

TOWN OF HILLSBOROUGH BOARD OF COMMISSIONERS

**RESOLUTION GRANTING A SPECIAL USE PERMIT SUBJECT TO
SPECIAL CONDITIONS AFFECTING 10.89 acres on US 70A east of Meadowlands
(OC PINs 9874-80-9603, 9874-81-6134, and 9874-81-8049)**

WHEREAS, the Town of Hillsborough Board of Commissioners has received an application from Hwy 70 A, LLC for a Special Use Permit to allow the development of approximately 10.89 acres of land on the south side of US 70 A, immediately east of Meadowlands as a townhome community with 76 units and related parking and amenities; and

WHEREAS, the Town of Hillsborough Planning Board and the Board of Commissioners conducted joint public hearings to consider the application on October 19, 2020 after giving notice thereof as required by law; and

WHEREAS, at the aforesaid public hearings, the Applicant and all others wishing to be heard in connection with the Application were given an opportunity to do so; and

WHEREAS, the Town of Hillsborough Planning Board has made its recommendation to the Town of Hillsborough Board of Commissioners regarding the Application;

WHEREAS, the Town of Hillsborough Board of Commissioners has considered the recommendation of the Planning Board and all the information and testimony presented to it at the public hearings.

NOW, THEREFORE, BE IT RESOLVED by the Town of Hillsborough Board of Commissioners, on motion of Matthew Hughes, seconded by Kathleen Ferguson, this 14th day of December, 2020 as follows;

1. The Board of Commissioners has considered all the information presented to it both in support of and in opposition to the application at the October public hearing;
2. The Board of Commissioners finds that the requested permit is within its jurisdiction according to the Table of Permissible Uses, that the application is complete, and that if the proposed development is completed as proposed in the application, subject to the Special Conditions attached hereto, it will comply with the requirements of the Unified Development Ordinance.
3. The Special Conditions attached hereto are intended to preserve and/or promote the health, safety and welfare of the surrounding areas and the Town of Hillsborough in general, and to insure that the provisions established by Section 3.8 and 5.2.9.2 of the Unified Development Ordinance are met.

4. Upon adoption of this Resolution, the Town of Hillsborough shall issue a Special Use Permit in the standard form with the Special Conditions attached and notice of this decision and issuance of the special use permit shall be transmitted forthwith in accordance with Section 3.8.16 of the Unified Development Ordinance.

5. The Special Conditions applying to this Special Use Permit are:
- a. The application materials including but not limited to the site plan, building elevations, and narrative presented at the October 19, 2020 public hearing, plus the revised site plan sheets discussed at the November 19, 2020 Planning Board meeting are those approved with this permit.
 - b. The five waivers requested in the application are granted.
 - c. The construction drawings submitted for the project will comply to the ordinance requirements related to recreation requirements for attached dwellings in terms of both points and age appropriate options. The applicant may meet these requirements with a combination of land, improvements, and fees in lieu.
 - d. Certificate of Adequate Public Schools issued by School Superintendent must be provided to the town prior to the approval of a final plat for the development or each phase within the development.

The foregoing Resolution was put to a vote of the Town of Hillsborough Board of Commissioners, the results of which vote are as follows:

Ayes: 5

Noes: 0

Absent or Excused: 0

Dated: Dec. 14, 2020



Sarah E. Kimrey, Interim Town Clerk