
RE: Project Number: 2018-0073 Terra Novus Apts

From Brandi Deese [REDACTED]
Date Tue 7/8/2025 11:04 AM
To Valentine Barabash [REDACTED]

Good Morning Valentine –

Thank you for the additional information and the grading should be completed soon. We do have a dust control ordinance and they are required to have a water truck on site so let us know if the dust becomes an issue. Thanks!



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]
Email: [REDACTED]
[Development Projects Page](#)

From: Valentine Barabash [REDACTED]
Sent: Monday, July 7, 2025 3:47 PM
To: Brandi Deese [REDACTED]
Subject: Re: Project Number: 2018-0073 Terra Novus Apts

Hi Brandi,

Thank you for getting back to me. The vibrations are actually coming from the vibratory drum rollers compacting the road or pads along the property line. Doesn't seem like there's any blasting going on but the vibrations are consistent every 5-10 minutes as the rollers move along. Going on Week 3 now of this daily operation.

We were just curious when the actual building might start so we can gauge when all the dirt moving might stop. Between the vibrations and the endless dust, it's really not the environment we were looking forward to when we bought the house a few years back.

Thank you again for your time and input.

VALENTINE BARABASH

[REDACTED]
C [REDACTED]

On Sun, Jul 6, 2025 at 21:04 Brandi Deese [REDACTED] wrote:
Good Evening Valentine -

This project has received site plan approval and is moving forward. Your concerns of vibration and impact are the first I have hear of but sound more like if the project was blasting rock or something similar. Do you know if the pattern of the noise/vibration is all at once or constant? We do have specific rules and regulations for blasting if that is the case. Otherwise, I will mention it to our Engineering Director as his department more closely supervises contractors and the construction process. Thank you for making us aware.

Get [Outlook for iOS](#)

From: Valentine Barabash [REDACTED]
Sent: Monday, June 30, 2025 8:41:17 AM

To: Brandi Deese [REDACTED]
Subject: Re: Project Number: 2018-0073 Terra Novus Apts

Hi Brandi,

Following up on the inquiry below. Please advise at your earliest convenience.

Thank you,

VALENTINE BARABASH

[REDACTED]
C [REDACTED]

On Tue, Jun 3, 2025 at 16:36 Valentine Barabash [REDACTED] wrote:

Hi Brandi,

Reaching back out to check on the status of our neighboring development.

The grading team is going to town on soil compaction and our house feels like a vibro-plate. It's a bit concerning when the glasses in the cabinets shake along with the trembling of the floors. Truly feels like a mini earthquake. Is there a City regulation with regards to limiting the force of compaction equipment or the hours during which this work can/should be done? They're laying storm line right along the 50ft tree buffer and the impact is startling.

Just wanted to inquire and see if the project is still moving forward with construction phase.

Thank you in advance,

VALENTINE BARABASH

[REDACTED]
C [REDACTED]

On Fri, Jan 31, 2025 at 12:42 Brandi Deese [REDACTED] wrote:

Good Afternoon Valentine -

I apologize for the delay, I have been out sick and trying to play catch up on emails. The Crossgate Condos project has not received site plan approval as there are still comments to address. The major comment left on the Planning side is the tree preservation and a plan showing which trees they are saving and how they are going to mitigate or replant the trees they are planning to remove. Our Engineering Department has several comments for them to address. They did get their grading only permit approved and can start grading and putting in utilities as this often takes more time than the vertical construction and they can begin while working

through the site plan review comments. We allow developers to apply for a grading only permit after they have completed at least one round of site plan review and received all their approvals from the state. The 50 foot buffers and tree save areas are still in place and have not been changes. As far as the transportation improvements, the Town did require the developer to complete a new TIA and it warrants turn lanes into and out of Crismark Drive. The new study did not warrant a traffic light at this intersection but the developer knows he is impacting an already troubled intersection and has pledged to contribute to the HOA the cost of a traffic signal at this intersection. We will review the pricing and ensure this takes place as promised. Please let me know if you have additional questions. Have a great weekend!



Brandi C. Deese, MPA, AICP,
CNU-A

Planning Director

Town of Indian Trail

315 Matthews-Indian Trail Road

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Valentine Barabash [REDACTED]

Sent: Thursday, January 30, 2025 12:20 PM

To: Brandi Deese [REDACTED]

Subject: Re: Project Number: 2018-0073 Terra Novus Apts

Hi Brandi,

Looks like the property cleanup has begun.

Was your team able to finalize the approval process on the overall project? Just wondering if there are any revisions or improvements to the tree buffer zones around the perimeter.

Finally, big picture scale, is there an overall road infrastructure improvement plan? We have several massive residential projects going on in the area and Idlewild Rd keeps getting busier and busier... One lane each way is absurd for the amount of traffic this area has. This may be a question well outside your department but maybe you can connect me with someone overseeing the roadway expansion projects.

Thank you as always and have a nice day,

VALENTINE BARABASH

C [REDACTED]

On Fri, Nov 15, 2024 at 16:31 Brandi Deese [REDACTED] wrote:

Good Afternoon!

They are performing a tree survey as required by the site plan review process. We also ensure they have sewer access before they start cutting trees. The worst thing that could happen is the trees are removed and nothing is built. We can't completely guarantee that won't happen it we try to do all we can. Thanks!

Brandi C. Deese, MPA, AICP, CNU-
A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]
Email: [REDACTED]
Development Projects Page

From: Valentine Barabash [REDACTED]
Sent: Friday, November 15, 2024 3:23:54 PM

To: Brandi Deese [REDACTED]
Subject: Re: Project Number: 2018-0073 Terra Novus Apts

Hi Brandi,

Hope you are doing well!

I see you are still listed as the lead reviewer on the permit resubmission 2024-0083 for the Crismark site and I was wondering where that job stands?

It looks like the site is being prepared for tree removal with trees labeled, the border lines and setbacks marked out. Curious if these are the signs of progress towards construction start or a rushed decision by the project team? Would be unfortunate if the trees get cut but then the project stalls for another few years.

Thank you in advance and i hope you have a great weekend.

VALENTINE BARABASH

C [REDACTED]

On Tue, Jan 2, 2024 at 20:03 Brandi Deese [REDACTED] wrote:

You are very welcome!



Brandi C. Deese, MPA,
AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail
Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]
Email: [REDACTED]
Development Projects
Page

From: Valentine Barabash [REDACTED]
Sent: Tuesday, January 2, 2024 6:48:17 PM
To: Brandi Deese [REDACTED]
Subject: Re: Project Number: 2018-0073 Terra Novus Apts

Thank you for the quick and very detailed response Brandi. A switch to townhomes is good news indeed. We'll keep an eye out for their next site plan and see if we have further questions.

Glad to know that your line is open for future communication. Thank you again for the update and help with this process.

VALENTINE

[REDACTED]
C [REDACTED]

On Tue, Jan 2, 2024 at 16:55 Brandi Deese [REDACTED] wrote:

Good Afternoon Valentine –

We recently received a sketch plan that shows this property being developed for townhomes and not apartments. Staff was pleased to see this as the neighbors during the original rezoning

wanted townhomes instead of apartments. The new sketch plan was denied with various comments for the developer to address and we have since met with them to discuss the major issues. They are now working on engineered drawings (full site plan) which will take anywhere from 3 to 6 months to complete. After that time, they will resubmit to the Town for approval and also submit to Union County for the water, fire marshal review, building review and such. This process can take anywhere from 4 months to a year. They would like to be under construction by the end of the year but there are a lot of factors that are still yet to be determined to know if that timeline is realistic. The property was rezoned to multi-family years ago, so no public hearing or rezoning is required. However, we are happy to keep you posted as things progress. I will communicate your concerns on drainage to the developer and engineer. However, there are measures in place to ensure your property will not receive anymore water than it currently does. Our Engineering Department reviews calculations that prove how they plan to ensure there is no more water being released post construction than there was preconstruction. We also require the developer to post a bond and submit annual inspections on their stormwater ponds. I can also have our Town Engineer discuss further with you as well. Please let me know if you have more questions/concerns, I am available to chat most anytime on my town cell at [REDACTED] Thank you!



Brandi C. Deese, WPA, AICP,
CNU-A

Planning Director

Town of Indian Trail

[315 Matthews-Indian Trail Road](#)

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Valentine Barabash [REDACTED]
Sent: Tuesday, January 2, 2024 2:24 PM
To: Brandi Deese [REDACTED]
Subject: Project Number: 2018-0073 Terra Novus Apts

Hi Brandi,

Reaching out to you as a new resident of Indian Trail who recently moved in to [REDACTED]
[REDACTED] Indian Trail, NC 28079 which happens to be adjacent to the upcoming Terra Novus
apartments.

The project status appears to be set to "site plan approved" but no updates since December
2019.

Is the project still moving forward? Is there a public hearing or notice that will be issued prior to
the start of construction?

Hoping to learn more about this development and set realistic expectations on timing. Our
biggest concern would be water drainage, both under and above ground given the slope of the
current grade.

Thank you in advance. Happy to discuss over the phone when you're available.

VALENTINE BARABASH

[REDACTED]
C [REDACTED]

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic
mail message and any attachments hereto, as well as any electronic mail message(s) that
may be sent in response to it may be considered public record and as such are subject to
request and review.

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Outlook

RE: Crismark townhomes/Condos SUP - Please review and edit as appropriate - Abbey here is the answer you are looking for. Brandi chime in if I have missed anything.

From Brandi Deese [REDACTED]
Date Thu 3/27/2025 3:25 PM

To Mike McLaurin [REDACTED] Abbey Ball [REDACTED]

I think more has developed since this so Todd should probably add to this. The TIA has been completed.



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Mike McLaurin [REDACTED]
Sent: Thursday, March 27, 2025 3:07 PM
To: Abbey Ball [REDACTED]
Cc: Brandi Deese [REDACTED]

Subject: FW: Crismark townhomes/Condos SUP - Please review and edit as appropriate - Abbey here is the answer you are looking for. Brandi chime in if I have missed anything.

From: Mike McLaurin
Sent: Monday, February 3, 2025 6:18 PM
To: Brandi Deese [REDACTED]
Subject: RE: Crismark townhomes/Condos SUP - Please review and edit as appropriate

Good evening.

When the new comp. plan was approved by Council, the SUP plan was no longer valid and nor enforceable. The SUP was replaced with another classification, and we are working with the developer to require him to meet the more modern and restrictive standards.

At last week's meeting, we agreed to go back about dig through our paper files to research the open space issue. Our initial findings are that a portion of the land was conveyed to the Hemby VFD and a small portion was for a pump station for Aqua. We are continuing to do research. If you have meeting minutes from those earlier HOA meetings that would be great. The conveyance may have been at a time when the developer was the HOA before it was turned over to the residents. It is not

uncommon for the developer to be serve as the HOA until the development is a certain percentage complete. I just don't know.

We are requiring the developer to do a new traffic analysis. We also explained why Idlewild was not widen by NC DOT. I noted that Clarence Alsobrooks may be able to discuss your concern with NC DOT's Chief Engineer, but we cannot guarantee what NC DOT will require.

Thanks for hosting the neighborhood meeting.



Michael McLaurin
Town Manager

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]

Cell: [REDACTED]

Email: [REDACTED]

Website: www.indiantrail.org

From: Jason Klingler [REDACTED]
Sent: Monday, February 3, 2025 9:22 AM
To: Mike McLaurin [REDACTED]
Cc: Todd Barber [REDACTED] Rick Lopez [REDACTED] Lee Ann Davenport [REDACTED]
[REDACTED] Council and Mayor [REDACTED] Tom Amburgey [REDACTED]
[REDACTED] Clarence Alsobrooks [REDACTED] Dennis Gay [REDACTED]
[REDACTED] Crystal Buchaluk [REDACTED] Brandi Deese [REDACTED]
Subject: Re: Crismark townhomes/Condos SUP

Mike,

Its the same issues that were brought to you and the planning departments attention over a year ago. If I need to forward those emails to you I can. Please see the attached SUP with comments and highlights that show exactly what we have not received. Please pay attention to the 94 acres of open space, the specifics on the site line issues on idlewild road, that were to be addressed before construction, and the amenities on Mill Grove. The fact that the Town knows about the sight line issues, required it to be addressed, but it still hasnt seems like a major safety issue and a potential liability should someone be injured by a know safety issue.

Thank you

Jason Klingler

On Thu, Jan 30, 2025 at 6:10 PM Mike McLaurin [REDACTED] wrote:

Thank you. I am tied up right now. I will look at the SUP again and speak with Ms. Deese.

Miner

Sent from my iPhone

On Jan 30, 2025, at 5:14 PM, Todd Barber [REDACTED] wrote:

Mike McLaurin:

Not sure if you replied to the wrong person, but I would not know what areas are not being met. Seems that is something that staff would be following with the developer? I apologized to Mr. Klingler last night as at a council level there's little I can do since the area is zoned Multi family and as was mentioned last night the developer can build by right since it does not need council approval. This project is at a staff level, so I am sure everyone would appreciate the town staff monitoring the terms of the SUP and applicable UDO/Comprehensive Plan rules that apply currently or that are grandfathered in.

Have a Blessed Evening.

Todd Barber

Indian Trail Town Council Member

From: Mike McLaurin [REDACTED]

Sent: Thursday, January 30, 2025 2:11 PM

To: Todd Barber [REDACTED]

Cc: Jason Klingler [REDACTED] Rick Lopez [REDACTED] Lee Ann Davenport [REDACTED]

Subject: RE: Crismark townhomes/Condos SUP

Thanks you.

Please let me know if there are specific areas of the approval that is not be met.



Michael McLaurin

Town Manager

Town of Indian Trail

315 Matthews-Indian
Trail Road

PO Box 2430

Indian Trail, NC
28079

Office: 704-821-
5401

Cell: [REDACTED]

Email:
[REDACTED]

Website:
www.indiantrail.org

From: Todd Barber [REDACTED]
Sent: Thursday, January 30, 2025 12:24 PM
To: Mike McLaurin [REDACTED]
Cc: Jason Klingler [REDACTED] Rick Lopez [REDACTED] Lee Ann
Davenport [REDACTED]
Subject: Crismark townhomes/Condos SUP

Mike McLaurin:

I was given the attached SUP by Crismark HOA President Jason Klinger last night. He asked me if I could help with the highlighted conditions in SUP-98-010 in the document. Can you please assure Mr. Klinger and the Crismark Community that the conditions of the approved Special Use Permit by our town are being followed by the developer? I am sure they would appreciate it.

Thank you

God Speed and God Bless

Todd Barber

Indian Trail Town Council Member

CC: Jason Klinger

Rick Lopez

Lee Ann Davenport

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review.



Town of Indian Trail • Planning Department

March 27, 2025

Tyson Group
Attn: Mr. Marcus Arroyo
[REDACTED] Suite 201
Monroe, NC 28110

Re: Crossgate Tree Mitigation (2024-0083)

Dear Mr. Arroyo –

I am writing regarding the tree mitigation requirements for your development project entitled "Crossgate" located just off Idlewild Road on Crismark Drive. This project (2024-0083) completed a tree survey as required, and calculations were provided from that survey. It was determined that the required mitigation was not able to be achieved on site. Section 800 of the Town of Indian Trail's Unified Development Ordinance sets out a process by which a developer may pay a fee in lieu of mitigation plantings. According to this section and the data from the tree mitigation requirements, the Town of Indian Trail has deemed your project eligible for the fee in lieu of planting. Based upon our discussion on March 17, 2025, it has been determined the Tyson Group will submit payment in the amount of \$50,000 in lieu of mitigation plantings. This payment is to be made to the Town of Indian Trail prior to the scheduling of any final inspections.

If you have any questions or would like to discuss this matter further, please do not hesitate to call.

Sincerely,

Brandi C. Deese, MPA, AICP, CNU-A
Director of Planning & Economic Development

RE: Crismark townhomes/Condos SUP - Please review and give me your thoughts. Thanks.

From Brandi Deese [REDACTED]
 Date Fri 2/14/2025 4:31 PM
 To Mike McLaurin [REDACTED]

Good but please change last sentence under open space to DONATED not SOLD. Thank you!



Brandi C. Deese, MPA, AICP, CNU-A
 Planning Director

Town of Indian Trail
 315 Matthews-Indian Trail Road
 PO Box 2430
 Indian Trail, NC 28079

Office: [REDACTED]
 Email: [REDACTED]
[Development Projects Page](#)

From: Mike McLaurin [REDACTED]
 Sent: Friday, February 14, 2025 4:30 PM
 To: Brandi Deese [REDACTED]
 Subject: RE: Crismark townhomes/Condos SUP - Please review and give me your thoughts. Thanks.

Good afternoon Jason.

I apologize for the delay. I have checked with staff and following up about your questions on the 94 acres open space and the sight distance.

Open Space

All the details from Planning staff are listed below but a brief summary of the findings is that just a few months after the ordinance for the SUP was adopted, there was language added to the State bill that not only created Hemby Bridge as an official jurisdiction, but it also included the 18.5 acres off Millgrove Road that was apart of the SUP. This officially tied the hands of Indian Trail as it was no longer in our jurisdiction. I do not know any of the details about it, but it was eventually sold off to Hemby Bridge Fire Department and is where the Fire Department sits today.

FINDINGS

We went through the tax records and ensured all HOA land was accounted for. The total acreage (including the clubhouse area and the small pump station for Aqua) is **78.228** acres. When you take the additional recreational area mentioned below, that puts you are **96.328** acres.

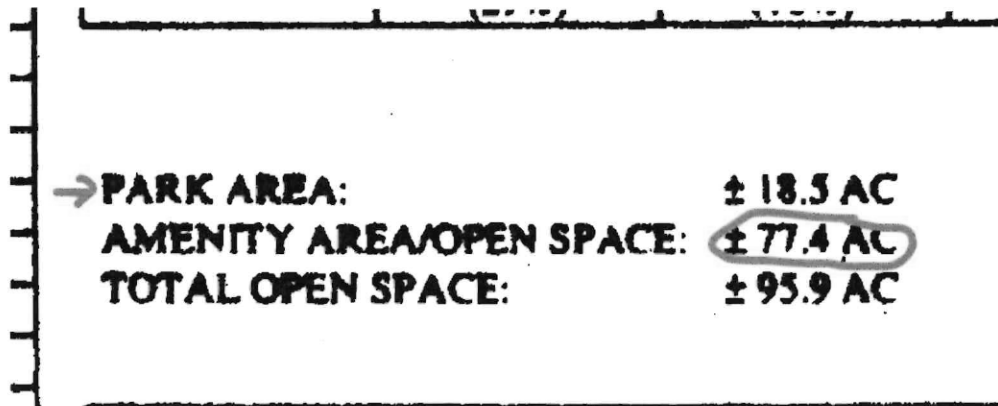
Parcel Number	Owner	Acreage	Description
07057952	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.9	COS CRISMARK PH9/MP1 OPCJ709-711
07058149	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.127	#CA CRISMARK PH13 MP2 OPCJ407
07058262	CRISMARK HOMEOWNERS' ASSOCIATION INC	13.97	#COS4 CRISMARK PH8 MP1 OPCJ692
07058416	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.523	COMMON AREA OPCK773,OPCL943
07058456	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.567	COS CRISMARK PH2 MAP3 OPCM080-081
07058563	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.048	CA CRISMARK PH4 MP5 OPCM885-886 OPCJ288/OPCK773/OPCL239/OPCL841- 84404/OPCM486-487/OPCM606-607
07058057	CRISMARK HOMEOWNERS' ASSOCIATION INC	4.224	#COS CRISMARK PROPERTIES PH9 MP2 OPCJ056-058
07058417	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.339	CA CRISMARK PH2 MAP2 OPCL942-943
07058001	CRISMARK HOMEOWNERS' ASSOCIATION INC	5.59	#COS CRISMARK PH11 MP5 OPCM067 OPCJ658-660
07058261	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.23	#COS3 CRISMARK PH8 MP1 OPCJ692
07058310	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.62	AMENITY AREA CRISMARK PH1 MP1 OPCK773 / OPCK988 STORM DRAIN
07057716	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.353	COS CRISMARK FINE ROBE DR
07057835	CRISMARK HOMEOWNERS' ASSOCIATION INC	4.263	COS CRISMARK SEC1 PH11 MP2 OPCH698
07057863A	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.207	CA CRISMARK PH12 MP4 OPCH905
07057889	CRISMARK HOMEOWNERS' ASSOCIATION INC	2	COS CRISMARK PH7 MP4 OPCH961
07057971	CRISMARK HOMEOWNERS' ASSOCIATION INC	3.085	#COS CRISMARK PH7 MP7 OPCJ288

07058641	CRISMARK HOMEOWNERS' ASSOCIATION INC	1.008	COMMON AREA CRISMARK PH4 MAP7 OPCN095-097
07057687	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.712	COS CRISMARK
07057749	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.366	COS CRISMARK
07057880	CRISMARK HOMEOWNERS' ASSOCIATION INC	0.47	CA CRISMARK PH13 MP1 OPCH907
07058640	CRISMARK HOMEOWNERS' ASSOCIATION INC	3.881	COMMON AREA CRISMARK PH4 MAP7 OPCN095-097
07058657	CRISMARK HOMEOWNERS' ASSOCIATION INC	4.787	COS CRISMARK PH5 MAP3 OPCN233-235 OPCN559-561
07058581	CRISMARK HOMEOWNERS' ASSOCIATION INC	3.114	COS CRISMARK PH5 MAP2 OPCM972-973
07057750	CRISMARK HOMEOWNERS' ASSOCIATION INC	8.025	COS CRISMARK
07058640A	AQUA NORTH CAROLINA INC	0.049	6772-003
07058552	CRISMARK HOMEOWNERS' ASSOCIATION INC	2.991	COMMON AREA CRISMARK PH4 MP4 OPCM876-877
07058592	CRISMARK HOMEOWNERS' ASSOCIATION INC	<u>1.779</u>	COMMON AREA CRISMARK PH4 MAP6 OPCN027-028

Total Acreage: 78.228

- **1998** – SUP 98-010 Crismark going through review process.
- **June 23, 1998** – Ordinance 44 adopted and Crismark area annexed into Indian Trail (471.46 acres) (see attachment for annexation drawing)
- **July 12, 1999** – Crismark Properties, LLC, established and owned by L. Carlton Tyson and Koyt W. Everhart, Jr. (NCSOS filing)
- **August 22, 1999** – 471.46 acres sold from Ty-par Realty, Inc, L.C. Tyson Construction, Inc. and L. Carlton Tyson to Crismark Properties, LLC (DB 1298 PG 20)
- **September 15, 1998** – Session Law 1998-143 (SB 1514) ratified, and Hemby Bridge is incorporated (18.5 acres of Crismark approval on SE side of Millgrove Rd is incorporated as part of ratification by NC State Legislature)
- **November 9, 1999** – Registered agent for Crismark Properties, LLC, changed from Koyt W. Everhart, Jr. to C. Mark Tyson
- **November 10, 2004** – L. Carlton Tyson and Carol Tyson (wife) sold to Hemby Bridge Fire Department

The original approval called for 95.9 acres of total open space; however, 77.4 was for the amenity area and open space and the park area designated as recreational area on the original approval. All that to say, the max that Crismark should have now is 77.4 acres of open space since the Town could not enforce the area that ended up being inside of Hemby Bridge corporate limits, hence the owner selling it off to HBVFD..



Sight Distance

The fact that the Town knows about the sight line issues, required it to be addressed, but it still hasn't seemed like a major safety issue and a potential liability should someone be injured by a know safety issue.

NCDOT was made aware of citizens' complaints about the sight distance in the past. To my knowledge, at some point (not sure what year) it was investigated by NCDOT staff and was found to be within NCDOT's sight distance standards. Since that investigation, this is what Town staff have told residents that have inquired about it, "It meets minimum NCDOT standards".

Hope this help to answer the question



Michael McLaurin
Town Manager

Town of Indian Trail
 315 Matthews-Indian Trail Road
 PO Box 2430
 Indian Trail, NC 28079

Office: [REDACTED]
 Cell: [REDACTED]
 Email: [REDACTED]
 Website: www.indiantrail.org

From: Jason Klingler [REDACTED]
Sent: Monday, February 3, 2025 9:22 AM
To: Mike McLaurin [REDACTED]
Cc: Todd Barber [REDACTED]; Rick Lopez [REDACTED]; Lee Ann Davenport [REDACTED]; Council and Mayor [REDACTED]; Tom Amburgey [REDACTED]; Clarence Alsobrooks [REDACTED]; Dennis Gay [REDACTED]; Crystal Buchaluk [REDACTED] <[REDACTED]@[REDACTED].org>; Brandi Deese [REDACTED]
Subject: Re: Crismark townhomes/Condos SUP

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Sent from my iPhone

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Mike McLaurin:

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Have a Blessed Evening.
Todd Barber
Indian Trail Town Council Member

From: Mike McLaurin [REDACTED]
Sent: Thursday, January 30, 2025 2:11 PM
To: Todd Barber [REDACTED]
Cc: Jason Klingler [REDACTED]; Rick Lopez [REDACTED]; Lee Ann Davenport [REDACTED]
Subject: RE: Crismark townhomes/Condos SUP

Thanks you.

Please let me know if there are specific areas of the approval that is not be met.



Michael McLaurin

Town Manager

Town of Indian Trail
315 Matthews-Indian
Trail Road
PO Box 2430
Indian Trail, NC
28079

Office: 704-821-
5401

Cell: [REDACTED]

Email:

[REDACTED]

Website:

www.indiantrail.org

From: Todd Barber [REDACTED]

Sent: Thursday, January 30, 2025 12:24 PM

To: Mike McLaurin [REDACTED]

Cc: Jason Klingler [REDACTED] Rick Lopez [REDACTED] Lee Ann Davenport [REDACTED]

Subject: Crismark townhomes/Condos SUP

Mike McLaurin:

I was given the attached SUP by Crismark HOA President Jason Klinger last night. He asked me if I could help with the highlighted conditions in SUP-98-010 in the document. Can you please assure Mr. Klinger and the Crismark Community that the conditions of the approved Special Use Permit by our town are being followed by the developer? I am sure they would appreciate it.

Thank you

God Speed and God Bless

Todd Barber

Indian Trail Town Council Member

CC: Jason Klinger

Rick Lopez

Lee Ann Davenport

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Outlook

BDA and Easement

From Jason Klingler [REDACTED]
Date Fri 11/7/2025 11:12 AM
To Marcus Arroyo [REDACTED]
Cc Lee Ann Davenport [REDACTED] Rick Lopez [REDACTED] Brandi Deese [REDACTED]
[REDACTED] Todd Huntsinger [REDACTED] Todd Barber [REDACTED] Tom
Amburgey [REDACTED] Clarence Alsobrooks [REDACTED] Dennis Gay [REDACTED]
[REDACTED]

Good afternoon Marcus,

Over a a month ago we sent over the easement agreement and BDA to your lawyer or staff for review. I had asked that I be copied on all correspondence between them and our legal counsel so I was aware of the status. We have not heard anything back from your side. Our community is eager to get this light design moving forward. Can you please provide us a status update as to where the review of all of this is.

Another question I have is that the most recent TIA requires a light be put in here correct? If that is the case, is there even a reason for a BDA since it is being required. that is the case correct, the state is now mandating it. Can you please supply us a copy of the most recent TIA stating that a light is required here. My thought is that if a light is required per the TIA, then it has to go in at some point. We may need to discuss this more as I dont feel we have all of the details surrounding this. This intersection needs a light as it is an extreme safety issue, with an accident just this past week. I feel that the HOA has responded in a timely manner and we need to get an update as to where we are. I will be around next week should we need to discuss further. Thank you.
Jason



Outlook

Re: Construction time

From Jason Klingler [REDACTED]

Date Mon 2/3/2025 4:32 PM

To Brandi Deese [REDACTED]

It was donated by the developer....We didnt take over the HOA until 2016. yes I am anxious to see the breakdown on that, because once again the developer didnt give the resident what they were supposed to-the 94 acres. Myself and our board feel we should be entitled to the expectation that it was approved under 94.acres. There is no mention of the donating any to aqua or HFD. We can discuss more later once we see the breakdown. Thank you
Jason

On Mon, Feb 3, 2025 at 4:22 PM Brandi Deese [REDACTED] wrote:

Your math wasn't off too bad 😊 . . . just some of the land was donated by the HOA to Hemby Bridge Fire Department and Aqua. I'll send you the breakdown as soon as I can.



Brandi C. Deese, MPA, AICP, CNU-A

Planning Director

Town of Indian Trail

315 Matthews-Indian Trail Road

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Jason Klingler [REDACTED]
Sent: Monday, February 3, 2025 4:19 PM
To: Brandi Deese [REDACTED]
Subject: Re: Construction time

Humm I guess my math was off. I didnt find close to 94 acres. Yes we are anxious to see these numbers. Jason

On Mon, Feb 3, 2025 at 4:17 PM Brandi Deese [REDACTED] wrote:

10-4. Also, I'm out in training this week but hope to get the final information to you. It seems the HOA property is all accounted for.



Brandi C. Deese, MPA, AICP, CNU-A

Planning Director

Town of Indian Trail

315 Matthews-Indian Trail Road

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Jason Klingler [REDACTED]
Sent: Monday, February 3, 2025 4:07 PM
To: Brandi Deese [REDACTED]
Subject: Re: Construction time

Thank you. Yes I was aware of those times and have relayed those to the residents in our neighborhood. I am just relaying what the residents who live right by it told me. I was gone by 6, so I didnt hear anything. Thank you.

Jason

On Mon, Feb 3, 2025 at 3:47 PM Brandi Deese [REDACTED] wrote:

Good Afternoon Jason –

I have pasted the section of the ordinance that applies below and will contact Marcus and Jason P. about this issue. They are permitted to begin at 7am. Thank you for making us aware.

Noise resulting from construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and from 8:00 a.m. to 9:00 p.m. on weekends for which building permits have been issued or for which building permits are not required; provided that all equipment is in proper operating condition and properly equipped with the manufacturers' mufflers and noise-reducing equipment.



Brandi C. Deese, MPA, AICP, CNU-A

Planning Director

Town of Indian Trail

315 Matthews-Indian Trail Road

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Jason Klingler [REDACTED]

Sent: Monday, February 3, 2025 2:45 PM

To: Brandi Deese [REDACTED] Lee Ann Davenport [REDACTED] Rick Lopez [REDACTED]

Subject: Construction time

Good afternoon,

I had a couple people reach out to me today. The construction was starting around six 0630 this morning with the beeping in the cutting.. Who do we need to speak to to make sure that they are held accountable to the permitted construction times thank you.

Jason

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Re: Development questions

From Jason Klingler [REDACTED]
Date Mon 1/27/2025 5:58 PM
To David Cohn [REDACTED]
Cc Brandi Deese [REDACTED] Mike McLaurin [REDACTED] Rick Lopez
[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey
[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk
[REDACTED] Dennis Gay [REDACTED] Todd Huntsinger [REDACTED]

Good evening Mayor Cohn,

In preparation for our meeting on Wednesday night (we sent out an email Blast to the Community), I was wondering if you could have Town staff find out when PARcel **07057018F was rezoned to residential from commercial**. It was done through a land use change and not typical zoning. You would have thought that changing the rezoning of such a parcel surrounded by homes and neighborhoods would have been more openly published for the resident to see. Thank you for directing staff on getting those dates for us. I was also wondering will other Council members be joining you or will it just be you and Town Staff? We look forward to seeing you on Wednesday. Thank you.

Jason Klingler

On Tue, Jan 21, 2025 at 9:10 AM Jason Klingler [REDACTED] wrote:

Good Morning Mayor Cohn,

I wanted to reach back out to you as we have not heard anything about meeting from Town staff since the last email. I think at this point it would be good to schedule it amongst ourselves. I know the plans are in for review, and there are issues that we would like to discuss, including several state precedents that need to be addressed for our neighborhood. It seems like Town staff is just pushing us off so that they can approve the project, and then we have little recourse. Please let us know when a good time to meet yourself and the board would be so that we can discuss the issues. Our community of 997 homes feels like we are being overlooked by Town staff and being pushed aside. We look forward to hearing from you to get this scheduled.

Jason Klingler
[REDACTED]

On Mon, Dec 30, 2024 at 9:16 AM David Cohn [REDACTED] wrote:

Jason, I have spoken to both Brandi and Mike our town manager this morning. I'm hoping we can put a day and time for a meeting today for a meeting in the next week or so. My understanding is that we were having an issue getting everyone at the meeting that needed to be there. You should hear back something today.

David Cohn
Mayor of Indian Trail

[REDACTED]

From: Jason Klingler [REDACTED]
Sent: Monday, December 30, 2024 7:28:52 AM
To: David Cohn [REDACTED]
Cc: Brandi Deese [REDACTED] Mike McLaurin [REDACTED] Rick Lopez
[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey
[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk
[REDACTED] Dennis Gay [REDACTED] Todd Huntsinger [REDACTED]
Subject: Re: Development questions

Good Morning David,

We never heard back from Brandi regarding this meeting. All available board members filled out the time doodle, but we never heard anything back. My self and Rick Lopez are available to meet most days this week with the exception of Wednesday, and Thursday afternoon. Below are the questions that have not been answered:

- Why is the intersection of Crismark not being installed as required. These requirements were required under the TIA and the town. Can we get a copy of this TIA?-Answered for now.
- Why are they not being required to provide the residents of crismark with the required 90 acres of open space as originally approved?
- Why are the lot densities being allowed to increase, above what was approved?
- Why are they now being allowed to build 370 TH/Condo units versus the originally planned 150. They were permitted for 150, and now they are being allowed to build more? This is absurd.
- Can signs be put up to keep all construction traffic out of the neighborhood roads. Only having the trucks use the Crismark and idlewild entrance. The roads in our neighborhood are terrible because the paving was cheaped out on and not put done in the required lift thickness.
- Did anyone from the developer side request that the front parcel be rezoned through a land use map and not through a traditional rezoning? Did the developer have anything to do with the rezoning?

I look forward to meeting with the Council to discuss the concerns of the Community regarding this development.

Jason Klingler

On Wed, Nov 20, 2024 at 1:08 PM David Cohn [REDACTED] wrote:
Good Afternoon, Jason,

I hope you and your family are well. I have read your emails and I'm always quick to discuss them with Brandi and Todd. I think the best way we can find resolution to your questions and statements would be for us all to sit down and talk. Hopefully the Chrismark board, town manager, Brandi and Todd, the management company along with myself can sit down for a meeting at town hall. I think that's the best way to get us all on the same page.

David Cohn
Mayor of Indian Trail
[REDACTED]

From: Jason Klingler [REDACTED]

Sent: Tuesday, November 19, 2024 8:25:36 AM

To: Brandi Deese [REDACTED]

Cc: Mike McLaurin <fmm@indiantrail.org>; Rick Lopez <rikjlopez@yahoo.com>; David Cohn

[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey

[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk

[REDACTED] Dennis Gay [REDACTED] Todd Huntsinger [REDACTED]

Subject: Re: Development questions

Brandi,

The items have not been answered and in fact we were told conflicting information by you in our meeting. The notes I have transcribed from my app, specifically have you say that no more than 150 units will be built. You go onto reference the plans that were up on the screen with only 150 lots. You stated no more than 150 lots would be built when I asked you and now we are up to +/- 370 units. In addition the old Council approved our neighborhood to have 90 acres of open space....we have roughly half of that. Our neighborhood is being shorted close to 40 acres of open space that was for the resident for passive recreation. Why are they not being made to give us that. The new ordinance doesnt say they dont have to follow through. The old board wanted 90 acres of open space for our neighborhood and thats what we should get.

We are getting cheated. That was what the Board approved them to do and the ones being impacted are the voting residents, not the developer. The obligations are not being met. Had it not been for my involvement with this project so many things such as the TIA would be overlook and they would not have been required to do. **We as a community dont get it-Why is the developer not being required to hold up his side of the agreement. Why is the developer being given every free pass inthe book. In the end its us the residents who suffer.** Does any one on the Council represent the residents? It seems that its just the developer on this project.

As for the use of only crismark for construction traffic, many other surrounding companies put up signs that say no construction traffic. Its not hard to do. Mint hill and MATthews do it all of the time. It seems there is more resistance to helping out the voting residents and giving a free pass to the developer on literally everything. Perhaps someone on the Council can explain that to us. Our communities voices are not being heard.

Jason Klingler

Crismark HOA President
[REDACTED]

On Fri, Nov 8, 2024 at 4:02 PM Brandi Deese [REDACTED] wrote:

Good Afternoon Jason –

Question 2, 3, and 4 have all been answered previously both by email and in person during our January 19, 2024 meeting. Question 4 is a very good question. We will request that the developer keep all construction traffic on Crismark Drive. However, because the other roads are public roads, we would have difficulty enforcing. They should not need to be traveling on the other roads so hopefully our request will be honored. Thank you for bringing this up. Have a great weekend!



Brandi C. Deese, MPA, AICP, CNU-A

Planning Director

Town of Indian Trail

315 Matthews-Indian Trail Road

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Jason Klingler [REDACTED]
Sent: Friday, November 8, 2024 1:49 PM
To: Brandi Deese [REDACTED]
Cc: Mike McLaurin [REDACTED] Rick Lopez [REDACTED] David Cohn
[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey
[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk
[REDACTED] Dennis Gay [REDACTED]
Subject: Development questions

Brandi,

I have sent the Town Manager several questions over the last few months regarding this development. The big question about the intersection has been answered but the residents have more as well as the board. We still have not got answers on them. I am now asking you if you can provide answers to us on the questions below. The big one with the traffic and intersection is great, but there are others that we also need answers for. The questions are below. Thank you.

-Why is the intersection of Crismark not being installed as required. These requirements were required under the TIA and the town. Can we get a copy of this TIA?-Answered for now.

-Why are they not being required to provide the residents of crismark with the required 90 acres of open space as originally approved?

-Why are the lot densities being allowed to increase, above what was approved?

-Why are they now being allowed to build 370 TH/Condo units versus the originally planned 150. They were permitted for 150, and now they are being allowed to build more? This is absurd.

-Can signs be put up to keep all construction traffic out of the neighborhood roads. Only having the trucks use the Crismark and idlewild entrance. The roads in our neighborhood are terrible because the paving was cheaped out on and not put done in the required lift thickness.

Can you please provide us answers to these questions. Thank you

Jason Klingler

Crismark HOA President

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Outlook

Fwd: Crismark Dr& Idlewild NCDOT review

From Jason Klingler [REDACTED]

Date Thu 9/5/2024 8:46 AM

To Brandi Deese [REDACTED]

FYI.

----- Forwarded message -----

From: **Jason Klingler** [REDACTED]

Date: Thu, Sep 5, 2024 at 8:15 AM

Subject: Crismark Dr& Idlewild NCDOT review

To: [REDACTED] [REDACTED]

Cc: [REDACTED] Rick Lopez [REDACTED] Lee Ann Davenport
[REDACTED] [REDACTED]

Ron,

Thank you for meeting with us yesterday concerning the sewer. As the HOA president we will await further information before we will make any decisions (appraisals, practical alternatives, yes Aqua said there are some, and plat surveys). I did reach out to Aqua and spoke to the engineer as well and he has provided more insight into the different routes that are available.

On another note I spoke to Bob Weltner, Acting District Engineer at NCDOT (Copied above) and indicated that he was not aware of this project at all. He also indicated that it would be advisable to have NCDOT and the developer sit down so that the proper steps can be taken with them for the project. He indicated that a TIA should be done to include all of the current traffic and the future impact of the 150 new Townhomes that are being built. As well as any other requirements that the TIA would include.

I would like to set this meeting up with NCDOT, Ty-PAR and myself so that all NCDOT regulations and steps are being followed. It appears that steps were missed and need to be done. When would be a good day and time next week to set this up so that NCDOT is properly brought into the review of this project. I look forward to hearing back from you. Thank you

Jason Klingler
[REDACTED]

Re: Meeting Notes

From Jason Klingler [REDACTED]
Date Thu 9/5/2024 8:01 AM
To Mike McLaurin [REDACTED]
Cc Rick Lopez [REDACTED] Brandi Deese [REDACTED] David Cohn
[REDACTED] Clarence Alsobrooks [REDACTED] Crystal Buchaluk
[REDACTED] Dennis Gay [REDACTED] Tom Amburgey
[REDACTED] Todd Barber [REDACTED] Lee Ann Davenport

Good afternoon,

With impending development off of Crismark Dr, the developer had a meeting with several homeowners and myself to discuss sewer easements. He stated that there were not alternatives and it had to go through this area. I asked for practical alternatives and Ron Parker stated that there were none and this is the only route that Aqua approved. Little did Ron know that I have friends at Aqua, whom I called after the meeting and stated this was not true and there were other options, the developer just didnt want to pay for them-IE a pump station. I also asked him about 6 times if any improvements were being done at Crismark and Idelwild. After tip toeing and deflecting I put him on the spot and made it clear with a yes or no question. He finally said no.

I say all of this to get to my point here. We were told That NCDOT would be reviewing this project and may have input. After calling Aqua I called the NCDOT and the staffer who is handling this-Bob Weltner. He knew nothing of this project and indicated that yes in fact a t TIA would need to be done to account for all of the new cars as well as the existing. He immediately recommended that a meeting be set up to discuss this with all parties. Which i will be doing today.

My concern is we have the same developer who never completed the requirements for our neighborhood, and is now doing things that dont fall in line with how they are supposed to be done. He was given a free pass last time due to the new UDO-Which still makes no sense how they dont have to keep their obligation. Grandfathering means they follow the old rules and are required to complete under them. It doesn't mean waiving the requirements. At our Meeting last time you mentioned that we would look to see if a TIA needs to be done when the site plan was submitted, and NCDOT would be notified. Why was NCDOT never included in the reviews of said site plan like you said they were going to be? It appears there are a lot of things that keep falling through the cracks with this developer. We as residents are the tax payers, the voters, and the people who should be represented here not the Developer who has not followed through in the past and left us and the Town on the hook. IT appears that this is not the case here. Can you tell us why NCDOT has not been included in the review of this site plan. It appears that something need to be done in order for an accurate and thorough review to be done. At this point it would be wise to put a pause on this review and approval until all valid questions from the voting residents have been answered. We look forward to hearing back from the Town. Thank you

Jason Klingler

Crismark HOA President.
[REDACTED]

On Fri, May 3, 2024 at 4:22 PM Mike McLaurin [REDACTED] wrote:

Thank you for meeting with me. I enjoyed speaking with you and Mr. Lopez.

In summary, we discussed the history of this project and how a change was done in 2017 which resulted in the SUP being changed to the new and current regulations. We also discussed the requirements from 1998 and how they needed to be completed before development began. The property has not currently been developed.

I suggested that they wait for the site plan to come in and allow for the planning department to begin their review and what they will require of the developer. Other points in our discussion included:

- Interest in seeing a grocery store on the frontage at Idlewild;
- Interest in seeing a TIA and intersection improvement at Crismark and Idlewild. Concerned about the site distance at that intersection.
- Interested in who is responsible for insuring that the left turn lane is installed. It is understood that the developer has paid NC DOT and NCDOT has agreed that they will take care of it as stated in a 2005 letter from Scott Cole, NC DOT. Because NC DOT owns Idlewild Road, they will be the lead on various road improvements on their road.
- If the development cannot be prevented, how best should the community express its desires particularly as a way to help maintain or improve their home values.

In conclusion, I would suggest we await the arrival of the site plan to see what needs to be done.



Michael McLaurin

Town Manager

Town of Indian Trail

315 Matthews-Indian Trail Road

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Cell: [REDACTED]

Email: [REDACTED]

Website: www.indiantrail.org

From: Jason Klingler [REDACTED]

Sent: Friday, May 3, 2024 10:48 AM

To: Mike McLaurin [REDACTED]

Cc: Rick Lopez [REDACTED]

Subject: Meeting today

Thank you for taking the time to speak with us today. I will follow up with Brandy concerning the site plan. Have a nice weekend.

Jason

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Terra Novus-Crismark Community impacts-Outdated Special Use Permit

From Jason Klingler [REDACTED]
Date Wed 1/10/2024 5:21 PM
To David Cohn [REDACTED] Todd Huntsinger [REDACTED] Adam McLamb
[REDACTED] Dennis Gay [REDACTED] Clarence Alsobrooks
[REDACTED] Tom Amburgey [REDACTED] Todd Barber
[REDACTED] Crystal Buchaluk [REDACTED] Mike McLaurin
[REDACTED] Brandi Deese [REDACTED]
Cc [REDACTED]
[REDACTED] Rick Lopez [REDACTED] Deidre Poles
[REDACTED]

 2 attachments (1 MB)

Title_98__SOIL_EROSION_AND_SEDIMENTATION_CONTROL.docx; TYPAR Special use Permit.pdf;

Good afternoon Mayor Cohn, Councilmembers and Town Staff,

My name is Jason Klingler and I am writing on behalf of the Crismark Board and community. This past week, new survey markers popped up along Crismark drive. I contacted the Surveyor, ESP associates, and was told that it was a boundary survey for new apartments. That is alarming to not only me, but the community as a whole, because many of the conditions that they were approved over 20 years ago are outdated and have never been completed.

One of the first things that makes this site outdated is the fact that its plan expired. Based on the Towns UDO, which was adopted from the States model ordinance, the approved plan is only good for three years. Please see section 98.01.08 part J on the attached documents that clearly state that the expiration date will not exceed 3 years. The Town approved this site plan on 12/23/2019, and the date today is January 11th, 2024, over a year past the expiration time frame. In addition many of the things used to evaluate projects such as these are out of date. The traffic Impact analysis is outdated, as we have seen exponential growth in our area.

Another point is that this was approved over 20 years ago. The staff that reviewed this and the council that approved the master planned community are no longer with the Town. There were also a number of questionable things that have occurred with regards to our community since that time. The bonds being released is just one. Putting a 150 apartments in the middle of single family zoning will cause problems that were not considered 20 years ago when this was approved. They have not met the conditions to do this. In addition this area has become highly regulated due to the presence of the Carolina Heelsplitter.

I would also like to bring up that many conditions of the Special Use Permit have not been met. The items below were required to be met as part of the approval and have not. One big piece is the density requirement for the community and the multifamily section. It states that the density shall be no more than 2.6 units per acre including the multifamily. See item A of the attached SUP. A large

section of this community, 90 acres by my calculations, was sold off, and therefore puts this density above what it allowed. Therefore requiring the permit to be revoked, under section 2 of the SUP.

Per the SUP 20 percent or 94 acres is supposed to be open space. With the large chunk sold off, we don't meet 90 percent and we don't have 94 acres in the community for open space.

No sidewalk and curb and gutter have been installed along Idlewild as stated in section 4B.

The SUP explicitly states that a traffic study must be done prior to development on this side. There is no new TIA.

In addition, this developer has not turned over all publicly platted ROW to the Town or other entities. They have also not implemented the plan in our neighborhood as it is drawn up on the plans. They have failed to install storm pipes, berms as well as other infrastructure. Moving forward and allowing this developer to build an out-of-place multifamily would be a travesty to our community. We would like to continue this conversation as we don't think they have met the requirements of the SUP.

Other considerations to think about are they going to be required to put up bonds for the roads that are currently failing, how will repairs be made to damaged infrastructure. When will the developer be resubmitting plans? Will the Developer be held accountable? He surely wasn't when building the neighborhood portion. What may have seemed like a good plan over 20 years ago is not a good plan today. We, as a community, think that this project should be reconsidered and discussed before this plan moves forward.

Thank you and I look forward to hearing back from you
Jason Klingler

[REDACTED]

Attached Special Use Permit and UDO Erosion and Sediment Control

Porta Potty

From Brandi Deese [REDACTED]

Date Fri 7/11/2025 5:24 PM

To Jason Klingler [REDACTED]

Cc Lee Ann Davenport [REDACTED] Rodney Cobb [REDACTED]

Good Evening Jason –

I received a call from Lee Ann as well as you about the Porta Potty on HOA property. I worked for a while this morning trying to figure out who's porta potty it was and get it moved from its original location on the vacant parcel (07058261) adjacent to homes on Centerview Drive. At the prior location, one home had the porta potty directly beside them and others step outside their front door and the first thing they see is a porta potty. I was provided a text with a pin drop of where it has been relocated. Although it is very close to the HOA property, from the information I have, it is located on Crismark Properties, LLC and has permission from that owner to be there. I do not have a survey, but if you feel it is on the HOA's property without HOA permission, I recommend you contact Steven's Septic Service as I did this morning. Thank you!



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

RE: Trucks Going through Residential roads

From Brandi Deese [REDACTED]

Date Wed 2/26/2025 8:59 AM

To Jason Klingler [REDACTED]

Cc Lee Ann Davenport [REDACTED]

Completely understood and I thank you for serving the neighborhood, it's a hard and thankless job!



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Jason Klingler [REDACTED]

Sent: Wednesday, February 26, 2025 7:56 AM

To: Brandi Deese [REDACTED]

Cc: Lee Ann Davenport [REDACTED]

Subject: Re: Trucks Going through Residential roads

Of course it was. SMDH. Thank you for the update. Please note that I am relaying these messages and I am not the actually complainant. Since I am on the board folks seem to think I can get all the answers. Thank you and have a great day.

Jason

On Tue, Feb 25, 2025 at 5:13 PM Brandi Deese [REDACTED] wrote:

Jason –

I am being told that the truck that came through was bringing mulch to the Crismark playground and was not a construction truck. There is really no reason why a big truck would want to go down those streets but if you see or hear differently, please let us know asap. Thank you!



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]
Email: [REDACTED]
[Development Projects Page](#)

From: Jason Klingler [REDACTED]
Sent: Tuesday, February 25, 2025 4:06 PM
To: Brandi Deese [REDACTED]
Cc: Lee Ann Davenport [REDACTED]
Subject: Re: Trucks Going through Residential roads

Thank you.
JK

On Tue, Feb 25, 2025 at 3:30 PM Brandi Deese [REDACTED] wrote:

Good Afternoon Jason –
Checking on this now for you. Thanks!



Brandi C. Deese, WPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]
Email: [REDACTED]
[Development Projects Page](#)

From: Jason Klingler [REDACTED]
Sent: Tuesday, February 25, 2025 3:24 PM
To: Brandi Deese [REDACTED]
Cc: Lee Ann Davenport [REDACTED]
Subject: Trucks Going through Residential roads

Brandi,
We have had multiple trucks today cutting through the neighborhood, on tiny residential roads. Fine Robe to be specific. I know these are public roads, but these roads are tiny enough and now we have dump trucks going down them. I thought they were going to be using the Crismark Drive entrance, per emails that you sent me last month.
Thank you
Jason

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Outlook

RE: Construction time

From Brandi Deese [REDACTED]
Date Mon 2/3/2025 4:20 PM
To Jason Klingler [REDACTED]

Yes . . . 911.



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

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From: Jason Klingler [REDACTED]
Sent: Monday, February 3, 2025 4:18 PM
To: Brandi Deese [REDACTED]
Subject: Re: Construction time

Wonderful. I will let the residents know. Is there a number they should call if this happens again. Thank you.
Jason

On Mon, Feb 3, 2025 at 4:06 PM Brandi Deese [REDACTED] wrote:

Jason –

It sounds like our Construction Inspector addressed this with the onsite crew earlier today. Again, please let us know if have any other issues. Thank you!



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Jason Klingler [REDACTED]

Sent: Monday, February 3, 2025 2:45 PM

To: Brandi Deese [REDACTED] Lee Ann Davenport [REDACTED] Rick Lopez

Subject: Construction time

Good afternoon,

I had a couple people reach out to me today. The construction was starting around six 0630 this morning with the beeping in the cutting.. Who do we need to speak to to make sure that they are held accountable to the permitted construction times thank you.

Jason

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review.

RE: Development questions

From Brandi Deese [REDACTED]
Date Wed 1/29/2025 5:00 PM
To Jason Klingler [REDACTED] David Cohn [REDACTED]
Cc Mike McLaurin [REDACTED] Rick Lopez [REDACTED] Clarence Alsobrooks
[REDACTED] Tom Amburgey [REDACTED] Lee Ann Davenport
[REDACTED] Crystal Buchaluk [REDACTED] Dennis Gay [REDACTED]
Todd Huntsinger [REDACTED]

Good Afternoon Jason –

It has been a busy week full of night meetings, so I apologize for the delay on your question. The short answer of when Parcel 07057018F's zoning was reassigned was December 29, 2018. The longer answer starts back on August 20, 2013, when the zoning assigned was PUD (Medium/High Density Residential) all on one parcel (front and back parcel were all one parcel). The Town eliminated PUDs and so the replacement zoning assigned was Mixed Use District (MXD). Several years later, the mixed-use district was eliminated and it was assigned MFR (Multi-Family Residential). I was not with the Town, but it seems reasonable that most of the property was intended to be multi-family and thus that is the reason for reassigning to MFR. At some point the parcels were separated (perhaps for tax purposes) leaving what is in existence today, the front parcel and the rear parcel. I did not have time to track down when this occurred but will be happy to do so if needed. In summary, the Town in the past frequently changed the zoning designations and parcels that had a zoning designation that was eliminated had to be reassigned. I hope that helps. Thanks!



Brandi C. Deese, MPA, AICP, CNU-A
Planning Director

Town of Indian Trail
315 Matthews-Indian Trail Road
PO Box 2430
Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

[Development Projects Page](#)

From: Jason Klingler [REDACTED]
Sent: Monday, January 27, 2025 5:57 PM
To: David Cohn [REDACTED]
Cc: Brandi Deese [REDACTED] Mike McLaurin [REDACTED] Rick Lopez
[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey
[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk
[REDACTED] Dennis Gay [REDACTED] Todd Huntsinger [REDACTED]
Subject: Re: Development questions

Good evening Mayor Cohn,

In preparation for our meeting on Wednesday night (we sent out an email Blast to the Community), I was wondering if you could have Town staff find out when Parcel 07057018F was rezoned to residential from commercial. It was done through a land use change and not typical zoning. You would have thought that changing the rezoning of such a parcel surrounded by homes and neighborhoods would have been more openly published for the resident to see. Thank you for directing staff on getting those dates for us. I was also wondering will other Council members be joining you or will it just be you and Town Staff? We look forward to seeing you on Wednesday. Thank you.

Jason Klingler

On Tue, Jan 21, 2025 at 9:10 AM Jason Klingler [REDACTED] wrote:

Good Morning Mayor Cohn,

I wanted to reach back out to you as we have not heard anything about meeting from Town staff since the last email. I think at this point it would be good to schedule it amongst ourselves. I know the plans are in for review, and there are issues that we would like to discuss, including several state precedents that need to be addressed for our neighborhood.

It seems like Town staff is just pushing us off so that they can approve the project, and then we have little recourse. Please let us know when a good time to meet yourself and the board would be so that we can discuss the issues. Our community of 997 homes feels like we are being overlooked by Town staff and being pushed aside. We look forward to hearing from you to get this scheduled.

Jason Klingler
[REDACTED]

On Mon, Dec 30, 2024 at 9:16 AM David Cohn [REDACTED] wrote:

Jason, I have spoken to both Brandi and Mike our town manager this morning. I'm hoping we can put a day and time for a meeting today for a meeting in the next week or so. My understanding is that we were having an issue getting everyone at the meeting that needed to be there. You should hear back something today.

David Cohn
Mayor of Indian Trail
[REDACTED]

From: Jason Klingler [REDACTED]

Sent: Monday, December 30, 2024 7:28:52 AM

To: David Cohn [REDACTED]

Cc: Brandi Deese [REDACTED] Mike McLaurin [REDACTED] Rick Lopez

[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey

[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk

[REDACTED] Dennis Gay [REDACTED] Todd Huntsinger [REDACTED]

Subject: Re: Development questions

Good Morning David,

We never heard back from Brandi regarding this meeting. All available board members filled out the time doodle, but we never heard anything back. My self and Rick Lopez are available to meet most days this week with the exception of Wednesday, and Thursday afternoon. Below are the questions that have not been answered:

-Why is the intersection of Crismark not being installed as required. These requirements were required under the TIA and the town. Can we get a copy of this TIA?-Answered for now.

-Why are they not being required to provide the residents of crismark with the required 90 acres of open space as originally approved?

-Why are the lot densities being allowed to increase, above what was approved?

-Why are they now being allowed to build 370 TH/Condo units versus the originally planned 150. They were permitted for 150, and now they are being allowed to build more? This is absurd.

-Can signs be put up to keep all construction traffic out of the neighborhood roads. Only having the trucks use the Crismark and idlewild entrance. The roads in our neighborhood are terrible because the paving was cheaped out on and not put done in the required lift thickness.

-Did anyone from the developer side request that the front parcel be rezoned through a land use map and not through a traditional rezoning? Did the developer have anything to do with the rezoning?

I look forward to meeting with the Council to discuss the concerns of the Community regarding this development.

Jason Klingler

On Wed, Nov 20, 2024 at 1:08 PM David Cohn [REDACTED] wrote:

Good Afternoon, Jason,

I hope you and your family are well. I have read your emails and I'm always quick to discuss them with Brandi and Todd. I think the best way we can find resolution to your questions and statements would be for us all to sit down and talk. Hopefully the Chrismark board, town manager, Brandi and Todd, the management company along with myself can sit down for a meeting at town hall. I think that's the best way to get us all on the same page.

David Cohn
Mayor of Indian Trail
[REDACTED]

From: Jason Klingler [REDACTED]

Sent: Tuesday, November 19, 2024 8:25:36 AM

To: Brandi Deese [REDACTED]

Cc: Mike McLaurin [REDACTED] Rick Lopez [REDACTED] David Cohn

[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey

[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk

[REDACTED] Dennis Gay [REDACTED] Todd Huntsinger [REDACTED]

Subject: Re: Development questions

Brandi,

The items have not been answered and in fact we were told conflicting information by you in our meeting. The notes I have transcribed from my app, specifically have you say that no more than 150 units will be built. You go onto reference the plans that were up on the screen with only 150 lots. You stated no more than 150 lots would be built when I asked you and now we are up to +/- 370 units. In addition the old Council approved our neighborhood to have 90 acres of open space....we have roughly half of that. Our

neighborhood is being shorted close to 40 acres of open space that was for the resident for passive recreation. Why are they not being made to give us that. The new ordinance doesnt say they dont have to follow through. The old board wanted 90 acres of open space for our neighborhood and thats what we should get. We are getting cheated. That was what the Board approved them to do and the ones being impacted are the voting residents, not the developer. The obligations are not being met. Had it not been for my involvement with this project so many things such as the TIA would be overlook and they would not have been required to do. **We as a community dont get it- Why is the developer not being required to hold up his side of the agreement. Why is the developer being given every free pass inthe book. In the end its us the residents who suffer.** Does any one on the Council represent the residents? It seems that its just the developer on this project.

As for the use of only crismark for construction traffic, many other surrounding companies put up signs that say no construction traffic. Its not hard to do. Mint hill and MATthews do it all of the time. It seems there is more resistance to helping out the voting residents and giving a free pass to the developer on literally everything. Perhaps someone on the Council can explain that to us. Our communities voices are not being heard.

Jason Klingler
Crismark HOA President
[REDACTED]

On Fri, Nov 8, 2024 at 4:02 PM Brandi Deese [REDACTED] wrote:

Good Afternoon Jason –

Question 2, 3, and 4 have all been answered previously both by email and in person during our January 19, 2024 meeting. Question 4 is a very good question. We will request that the developer keep all construction traffic on Crismark Drive. However, because the other roads are public roads, we would have difficulty enforcing. They should not need to be traveling on the other roads so hopefully our request will be honored. Thank you for bringing this up. Have a great weekend!



Brandi C. Deese, MPA, AICP, CNU-A

Planning Director

Town of Indian Trail

315 Matthews-Indian Trail Road

PO Box 2430

Indian Trail, NC 28079

Office: [REDACTED]

Email: [REDACTED]

Development Projects Page

From: Jason Klingler [REDACTED]
Sent: Friday, November 8, 2024 1:49 PM
To: Brandi Deese [REDACTED]
Cc: Mike McLaurin [REDACTED] Rick Lopez [REDACTED] David Cohn
[REDACTED] Clarence Alsobrooks [REDACTED] Tom Amburgey
[REDACTED] Lee Ann Davenport [REDACTED] Crystal Buchaluk
[REDACTED] Dennis Gay [REDACTED]
Subject: Development questions

Brandi,

I have sent the Town Manager several questions over the last few months regarding this development. The big question about the intersection has been answered but the residents have more as well as the board. We still have not got answers on them. I am now asking you if you can provide answers to us on the questions below. The big one with the traffic and intersection is great, but there are others that we also need answers for. The questions are below. Thank you.

-Why is the intersection of Crismark not being installed as required. These requirements were required under the TIA and the town. Can we get a copy of this TIA?-Answered for now.

-Why are they not being required to provide the residents of crismark with the required 90 acres of open space as originally approved?

-Why are the lot densities being allowed to increase, above what was approved?

-Why are they now being allowed to build 370 TH/Condo units versus the originally planned 150. They were permitted for 150, and now they are being allowed to build more? This is absurd.

-Can signs be put up to keep all construction traffic out of the neighborhood roads. Only having the trucks use the Crismark and idlewild entrance. The roads in our neighborhood are terrible because the paving was cheaped out on and not put done in the required lift thickness.

Can you please provide us answers to these questions. Thank you

Jason Klingler

Crismark HOA President

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