

EDITOR'S PICK

## Battle heats up over The Barn of Chapel Hill

Colin Warren-Hicks Updated 6 hrs ago

HILLSBOROUGH — Kara and Chris Brewer want to continue their development of a 22-acre parcel of land off Morrow Mill and Millikan Roads for their business, The Barn of Chapel Hill, deep within Orange County's rural countryside.

But six landowners whose three properties adjacent to the parcel are more than disinclined to see that happen.

An appeal of Orange County Planning Supervisor Michael Harvey's June 2-issued building permit to the Brewers for The Barn's construction, was heard by the Orange County Board of Adjustment this week.

The Barn was denied a special use permit at a November 2015 hearing before the Board of Adjustment when its application indicated that The Barn was to be a wedding and event venue.

Subsequent permit applications indicated that The Barn would act as a wedding and event venue as well as a farm amenable to agritourism.

Because North Carolina law says farm-use projects are not subject to county zoning regulations, the June 2 building permit was able to be issued based on the Brewers' submission of an "affidavit indicating the structure will be used for agricultural purposes exempt from zoning," Harvey wrote in a May email, explaining his position.

The appeals process primarily revolved Monday around the assessment of the validity and accuracy of the Brewers' assertion that The Barn of Chapel Hill will be a farming business, and evidence was presented by attorneys LeAnn Nease Brown, representing the neighbors, and Andrew Petesch, representing the Brewers.

The appeal started at 7:30 p.m. and ended at midnight at which point Board of Adjustment members, citing fatigue, called it quits opting to schedule a continuation of the appeal proceedings Oct. 24, again at 7:30 p.m., when lawyers are expected to continue their battle.

The property owners — Gleta Carswell and René Quadt, Thomas and Doris Ray, Margret and Alice Wilkman — whose three homes neighbor The Barn property, were called to explain the damages caused to their lives by The Barn's planned events.

Carswell and Quadt bought their rural property for privacy and for the ownership of horses on its land "that would be safe for animals and that would be able for us to enjoy the peace and quiet of the countryside ... What I am concerned about is that whenever you have the kind of traffic right next a horse pasture, that you will have if the center is operational, you're going to have a lot of noise," Carswell said.

Carswell's and Quadt's horse pasture borders The Barn's service entrance.

Carswell said trash and delivery traffic will be traveling up and down the service road at sporadic hours and that noise from traffic affects horses' nerves and overall health.

The Wilkman sisters were concerned over their liability for inebriated wedding partiers venturing into and even, perhaps, drowning in their pond bordering The Barn property line. They were also worried about event-center guests interacting with their chickens.

The Rays expressed concern about excessive numbers of cars parking on the road in front of their home and blocking their driveway's accessibility for themselves and emergency vehicles if they need them.

The Rays said their property would greatly depreciate in value if The Barn were to become operational, to the point of raising doubts over their children's desire to live in the house once they inherit it.

Kara Brewer defended her assertion of The Barn doubling as a working farm and answered a plethora of questions on the subject.

Board members questioned Kara Brewer extensively as to why she didn't include her intentions of farming in her original permit application and she answered by saying she must have accidentally mismarked — 'X-ed' the wrong box -- on her application form.

Kara Brewer said that The Barn will be a chestnut tree farm, that 36 chestnut trees have already been planted and that 36 more chestnut trees will be planted in the spring on the way to reaching a goal of having 150 total chestnut trees from which nuts will be sold to local markets.

It takes chestnut trees three to five years of growth before marketable nuts begin to be produced.

After reviewing The Barn's business plan, Board of Adjustment member Barry Katz questioned the business's financial projections, noting his disbelief that costs of employment for farm laborers had adequately been taken into account.

"I don't believe these numbers," Katz said. "I don't know if these numbers mean anything."

Kara Brewer said flowers would also be farmed at The Barn and that she projected to host at least one wedding every weekend during "wedding season," which is "roughly" May through October, and other workshops and educational events on weekdays throughout the year.

Katz asked if either of the Brewers had ever lived on a farm.

"No," Kara Brewer said.

The barn at The Barn of Chapel Hill will be used to store harvested chestnuts and flowers, Kara Brewer said, but the harvested goods will be moved out of the barn structure whenever the space is needed by a wedding party, Kara Brewer said, "I'll just have to cram it into different areas."

Petes called upon his expert witness, Erin White, to speak in front of the Board.

White is the founder of Capital Area Food Network, a consulting firm focused matters of public policy relating to food, and he analyzed the Brewers' farm plan.

"I still think it is a plan that is still getting worked out. I think that's typical of new farmers," White said. "In looking at the plan, I think that it is a thoughtful approach toward building a diversified cash flow that looks at short term opportunities through agritourism understanding that flowers come in, in the next couple of years in a meaningful way and really looking longer term at these chestnuts...as far as a new farmer goes it seems like an appropriate state of development."

---

Contact Colin Warren Hicks: [cwarrenhicks@heraldsun.com](mailto:cwarrenhicks@heraldsun.com); 919-419-6636