtaylor@orangecountync.gov">mtaylor@orangecountync.gov</a> 919-918-4905
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1. No comment.

<b>Stormwater Management</b>	<b>Date:</b>	08/29/25	<b>Staff:</b>	Christopher Sandt <a href="mailto:csandt@orangecountync.gov">csandt@orangecountync.gov</a> 919-245-2583
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1. The project is located in the Jordan Lake Unprotected Watershed Overlay District. The submittal of a Stormwater Management Plan (SMP) is required for any proposed Land-Disturbing Activity exceeding 43,560 square feet. ***Land disturbance thresholds are cumulative to parent tract and will carry over to any/all subdivided lots.***

<b>Transportation Services</b>	<b>Date:</b>		<b>Staff:</b>	Nishith Trivedi <a href="mailto:Ntrivedi@orangecountync.gov">Ntrivedi@orangecountync.gov</a> 919-245-2007
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1. No comments



621 Hillsborough Street  
 Suite 500  
 Raleigh, NC 27603  
 919. 361. 5000

SPEC24555.00

September 3, 2025

Orange County  
 Planning and Inspections  
 131 W. Margaret Lane  
 Hillsborough, North Carolina 27278

**RE: Emerson Waldorf School**  
**Case Number: SUP25-0009**  
**Response to 1<sup>st</sup> SUP Mod Review Comments**  
**SPEC24555**

The following are the response comments for the above-mentioned project. Our response comments are in **bold**.

## Addressing and Land Records

Britney Pendleton - [brpendleton@orangecountync.gov](mailto:brpendleton@orangecountync.gov)

1. Comments remain the same from last DAC meeting.  
**McAdams Response: Per coordination during the DAC meeting, this comment refers to the parking expansion project for the applicant. Additional comments provided below.**
  
2. The addressing team would like to get in touch to talk about making sure that our E911 mapping accurately reflects the roads and buildings for the campus. We might need to expand our current street mapping for Steiner Way, and possibly add additional E911 addresses for some of the campus buildings that don't have them in our system. Email is [addressing@orangecountync.gov](mailto:addressing@orangecountync.gov) and our GIS website will show current mapping: <https://gis.orangecountync.gov/orangeNCGIS/default.htm>.  
**McAdams Response: The applicant is currently working with the Addressing and Land Records department to update the E911 mapping for the school.**

## Building Inspections

Michael Rettie - [mrettie@orangecountync.gov](mailto:mrettie@orangecountync.gov)

3. Any proposed construction regulated by the NC State Code requires a Permit.  
**McAdams Response: Understood.**

## Environmental Health

Thomas Privott - [Tprivott@orangecountync.gov](mailto:Tprivott@orangecountync.gov)

4. The Department has records for this parcel.

**McAdams Response: Understood.**

## Erosion Control

Tyler Sliger - [Tsliger@orangecountync.gov](mailto:Tsliger@orangecountync.gov)

5. Any project proposing to disturb over 21, 780 sq. Ft. Of disturbance will need to obtain a land disturbance permit.

**McAdams Response: Understood.**

## Fire and Life Safety

Stephan Smith - [stesmith@orangecountync.gov](mailto:stesmith@orangecountync.gov)

6. Occupancy falls under NC Fire code regulations.

**McAdams Response: Understood.**

7. Any additional fire and life safety systems or system modifications will require a permit and plan review approval.

**McAdams Response: Understood.**

## NCDOT

David Genwright - [digenwright@ncdot.gov](mailto:digenwright@ncdot.gov)

8. This project appears to fall within the limits of a study that was completed and reviewed in 2015. This study looked at an expansion to 350 students and the accesses that would be used at designated times. Based on the proposal, the current plan does not have any major changes relative to access and internal circulation. If major changes are proposed here or in the future, we will have to revisit the study and update recommendations based on the revisit. As is, no NCDOT action or approval will be required.

**McAdams Response: Understood.**

## Planning

Ashley Moncado - [amoncado@orangecountync.gov](mailto:amoncado@orangecountync.gov)

### GENERAL

9. Statement from the applicant in justification of any request for vesting for a period of more than two years.

**McAdams Response: The proposed development will be constructed as a phased development and completed one building at a time, therefore the applicant would like to request a vesting period for the overall development.**

10. Confirm with staff if conditions are being proposed. If yes, please provide to staff for review.

**McAdams Response: A list of conditions that the applicant would like to request modifications for has been included with this submission.**

#### APPLICATION

11. The narrative notes a submittal of a TIA Traffic Review Memo. However, this does not appear in the application package. Please provide to staff.

**McAdams Response: The TIA Traffic Review Memo has been provided with this submission.**

12. Statement from the applicant indicating the anticipated development schedule for the project.

**McAdams Response: The applicant anticipates submitting for Zoning Compliance Permits for the development as soon as the SUP Modification is approved. The total project duration is unknown as the development will be phased by building.**

13. Elevations of structures proposed to be used in the development.

**McAdams Response: The applicant does not have elevations for all proposed buildings on site. We've included the elevations available. All proposed buildings will resemble the existing buildings on site.**

#### SITE PLAN

14. Provide building height and finished floor elevations for all structures on the site plan.

**McAdams Response: The applicant would like to request a modification to the maximum building height for the development. Final FFEs for the proposed buildings will be determined during the Zoning Compliance Permit application.**

15. Existing stream shall require a 65 ft. buffer.

**McAdams Response: The 15' Orange County Slope Buffer has been reflected for the existing stream, in addition to the 50' buffer already shown. See the Existing Conditions – Area 'B', Sheet C1.01.**

16. Label primary tree protection areas per Section 6.8.4(A).

**McAdams Response: The primary tree protection area has been shown. The secondary tree protection area will be defined during the Zoning Compliance Permit application when more detailed disturbance limits are shown. See the Master Site Plan, Sheets C2.00-C2.02.**

17. Identify plantings or note Section 6.8.6(F) Street Trees will be met.

**McAdams Response: A note specifying that Street Trees requirements will be met per Section 6.8.6 of the Orange County UDO has been added. See the "General Landscape and Tree Protection Notes" on the Landscape Plan, Sheet L5.00.**

18. Identify plantings or note Section 6.8.6(H) Between Lot Plantings will be met.

**McAdams Response: A note specifying that Between Lot Plantings requirements will be met per Section 6.8.6 of the Orange County UDO has been added. See the "General Landscape and Tree Protection Notes" on the Landscape Plan, Sheet L5.00.**

19. Identify plantings or note Section 6.8.6(I) Foundation Plantings will be met.  
**McAdams Response: A note specifying that Foundation Plantings requirements will be met per Section 6.8.6 of the Orange County UDO has been added. See the “General Landscape and Tree Protection Notes” on the Landscape Plan, Sheet L5.00.**
  
20. Identify plantings or note Section 6.8.6(J) Landscaping of Vehicular Use Areas will be met.  
**McAdams Response: A note specifying that Landscaping of Vehicular Use Areas requirements will be met per Section 6.8.6 of the Orange County UDO has been added. See the “General Landscape and Tree Protection Notes” on the Landscape Plan, Sheet L5.00.**
  
21. Label required landscape buffers (i.e. 30 ft. Type B Landscape Buffer) per Section 6.8.6 of the UDO.  
**McAdams Response: The required landscape buffers per Section 6.8.6 of the UDO have been added. See the See the Master Site Plan, Sheets C2.00-C2.02.**
  
22. Add note stating “Open burning of trees, limbs, stumps, and/or construction debris associated with the permitted activity is expressly prohibited”.  
**McAdams Response: The provided note has been added. See the “General Landscape and Tree Protection Notes” on the Landscape Plan, Sheet L5.00.**
  
23. Provide building setbacks to the closest parcel line for all proposed buildings.  
**McAdams Response: Building setback dimensions have been provided for all proposed buildings. See the Master Site Plan, Sheets C2.00-C2.01.**
  
24. Add minimum building setbacks to the Site Data table.  
**McAdams Response: Minimum building setbacks and landscape buffers have been added to the Site Data Table. See the Master Site Plan – Area ‘A’, Sheet C2.00.**
  
25. Identify and label required Major Transportation Corridor setback and landscape buffer requirements per Sections 4.6.4 and 6.6.4.  
**McAdams Response: The 100’ Major Transportation Corridor Setback and 100’ Landscape Buffer has been identified and labeled per Sections 4.6.4 and 6.6.4 in the Orange County UDO. See the Master Site Plan – Area ‘A’, Sheet C2.00.**
  
26. Per Section 6.9.10, standard parking spaces shall be a minimum of 180 sq. ft. Compact parking spaces are permitted per Section 6.9.10(B)(2).  
**McAdams Response: The applicant would like to request a modification to the minimum size of standard parking spaces for the development.**
  
27. No more than ten parking spaces shall be permitted in a continuous row without being interrupted by a terminal landscape island. There appears to be three rows with more than 10 continuous spaces.  
**McAdams Response: All rows with more than 10 continuous spaces have been updated to meet the requirements of max 10 continuous spaces. See the Master Site Plan – Area ‘A’, Sheet C2.00.**

28. Parking terminal islands shall have a minimum of 300 square feet. Please add dimensions for proposed terminals.

**McAdams Response: All parking terminal islands have been dimensioned to square footage. See the Master Site Plan – Area ‘A’, Sheet C2.00.**

29. All parking spaces and maneuvering space shall be surfaced with an all-weather paving material, such as asphalt or concrete, and maintained in a safe, sanitary and neat condition. If all-weather paving materials is not to be met, a condition will need to be submitted for BOA approval.

**McAdams Response: The applicant would like to request a modification to the requirement that all parking and maneuvering spaces shall be constructed from an all-weather paving material.**

30. Estimated traffic generated by the proposed development in trips per day, including AM and PM peak numbers shall be added to the site plan.

**McAdams Response: The estimated traffic generated for both AM and PM peak hours have been added to the Site Plan. See the Site Data Table on the Master Site Plan – Area ‘A’, Sheet C2.00.**

31. Add note stating all proposed lighting shall be required to meet Section 6.11 of the Orange County Unified Development Ordinance.

**McAdams Response: The provided note has been added. See the “General Landscape and Tree Protection Notes” on the Landscape Plan, Sheet L5.00.**

## Stormwater Management

Christopher Sandt - [csandt@orangecountync.gov](mailto:csandt@orangecountync.gov)

32. The project is located in the Jordan Lake Unprotected Watershed Overlay District. The submittal of a Stormwater Management Plan (SMP) is required for any proposed Land-Disturbing Activity exceeding 43,560 square feet. *Land disturbance thresholds are cumulative to parent tract and will carry over to any/all subdivided lots.*

**McAdams Response: Per coordination with Christopher, no action is needed on this comment. Final SCM design will be provided during the Zoning Compliance Permit application.**

## North Carolina Wildlife Resources Commission

Olivia Munzer - [olivia.munzer@ncwildlife.org](mailto:olivia.munzer@ncwildlife.org)

33. We recommend minimizing the amount of tree clearing, especially of large hardwoods. For any new construction, build within the open pasture so forested areas can be left undisturbed.

**McAdams Response: Understood.**

34. We recommend not clearing trees during the coldest winter months (December 15 to February 14) and pup rearing months (April 15 to July 31) to minimize impacts to the tricolored bat

**McAdams Response: Understood.**

35. Use native species known to occur in Orange County to seed disturbed areas. Avoid using invasive, non-native plants in seed mixtures or landscaping plants ([http://www.ncwildflower.org/plant\\_galleries/invasives\\_list](http://www.ncwildflower.org/plant_galleries/invasives_list)). Also, do not use non-native and/or invasive species such as Sudangrass, Kobe lespedeza, lespedeza, tall fescue, or other non-native species for temporary or permanent seeding. Alternatively, use grains, such as oats, wheat, or rye for temporary cover and native seed mixes for permanent seeding.

A list of alternatives to non-native species has been attached. We recommend planting native, wildflower seed mixes that will create pollinator habitat within the project boundary as well as planting native trees and shrubs in landscaping. Native trees and shrubs can be found at native plant nurseries throughout NC, and lists of native plants can be found <https://ncwildflower.org/> and <https://nc.audubon.org/birdfriendlynativeplantslists>.

**RECOMMENDED NATIVE ALTERNATIVES FOR NON-NATIVE GRASSES IN NORTH CAROLINA\*\***  
(Species are appropriate for all geographic regions unless otherwise indicated)

NON-NATIVE SPECIES	NATIVE SPECIES	
Crownvetch Centipede Bermuda	Big bluestem Little bluestem Indiangrass Switchgrass Beaked panicgrass Purpletop Roundheaded bushclover Deer tongue Sensitive partridge pea Partridge pea	<i>Andropogon gerardii</i> <i>Schizachyrium scoparium</i> <i>Sorghastrum nutans</i> <i>Panicum virgatum</i> <i>Panicum anceps</i> <i>Tridens flavus</i> <i>Lespedeza capitata</i> <i>Dicanthelium clandestinum</i> <i>Chamaecrista nictitans</i> <i>Chamaecrista fasciculata</i>
Kentucky bluegrass Tall fescue Sudangrass	Big bluestem Little bluestem Indiangrass Switchgrass Beaked panicgrass Purpletop Broomsedge Deer tongue Canadian wildrye Virginia wildrye Sensitive partridge pea Partridge pea	<i>Andropogon gerardii</i> <i>Schizachyrium scoparium</i> <i>Sorghastrum nutans</i> <i>Panicum virgatum</i> <i>Panicum anceps</i> <i>Tridens flavus</i> <i>Andropogon virginicus</i> <i>Dicanthelium clandestinum</i> <i>Elymus canadensis</i> <i>Elymus virginicus</i> <i>Chamaecrista nictitans</i> <i>Chamaecrista fasciculata</i>
Sericea lespedeza Kobe lespedeza	Switchgrass Splitbeard bluestem Beggartlice Deer tongue Sensitive partridge pea Partridge pea	<i>Panicum virgatum</i> <i>Andropogon ternarius</i> <i>Desmodium spp.</i> <i>Dicanthelium clandestinum</i> <i>Chamaecrista nictitans</i> <i>Chamaecrista fasciculata</i>

\*\*A recommended revegetation/stabilization mix would ideally include a combination of the species listed in this table. In addition, please note that additional consideration may be needed in areas that are (highly) erodible and/or have sloped terrain. The following species could be included in all regions for additional stabilization and wildlife benefit:

- Black-eyed susan: *Rudbeckia hirta*
- Plains coreopsis: *Coreopsis tinctoria*
- Lance-leaved coreopsis: *Coreopsis lanceolata*
- Narrow-leaved sunflower: *Helianthus angustifolius*

**McAdams Response: Final landscape plantings will be decided during the Zoning Compliance Permit application.**

36. Maintain a minimum 100-foot undisturbed, native, forested buffer along perennial streams, and a minimum 50-foot buffer along intermittent streams and wetlands. Maintaining undisturbed, forested buffers along these areas will minimize impacts to aquatic and terrestrial wildlife resources, water quality, and aquatic habitat both within and downstream of the project area. Also, wide riparian buffers are helpful in maintaining stability of stream banks and for treatment of pollutants associated with urban stormwater.

**McAdams Response: Understood.**

37. We recommend installing rain gardens or other bioretention structures to reduce water runoff and soil erosion. Also, additional information on LID can be found at the NC State University LID guide: [https://www.uni-groupusa.org/PDF/NC\\_LID\\_Guidebook.pdf](https://www.uni-groupusa.org/PDF/NC_LID_Guidebook.pdf). NCWRC's Green Growth Toolbox provides information on nature-friendly planning (<http://www.ncwildlife.org/Conserving/Programs/GreenGrowthToolbox.aspx>).

**McAdams Response: Understood. Final SCM design will be handled during the Zoning Compliance Permit application.**

38. Consider using wildlife friendly outdoor lighting since light pollution can impact the circadian rhythms of animals, disrupt behavior, cause injury, or death. Lights should only be on when needed; use lights only where necessary; lights should have wavelength greater than 560 nm emissions (i.e., narrow-spectrum LEDs or low-pressure sodium); mount the fixture as low as possible; use the lowest wattage necessary; and lights should be fully shielded.

**McAdams Response: Understood.**

39. Erosion control matting made of plastic mesh or twine should not be used within the project area because it can injure or kill wildlife.

**McAdams Response: Understood.**

## NCDEQ – Inactive Hazardous Sites Branch

Janet Macdonald - Phone: 919.707.8349

40. One (1) Superfund Section sites and no (0) Brownfields Program Sites were identified within one mile of the project as shown on the attached report. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater. Superfund Section files can be viewed at: <http://deq.nc.gov/waste-management-laserfiche>.

Superfund and Brownfields Sites  
Orange County SEPA project 26-0042

### Summary

Name	Count	Area(acres)	Length(mi)
Certified DSCA Sites	0	N/A	N/A
Federal Remediation Branch Sites	0	N/A	N/A
Inactive Hazardous Sites	1	N/A	N/A
Pre-Regulatory Landfill Sites	0	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

### Inactive Hazardous Sites

#	EPAID	SITENAME	Count
1	NONCD0001961	KIRSCHNER, GEORGE PROPERTY	1

**McAdams Response: Understood.**

## NCDEQ – Solid Waste Section Field Operations Branch

Chuck Kirchner, Environmental Senior Specialist - [chuck.kirchner@deq.nc.gov](mailto:chuck.kirchner@deq.nc.gov)

41. Any structures proposed to be demolished and/or rehabilitated as part of this project should be evaluated for lead, asbestos or other contaminants which must be managed appropriately.

**McAdams Response: Understood.**

42. Also, the closed Orange County Construction and Demolition Landfill (6801-CDLF-1993) is located within one mile of the proposed project. Additional information about this facility can be found here: 6801-CDLF-1993.

**McAdams Response: Understood.**

43. During the project, every feasible effort should be made to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. Any waste generated by this project that cannot be beneficially reused or recycled must be disposed of at a solid waste management facility approved to manage the respective waste type. The Section strongly recommends that any contractors are required to provide proof of proper disposal for all waste generated as part of the project. A list of permitted solid waste management facilities is available on the Solid Waste Section portal site at: Solid Waste Facility List.

**McAdams Response: Understood.**

## NCDEQ – Permits

Raleigh Regional Office - Phone: 919.791.4200

44. Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900

**McAdams Response: Understood.**

45. Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950.

Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.

**McAdams Response: Understood.**

46. Sedimentation and erosion control must be addressed in accordance with Orange Co. Local Government's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.

**McAdams Response: Understood.**

47. Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb  $\geq 1$  acre.

**McAdams Response: Understood.**

48. 401 Water Quality Certification - Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.

**McAdams Response: Understood.**

49. Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: <http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program>

**McAdams Response: Understood.**

50. Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.

**McAdams Response: Understood.**

51. Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.

**McAdams Response: Understood.**

52. If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.

**McAdams Response: Understood.**

## NCDEQ - DWR-WQROS

Raleigh Regional Office - Phone: 919.791.4200

53. Three mapped features are depicted within/near the project area that may be subject to riparian buffer rules. Any impacts to the riparian buffer will need a buffer determination/authorization from local program. If public funds are being utilized for the project, DWR will need to perform the determination. If any impacts to surface water are anticipated , 401/404 approval may be required.

**McAdams Response: Understood.**

## NCDEQ - DWR-PWS

Raleigh Regional Office - Phone: 919.791.4200

54. The proposed building P5B seems to be intruding into Well #3's 100 ft radius. Please revise to ensure compliance with 15A NCAC 18C .0203 (D).

**McAdams Response: Proposed building P5B has been reoriented to no longer intrude into Well #3's 100' radius. See the Master Site Plan – Area 'A', Sheet C2.00.**

Consideration of this response is greatly appreciated. If you should have any questions or require additional information, please do not hesitate to contact me at 919. 361. 5000.

Sincerely,

**McAdams**



Whitson McCuiston, PE | Assistant Project Manager, Commercial  
mccuiston@mcadamsco.com | 919. 361. 5000

WM/bc

**From:** [Chuck Edwards Contact](#)  
**To:** [Chad Abbott](#); [D"Angelo Jones Contact](#)  
**Cc:** [Patrick R. Mallett](#); [Patrick R. Mallett](#); ["Jeff Hohanadel"](#); [Kelly Sue Woody](#); ["Charles Viles"](#); [Hinton, Kimberly D](#); [Cranford, Joel C](#); [Mcperson, Dawn M](#); [Stephanie Trueblood](#)  
**Subject:** RE: 14-0108 Emerson Waldorf Master Plan SUP  
**Attachments:** [Emerson Waldorf School 4-08-2015.pdf](#)  
[TP-3 Schedule 3.pdf](#)  
[TP-1 Schedule 1.pdf](#)  
[TP-2 Schedule 2.pdf](#)

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Chad,

Per your request, District and MSTA staff have reviewed your revised site plan. The revisions appear to have substantially addressed the queuing and operational issues previously discussed. In the attached report, MSTA has provided additional recommendations intended to further improve operations on the site. This office has no objection to the master plan proceeding through the County SUP process subject to the applicant implementing these recommendations. Because the proposed new access lies beyond State maintenance limits, no driveway permit is required from this office. However, it remains the responsibility of the school to manage internal circulation and accommodate internal queues so as to not negatively impact the adjacent State roads. Any installation or work performed in the NCDOT right of way will require approval and execution of the appropriate encroachment agreement by this office. I appreciate the cooperation from the school and their consultants in working with the Department to arrive at an acceptable solution for accommodation of present and projected site traffic. Feel free to contact me if you have any questions.

C.N. Edwards, Jr. PE

District Engineer

P. O. Box 766

115 E. Crescent Square Drive

Graham, NC 27253

Phone(336) 570-6833

Fax (336) 570-6873

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**From:** Chad Abbott [mailto:[chad.abbott@summitde.net](mailto:chad.abbott@summitde.net)]

**Sent:** Wednesday, March 18, 2015 3:31 PM

**To:** Edwards, Charles N; Jones, DeAngelo J

**Cc:** 'Michael Harvey'; Patrick R. Mallett; 'Jeff Hohanadel'; Kelly Sue Woody; 'Charles Viles'

**Subject:** 14-0108 Emerson Waldorf Master Plan SUP

Chuck/DeAngelo,

I am going to wrap this project up as a result of Terry's departure from Summit. We have met with SEPI, our Clients and the County to go over what we think is a very viable and acceptable solution for addressing the MSTA comments and concerns. I was telling the county and the clients at our last meeting that typically, or at least in my experience in Division 5, the District Engineer submitted the plans/docs to MSTA for review, they returned their review comments to the District Engineer and the District Engineer decided which comments would be passed along to the applicant. That said, I have seen the letter that MSTA issued to you, and that I assume you passed along to the County. I am assuming that you felt all of their comments were justified and there were no deletions/additions to their comments needed?

Therefore, I have attached a map/exhibit that we feel will address their concerns and to get your

input/feedback on our proposed solution. While we understand that the final approval from MSTA and your office on the proposed traffic patterns may not come for weeks or longer, we would like to get to some level of mutual understanding and acceptance such that Orange County (Michael and Pat) feel comfortable placing this Master Plan SUP on the BOCC's agenda, hence allowing our application to proceed without further delay.

If you could in some manner respond to the request above such that it either directs us to provide additional info or assures the County that generally, if the practices and improvements shown on the maps are implemented, that the stacking concerns in the Public RoW are no longer an issue or that they are a hurdle that can be overcome, our application for the Master Plan can move forward while the details are worked out. I understand the cross walk on Mill House remains a concern, but please know that the school wants to remedy the situation in whatever manner makes most sense to you and your office. We definitely don't want that holding up the Master Plan from moving forward. Please keep in mind that since this is an SUP, conditions can be placed upon the applicant to ensure this issue is dealt with prior to additional improvements coming on line at the campus.

Thank you in advance for your time and consideration of these solutions and we look forward to hearing back from you. Feel free to call or reply with questions/concern,

**Chad E. Abbott, PE**  
**Manager, Land Development Dept.**  
Phone: (919) 732-3883  
Fax: (919) 732-6676



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STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY  
GOVERNOR

ANTHONY J. TATA  
SECRETARY

April 8, 2015

In reply, refer to  
File No. SCH-2014-054

**MEMORANDUM**

**TO:** Charles Edwards – District Engineer, Division Seven  
Dawn McPherson – Division Traffic Engineer  
Joel Cranford – Municipal and School Transportation Engineer

**FROM:** Kimberly Hinton - Municipal and School Transportation Project Engineer *kdh*

**SUBJECT:** Emerson Waldorf School Review of Revised Site Plan, Orange County

Municipal and School Transportation Assistance (MSTA) performed a review of the Revised Site Plan Emerson Waldorf School prepared by Summit Design and Engineering Services. Emerson Waldorf is a private school located in Chapel Hill in the northwest corner of the New Jericho Road (SR 1899) and Mill House Road (SR 1725) intersection. The school plans to construct several new buildings and increase student population by 92 students. This review is based on a maximum of 350 students in Early Childhood through twelve grades (Nursery – 12<sup>th</sup>). If the school is projected to accommodate a higher number of students than indicated, then further review will be required. The key dates regarding this development are as follows:

Received by This Office	11/06/2014	Sealed TIA	10/31/2014
MSTA Correspondence Sent	01/20/2015	Non Sealed Site Plan	12/01/2014
Received by This Office	03/20/2015	Non Sealed Revised Site Plan	03/16/2015

✓	The Site Plan does properly address the on-campus queue lengths for high traffic demand days.
X	Driveway 4 has three lanes, one exit lane and two entrance lanes. There is an internal conflict and possible weave section created with the 1-4 Loading and 5-8 Loading parents. This is considered a traffic safety concern.

Traffic queue lengths required for this school was provided in earlier correspondence and meetings as shown on **Figure 1**.

The Revised Site Plan shows a traffic safety concern entering Driveway 4. The intent of the two ingress lanes is to provide vehicle queue length for the 5 – 8 Loading parents. Recommendations are provided.

- Reduced Driveway 4 to two lanes (one ingress lane and one egress lane)
- Widen the school driveway (12 feet wide and 160 feet long) just before the 5 – 8 Loading Zone to implement a double queue process (two 12 feet wide lanes); it may be necessary for a staff member to be located at the Stop Line to direct double queued parents into the single lane parent loading zone.

Emerson Waldorf School  
April 8, 2015  
Page 2

The Early Childhood and High School share the same loading area. During the AM High School student loading begins 20 minutes before Early Childhood. During the PM, Early Childhood dismisses at 12:30 and the remaining grades dismiss at 3:15. Adequate parking is provided near the Early Childhood location.

School policy requires 1 – 4 Grade parents to park and walk their student into the school building. During the AM student loading time, the school provides coffee and a covered area near this parking lot for these parents to socialize. This activity will have parents parking for a longer time period indicating a higher need for parking. Similar schools have 43% to 67% of the parents bring their child to school in the AM equating to 50 to 77 vehicles. The Revised Site Plan provides 29 parking spaces. It is questionable if the school is providing adequate parking for this activity. If this becomes a traffic safety concern, the school can take corrective measures. A separate access lane is provided from Driveway 4 to this parking lot allowing access to other student loading areas. During the PM student loading time, similar schools are expected to have 18 parents waiting before dismissal.

The Revised Site Plan indicates Driveway 2 and Driveway 3 have gates. It is our understanding these driveways will be closed during the AM and PM student loading times to prevent parents from circumventing the intended student loading process.

We appreciate the opportunity to serve Emerson Waldorf School and hope you find our services helpful as together we continue to provide "Safe Roads to Safe Schools."

Enclosure



**Figure 1**  
Emerson Waldorf School Renovation & Expansion  
PM Traffic Pattern

Division 7	Orange County	Chapel Hill
SCALE: NONE	N. C. DEPARTMENT OF TRANSPORTATION	REVIEWED BY: JCC
DATE: 4/8/2015	TRANSPORTATION MOBILITY AND SAFETY DIVISION	REVISIONS:
PREPARED BY: KDH		

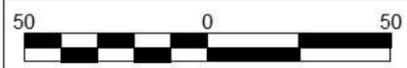
**PM Vehicle Queue Length by Grade Level**

Dismissal Schedule	Grade Level	Population	Provided (feet)	Average Queue (feet)	High Demand (feet)
12:30	Early Childhood	55	309	163	212
3:15	1-4 Grade	115	300*	335	436
3:15	5-8 Grade	100 + 57**	660	455	592
3:15	High School	80	309	237	309

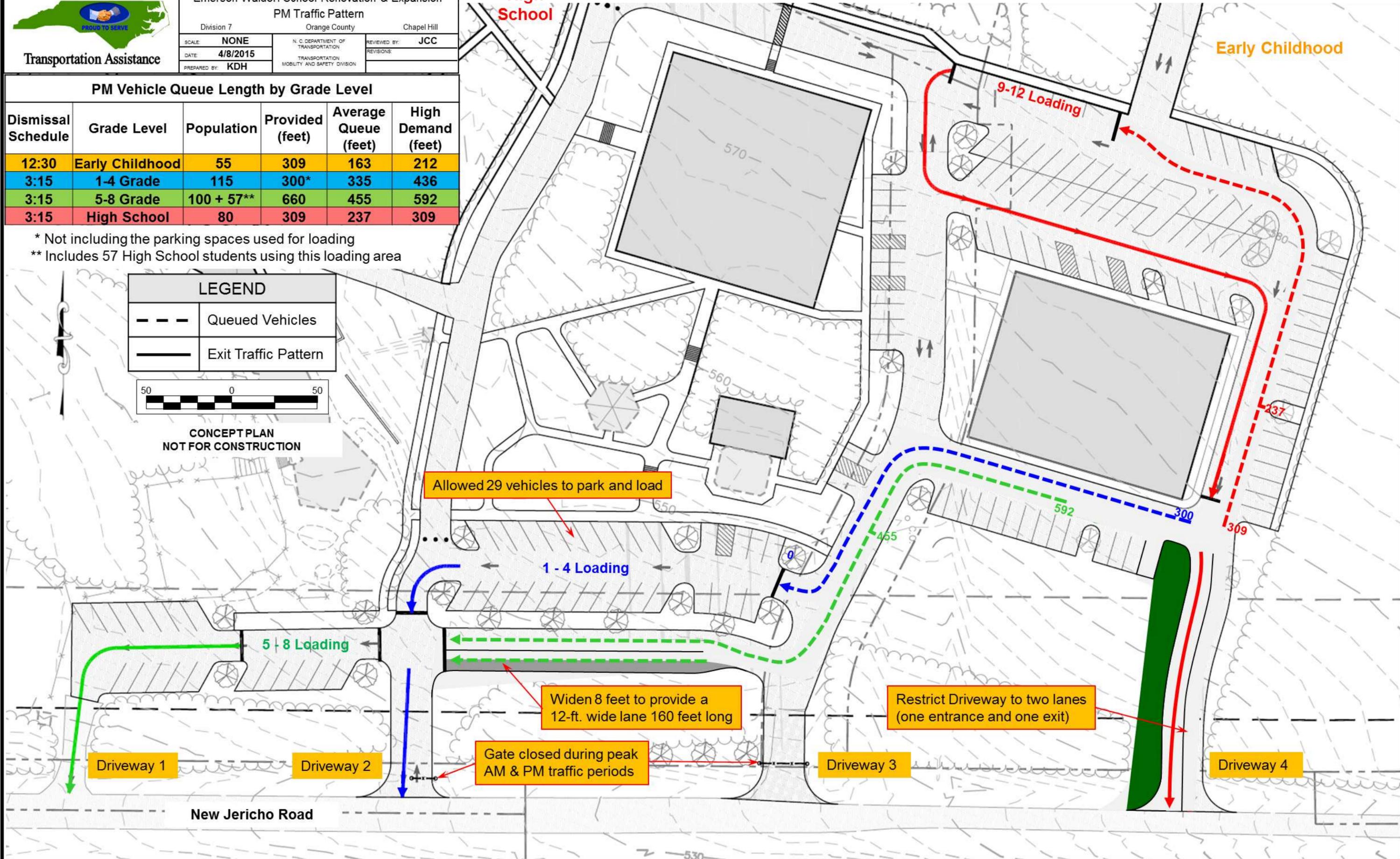
\* Not including the parking spaces used for loading  
 \*\* Includes 57 High School students using this loading area

**LEGEND**

	Queued Vehicles
	Exit Traffic Pattern



CONCEPT PLAN  
NOT FOR CONSTRUCTION



**From:** [Corey Liles](#)  
**To:** [Ashley E. Moncado](#)  
**Cc:** [Tas Lago](#); [Britany Waddell](#); [Patrick R. Mallett](#); [Cy Stober](#); [Taylor Perschau](#)  
**Subject:** RE: Special Use Permit Application SUP25-0009 (Emerson Waldorf School) - JPA Joint Courtesy Review Area  
**Date:** Friday, September 19, 2025 4:38:12 PM  
**Attachments:** [image005.png](#)

**CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Phish Alert Button located on your Outlook menu bar on the Home tab.**

Hi Ashley,

Thanks for the opportunity to provide a courtesy review of the SUP modification for Emerson Waldorf School.

Chapel Hill Planning did not have any comments on the application. We note there will be an increase in student and staff populations that could lead to more trips on roads in Chapel Hill. However, the change does not seem large enough to warrant further study or concern.

Thanks,  
 Corey



**Corey Liles (he/him), Zoning Administrator**

Planning Department | Town of Chapel Hill  
 405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

direct: 919-969-5008 | cell: 919-949-4066  
[cliles@townofchapelhill.org](mailto:cliles@townofchapelhill.org)  
 Planning main: 919-968-2728 | [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org)

**From:** Ashley E. Moncado <[amoncado@orangecountync.gov](mailto:amoncado@orangecountync.gov)>  
**Sent:** Monday, August 25, 2025 10:01 AM  
**To:** Britany Waddell <[bwaddell@townofchapelhill.org](mailto:bwaddell@townofchapelhill.org)>; Christina Moon <[CMoon@carrboronc.gov](mailto:CMoon@carrboronc.gov)>  
**Cc:** Cy Stober <[cstober@orangecountync.gov](mailto:cstober@orangecountync.gov)>; Patrick R. Mallett <[pmallett@orangecountync.gov](mailto:pmallett@orangecountync.gov)>; Taylor Perschau <[tperschau@orangecountync.gov](mailto:tperschau@orangecountync.gov)>  
**Subject:** Special Use Permit Application SUP25-0009 (Emerson Waldorf School) - JPA Joint Courtesy Review Area

**Caution external email:** Don't click links or attachments from unknown senders. To check or report click the Phish Alert Button

Good Morning,

Orange County has received a Special Use Permit (SUP) application to modify an existing SUP for Emerson Waldorf School (EWS) located at 6211 New Jericho Road, Chapel Hill (PINs 9871646437, 9871658140, 9871721935, and 9871743098). Per the applicant's narrative, EWS is requesting a modification to the previously approved 2015 Special Use Permit for an updated campus masterplan that will provide a road map by which the school can plan for the location of new buildings and support facilities, phased over a period of 10 years, and would support an increase in student population to approximately 350 students and 55 staff by 2035, while decreasing approved square footage by 19,000 sq ft. All proposed improvements would be located on the existing 54-acre school campus. No increase in campus acreage is proposed.

The project is in the Joint Courtesy Review Area. This application is scheduled for the November 12 Board of Adjustment Meeting. Please feel free to review and let us know if you have any comments. We are requesting any comments to be provided to us within 30 days.

The full application package, including the site plan, can be found on the [Orange County Permitting Portal](#).

Thank you,  
 Ashley

**Ashley Moncado, AICP**

**Planner III**

[Orange County Planning and Inspections Department](#)

Office: 919-245-2589

[131 W. Margaret Lane, Suite 201, P.O. Box 8181 Hillsborough, NC 27278](#)

[Applications, Forms, and Submittal Information](#)



*Pursuant to North Carolina General Statute 132, correspondence sent and received from this account is a public record and may be disclosed to third parties.*



**Josh Stein**  
Governor

**Gabriel J. Esparza**  
Secretary

September 30, 2025

Ashley Moncado  
Orange County  
131 W. Margaret Lane  
Suite 200  
Hillsborough, NC 27278-

**Re: SCH File # 26-E-0000-0042 The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.**

Dear Ashley Moncado:

The above referenced environmental impact information has been reviewed through the State Clearinghouse under the provisions of the North Carolina Environmental Policy Act.

Attached to this letter are comments made in the review of this document. The appropriate document should be forwarded to the State Clearinghouse for compliance with State Environmental Policy Act.

If you have any questions, please do not hesitate to contact me at (984) 236-0000.

Sincerely,

GABRIELLE MCKEITHEN  
State Environmental Review Clearinghouse

Attachments

**Mailing**  
1301 Mail Service Center | Raleigh, NC 27699-1301



[ncadmin.nc.gov](http://ncadmin.nc.gov)

**Location**  
325 N. Salisbury St. | Raleigh, NC 27603  
984-236-0000



NORTH CAROLINA  
*Environmental Quality*

JOSH STEIN  
*Governor*

D. REID WILSON  
*Secretary*

To: Gabrielle McKeithen  
State Clearinghouse  
NC Department of Administration

From: Travis Smith  
Division of Environmental Assistance and Customer Service  
NC Department of Environmental Quality

RE: 26-0042  
Environmental Assessment -The proposed use of the  
property remains unchanged from the current land use.  
The development consists of the expansion of the existing  
school facilities and associated infrastructure.  
Orange County

Date: September 29, 2025

The Department of Environmental Quality has reviewed the proposal for the referenced project. Several of our agencies have identified potential permits that may be required and provided recommendations to help minimize negative impacts on and around the project site.

I have attached the comments for the applicant's consideration.

Thank you for the opportunity to respond.

Attachments



North Carolina Department of Environmental Quality  
217 West Jones Street | 1601 Mail Service Center | Raleigh, North Carolina 27699-1601  
919.707.8661



## ⊠ North Carolina Wildlife Resources Commission ⊠

M. Kyle Briggs, Executive Director

### MEMORANDUM

TO: Lyn Biles, Environmental Assistance and SEPA Coordinator  
NCDENR Division of Environmental Assistance and Customer Services

FROM: Olivia Munzer, Western Piedmont Coordinator   
Habitat Conservation

DATE: 24 September 2025

SUBJECT: Environmental Assessment for the Emerson Waldorf School Expansion in Chapel Hill, Orange County, North Carolina. DEQ No. 26-0042.

Biologists with the North Carolina Wildlife Resource Commission (NCWRC) have reviewed the subject document. Comments are provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667e) and North Carolina General Statutes (G.S. 113-131 et seq.).

Waldorf Educational Association of NC, Inc. has submitted a Special Use Permit Application and Environmental Assessment for the expansion of the Emerson Waldorf School located on 54-acre site at 6211 New Jericho Road in Chapel Hill in Orange County, North Carolina. The purpose of the project is to construct new buildings and support facilities within the existing school campus.

According to the documents provided, one unnamed tributary to Old Field Creek in the Cape Fear River Basin flows through the site, and New Hope Creek flows north of the site. The project will not impact the streams or their buffers. The applicant submitted a Biological Inventory Report that characterizes the area; however, the report is from 2015. The proposed federally endangered and state endangered tricolored bat (*Perimyotis subflavus*) and federally proposed threatened monarch butterfly (*Danaus plexippus*) could occur at the site if suitable habitat is present.

We have no concerns about the expansion of the school since the Emerson Waldorf School if the school retains stream buffers and minimal wildlife habitat is impacted by the project. We offer the following preliminary recommendations with the intent of minimizing impacts on aquatic and terrestrial wildlife resources:

1. We recommend minimizing the amount of tree clearing, especially of large hardwoods. For any new construction, build within the open pasture so forested areas can be left undisturbed.
2. We recommend not clearing trees during the coldest winter months (December 15 to February 14) and pup rearing months (April 15 to July 31) to minimize impacts to the tricolored bat.

---

**Mailing Address:** Habitat Conservation • 1721 Mail Service Center • Raleigh, NC 27699-1721  
**Telephone:** (919) 707-0220 • **Fax:** (919) 707-0028

3. Use native species known to occur in Orange County to seed disturbed areas. Avoid using invasive, non-native plants in seed mixtures or landscaping plants ([http://www.ncwildflower.org/plant\\_galleries/invasives\\_list](http://www.ncwildflower.org/plant_galleries/invasives_list)). Also, do not use non-native and/or invasive species such as Sudangrass, Kobe lespedeza, lespedeza, tall fescue, or other non-native species for temporary or permanent seeding. Alternatively, use grains, such as oats, wheat, or rye for temporary cover and native seed mixes for permanent seeding.

A list of alternatives to non-native species has been attached. We recommend planting native, wildflower seed mixes that will create pollinator habitat within the project boundary as well as planting native trees and shrubs in landscaping. Native trees and shrubs can be found at native plant nurseries throughout NC, and lists of native plants can be found <https://ncwildflower.org/> and <https://nc.audubon.org/birdfriendlynativeplantslists>.

4. Maintain a minimum 100-foot undisturbed, native, forested buffer along perennial streams, and a minimum 50-foot buffer along intermittent streams and wetlands. Maintaining undisturbed, forested buffers along these areas will minimize impacts to aquatic and terrestrial wildlife resources, water quality, and aquatic habitat both within and downstream of the project area. Also, wide riparian buffers are helpful in maintaining stability of stream banks and for treatment of pollutants associated with urban stormwater.
5. We recommend installing rain gardens or other bioretention structures to reduce water runoff and soil erosion. Also, additional information on LID can be found at the NC State University LID guide: [https://www.uni-groupusa.org/PDF/NC\\_LID\\_Guidebook.pdf](https://www.uni-groupusa.org/PDF/NC_LID_Guidebook.pdf). NCWRC's Green Growth Toolbox provides information on nature-friendly planning (<http://www.ncwildlife.org/Conserving/Programs/GreenGrowthToolbox.aspx>).
6. Consider using wildlife friendly outdoor lighting since light pollution can impact the circadian rhythms of animals, disrupt behavior, cause injury, or death. Lights should only be on when needed; use lights only where necessary; lights should have wavelength greater than 560 nm emissions (i.e., narrow-spectrum LEDs or low-pressure sodium); mount the fixture as low as possible; use the lowest wattage necessary; and lights should be fully shielded.
7. Erosion control matting made of plastic mesh or twine should not be used within the project area because it can injure or kill wildlife.

If I can be of additional assistance, please call (336) 269-0074 or email [olivia.munzer@ncwildlife.org](mailto:olivia.munzer@ncwildlife.org).

RECOMMENDED NATIVE ALTERNATIVES FOR NON-NATIVE GRASSES IN  
NORTH CAROLINA\*\*

(Species are appropriate for all geographic regions unless otherwise indicated)

NON-NATIVE SPECIES	NATIVE SPECIES	
Crownvetch Centipede Bermuda	Big bluestem Little bluestem Indiangrass Switchgrass Beaked panicgrass Purpletop Roundheaded bushclover Deer tongue Sensitive partridge pea Partridge pea	<i>Andropogon gerardii</i> <i>Schizachyrium scoparium</i> <i>Sorghastrum nutans</i> <i>Panicum virgatum</i> <i>Panicum anceps</i> <i>Tridens flavus</i> <i>Lespedeza capitata</i> <i>Dicanthelium clandestinum</i> <i>Chamaecrista nictitans</i> <i>Chamaecrista fasciculata</i>
Kentucky bluegrass Tall fescue Sudangrass	Big bluestem Little bluestem Indiangrass Switchgrass Beaked panicgrass Purpletop Broomsedge Deer tongue Canadian wildrye Virginia wildrye Sensitive partridge pea Partridge pea	<i>Andropogon gerardii</i> <i>Schizachyrium scoparium</i> <i>Sorghastrum nutans</i> <i>Panicum virgatum</i> <i>Panicum anceps</i> <i>Tridens flavus</i> <i>Andropogon virginicus</i> <i>Dicanthelium clandestinum</i> <i>Elymus canadensis</i> <i>Elymus virginicus</i> <i>Chamaecrista nictitans</i> <i>Chamaecrista fasciculata</i>
Sericea lespedeza Kobe lespedeza	Switchgrass Splitbeard bluestem Beggartlice Deer tongue Sensitive partridge pea Partridge pea	<i>Panicum virgatum</i> <i>Andropogon ternarius</i> <i>Desmodium spp.</i> <i>Dicanthelium clandestinum</i> <i>Chamaecrista nictitans</i> <i>Chamaecrista fasciculata</i>

## NC Native Plant Recommendations

\*\*A recommended revegetation/stabilization mix would ideally include a combination of the species listed in this table. In addition, please note that additional consideration may be needed in areas that are (highly) erodible and/or have sloped terrain. The following species could be included in all regions for additional stabilization and wildlife benefit:

Black-eyed susan:	<i>Rudbeckia hirta</i>
Plains coreopsis:	<i>Coreopsis tinctoria</i>
Lance-leaved coreopsis:	<i>Coreopsis lanceolata</i>
Narrow-leaved sunflower:	<i>Helianthus angustifolius</i>

Created October 2018



NORTH CAROLINA  
*Environmental Quality*

JOSH STEIN  
*Governor*  
D. REID WILSON  
*Secretary*  
MICHAEL SCOTT  
*Director*

Date: September 9, 2025

To: Michael Scott, Director  
Division of Waste Management

Through: Janet Macdonald  
Inactive Hazardous Sites Branch

From: Katie C Tatum  
Inactive Hazardous Sites Branch

Subject: SEPA Project # 26-0042 - Town of Hillsborough/Community Grants, Orange County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the Town of Hillsborough/Community Grants project. The proposed project is for the expansion of school facilities and associated infrastructure.

One (1) Superfund Section sites and no (0) Brownfields Program Sites were identified within one mile of the project as shown on the attached report. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater. Superfund Section files can be viewed at: <http://deq.nc.gov/waste-management-laserfiche>.

Please contact Janet Macdonald at 919.707.8349 if you have any questions concerning the Superfund Section review portion of this SEPA/NEPA inquiry.



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200



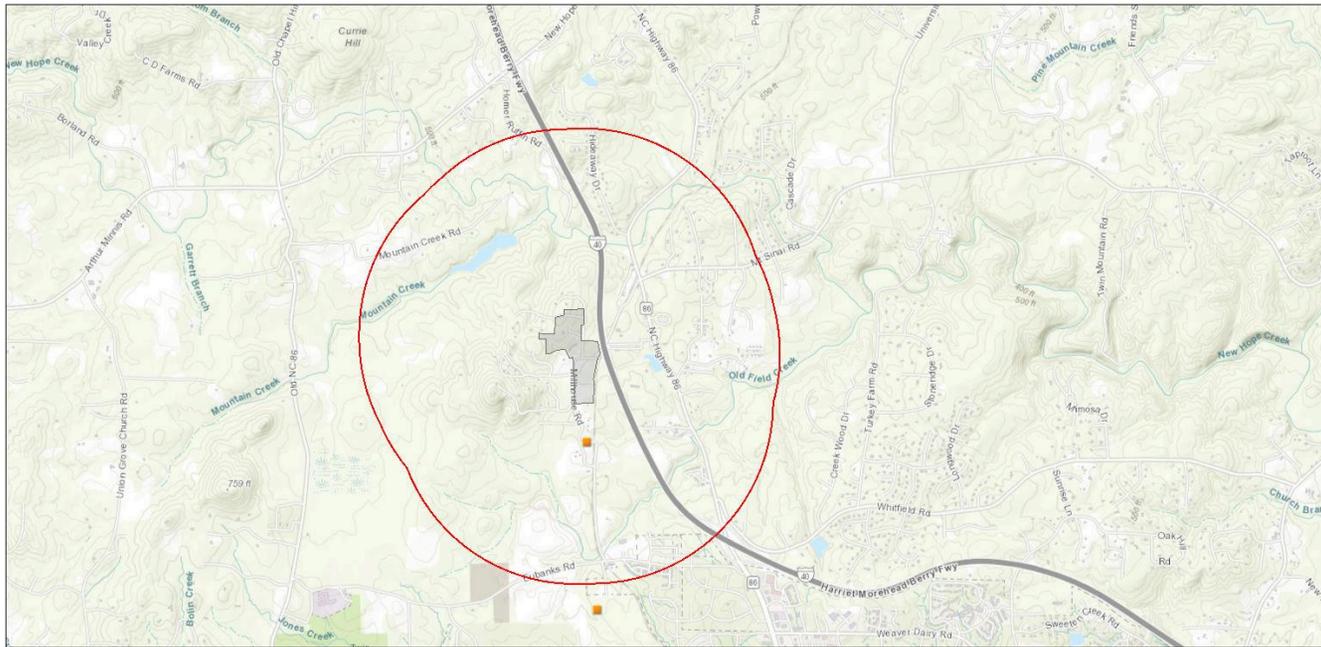
# Superfund & Brownfield Sites SEPA/NEPA Review Report

## Area of Interest (AOI) Information

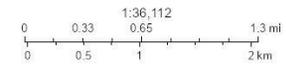
Orange County SEPA project 26-0042

Area : 2,973.34 acres

Sep 9 2025 12:09:32 Eastern Daylight Time



■ Inactive Hazardous Sites



Town of Cary, Orange County, NC, State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, USGS, METNUSA, EPA, USCA.

Superfund and Brownfields Sites  
Orange County SEPA project 26-0042

## Summary

Name	Count	Area(acres)	Length(mi)
Certified DSCA Sites	0	N/A	N/A
Federal Remediation Branch Sites	0	N/A	N/A
Inactive Hazardous Sites	1	N/A	N/A
Pre-Regulatory Landfill Sites	0	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

## Inactive Hazardous Sites

#	EPAID	SITENAME	Count
1	NONCD0001961	KIRSCHNER, GEORGE PROPERTY	1

JOSH STEIN  
Governor  
D. REID WILSON  
Secretary  
MICHAEL SCOTT  
Director



DATE: September 17, 2025  
TO: Michael Scott, Division Director through Sharon Brinkley  
FROM: Charles Gerstell, Solid Waste Section Field Operations Branch  
RE: SEPA Project 26-0042, Orange County, NC  
Orange County Planning and Inspections – Expansion of the existing school facilities and associated infrastructure at Emerson Waldorf School

---

The Solid Waste Section has reviewed the environmental assessment in reference to the proposed expansion of the existing school facilities and associated infrastructure at Emerson Waldorf School in Chapel Hill, North Carolina, Orange County. Any structures proposed to be demolished and/or rehabilitated as part of this project should be evaluated for lead, asbestos or other contaminants which must be managed appropriately. Also, the closed Orange County Construction and Demolition Landfill (6801-CDLF-1993) is located within one mile of the proposed project. Additional information about this facility can be found here: [6801-CDLF-1993](#). Otherwise, the review has been completed and has found no adverse impact on the surrounding community and likewise knows of no situations in the community, which would affect this project from a non-hazardous solid waste perspective.

During the project, every feasible effort should be made to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. Any waste generated by this project that cannot be beneficially reused or recycled must be disposed of at a solid waste management facility approved to manage the respective waste type. The Section strongly recommends that any contractors are required to provide proof of proper disposal for all waste generated as part of the project. A list of permitted solid waste management facilities is available on the Solid Waste Section portal site at: [Solid Waste Facility List](#).

Please contact Chuck Kirchner, Environmental Senior Specialist, for any questions regarding solid waste management for this project. Mr. Kirchner can be reached at (336) 776-9633 or by e-mail at [chuck.kirchner@deq.nc.gov](mailto:chuck.kirchner@deq.nc.gov).

Ec: Chuck Kirchner, Environmental Senior Specialist



After review of this project, it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begins activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<input type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$119 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		(30 days)
<input checked="" type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with <u>Orange Co. Local Government's</u> approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		Based on Local Program
<input checked="" type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	15-20 days N/A
<input checked="" type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input checked="" type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: <a href="http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program">http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program</a>		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: <a href="http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information">http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information</a>		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input checked="" type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input checked="" type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input checked="" type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

Other Comments (attach additional pages as necessary, being certain to comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	CAD	<input type="checkbox"/>	See checked boxes	9/8/25
DWR-WQROS (Aquifer & Surface)	JM &	<input type="checkbox"/>	See check boxes above. Three mapped features are depicted within/near the project area that may be subject to riparian buffer rules. Any impacts to the riparian buffer will need a buffer determination/authorization from local program. If public funds are being utilized for the project, DWR will need to perform the determination. If any impacts to surface water are anticipated , 401/404 approval may be required. &	9/18/25 / /
DWR-PWS	JM	<input type="checkbox"/>	The proposed building P5B seems to be intruding into Well #3's 100 ft radius. Please revise to ensure compliance with 15A NCAC 18C .0203 (D). See checked box.	9/10/25
DEMLR (LQ & SW)	WHD	<input type="checkbox"/>	See checked boxes.	9/21/25
DWM – UST	MRP	<input type="checkbox"/>	See checked box above.	9/19/25
Other Comments		<input type="checkbox"/>		/ /

**REGIONAL OFFICES**

Questions regarding these permits should be addressed to the Regional Office marked below.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> <b>Asheville Regional Office</b><br>2090 U.S. 70 Highway<br>Swannanoa, NC 28778-8211<br>Phone: 828-296-4500<br>Fax: 828-299-7043  | <input type="checkbox"/> <b>Fayetteville Regional Office</b><br>225 Green Street, Suite 714,<br>Fayetteville, NC 28301-5043<br>Phone: 910-433-3300<br>Fax: 910-486-0707 | <input type="checkbox"/> <b>Mooreville Regional Office</b><br>610 East Center Avenue, Suite 301,<br>Mooreville, NC 28115<br>Phone: 704-663-1699<br>Fax: 704-663-6040 |
| <input checked="" type="checkbox"/> <b>Raleigh Regional Office</b><br>3800 Barrett Drive,<br>Raleigh, NC 27609<br>Phone: 919-791-4200<br>Fax: 919-571-4718 | <input type="checkbox"/> <b>Washington Regional Office</b><br>943 Washington Square Mall,<br>Washington, NC 27889<br>Phone: 252-946-6481<br>Fax: 252-975-3716           | <input type="checkbox"/> <b>Wilmington Regional Office</b><br>127 Cardinal Drive Ext.,<br>Wilmington, NC 28405<br>Phone: 910-796-7215<br>Fax: 910-350-2004           |
|  | <input type="checkbox"/> <b>Winston-Salem Regional Office</b><br>450 Hanes Mill Road, Suite 300,<br>Winston-Salem, NC 27105<br>Phone: 336-776-9800<br>Fax: 336-776-9797 |  |

## Department of Environmental Quality Project Review

**Project Number: 26-0042****County: Orange****Date Received: 8-29-2025****Due Date: 9-26-2025****Project Description:**

*Scoping - The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.*

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
Asheville	Air	Air Quality	Coastal Management
Fayetteville	DWR	Waste Mgmt (HW, SF, SW)	Marine Fisheries
Mooreville	DWR - Public Water	Water Resources Mgmt (Public Water, Planning & Water Quality Program)	CC & PS Div. of Emergency Mgmt
Raleigh	DEMLR (LQ & SW)		DMF-Shellfish Sanitation
Washington	DWM - UST	DWR-Transportation Unit	Wildlife <u>Olivia</u>
Wilmington			Wildlife/DOT
Winston Salem			

Manager Sign-Off/Region:	Date: 9/11/2025	In-House Reviewer/Agency: DWR/WRM David Wainwright
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Response (check all applicable)	
<input type="checkbox"/> No objection to project as proposed.	<input checked="" type="checkbox"/> No Comment
<input type="checkbox"/> Insufficient information to complete review	<input type="checkbox"/> Other (specify or attach comments)

## Department of Environmental Quality Project Review

**Project Number: 26-0042****County: Orange****Date Received: 8-29-2025****Due Date: 9-26-2025****Project Description:**

*Scoping - The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.*

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
Asheville	Air	Air Quality	Coastal Management
Fayetteville	DWR	Waste Mgmt (HW, SF, SW)	Marine Fisheries
Mooreville	DWR - Public Water	Water Resources Mgmt (Public Water, Planning & Water Quality Program)	CC & PS Div. of Emergency Mgmt
Raleigh	DEMLR (LQ & SW)		DMF-Shellfish Sanitation
Washington	DWM - UST	DWR-Transportation Unit	Wildlife <u>Olivia</u>
Wilmington			Wildlife/DOT
Winston Salem			

Manager Sign-Off/Region:	Date: 9-26-25	In-House Reviewer/Agency: Melodi Deaver, Hazardous Waste Section
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Response (check all applicable)	
<input type="checkbox"/> No objection to project as proposed.	<input checked="" type="checkbox"/> No Comment
<input type="checkbox"/> Insufficient information to complete review	<input type="checkbox"/> Other (specify or attach comments)



**North Carolina Department of Natural and Cultural Resources  
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Josh Stein  
Secretary Pamela B. Cashwell

Office of Archives and History  
Deputy Secretary Darin J. Waters, Ph.D.

September 16, 2025

Ashley Moncado  
Orange County Planning & Inspections

[amoncado@orangecountync.gov](mailto:amoncado@orangecountync.gov)

Re: Expand Emerson Waldorf School, 6211 New Jericho Road, Chapel Hill, Orange County,  
26-E-0000-0042, GS 25-2578

Dear Ms. Moncado:

Thank you for your email of August 29, 2025, regarding the above-referenced undertaking. We have reviewed the submission and offer the following comments.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

These comments are made in accord with G.S. 121-12(a) and Executive Order XVI. If you have questions regarding them, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or [environmental.review@dncr.nc.gov](mailto:environmental.review@dncr.nc.gov). In all future communication concerning this project, please cite the above-referenced tracking number.

Sincerely,

*Renee Gledhill-Earley*

*for* Ramona Bartos, Deputy  
State Historic Preservation Officer

Control No.: 26-E-0000-0042

Date Received: 8/29/2025

County.: ORANGE

Agency Response: 9/29/2025

Review Closed: 9/29/2025

DEVON BORGARDT  
CLEARINGHOUSE COORDINATOR  
DEPT OF NATURAL & CULTURAL  
RESOURCE

Project Information

Type: State Environmental Policy Act ironmental Assessment

Applicant: Orange County

Project Desc.: The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: DEVON BORGARDT

Date: 9/16/2025

Control No.: 26-E-0000-0042  
County.: ORANGE

Date Received: 8/29/2025  
Agency Response: 9/29/2025  
Review Closed: 9/29/2025

DEVON BORGARDT  
CLEARINGHOUSE COORDINATOR  
DEPT OF NATURAL & CULTURAL  
RESOURCE

Project Information

Type: State Environmental Policy Act ironmental Assessment  
Applicant: Orange County  
Project Desc.: The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.

As a result of this review the following is submitted:

No Comment       Comments Below       Documents Attached

Reviewed By: DEVON BORGARDT

Date: 9/16/2025

Control No.: 26-E-0000-0042  
County.: ORANGE

Date Received: 8/29/2025  
Agency Response: 9/29/2025  
Review Closed: 9/29/2025

ALEX JONES  
CLEARINGHOUSE COORDINATOR  
DEPT OF AGRICULTURE

Project Information

Type: State Environmental Policy Act ironmental Assessment  
Applicant: Orange County  
Project Desc.: The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.

As a result of this review the following is submitted:

No Comment       Comments Below       Documents Attached

Reviewed By: ALEX JONES

Date: 9/19/2025

Control No.: 26-E-0000-0042

Date Received: 8/29/2025

County.: ORANGE

Agency Response: 9/29/2025

Review Closed: 9/29/2025

TRAVIS SMITH

Clearinghouse Coordinator

NC DEPT OF ENVIRONMENTAL QUALITY

Project Information

Type: State Environmental Policy Act ironmental Assessment

Applicant: Orange County

Project Desc.: The proposed use of the property remain unchanged from the current land use. The development consists of the expansion of the existing school facilities and associated infrastructure.

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: TRAVIS SMITH

Date: 9/29/2025

PLANNING *and* INSPECTIONS

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Cy Stober, AICP, Director | [cstober@orangecountync.gov](mailto:cstober@orangecountync.gov) | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

November 5, 2025

**Finding of No Significant Impact (FONSI)**  
Emerson Waldorf School (SUP) Application  
SUP25-0009

PINs: 9871646437, 9871658140, 9871743098, and 9871721935

A complete Environmental Assessment (EA) application for the Emerson Waldorf School Special Use Permit (SUP) application, for the property located at 6211 New Jericho Road, Chapel Hill with PINs 9871646437, 9871658140, 9871743098, and 9871721935 (hereafter, the 'Project'), has been received and reviewed by the Orange County Planning and Inspections Department. The EA application, SUP application, and site plan were sent to local, state, and federal agencies for review.

On August 21, 2025, the applicant submitted an Environmental Assessment application as required within Section 6.16 of the Orange County Unified Development Ordinance. Staff did not identify any element of the Project requiring the completion/submittal of an Environmental Impact Statement (EIS). In addition, an EIS was not recommended by any local, state, or federal agency.

Based on the information contained within the EA application, SUP application, and site plan, Orange County Planning staff review, and comments received from local, state, and federal agencies, staff makes a Finding of No Significant Impact (FONSI) for the Project.

Sincerely,



Cy Stober  
Director  
Orange County Planning and Inspections Department

**STANDARDS EXAMINED AND EVIDENCE RECEIVED  
BY THE ORANGE COUNTY BOARD OF ADJUSTMENT  
PERTAINING TO A REQUEST SUBMITTED BY  
WALDORF EDUCATIONAL ASSOCIATION OF NORTH CAROLINA  
PROPOSING A MAJOR MODIFICATION TO EXISTING SPECIAL USE PERMIT  
ON A PARCEL OF PROPERTY LOCATED AT 6211 NEW JERICO ROAD  
SUP25-0009**

**(PINS 9871646437, 9871658140, 9871743098, and 9871721935)**

As required under Section 2.7.14 *Modifications to Approved Plans* of the Orange County Unified Development Ordinance (UDO), an amended site plan and written narrative is required for a major modification to an approved Special Use Permit. Such modifications shall comply with general and specific standards as set forth in Section(s) 5.3.2 and any use specific standards of the UDO.

Section 5.3.2(A)(2) of the UDO requires written findings certifying compliance with the following:

- (1) The use will maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted;
- (2) The use will maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not maintain or enhance the value of contiguous property); and
- (3) The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners.

In addition, the Board shall make findings certifying that the application is compliant with the following specific standards:

- (1) Specific standards for the submission of Special Use Permit applications as outlined within Section(s) 2.2 and 2.7 of the UDO.
- (2) Specific regulations governing the development of Schools: Preparatory as set forth in Section 5.8.4 of the UDO.
- (3) Section 5.3.2(B) relating to the method and adequacy of the provision of:
  - a. Sewage disposal facilities, solid waste, and water;
  - b. Police, fire, and rescue squad protection;
  - c. Vehicular access to the site and traffic conditions around the site;
  - d. Other use specific standards as set forth within the UDO.
- (4) The general findings outlined within Section 5.3.2(A) (2).

Listed below are the findings of the Orange Planning staff regarding the application in question. The findings have been presented by Article and requirement to assist the Board of Adjustment in its deliberations.

## Attachment 6A

REQUIREMENT	UDO	SUPPORTING EVIDENCE	FOF Per Att 6 (b)
Submittal Requirements for all SUP Applications			
Proper forms	Section 2.2	Staff Testimony Application (Attachment 2)	1
Fees paid	Section 2.2.4(D)	Application (Attachment 2) [Fees paid at time of submittal.]	1
Owner Information	Section 2.7.3(B)(2)	Application (Attachment 2)	1, 2
Amended Site Plan	Section 2.7.14(E)(1)	Application (Attachment 2)	2
Written narrative outlining the specific changes requested	Section 2.7.14(E)(1)	Application (Attachment 2)	2
List of parcels within 1,000 feet	Section 2.7.3(B)(5)	Application (Attachment 2)	2
Environmental Assessment (or EIS)	Section 2.7.3(B)(7)	Environmental Assessment of the Application (Attachment 2) [EIS Not Required]	2
Method of Debris Disposal	Section 2.7.3(B)(8)	Site Plan of the Application (Attachment 2)	2
Development Schedule	Section 2.7.3(B)(9)	Exhibit G of the Application (Attachment 2)	2
Extended Vesting Request	Section 2.7.3(B)(10)	Application (Attachment 2) [Extended vesting period was requested as a condition.]	2
<b>Site Plan</b> A site plan prepared in accordance with Section 2.5 Site Plan Review	Section 2.5 Section 5.8.4(A)(1)(a)	Site Plan of the Application (Attachment 2) [Site plan is in compliance with Sections 2.5 and 5.8.4(A)(1)(a) of the UDO.]	2, 19
A Landscape and Tree Preservation Plan prepared in accordance with Section 6.8 of this Ordinance.	Section 5.8.4(A)(1)(b)	Site Plan of the Application (Attachment 2)	6

## Attachment 6A

A photometric plans prepared in accordance with Section 6.11 of this Ordinance.	Section 5.8.4(A)(1)(c)	Site Plan of the Application Proposed Conditions (Attachment 2)	7
Estimated water usage for structures, landscaping and athletic fields.	Section 5.8.4(A)(1)(d)	Site Plan of the Application (Attachment 2)	8
A Traffic Impact Study	Section 5.8.4(A)(1)(e)	Application (Attachment 2)	9
A Biological Inventory, prepared in accordance with Section 5.22.1(A)(2)(b) of this Ordinance.	Section 5.8.4(A)(1)(f)	Application (Attachment 2)	10
A Resources Management Plan, prepared in accordance with the Resources Management Plan definition in Article 10 of this Ordinance.	Section 5.8.4(A)(1)(g)	Site Plan of the Application (Attachment 2) [Contained on Sheet L5.00 of the site plan.]	11
REQUIREMENT	UDO	SUPPORTING EVIDENCE	FOF
Notification Requirements for all Evidentiary Hearings			
Mailed Notice all adjacent property owners (at least 10 days but no more than 25 days prior)	Sections 2.7.5(B) and 2.7.6(A)(1)	NIM and BOA Materials (Attachments 3 & 4) NIM notices mailed by applicant October 7, 2025 prior to October 22 NIM. BOA Public Hearing Notices mailed by staff on November 26, 2025. Certification available in Attachment 4.	13, 14
Sign Posting on Property (at least 10 days prior)	Sections 2.7.5(D) and 2.7.6(A)(2)	NIM and BOA Materials (Attachments 3 & 4) NIM signs posted by staff on October 8, 2025 prior to October 22 NIM. Photo documentation available in Attachment 4. BOA signs posted by staff on November 26. Certification and photo	15

## Attachment 6A

		documentation available in Attachment 4.	
REQUIREMENT	UDO	SUPPORTING EVIDENCE	FOF
Waste, Safety and Access Requirements			
<b>Waste Disposal</b> Method and adequacy of provision for sewage disposal facilities, solid waste and water service.	Section 5.3.2(B)(1)	Exhibit B – Site Plan and Narrative of the Application (Attachment 2) [DAC Comments (Attachment 5)]	2, 16
<b>Safety</b> Method and adequacy of police, fire and rescue squad protection.	Section 5.3.2(B)(2)	Exhibit B – Site Plan and Narrative of the Application (Attachment 2) [DAC Comments (Attachment 5)]	2, 17
<b>Vehicle Access</b> Method and adequacy of vehicle access to the site and traffic conditions around the site.	Section 5.3.2(B)(3)	Exhibit B – Site Plan and Narrative of the Application (Attachment 2) [DAC Comments (Attachment 5)]	2, 18
REQUIREMENT	UDO	SUPPORTING EVIDENCE	FOF
Standards of Evaluation Specific to this Use			
The project meets all applicable design standards and other requirements of this Ordinance.	Section 5.8.4(A)(3)(a)	Project Correspondence and DAC Comments (Attachment 5) [The proposed modification has been reviewed by Orange County DAC including Planning, Building Inspections, NCDOT, Environmental Health, Solid Waste, and Emergency Services for compliance with Orange County Ordinances, State Building Code, Health Code, and Fire Code.]	2, 19
The project meets all service provision criteria including fire, police, rescue services, water supply, wastewater treatment methods, and solid waste.	Section 5.8.4(A)(3)(b)	Application - Narrative (Attachment 2) [Services for this project are contained in the applicant's narrative.]	2, 20
Habitats shall be identified and evaluated in the	Section 5.8.4(A)(3)(c)	Application	2, 21

## Attachment 6A

Biological Inventory and subject to regulations.		(Attachment 2)  [The application includes a biological inventory indicating the project will not have a detrimental impact on the local environment. The 2015 SUP review determined no signification impact to animal and plan species on the property or existing habitat area warranting special consideration or protection based on information contained within the Inventory of Natural Areas and Wildlife Habitats for Orange County North Carolina. Staff. Orange County Department of Environment, Agriculture, Parks, and Recreation (DEAPR) provided no comments as part of this review.]	
Landscaping and Buffers regulations, including protection of existing vegetation.	Section 5.8.4(A)(3)(d)	Site Plan of the Application (Attachment 2)  [Landscape plan is contained on Sheet L5.00 of the site plan. Existing vegetation is contained within the required tree protection area and buffer area.]	2, 22
Stormwater Management - A Stormwater Management Plan (SMP) shall be prepared and reviewed in accordance with the provisions of Section 6.14 of this Ordinance	Section 5.8.4(A)(3)(e)	Application (Attachment 2)  Exhibit E – Proposed conditions  [A Stormwater Water Management Plan will be required as part of the Zoning Compliance Permit review process.]	2, 23
Drainage - All drainage structures will be installed and maintained according to the approved Stormwater Management Plan.	Section 5.8.4(A)(3)(f)	Application (Attachment 2)  Exhibit E – Proposed conditions  [A Stormwater Water Management Plan will be required as part of the Zoning Compliance Permit review process.]	2, 24
Grading and Erosion Control	Section 5.8.4(A)(3)(g)	Application	2, 25 - 28

## Attachment 6A

		(Attachment 2) Exhibit E – Proposed conditions [An Erosion Control Plan will be required as part of the Zoning Compliance Permit review process.]	
Solid Waste Management	Section 5.8.4(A)(3)(h)	Site Plan of the Application (Attachment 2) [Contained in the Resource Management Plan on Sheet L5.00 of the site plan.]	2, 29
Irrigation	Section 5.8.4(A)(3)(i)	Site Plan of the Application (Attachment 2) [Contained in the Resource Management Plan on Sheet L5.00 of the site plan.]	2, 30
Habitat Maintenance	Section 5.8.4(A)(3)(j)	Application (Attachment 2) [Contained in the Resource Management Plan on Sheet L5.00 of the site plan.]	2, 30
Public Road Access	Section 5.8.4(A)(3)(k)	Site Plan of the Application (Attachment 2) [The site has direct access to a State maintained road.]	2, 32
Maintenance of Improvements	Section 5.8.4(A)(3)(l)	Site Plan of the Application (Attachment 2) [Contained in the Resource Management Plan on Sheet L5.00 of the site plan.]	2, 33
Additional Standards	Section 5.8.4(A)(3)(m)	Site Plan of the Application (Attachment 2)	2, 34-37
Site Access	Section 5.8.4(A)(3)(m)(vi)	Site Plan of the Application (Attachment 2)	2, 38-42

## Attachment 6A

		[Project provides for two access points and meets other access regulations.]	
REQUIREMENT	UDO	SUPPORTING EVIDENCE	FOF
General Welfare, Value & Harmony Standards			
The use <b>(will / will not)</b> maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted.	Section 5.3.2 (A)(2)(a)	Application package as contained in Attachment 1 inclusive including, but not limited to: <ul style="list-style-type: none"> <li>• Narrative</li> <li>• Site Plan</li> <li>• Proposed Conditions</li> <li>• Environmental Assessment (EA) Application</li> <li>• Site Plan</li> </ul> Project Correspondence and DAC Comments (Attachment 5)	43
The use <b>(will / will not)</b> maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not maintain or enhance the value of contiguous property).	Section 5.3.2 (A)(2)(b)	Application package (Attachment 1) Staff Report (Attachment 2) Project Correspondence and DAC Comments (Attachment 5); and  Evidence submitted by applicant	44
The location and character of the use, if developed according to the plan submitted, <b>(will / will not)</b> be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners.	Section 5.3.2 (A)(2)(c)	Application package as contained in Attachment 1 inclusive including, but not limited to: <ul style="list-style-type: none"> <li>• Narrative</li> <li>• Environmental Assessment (EA) Application</li> <li>• Site Plan</li> <li>• Proposed Conditions</li> </ul> Staff Report (Attachment 2)  Project Correspondence and DAC Comments (Attachment 5).	45

**FINDINGS OF FACT  
BY THE ORANGE COUNTY BOARD OF ADJUSTMENT  
PERTAINING TO A REQUEST SUBMITTED BY  
WALDORF EDUCATIONAL ASSOCIATION OF NORTH CAROLINA  
PROPOSING A MAJOR MODIFICATION TO EXISTING SPECIAL USE PERMIT  
ON A PARCEL OF PROPERTY LOCATED AT 6211 NEW JERICHO ROAD  
SUP25-0009  
(PINS 9871646437, 9871658140, 9871743098, and 9871721935)**

Based upon the competent, material and substantial evidence received at the evidentiary hearing, the Board of Adjustments gave each piece of evidence its due weight and makes the following Findings of Fact:

Application Components

1. Waldorf Educational Association of North Carolina filed an application for a Special Use Permit (SUP) Major Modification related to Orange County PINs 9871646437, 9871658140, and 9871743098 on August 21, 2025 with a fee paid.
2. The application included an amended site plan, written narrative outlining the specific changes requested, and attachments as included in the agenda materials received by the BOA, specifically: Attachment 2.
3. The existing buildings on the property include: The parcel includes a nursery, middle school, high school, woodland school, blacksmith shop, maintenance shop, and offices. In addition, the site contains accessory structures including sheds, playground equipment, amphitheater, basketball and volleyball courts, and shelters.
4. The proposed buildings include: Center Building (connecting existing East and West Wings), Eurythmy (Renovation of existing building), Early Childhood Center, High School addition, Arts Center, and Auditorium
5. The access, parking, and care facility include: The project will be utilizing the existing ingress/egress on New Jericho Road. Parking and loading requirements are met.
6. A Landscape and Tree Preservation Plan prepared in accordance with Section 6.8 of this Ordinance. The applicant has provided the required plan as part of the application package (Attachment 2).
7. A photometric plan prepared in accordance with Section 6.11 of this Ordinance. Applicant has provided note on site plan. A condition is provided requiring the applicant apply for a new SUP if outdoor sports field lighting proposed in the future
8. Estimated water usage for structures, landscaping and athletic fields. The applicant has provided the information as part of the application package (Attachment 2).
9. A Traffic Impact Study. The applicant has provided information as part of the application package (Attachment 2).
10. A Biological Inventory, prepared in accordance with Section 5.22.1(A)(2)(b) of this Ordinance. The applicant has provided the information as part of the application package (Attachment 2).
11. A Resources Management Plan, prepared in accordance with the Resources Management Plan definition in Article 10 of this Ordinance. The applicant has provided the required plan as part of the application package (Attachment 2).
12. Ashley Monaco, a member of the Orange County Planning & Inspections Department staff, provided sworn testimony regarding receipt of the following: 10 copies of site plans, a list of parcels within 1,000 feet, 10 copies of Environmental Assessment, method of debris disposal, and development schedule.

## Attachment 6B

## Notice Requirements

13. Notices of a Neighborhood Information Meeting were mailed on October 22, 2025 by the applicant and the meeting was held on October 22, 2025.
14. Notices of the BOA Evidentiary Hearing were mailed on November 26, 2025 and the meeting held on December 10, 2025.
15. Signs were posted on October 8, 2025 for the Neighborhood Information Meeting and on November 26, 2025 for the Evidentiary Hearing.

## Waste, Safety &amp; Access

16. The waste disposal methods were reviewed by Orange County Environmental Health and Solid Waste. There was no indication of concern.
17. The method of police, fire and rescue squad protection were reviewed by Orange County Fire Marshall's Office. There was no indication of concern.
18. The method of vehicle access was reviewed by NCDOT District Office and indicated no concerns.

## Schools: Elementary, Middle, and Secondary

19. The project meets all applicable design standards and other requirements of this Ordinance. The proposed modification has been reviewed by Orange County DAC including Planning, Building Inspections, NCDOT, Environmental Health, Solid Waste, and Emergency Services for compliance with Orange County Ordinances, State Building Code, Health Code, and Fire Code.
20. The project meets all service provision criteria including fire, police, rescue services, water supply, wastewater treatment methods, and solid waste. Services for this project are contained in the applicant's narrative.
21. Habitats shall be identified and evaluated in the Biological Inventory and subject to regulations. The application includes a biological inventory indicating the project will not have a detrimental impact on the local environment.
22. Landscaping and Buffers regulations, including protection of existing vegetation. Landscape plan is contained on Sheet L5.00 of the site plan. Existing vegetation is contained within the required tree protection area and buffer area.
23. A Stormwater Management Plan (SMP) shall be prepared and reviewed in accordance with the provisions of Section 6.14 of this Ordinance. A Stormwater Water Management Plan will be required as part of the Zoning Compliance Permit review process.
24. All drainage structures will be installed and maintained according to the approved Stormwater Management Plan. A Stormwater Water Management Plan will be required as part of the Zoning Compliance Permit review process.
25. Plans for grading and erosion control shall comply with standards contained in the most current version of the North Carolina Administrative Code Title 15A Chapter 4: Sedimentation Control, and the most current version of the North Carolina Erosion and Sediment Control Planning and Design Manual (NC Erosion Control Manual). An Erosion Control Plan will be required as part of the Zoning Compliance Permit review process.
26. Construction shall be phased to minimize disturbance and sedimentation. An Erosion Control Plan will be required as part of the Zoning Compliance Permit review process.
27. Sediment control measures shall be properly installed to filter sediment from runoff during construction and maintained until grading is complete and a permanent vegetative cover has been established and all slopes stabilized. An Erosion Control Plan will be required as part of the Zoning Compliance Permit review process.
28. Permanent landscaping, groundcover, mulch, etc. shall be installed as soon as practical after construction activities for each phase are completed. An Erosion Control Plan will be required as part of the Zoning Compliance Permit review process.

29. A solid waste management plan, submitted as part of the Resources Management Plan, shall include the method(s) of disposal and recycling of construction debris. Contained in the Resource Management Plan on Sheet L5.00 of the site plan.
30. Irrigation systems for the school project are designed and can be operated according to a water conservation plan described in the Resources Management Plan submitted with the application. Contained in the Resource Management Plan on Sheet L5.00 of the site plan.
31. Habitats identified in the biological inventory and habitats created through mitigation shall be maintained in accordance with the Resources Management Plan and/or a conservation easement. Maintenance of habitats shall be minimal, consisting primarily of maintaining buffers and enhancements, removal of exotic (nonnative) plant species, and keeping drainage ways functioning properly. Contained in the Resource Management Plan on Sheet L5.00 of the site plan.
32. Access to the school project shall be via existing public roads and shall conform to and be in compliance with any public road access management plan adopted by Orange County. Project provides for two access points and meets other access regulations.
33. All site improvements such as roads, utilities (including irrigation and drainage structures), habitat enhancements, recreational amenities, signage, landscaping, open space, etc. will be maintained in function and appearance. Maintenance specifications, if any, for on-going site management (including provisions for handling of storm debris in open space areas) shall be submitted as part of the Resources Management Plan as defined in Definitions (Article 10). Contained in the Resource Management Plan on Sheet L5.00 of the site plan.
34. For non-charter public schools, the minimum lot size shall be, as required by the School Construction Standards adopted from time to time by the Board of County Commissioners, the Orange County Board of Education and the Chapel Hill-Carrboro Board of Education. The school has operated on this site since 1988. Based on current operations, Staff believes the site is of sufficient size to accommodate the proposed project based on the maximum number of anticipated students as detailed by the applicant.
35. For all schools, the lot size shall be adequate to accommodate all activities. The proposed methods to handle the maximum number of participants and patrons for any single event shall be provided while also adhering to safe vehicular and pedestrian circulation. The school has operated on this site since 1988. Based on current operations, Staff believes the site is of sufficient size to accommodate the proposed project based on the maximum number of anticipated students as detailed by the applicant.
36. Negative visual impacts shall be minimized along any major roadway. Negative visual impacts include, but are not limited to, loading/unloading areas, delivery areas, air handling units (roof top and other), parking areas for machinery, and storage buildings. Appropriate screening methods shall be used to enhance the aesthetic value of a project. Staff is satisfied that the applicant can adhere to this requirement.
37. Transportation improvements as deemed necessary by the Traffic Impact Study. This project appears to fall within the limits of a study that was completed and reviewed by NCDOT in 2015. The Traffic Impact Analysis did not indicate such requirements were necessary. The current project does not have any major changes relative to access and internal circulation. As is, no NCDOT action is required.
38. There shall be a minimum of two access points to the site. The site plan identifies three access points on New Jericho Road for the main school campus.
39. Access points shall separate student drop-off areas and visitor parking from bus traffic. The site plan identifies access points for student drop-off areas and parking. The school does not utilize buses.
40. If school buses are used, then at least one access shall be limited to school employee and bus use during normal school hours. The school does not utilize buses.

## Attachment 6B

41. All access points shall be located to provide maximum visibility and safety. NCDOT reviewed the site plan. Comments are provided in Attachment 5.
42. No driveway shall be permitted in a location that will hinder or congest traffic movement on a public street. NCDOT reviewed the site plan. Comments are provided in Attachment 5. Prior to performing work in the NCDOT right of way, the applicant will need to obtain an approved NCDOT driveway permit.

## General Welfare, Value &amp; Harmony

43. The expected value difference with the proposed use for contiguous property is: As presented and entered as evidence on the evening of the evidentiary hearing.
44. The location and character of the use is: If developed according to the plan submitted and in accordance with the conditions, the project will be in general harmony with the surrounding area and the use would be in compliance with the plan for the physical development of the County as embodied in the Unified Development Ordinance or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners. The major modification shall reduce the intensity of the approved special use on this property. No complaints to the school's present use at this location have been received by Orange County since the SUP was approved.
45. The character of the area in which the use is located is: Rural with undeveloped parcels and low-density residential.

**CONCLUSIONS OF THE ORANGE COUNTY BOARD OF ADJUSTMENT  
PERTAINING TO A REQUEST SUBMITTED BY  
WALDORF EDUCATIONAL ASSOCIATION OF NORTH CAROLINA  
PROPOSING A MAJOR MODIFICATION TO EXISTING SPECIAL USE PERMIT  
ON A PARCEL OF PROPERTY LOCATED AT 6211 NEW JERICO ROAD  
SUP25-0009**

**(PINS 9871646437, 9871658140, 9871743098, and 9871721935)**

When applying the adopted Findings of Fact to the relevant Standards found in the UDO, the Orange County Board of Adjustments makes the following Conclusions:

1. All necessary submittal requirements were met, including:
  - a. Submittal of proper forms (UDO 2.2, Finding of Fact 1); and,
  - b. Fees paid (UDO 2.2.4(D), Finding of Fact 1); and,
  - c. The use was fully described (UDO 2.5.3(F) and 2.7.3(B)(1), Finding of Fact 2-10); and,
  - d. Owner Information was provided (UDO 2.7.3(B)(2), Finding of Fact 1 and 2); and,
  - e. The facilities were described (UDO 2.7.3(B)(1), Finding of Fact 2-10); and,
  - f. Access, parking, and use were identified (UDO 2.5.3(F), 2.5.3(L), 5.8.4, Finding of Fact 2 and 18); and,
  - g. Plans were identified (UDO 2.5.3(K) and 2.7.3(B)(1), Finding of Fact 2 and 18); and,
  - h. Site plans were submitted, (UDO 2.5, Finding of Fact 2 and 18); and,
  - i. A list of parcels within 1,000' was provided (UDO 2.7.3(B)(5), Finding of Fact 2) and;
  - j. Environmental Assessment was submitted (UDO 2.7.3(B)(7), Finding of Fact 2); and,
  - k. Method of Debris Removal was described (UDO 2.7.3(B)(8), Finding of Fact 2); and,
  - l. Development Schedule was provided (UDO 2.7.3(B)(9), Finding of Fact 2), and
  - m. A Landscape and Tree Preservation Plan was provided (UDO Section 5.8.4(A)(1)(b), Finding of Fact 2, 6, and 19); and
  - n. A Traffic Impact Study was addressed (UDO Section 5.8.4(A)(1)(e), Finding of Fact 2 and 9); and
  - o. A Biological Inventory was provided (UDO Section 5.8.4(A)(1)(f), Finding of Fact 2 and 10); and
  - p. A Resources Management Plan was provided in accordance with the Resources Management Plan definition in Article 10 of this Ordinance (Section 5.8.4(A)(1)(g), Findings of Fact 2, 11, and 19)
2. Proper notice was provided as required by statute and ordinance, including:
  - a. Notice was mailed for the Neighborhood Information Meeting (UDO 2.7.5(B), Finding of Fact 13); and,
  - b. Signs were posted for the Neighborhood Information Meeting (UDO 2.7.5(D), Finding of Fact 15); and,
  - c. Notice was mailed for the Evidentiary Hearing (UDO 2.7.6(A)(1), Finding of Fact 14); and,
  - d. Signs were posted for the Evidentiary Hearing (UDO 2.7.6(A)(2), Finding of Fact 15).

## Attachment 6C

3. Waste Disposal, Safety and Vehicle Access requirements were met, including:
  - a. The method and adequacy of providing for sewage disposal facilities, solid waste and water service is sufficient for the proposed use (UDO 5.3.2(B)(1), Finding of Fact 2 and 16); and,
  - b. The method and adequacy of police fire and rescue squad protection is sufficient for the proposed use (UDO 5.3.2(B)(2), Finding of Fact 2 and 17); and,
  - c. The method and adequacy of vehicle access to the site and traffic conditions around the site are sufficient for the proposed use (UDO 5.3.2(B)(3), Finding of Fact 2 and 18).
4. Standards specific to the land use were met, including:
  - a. The project meets all applicable design standards and other requirements of this Ordinance (UDO 5.8.4(A)(3)(a), Finding of Fact 2 and 19); and,
  - b. The project meets all service provision criteria including fire, police, rescue services, water supply, wastewater treatment methods, and sold waste. (UDO Section 5.8.4(A)(3)(b), Finding of Fact 2 and 20); and,
  - c. Habitats shall be identified and evaluated in the Biological Inventory and subject to regulations. (UDO Section 5.8.4(A)(3)(c), Finding of Fact 2 and 21); and,
  - d. Landscaping and Buffers regulations, including protection of existing vegetation. (UDO Section 5.8.4(A)(3)(d), Finding of Fact 2 and 22); and,
  - e. A Stormwater Management Plan (SMP) shall be prepared and reviewed in accordance with the provisions of Section 6.14 of this Ordinance. (UDO Section 5.8.4(A)(3)(e), Finding of Fact 2 and 23); and,
  - f. All drainage structures will be installed and maintained according to the approved Stormwater Management Plan. (UDO Section 5.8.4(A)(3)(f), Find of Fact 2 and 24); and
  - g. Plans for grading and erosion control shall comply with standards contained in the most current version of the North Carolina Administrative Code Title 15A Chapter 4: Sedimentation Control, and the most current version of the North Carolina Erosion and Sediment Control Planning and Design Manual (NC Erosion Control Manual) (UDO Section 5.8.4(A)(3)(g)(i), Finding of Fact 2 and 25); and,
  - h. Construction shall be phased to minimize disturbance and sedimentation (UDO Section 5.8.4(A)(3)(g)(ii), Finding of Fact 2 and 26); and,
  - i. Sediment control measures shall be properly installed to filter sediment from runoff during construction and maintained until grading is complete and a permanent vegetative cover has been established and all slopes stabilized. (UDO Section 5.8.4(A)(3)(g)(iii), Finding of Fact 2 and 27); and,
  - j. Permanent landscaping, groundcover, mulch, etc. shall be installed as soon as practical after construction activities for each phase are completed. (UDO Section 5.8.4(A)(3)(g)(iv), Finding of Fact 2 and 28); and,
  - k. A solid waste management plan, submitted as part of the Resources Management Plan, shall include the method(s) of disposal and recycling of construction debris. (UDO Section 5.8.4(A)(3)(h), Finding of Fact 2 and 29); and,
  - l. Irrigation systems for the school project are designed and can be operated according to a water conservation plan described in the Resources Management Plan submitted with the application. (UDO Section 5.8.4(A)(3)(i), Finding of Fact 2 and 30); and,
  - m. Habitats identified in the biological inventory and habitats created through mitigation shall be maintained in accordance with the Resources Management Plan and/or a conservation easement. Maintenance of habitats shall be minimal, consisting primarily of maintaining buffers and enhancements, removal of exotic

## Attachment 6C

- (nonnative) plant species, and keeping drainage ways functioning properly. (UDO Section 5.8.4(A)(3)(j), Finding of Fact 2 and 31); and
- n. Access to the school project shall be via existing public roads and shall conform to and be in compliance with any public road access management plan adopted by Orange County. (UDO Section 5.8.4(A)(3)(k), Finding of Fact 2 and 32); and
  - o. All site improvements such as roads, utilities (including irrigation and drainage structures), habitat enhancements, recreational amenities, signage, landscaping, open space, etc. will be maintained in function and appearance. Maintenance specifications, if any, for on-going site management (including provisions for handling of storm debris in open space areas) shall be submitted as part of the Resources Management Plan as defined in Definitions (Article 10). (UDO Section 5.8.4(A)(3)(l), Finding of Fact 2 and 33); and
  - p. For non-charter public schools, the minimum lot size shall be, as required by the School Construction Standards adopted from time to time by the Board of County Commissioners, the Orange County Board of Education and the Chapel Hill-Carrboro Board of Education. (UDO Section 5.8.4(A)(3)(m)(i), Find of Fact 2, 18, and 34); and
  - q. For all schools, the lot size shall be adequate to accommodate all activities. The proposed methods to handle the maximum number of participants and patrons for any single event shall be provided while also adhering to safe vehicular and pedestrian circulation. (UDO Section 5.8.4(A)(3)(m)(ii), Finding of Fact 2, 18, and 35); and
  - r. Negative visual impacts shall be minimized along any major roadway. Negative visual impacts include, but are not limited to, loading/unloading areas, delivery areas, air handling units (roof top and other), parking areas for machinery, and storage buildings. Appropriate screening methods shall be used to enhance the aesthetic value of a project. (UDO Section 5.8.4(A)(3)(m)(iii) Finding of Fact 2, 18, and 36); and
  - s. Transportation improvements as deemed necessary by the Traffic Impact Study. (UDO Section 5.8.4(A)(3)(m)(iv), Finding of Fact 2, 19, and 37); and
  - t. The site shall be designed to take advantage of multiple shared use opportunities, which may include a Park and Ride facility for public transportation. (UDO Section 5.8.4(A)(3)(m)(v), Finding of Fact 2, 19, and 38); and
  - u. There shall be a minimum of two access points to the site. (UDO Section 5.8.4(A)(3)(m)(vi)(a), Finding of Fact 2, 19, and 39); and
  - v. Access points shall separate student drop-off areas and visitor parking from bus traffic. (UDO Section 5.8.4(A)(3)(m)(vi)(b), Finding of Fact 2, 19, and 40); and
  - w. If school buses are used, then at least one access shall be limited to school employee and bus use during normal school hours. (UDO Section 5.8.4(A)(3)(m)(vi)(c), Finding of Fact 2, 19, and 41); and
  - x. All access points shall be located to provide maximum visibility and safety. (UDO Section 5.8.4(A)(3)(m)(vi)(d), Finding of Fact 2, 19, and 42); and
  - y. No driveway shall be permitted in a location that will hinder or congest traffic movement on a public street. (UDO Section 5.8.4(A)(3)(m)(vi)(e), Finding of Fact 2, 19, and 43); and
5. General welfare, value and harmony standards applicable to all SUPs have been met, including:
- a. The use will maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted (UDO 5.3.2(A)(2)(a), Finding of Fact 44); and,

## Attachment 6C

- b. The use will maintain or enhance the value of contiguous property (UDO 5.3.2(A)(2)(b), Finding of Fact 45); and,
- c. The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners (UDO 5.3.2(A)(2)(c), Finding of Fact 45).