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Memorandum

Aydan Court

To: Chapel Hill Town Council
 From: Scott Radway, AICP
 Date: November 3, 2008
 Subject: Army Corps of Engineers – Buffer Request
 NC Wildlife Resources Commission – Buffer Request

Army Corps of Engineers (ACE) – 100 Feet Buffer on Private Land

1. March 26, 2007 Applicant for Aydan Court sent concept plan and request for review comments to Army Corps of Engineers. (Copy Attached)
2. April 11, 2007 Carol M. Banaitis, Acting Operations Manager, B. Everett Jordan Lake letter to applicant with recommendations and comments.

ACE recommends 100 feet wide buffer on private landowners property.
 Two principal reasons are provided in letter:

- (1) Protection of public water supply from effects of uncontrolled run-off from stormwater and
- (2) Provide a hunting safety buffer.

North Carolina Wildlife Resources Commission – 150 Yard Buffer on Private Land

3. April, 2007 Applicant for Aydan Court had two phone conversations with Isaac Harold of NCWRC. Discussed hunting regulations, purpose of buffers referred to in ACE letter of April 11, 2007.
4. December 11, 2007 Memo from Jacquelyn Wallace, Urban Wildlife Biologist, NCWRC. (Copy Attached)

NCWRC states it usually recommends a 150 yard (450 feet) wide buffer on private landowners property. However due to the fact that the Aydan Court site would fall completely within this 150 yard buffer and have no potential residential use, NCWRC recommends:

- (1) “Establish the widest buffer possible between the Game Land boundary and the permanently inhabited residences, and

06-005 Hunting Buffer Memo.doc

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- (2) Include language on the development plat to inform future homebuyers that these home sites will be located adjacent to Game Land.

July 23, 2008 Meeting Town Planning Staff, Applicant, Army Corps of Engineers Staff, NC Wildlife Resources Commission Staff

Town staff set up a meeting at Town Hall to discuss hunting and stormwater management issues and the buffer requests by ACE and NCWRC. The applicant prepared and submitted a memorandum that recapped the discussion at the meeting. A copy of this memorandum is Attachment 18 of the Aydan Court information package provided previously to the Council.

NC Wildlife Resources Commission – 150 Yard Residential Firearms Discharge Buffer

The NCWRC regulations require that firearms used for hunting shall not be discharged within 150 yards of residential structures.

Following up on a question by Council Member Matt C, we looked thru the hunting regulations but did not find any mention of the distance one must be from a public roadway when discharging firearms.

Mapping of Requested Buffers and Firearm Discharge Buffers

Attached are four maps showing the location of buffers on the following properties:

1. Aydan Court
2. UNC – Chapel Hill Foundation Inc.
3. The Cedars – Meadowmont
4. The Army Corps of Engineers

- Figure 1**
- Aydan Court Site Plan with the ACE requested 100 feet buffer and the NCWRC 150 yard buffer extended onto the Aydan Court site.
 - The NCWRC buffer would encompass the entire property and extend a significant distance into the UNC – Chapel Hill Foundation Inc. property.



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- Figure 2**
- Aerial photograph of Aydan Court and vicinity with the ACE requested 100 feet buffer and the NCWRC 150 yard buffer.
 - The NCWRC buffer would encompass the entire Aydan Court property most of the UNC – Chapel Hill Foundation Inc. site and extend into The Cedars – Meadowmont property.
 - The ACE buffer request would affect both the Aydan Court and UNC – Chapel Hill Foundation Inc. property.
 - A 100 feet buffer on the UNC – Chapel Hill Foundation Inc. property would eliminate the only sanitary sewer line route that permits either the Foundation site and Aydan Court to be served by gravity flow sewer lines as required by OWASA.
- Figure 3**
- Aerial photograph of Aydan Court and vicinity with the NCWRC required 150 yard firearms discharge hunting buffer on ACE property.
 - The NCWRC buffer has been extended 150 yards from the residential buildings on the Aydan Court site.
 - Because the Aydan Court buildings are not at the property line, the buffer line is between 140 – 145 yards from the Aydan Court property line, not 150 yards.
- Figure 4**
- Aerial photograph of Aydan Court and vicinity with the NCWRC required 150 yard firearms discharge hunting buffer on ACE property.
 - The NCWRC buffer has been extended 150 yards from the residential buildings on the Aydan Court site and from the residential buildings in The Cedars – Meadowmont.







