

COUNTY OF JACKSON

BEFORE CASHIERS AREA COMMUNITY
PLANNING COUNCIL

CASHIERS VILLAGE APPLICATION)
FOR SPECIAL USE PERMIT)
)
)

AFFIDAVIT OF JAMES J. BELGERI

THE UNDERSIGNED, James J. Belgeri, P.E., being first duly sworn, deposes and says:

1. I am over 18 years old and do not suffer from any disability. I have personal knowledge of everything stated in this affidavit.
2. I am a Senior Engineer with Bunnell Lammons Engineering Corp. at Asheville, NC.
3. I hold a Bachelor of Science in Geological Engineering from The University of Missouri - Rolla and am a licensed Professional Engineer in North Carolina and several other jurisdictions. I have worked in the Geological and Geotechnical Engineering field for over 45 years, including extensive work in the western counties of North Carolina for over 20 years.
4. I have reviewed the Application for Special Use Permit submitted by Stephen Macaulay dated August 23, 2020, the accompanying site plan, and other supporting materials concerning the proposed Cashiers Village Development (the "Development").
5. I was tasked with reviewing the proposed Development and forming an opinion on whether the proposed use will materially endanger public health or safety and is reasonably compatible with significant natural and topographic features on the site and within the immediate vicinity of the site given the proposed site design and any mitigation techniques or measures proposed by the applicant. Additionally, I was asked to determine if the proposed use complies with the Jackson County Unified Development Ordinance ("UDO") requirements applicable to the property.
6. My review concludes that the existing site is characteristically very steep with grades ranging from low gradient (under 10 percent grade) to very high gradient (over 70 percent grade). My review also concludes that the site layout includes a **very high** density of roadways and structures. Based on my review of the currently available materials submitted in support of the application, I have concluded that the development density and existing grades at the site are incompatible. Further, the grading required to conform the proposed Development to the existing slope of the site will almost inevitably require the use of extensive systems of retaining structures (walls, reinforced slopes, etc.) or other mitigation techniques, none of which are reflected in any of the plans reviewed by me, and all of which would require the reduction of structure density on the site as a whole. Therefore, I opine that the grading and associated sloping required on the site makes it highly unlikely that the Development can be constructed at the density proposed on the applicant's site plan. Accordingly, it is highly unlikely that the Development can be constructed as proposed. Additionally, it is my opinion that the requisite grading and sloping will result in landslide risks on: (1) the site property itself, (2) abutting and nearby down slope neighboring

properties, and (3) portions of Monte Vista Road and NC 107 that abut the proposed Development. Consequently, my preliminary opinion is that the proposed Development is not reasonably compatible with the significant natural and topographic features on the site and endangers public health and safety for downslope neighbors.

7. As noted above, it is my opinion that the proposed Development will result in special damages due to landslide risks. In addition to the structures on the site itself and the portions of Monte Vista Road and NC 107 that abut the proposed Development, the abutting properties that will be damaged by landslide risk are indicated with stars in the map below and include, but are not limited to, the following: 35 and 88 Bustle Lane, Cashiers, North Carolina 28717 and associated with PIN 7571-49-9789 and 7571-49-9888; and 71 Bustle Lane, Cashiers, North Carolina 28717 and associated with PIN 7571-59-0758. The natural slope in this area of the development site is among the most severe on the site and even the construction of suitable retaining structures will be problematic and very expensive, in my opinion.



8. My opinions and conclusions are based on an analysis that comports with best practices within the engineering profession and utilized generally accepted scientific methods within the industry.

FURTHER this Affiant sayeth not.

Sworn to this the 4th day of January 2021.

NORTH CAROLINA
PROFESSIONAL
SEAL
023614
01/04/21
James J. Belger
ENGINEER
JAMES J. BELGER, P.E.

STATE OF NORTH CAROLINA
COUNTY OF JACKSON

AFFIRMATION

Pursuant to Emergency Directive 5 within the Order of the Chief Justice of the Supreme Court of North Carolina dated December 14, 2020, the undersigned swears under the penalties for perjury that the above-made representations are true.

This the 4th day of January 2021.



JAMES J. BELGERI