

The Maple View Community



MAPLE VIEW FARM &
UNION GROVE FARM



This Evening's Agenda

- What We Support/Our Mission
- Protect the Rural Buffer
- Where we are and how we got here
 - All based upon NC Farm Exemption & Agritourism Statute and Conservation Easements
- Orange County Opinion & Determination Letter's
- Union Grove Farm's Appeal
- Triangle Land Conservancy's Complaint/lawsuit
- Presentations by Amy Cannon and Derb Carter
- Board of Adjustment Hearing
- One More Thing
- For the Future
- Action Plan
- Thank You



What we Support

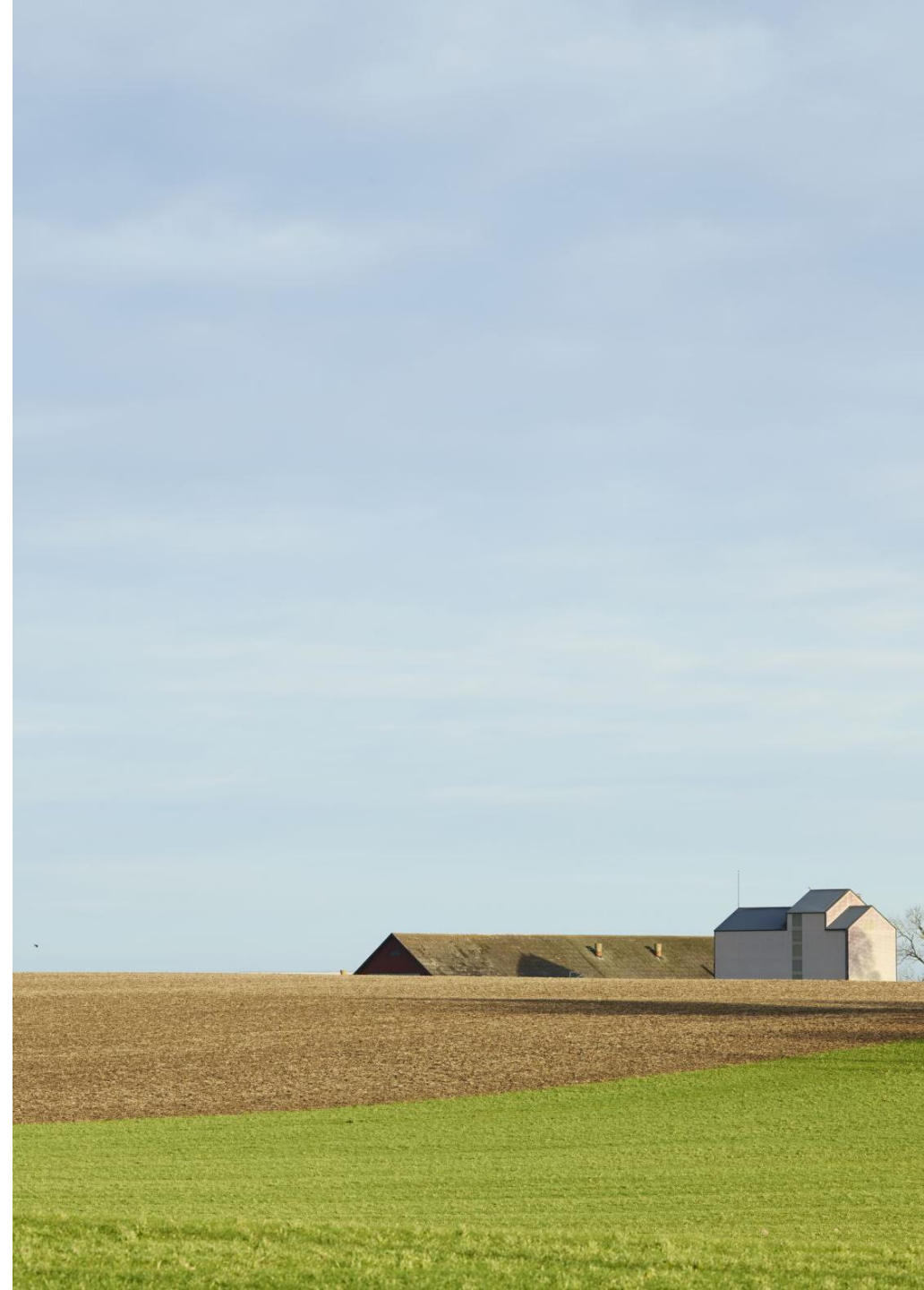
Our Mission

- We support local and family farms in Orange County and throughout the state.
- We support the Farm Exemption and the proper use and scale of Agritourism
- We are concerned that only electrical inspections are required on buildings built or improved under the Farm Exemption (except those used for overnight stays). There are no building or fire safety inspections required. Properties are subject to water, sewer and sanitation, and environmental health legislation.
- We are working with and state legislators to try to update the definition of the state bona fide farm and agritourism statute, so it is easier for counties to work within its parameters. As written, it is too easy to abuse the statute and its definition.

Protect the Rural Buffer

The rural buffer land use and rural buffer zoning were put in place to protect that area of the county from commercial development.

Established in 1987 under the **Joint Planning Agreement** (JPA) between Orange County, Carrboro, and Chapel Hill, the Rural Buffer was created to **limit urban sprawl, preserve farmland, and protect open space**. It allows dense development **inside** towns while ensuring the surrounding countryside remains rural in character with no urban services like sewer or water expansion. In exchange, farms enjoy an exemption from county zoning, including protections for public safety, sanitation, traffic, and more.





Protect the Rural Buffer

Bona fide farms are exempt from county zoning regulations and rural buffer zoning. With county approval, as we have seen, businesses can create commercial development in the Rural Buffer.

A better interpretation of the farm exemption is needed so that county opinions do not open the door to more and more large commercial businesses and developments in the rural buffer and throughout Orange County.

NC State Farm Exemption and Agritourism

- The NC bona fide farm exemption protects agricultural activities and related infrastructure on qualifying farms exempting them from county zoning ordinances.

NC State Farm Exemption and Agritourism

- **Agritourism** is a form of consumer engagement where farms offer a variety of recreational, educational, and tourism activities to make their finances more resilient.
- Examples of agritourism:
 - U-Pick berry farms
 - Mazes
 - Petting zoos/animal experiences
 - Farm to Table events
 - Educational workshops and classes
 - Farm tours
 - Seasonal events (hayrides, holiday farm tours)
 - Events and parties



Conservation Easements

- What is a conservation easement?
- An agreement between a landowner and a government agency or land trust that permanently limits the use of a property to protect its natural, agricultural, or open-space values. The landowner retains ownership of the property but restricts certain development or land use activities.

Orange County Planning

Opinion Letter to Union Grove Farm

November 2024

Orange County Planning's November 12, 2024 Opinion Letter, permitted, among other things, that a 2,500-seat amphitheater was Agritourism.

- This Opinion Letter was not Final and Binding.
- As of 12/11/2024, the neighbors and TLC appealed the opinion that the Amphitheater was Agritourism.
- An appeal was scheduled for 3/12/2025 and then delayed until 6/11/2025
- Please go to our website for a copy of the full Opinion

Orange County Planning

Opinion Letter to Union Grove Farm

November 2024

1st Appeal & Updated Request

- Ultimately this appeal (March 2025/June 2025) was postponed and a request for Final, Binding Determination was later requested.
- All parties agreed that the updated request would only address the Amphitheater Agritourism designation.
- UGF amended their request with an updated site plan, now calling the Amphitheater a “Farm Stage”, which violated the farm envelope.
- The updated UGF request also included requests for re-classification of other venue activities on the site.
- TLC objected to this, calling it taking “another bite of the apple”.



Orange County Planning

Final & Binding
Determination Letter to
Union Grove Farm

June 2, 2025

- Orange County Planning makes a final determination that:
- The garden and pavilion; the distillery and parking; and the Regenerative Center for Agriculture (formerly the Ag Center) **were *bona fide farm uses and not subject to Orange County zoning.***
- The "Farm Stay Center" or the hotel; and the "Farm Stage", or the Amphitheater, **are *NOT bona fide farm uses or agritourism and are subject to Orange County zoning.***



Orange County Planning

Final & Binding
Determination Letter to
Union Grove Farm

June 2, 2025

- OC Planning relies on *Jeffries v Harnett County (2018) NC Court of Appeals*, for much of its decision, and also stated:
- Land on a farm that is used for non-farm purposes is **not** exempt from county zoning by this statute (farm exemption) or Orange County zoning.
- Properties used for bona-fide farm purposes are exempt from county zoning.
- You can read the Final Determination Letter on our website.



Orange County Planning

Final & Binding
Determination Letter to
Union Grove Farm

June 2, 2025

(Jeffries)

Jeffries answers 3 questions on Agritourism that OC Planning used:

1. Agritourism uses are those performed on a farm because it derives some value from or requires the farm or natural setting.
2. A use is more likely to be considered Agritourism if its risk profile aligns with that of farm uses.
3. Agritourism uses do not require much in the way of artificial structures or alterations to the land.

Union Grove Farm Appeal

7/2/2025

Union Grove Farm filed an appeal on 7/2/2025 of this Final & Binding Determination Letter, appealing the decision on the Amphitheater only.

The hearing date for the appeal is 10/8/2025

You can review the appeal on our website.



Triangle Land Conservancy

Complaint

Filed 8/15/2025
Response Extension filed
for 10/22/2025

Orange County
Superior Court

The Triangle Land Conservancy filed a complaint/lawsuit against Union Grove Farm, et al., (UGF) for alleged violations of the forever farming conservation easement.

Please refer to our website to read a full copy of the complaint/lawsuit. Also read Exhibit I - which is a TLC letter to Orange County regarding UGF's use of the agritourism definition. It's an interesting read.



Triangle Land Conservancy

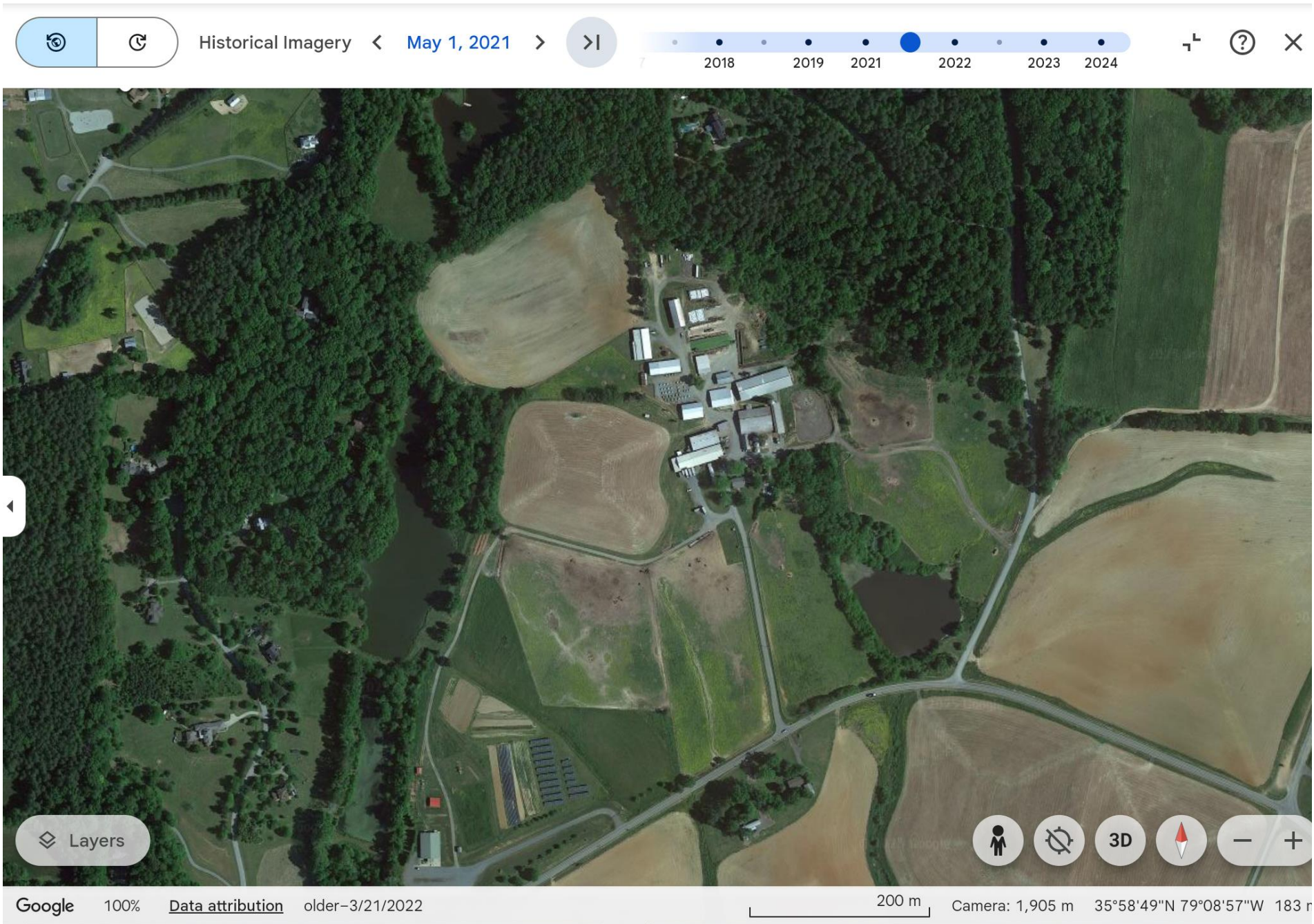
Complaint

Filed 8/15/2025
Response Extension filed
for 10/22/2025

Orange County
Superior Court

TLC's lawsuit asks the Court to

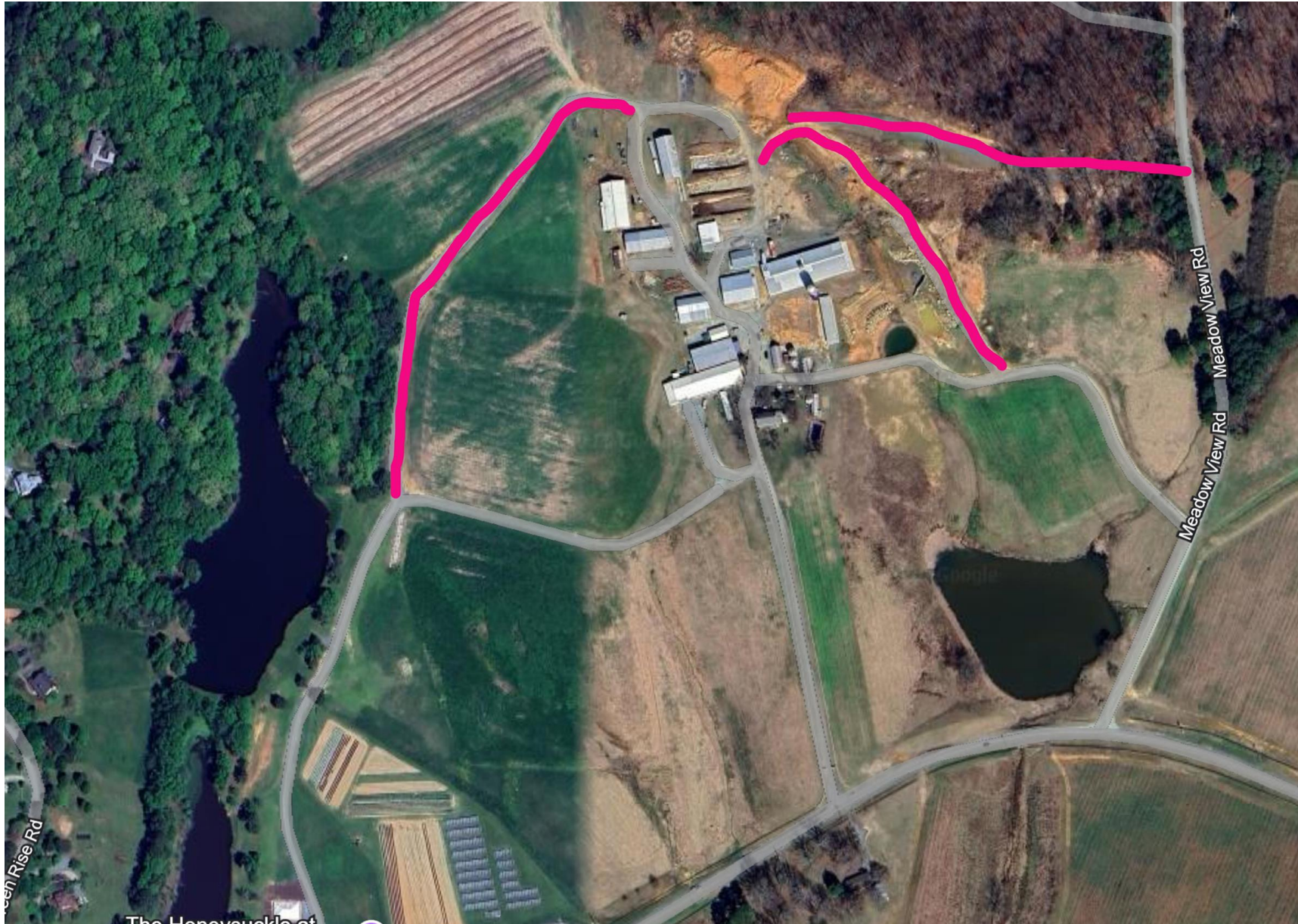
- Order remediation of 3 prohibited roads installed between 11/2023 & 4/2025,
- Declare that the 2,500-seat amphitheater is an easement violation,
- Require the defendants to restore the property to its condition before the roads were built and to enjoin development of the amphitheater in the future.



Maple View Farm to Union Grove Farm

Historical Views

- **Google Earth View**
- **May 2021**
- **Ownership:**
 - **Maple View Farm**
- **No unapproved roads**



Maple View Farm to Union Grove Farm Historical Views

- **Google Earth View**
- **February 2025**
- **Ownership:**
 - **Union Grove Farm**
- **The distance from the closest neighbor's home to the amphitheater area is 805 feet.**
- **View of 3 unapproved roads**



Triangle Land Conservancy

Complaint

Filed 8/15/2025
Response Extension filed
for 10/22/2025

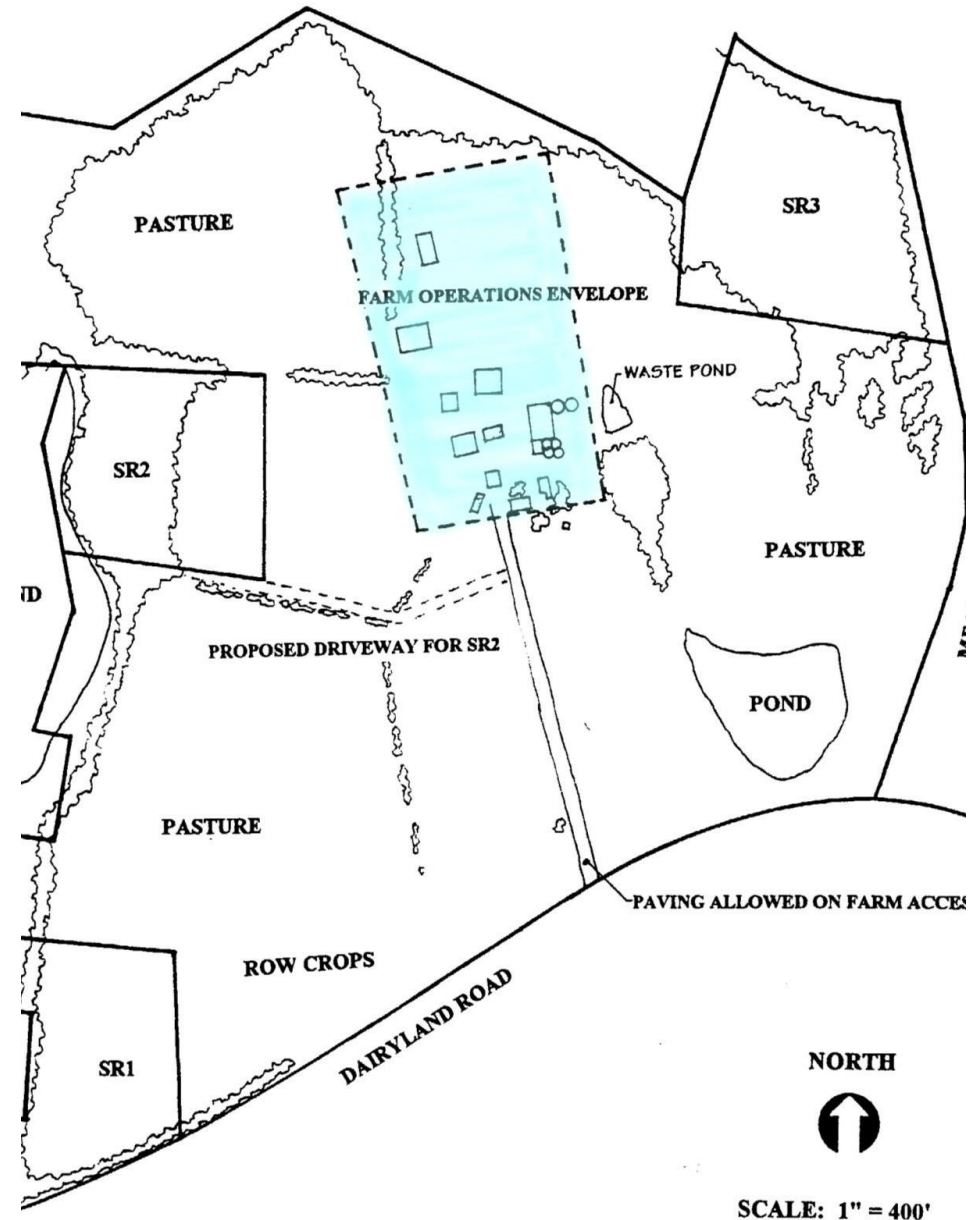
Orange County
Superior Court

In addition:

- The Farm Envelope provides an exception to the Conservation Easement's general limitations on development for agricultural purposes.
- The Conservation Easement limits new buildings and other structures and improvements to the Farm Envelope only if used **solely** for agricultural purposes.

TLC Easement

- 107 Acres
- Original Map
- Building Envelope



Union Grove Master Plan (Updated as of May 2025)

Map is not to scale

1. Reserved for septic field
2. New grain equipment & chiller equipment
3. New rick house building for liquor aging storage
4. Existing grain storage bins to be removed
5. New grain equipment & chiller equipment
6. New open parking
7. Sanitation management area
8. Existing one-story structure to be renovated for new distillery / restaurant
9. New restroom building
10. Existing silo to be renovated for new offices /skyboxes
11. New two-story structure for storage & entertainment
12. Existing metal silos to be renovated to new food and beverage service area
13. Existing structure to be renovated to new open terrace
14. Existing family residence & accessory structures (including swimming pool)
15. New playground area
16. Open lawn theater seating
17. New concert stage and roof structure
18. New metal structures for dressing rooms & artist areas
19. New boulder wall
20. Woofer dorms or multi-story residential building



1" = 100'
1" = 100'
1" = 100'



JOSEPH
TROIANOWSKI
ARCHITECT
PC

ARCHITECT
INDUSTRIAL
DESIGN

WWW.JT-ARCH.COM



NEW SINGLE FAMILY RESIDENCE
3412 KENNEDY DRIVE
CHAMPAIGN, ILL. 61821



PREPARED DATE

PLAN

A0.1



Triangle Land Conservancy

Complaint

Filed 8/15/2025

Extension Response filed
for 10/22/2025

Orange County
Superior Court

- TLC is objecting to the agritourism opinion by Orange County's Planning Board. The defense of their conservation easement in the courts will be critical.
- If TLC does not prevail, the decision can have wide ranging effects on existing conservation easements throughout North Carolina.
- Future purchasers of existing conservation easement land may believe that they, too, can break these existing easements.
- Additionally, if TLC does not prevail, it may make it difficult to place future lands in easements, knowing that an easement can easily be broken.



Please Welcome

- **Amy Cannon**
 - Maple View Farm
 - Daughter of Chris & Bob Nutter
- **Derb Carter**
 - Meadow View Neighbor
 - Attorney
 - Southern Environmental Law Center



Board of Adjustment Hearing

October 8th

An appeal of the June 4, 2025 Determination Letter was filed by UGF on 7/2/2025. The amphitheater is the only subject of the appeal.

The appeal hearing is scheduled for:

Wednesday, October 8th, 7pm

The Whitted Building

300 W. Tryon, Hillsborough, NC

Community support is important at this hearing. We hope to see a strong turn-out at the hearing supporting the community and the Triangle Land Conservancy.

Hearings in front of the Board of Adjustments are quasi-judicial hearings; therefore, no public comment is allowed. Only persons with standing or persons/entities represented by attorneys are allowed to speak.

Board of Adjustment Hearing

See you there!

As mentioned, we cannot speak.

Attending to show your support is really important.

We will have stickers for you to wear to show your support.

Please wear **GREEN/LIME GREEN** so we can show a cohesive group support – head band, hat, bandana, shirt, t-shirt, scarf, etc. **We will have a limited supply of \$2 bandanas available for purchase at the appeal.**

Please do not make comments or noises that could distract during the hearing.



One More Thing

Additional
Ownership/LLC

Jeffrey Fisher Entities

Questions on relationships

- EastWest Organics, LLC (Jeffrey Fisher):
 - Co-owns **Center for Regenerative Agriculture** w/Harper Grace LLC (Meredith Sabye)
 - Honeysuckle at Union Grove Farm
 - Honeysuckle Tea House (Jo Mac Rd)
 - EastWest Organics @ Keith Arboretum (Airbnb)
- Pickoretum LLC (143 ac conservation easement with Conservation Trust of NC atop Pickard Mtn)
- Blue Heeler Farm LLC (owns former 89 ac Cheek land on Dairyland)
- Arcadian Land & Water (conservation, land & water mitigation)
- Dogwood Legal (founder)
- Formerly with Unique Places to Save

Keep an eye on the website



Defend the Maple View Legacy

Respect the Local Community and Rural Orange County

[Home](#) [Details & Documents](#) [Press Releases](#) [GoFundMe Donations](#) [Contact Us](#)

- We will post updates to the website and on social media.
 - <https://www.defendmapleviewcommunity.com/>





For the Future

What are important:

Noise (the OC noise ordinance puts the maximum decibel range at 60 dBs – the sound generated in an office, and ensure that sheriff's deputies have decibel meters to monitor noise)

Environment (ensure that watershed regulations are being enforced, and that water, sewer and sanitation in environmental health regulations are enforced)

Administration and Enforcement (ensure that the county is monitoring the standing of bona fide farms to ensure none have lapsed, and that zoning is enforced where applicable)

Scale (most venues have events in the 100 – 150 range of people, not 2,500)

Safety (rural roads cannot handle 100s – 1,000s of cars at one time. There is no DOT review required for Farm Exempt properties, and typically no building or fire inspections either).

The Maple View Community

Action Items

- Please attend the Board of Adjustment hearing on October 8th wearing **green/lime green**.
 - There are signs available in the back available for a donation to our legal fund. \$10 for 1 sign or \$15 for 2 signs. Cash only or go to the GoFundMe page on our website. Please help put more signs out – **only on personal/private property, please!**
 - Email your concerns to the Board of County Commissioners. We cannot communicate with the Board of Adjustment.
 - Spread the word. Forward our flyers and emails.
-

The Maple View Community



- Thank you for coming this evening and all the fantastic donations to date are going to pay our legal bills.
- We appreciate your support.
- Thanks to our speakers and everyone who helped with preparing for this evening
- Please sign up on our website, or on the lists in the back if you'd like to receive updates from us.
- Our neighbor's legal fees continue to mount. If you'd like to help, please visit the GoFundMe page on our website: www.defendmapleviewcommunity.com/gofundme. Any excess remaining fees will be donated to TLC.
- We look forward to seeing you at the hearing.

