

# The Maple View Community



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MAPLE VIEW FARM &  
UNION GROVE FARM



# This Evening's Agenda

- History of the Farm
- State Farm Exemption & Agritourism
- Triangle Land Conservancy
- Orange County's Opinion Letter
- Union Grove Farm Master Plan
- Board of Adjustment Hearing
- Presentations by Jane Saiers
  - and Derb Carter
- For the Future
- Protect the Rural Buffer
- Action Plan
- Thank You

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## The History of Maple View

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Bob Nutter moved from Maine to start Maple View Farm in 1963. The 400 acres of Maple View Farm was a dairy farm with a bottling operation, providing milk in glass bottles. Years later, the family established a home-made ice cream store.

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In December 1995, 107 acres of land surrounding the home and bottling operation was placed into a conservation easement with the Triangle Land Conservancy. Additional land was added to the conservancy in 2001.



# Bob Nutter, Community Treasure

Throughout his years in Orange County, Bob Nutter receive many awards:

- Bob Nutter started a fund through the Triangle Community Foundation that buys books for students at Orange County schools.
- Bob was named NC State's Distinguished Dairy Farmer in 1999 in the Department of Animal Science.
- The Nutter's and Bob became the 2011 Schley Grange Farm Family of the Year and Farmer of the Year
- In 2011, the family won the statewide North Carolina Grange Farm of the Year award from the State Grange.
- "Farmer Bob" Nutter was inducted into the 2014 Chapel Hill-Carrboro Business Hall of Fame.

# Union Grove Farm – Change of Ownership

In 2022, Maple View Farm was purchased by various entities that do business as Union Grove Farm.

From the Union Grove Farm website:

- Union Grove Farm **includes approximately 100 planted acres of vineyard and 1,000 acres of pasture and forested land** across three properties in Chapel Hill and Hillsborough, North Carolina.
- Our **regenerative agricultural practices** are improving the soil while producing the highest quality, nutrient dense grapes that are incredibly healthy for our community and the planet.

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## NC State Farm Exemption and Agritourism

- The NC bona fide farm exemption protects agricultural activities and related infrastructure on qualifying farms from county zoning ordinances. This means a farm can engage in certain rural activities, like agritourism, without needing to comply with zoning regulations that might otherwise prohibit them.

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# NC State Farm Exemption and Agritourism

- Agritourism in North Carolina refers to activities offered on farms and ranches that allow the public to experience rural life for recreational, entertainment, or educational purposes. These activities can include farming, ranching, historical and cultural events, harvest-your-own experiences, and attractions related to farming or ranching.
- This can include U-pick operations, on-farm produce stands, farm-to-table dining, educational farm tours, on-farm activities like corn mazes or petting zoos, and even activities like hunting, fishing, or horseback riding.



# UNC School of Government Coates' Canons

## NC Local Government Law

What Does the Farm Exemption from  
Zoning Regulation Include?

Author – David Owens 02/17/2016

### Questions at the Margins

- If you consider a continuum with “farm purposes” on one end and “nonfarm purposes” on the other activities on either end of the scale are easy to identify.
- A horse stable, a commercial greenhouse.... are farm purposes exempt from county zoning.
- An asphalt plant, or a residential subdivision are nonfarm purposes subject to county zoning even if conducted on a qualifying farm.
- **Clearing out the barn for a monthly square dance is likely incidental to farming or agritourism, but an outdoor amphitheater with regular large concerts is a non-farm commercial activity subject to zoning.**
- It is the activities in the center of this spectrum, at the border between “farm” and “nonfarm” that are most difficult to characterize. A wine making operation located on a vineyard is exempt. An adjacent tasting room is likely incidental to that winery and would also be exempt. **But at some point, as the tasting room expands to a restaurant or bed and breakfast facility, it is no longer a minor part of the winery but a commercial use that is subject to county zoning.**





# 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.

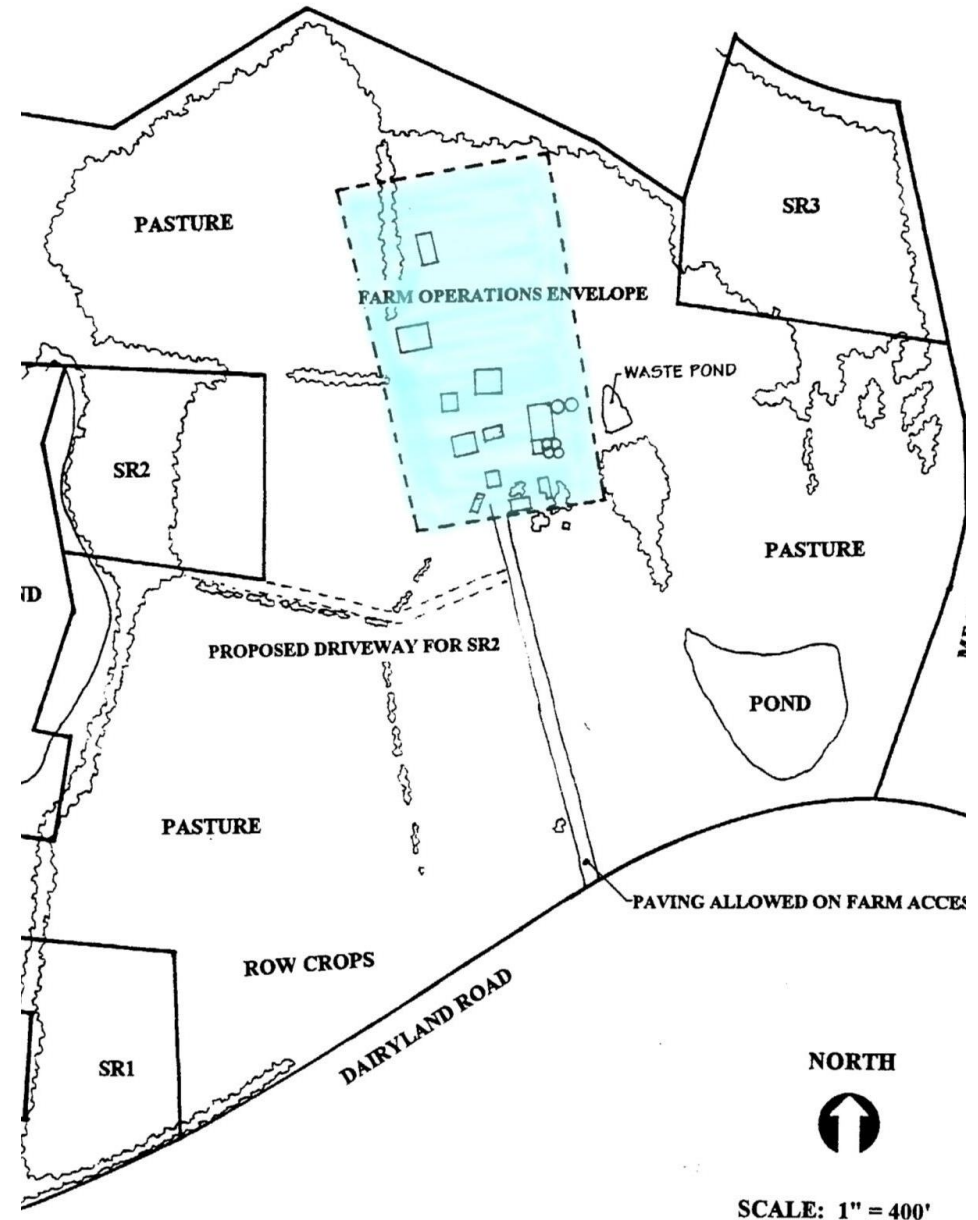
# Triangle Land Conservancy

## Conservation Easement Excerpts

- The purposes of this Conservation Easement are to protect in perpetuity the open space character, agricultural productivity, watershed protection and scenic qualities of the Property (collectively the “Conservation Values”), and to assure the availability of the Property in perpetuity for agricultural use.
- 8. Paving and Road Construction
  - .... No new roads may be built except within that portion of the Property designated as the Farm Operations Envelope or except for access roads as shown on Exhibit B.
- 10. Recreational Uses
  - .... Other buildings and facilities for any other public or private recreational use may not be built on the Property without the advance written permission of the Grantee.

# TLC Easement

- 107 Acres
- Original Map
- Building Envelope



# Orange County Planning

## Opinion Letter to Union Grove Farm

The following uses were approved as Agritourism by in Orange County Planning's November 2024 Opinion Letter:

- The 3-acre culinary garden with a 2,000-square foot pavilion
- Ten casitas
- The regenerative distillery
- A 2,500-seat amphitheater
- The Center for Regenerative Agriculture

# Orange County Planning

## Opinion Letter to Union Grove Farm

The following use was NOT approved as Agritourism by Planning. Rezoning is required to one of two Conditional Districts:

- **The farm stay center with forty rooms** with overnight accommodations, a 70-seat restaurant, an outdoor pool and bar, and a 1,000 square foot event space.

# Union Grove Master Plan (Original)

Map is not to scale



# 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

SITE PLAN  
SCALE: 1" = 100'  
NOTE: ALL DIMENSIONS ARE COORDINATE APPROXIMATE. REFER TO PLAN OF SURVEY AND TOPOGRAPHICAL SURVEY FOR ADDITIONAL INFORMATION.



JOSEPH  
TROJANSKI ARCHITECT  
PC  
ARCHITECTURAL  
DESIGN  
2025.05.01 10:00 AM



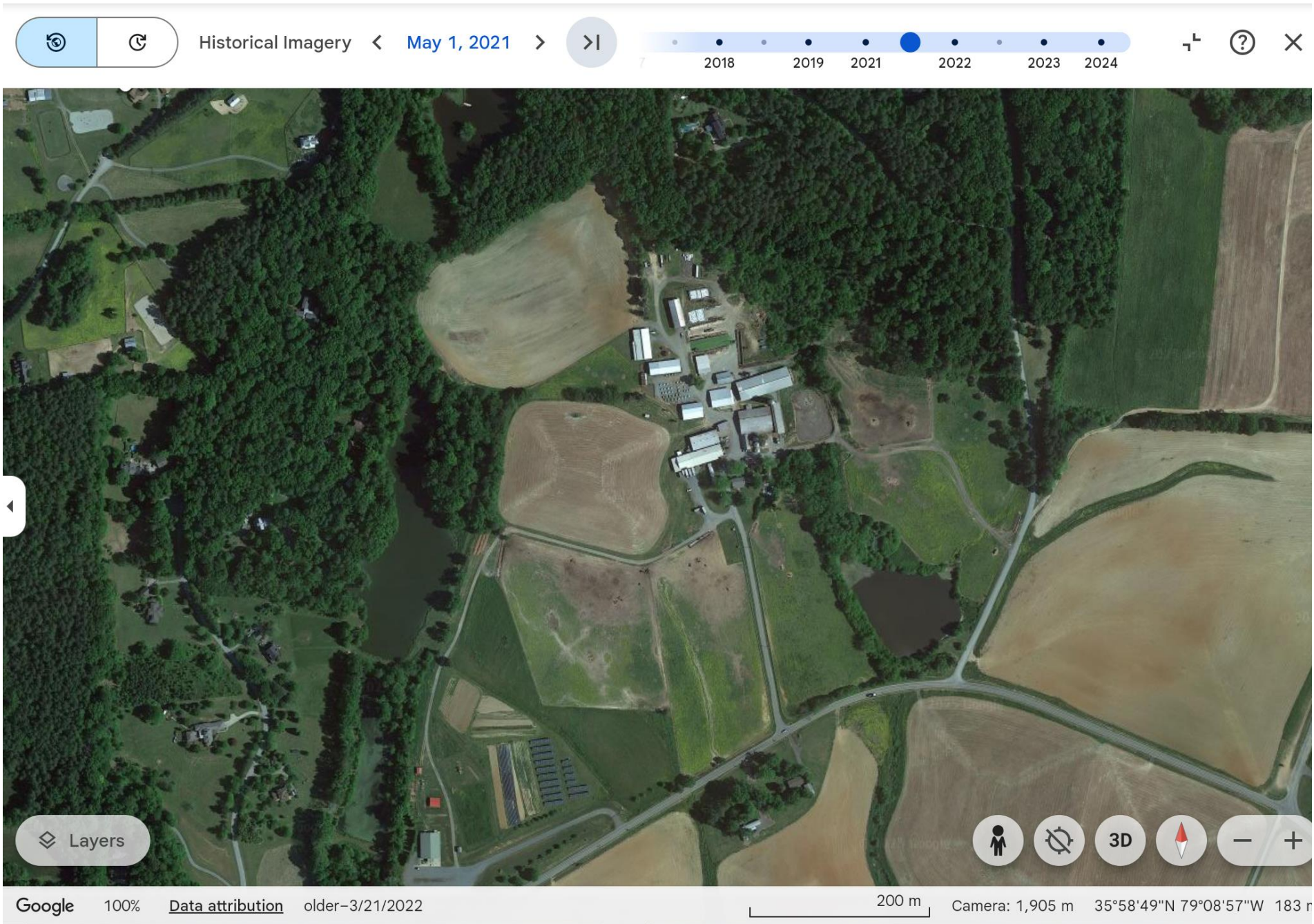
NEW SINGLE FAMILY RESIDENCE  
7412 KENNEDY DRIVE  
CHAPEL HILL, NC



PREPARED DATE  
PLAN

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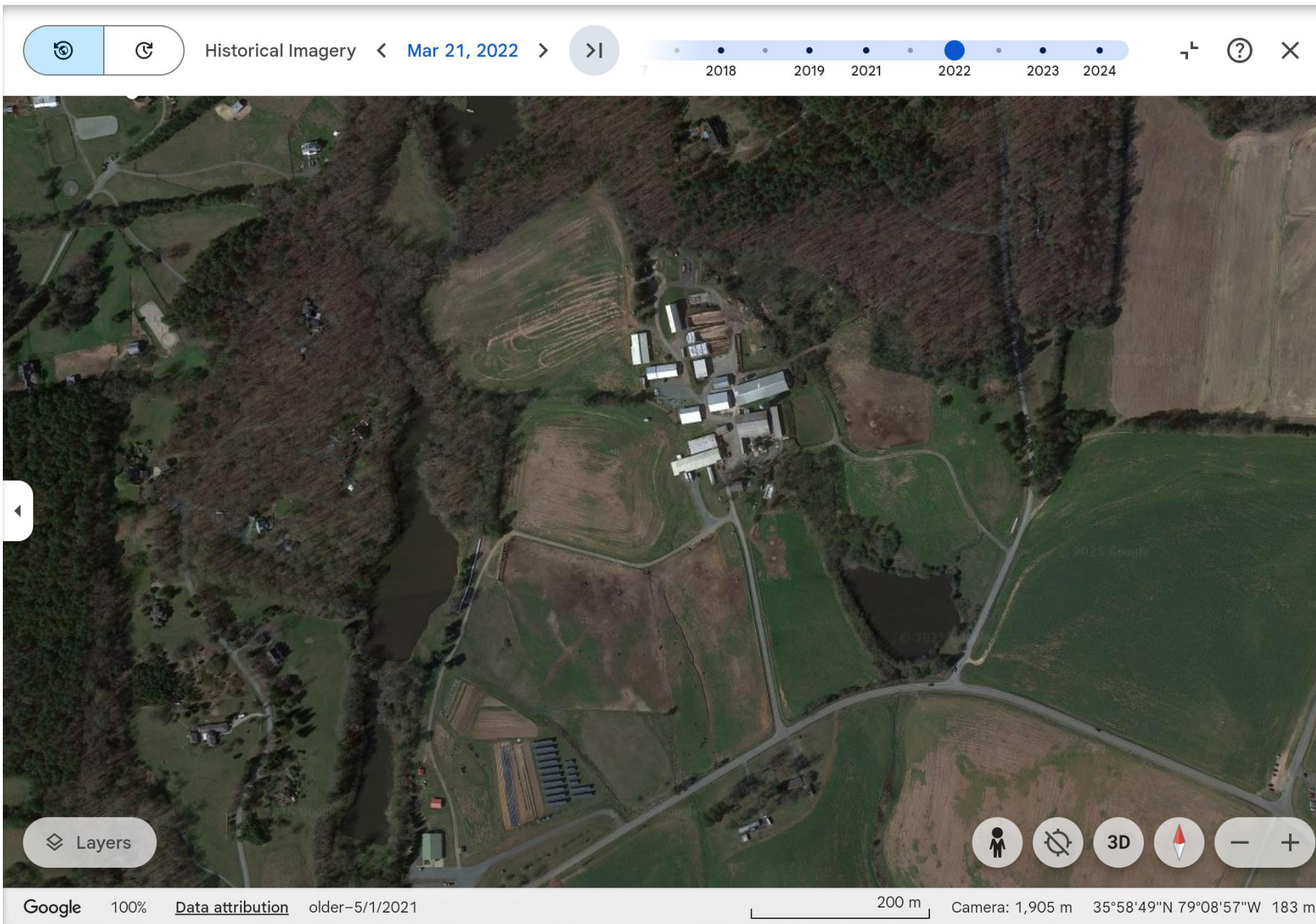


## Maple View Farm to Union Grove Farm

### Historical Views

- **Google Earth View**
- **May 2021**
- **Ownership:**
  - **Maple View Farm**



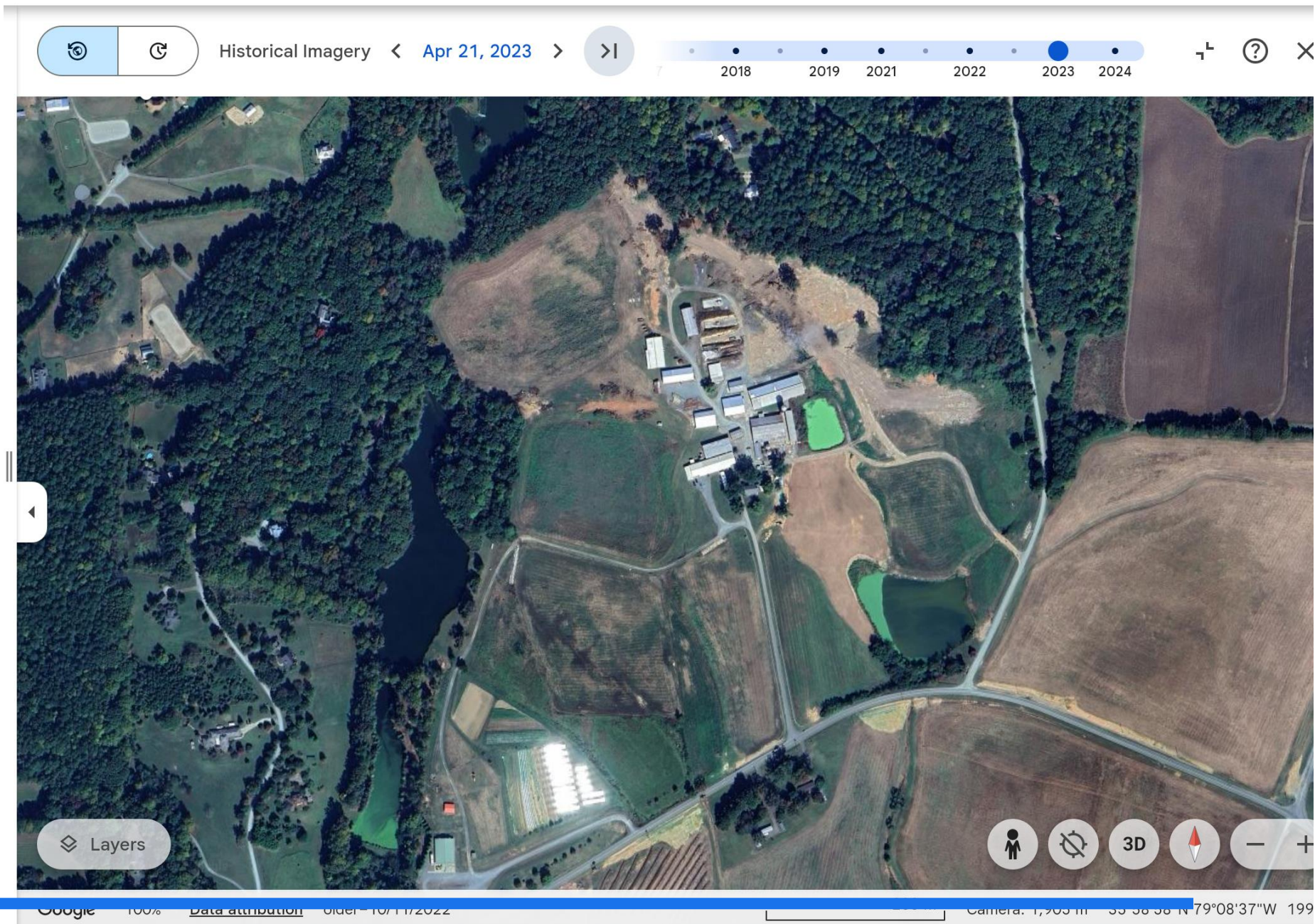


## Maple View Farm to Union Grove Farm

### Historical Views

- **Google Earth View**
- **March 2022**
- (Most deed transfers in this area {TLC Easement area} occurred in May 2022 or later)
- **Ownership:**
  - **Maple View Farm**



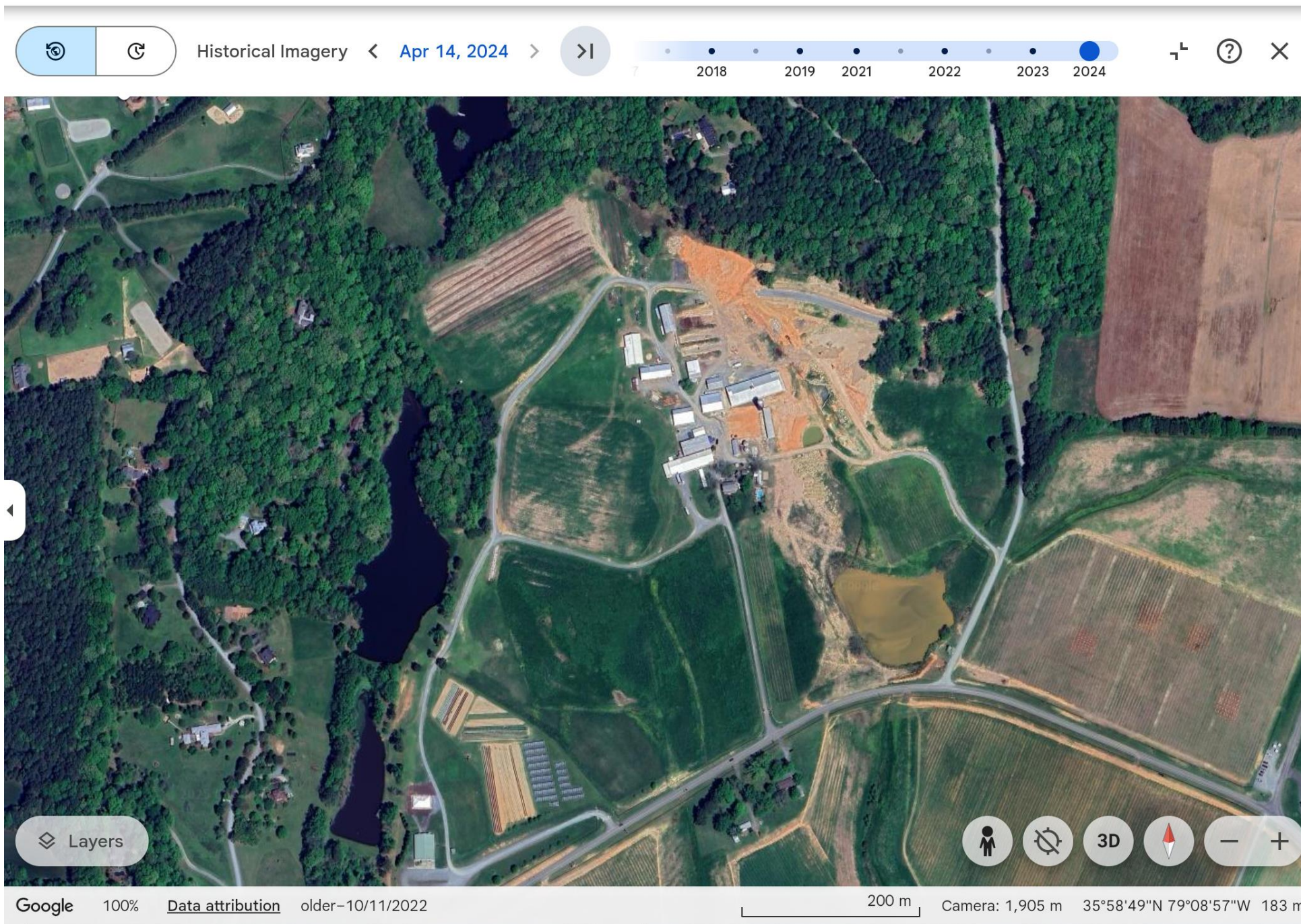


# Maple View Farm to Union Grove Farm

## Historical Views

- **Google Earth View**
- **April 2023**
- **Ownership:**
  - **Union Grove Farm**





## Maple View Farm to Union Grove Farm

### Historical Views

- **Google Earth View**
- **April 2024**
- **Ownership:**
  - **Union Grove Farm**





# Maple View Farm to Union Grove Farm

## Historical Views

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

# Board of Adjustment Hearing

- Three neighbors of Union Grove Farm, and the Triangle Land Conservancy, have filed a request for a hearing with the Orange County Board of Adjustment.
- The petitioners object to the county's opinion that the proposed 2500-seat amphitheater use is agritourism and exempt from Orange County zoning. They seek and expect the Rural Buffer Zoning District requirements to be implemented and enforced as the law allows and requires.
- Petitioners and their many supporters in the surrounding community also support the efforts by the Triangle Land Conservancy to address violations of its conservation easement and protect the conservation values of the farm for the public interest.

# Board of Adjustment Hearing

## Triangle Land Conservancy

- TLC is objecting to the agritourism opinion in the Board of Adjustment hearing, however, their defense of the easement outside of the hearing 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.



# Board of Adjustment Hearing

- Date: To Be Determined – June 11<sup>th</sup> postponed
- Time: 7:00pm
- Location: Whitted Building, 300 W. Tryon St., Hillsborough
- Hearings in front of the Board of Adjustment 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!

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As mentioned, we cannot speak.

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Attending to show your support is really important.

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

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Please wear **LIME GREEN** so we can show a cohesive group support.

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

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# Please Welcome

- **Jane Saiers**
  - RambleRill Farm
- **Derb Carter**
  - Meadow View Neighbor
  - Attorney
  - Southern Environmental Law Center



# Keep an eye on the website

A screenshot of a website header. It features a dark green horizontal bar with white text. The text reads 'Defend the Maple View Legacy' in a large, bold, serif font, and 'Respect the Local Community and Rural Orange County' in a smaller, bold, serif font below it. The bar is flanked by light gray vertical bars on both sides. Below the green bar is a white horizontal bar containing navigation links: 'Home', 'Details & Documents', 'Press Releases', 'GoFundMe Donations', and 'Contact Us'.

**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

- 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 the county 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.



# For the Future

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What are important:

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**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)

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

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**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)

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

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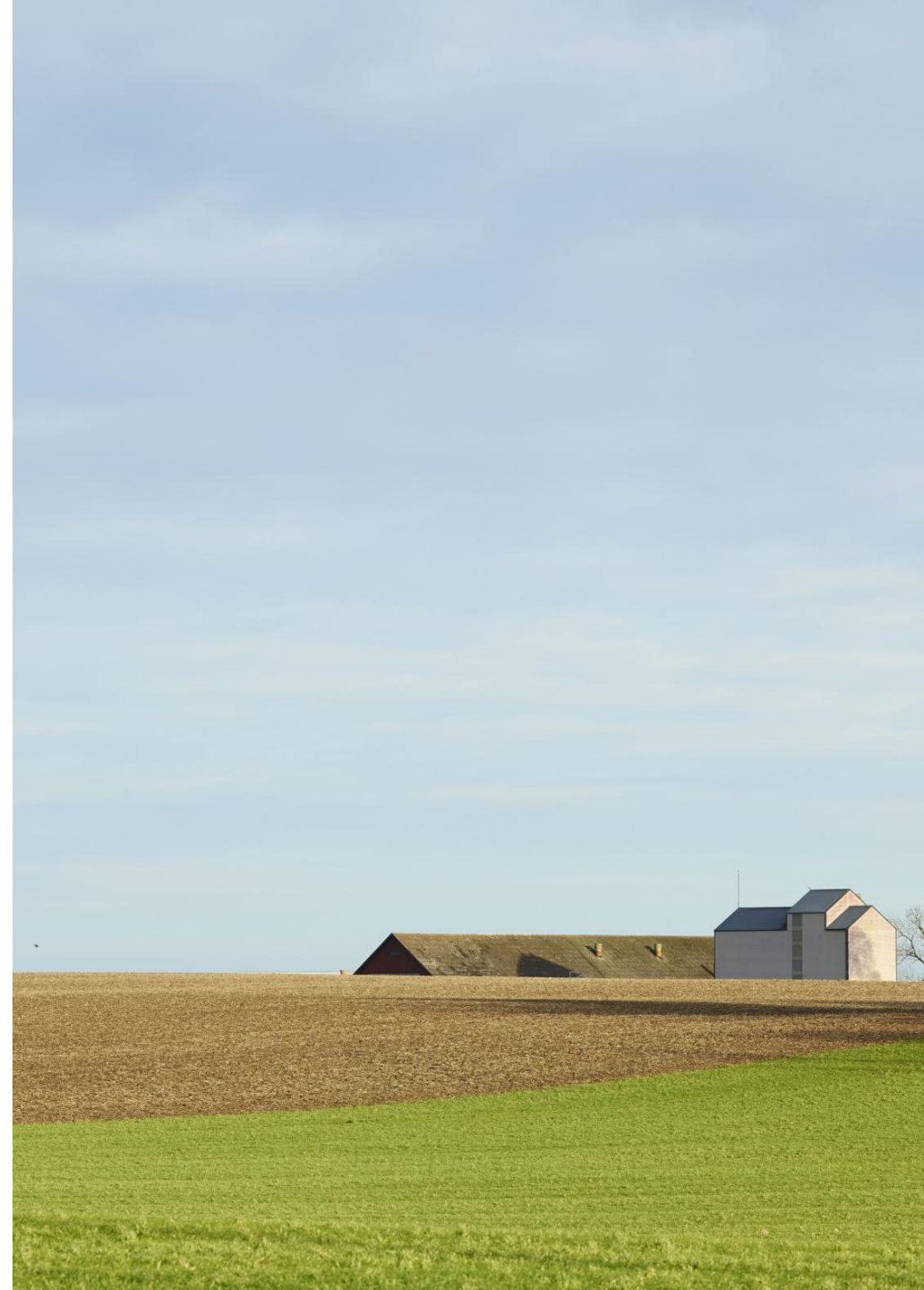
**Safety** (rural roads cannot handle 100s – 1,000s of cars at one time. There is no DOT review required for Farm Exempt properties, and typically no building or fire inspections either).

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# 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.

The Rural Buffer is a low-density area consisting of single-family homes on large lots having a minimum size of 2 acres. The Rural Buffer **...is rural in character** and will not require urban services and is expected to contain **low density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses...**







# 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.

# The Maple View Community

## Action Items

- Please attend the Board of Adjustment hearing when scheduled. We will keep you updated on its upcoming date.
  - 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.
  - 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.
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# Damaged Signs



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Here is what is happening to  
our signs

# The Maple View Community



- Thank you for coming this evening.
- 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](http://www.defendmapleviewcommunity.com/gofundme)
- We look forward to seeing you at the hearing - TBD.

