

# TOWN OF CARRBORO

NORTH CAROLINA



March 12, 2002

Capkov Ventures  
PO Box 16815  
Chapel Hill, NC 27516  
Attention: Eric Chupp

Re: CUP Modification for Proposed Changes to Recreational Amenities at The Cedars at Bolin Forest

Dear Eric,

The Town of Carrboro Zoning Division has reviewed the information you submitted to our office on March 1, 2002, regarding the proposed new recreational amenities at The Cedars. The Cedars is located at 1500 North Greensboro Road and is further identified as Orange County Tax Map Number 7.167..39. Regarding the proposed modifications, the Zoning Division offers the following comments:

1. The proposed modification consists of reassigning the types of and amounts of recreational amenities provided within the subdivision. Per our discussion this past November 2001, the Zoning Division notes that you have exhibited 'unanimous approval,' with the exception of one discrepancy (described below under #2). Per our discussion, and on the assumption that you will correct the discrepancy, the Zoning Division will consider the proposed changes an Insignificant Deviation to the existing Conditional Use Permit (CUP) #1583/528 (issued 5/15/97) per Section 15-64 (a) of the Town of Carrboro Land Use Ordinance (LUO). As a result, the change can be 'approved' at the staff level and will not have to be approved by the Board of Aldermen. After satisfying all requests made by this office, the revised site plan will be stamped 'approved' and filed in our office. For clarification, I wish to restate and summarize our discussion in November 2001. The Zoning Division is in agreement that it will be acceptable to process the changes as an Insignificant Deviation pursuant to everyone living in the development being 'on-board' in regard to the items slated to replace the originally-approved amenities. To that end, the Zoning Division expects that you will inform us of any changes to the 'unanimous approval' exhibited in the ballots submitted to our office on March 1, 2002;
2. The Zoning Division has identified a slight discrepancy in the ballots you submitted. Please note that the individual who completed the ballot for 219 Stable Road checked 'original recreation plan.' The Zoning Division checked the tally sheet you submitted and found that said address was tallied as a vote for the 'alternative recreation plan.' Given our communication, the Zoning Division might assume that this individual accidentally checked 'original,' when he/she intended to check 'alternative.' That said, the Zoning Division hereby requests clarification and a new ballot correcting the discrepancy, assuming this individual is willing to sign off in favor of the alternative plan;

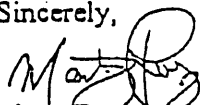
*Proposed CUP Modification for Changes to the Proposed Recreational Amenities at The Cedars*  
March 12, 2002

Page 2 of 2

3. Additionally, the Zoning Division requests that you submit two (2) full-size copies of the revised plans drawn to scale (plus any sets you wish to retain). The plans should reflect the changes by showing the exact location(s) where you propose to locate the new amenities. Also, the Zoning Division has noted that you submitted information in February 2001 regarding a slight change to the location of two gazebos on the property. Please include the "final" location of the two gazebos on this plan too. Lastly, the cover sheet should include the new recreational amenities calculations as described in your letter dated February 19, 2002. Once all requests are satisfied, the Zoning Division will stamp the new plans 'approved,' and they will replace the plans currently on file in the Zoning Division office. Please note that the 'new' location(s) cannot be within any setback, easement, or other significant feature;
4. The proposed 16' x 16' garden structure will be considered an even exchange for the following items as listed in your letter dated February 19, 2002: (2) trash cans, (3) grills, (1) 16' x 24' picnic shelter, (3) picnic tables, (1) horse shoe pit, (1) water spigot, (600) lf of 5' trail along Bolin Creek Drive.
5. You also will need to contact Mike Canova, Chief Building Inspector, at 918-7336 regarding obtaining a building permit for the garden building.

The Zoning Division is providing this letter in response to the information you submitted to our office on March 1, 2002. Please address all the aforementioned comments before resubmitting the plans. Please note that the Zoning Division may have additional and/or slightly different comments once additional clarifying information is received. If you have any questions, please feel free to contact me at 918-7333.

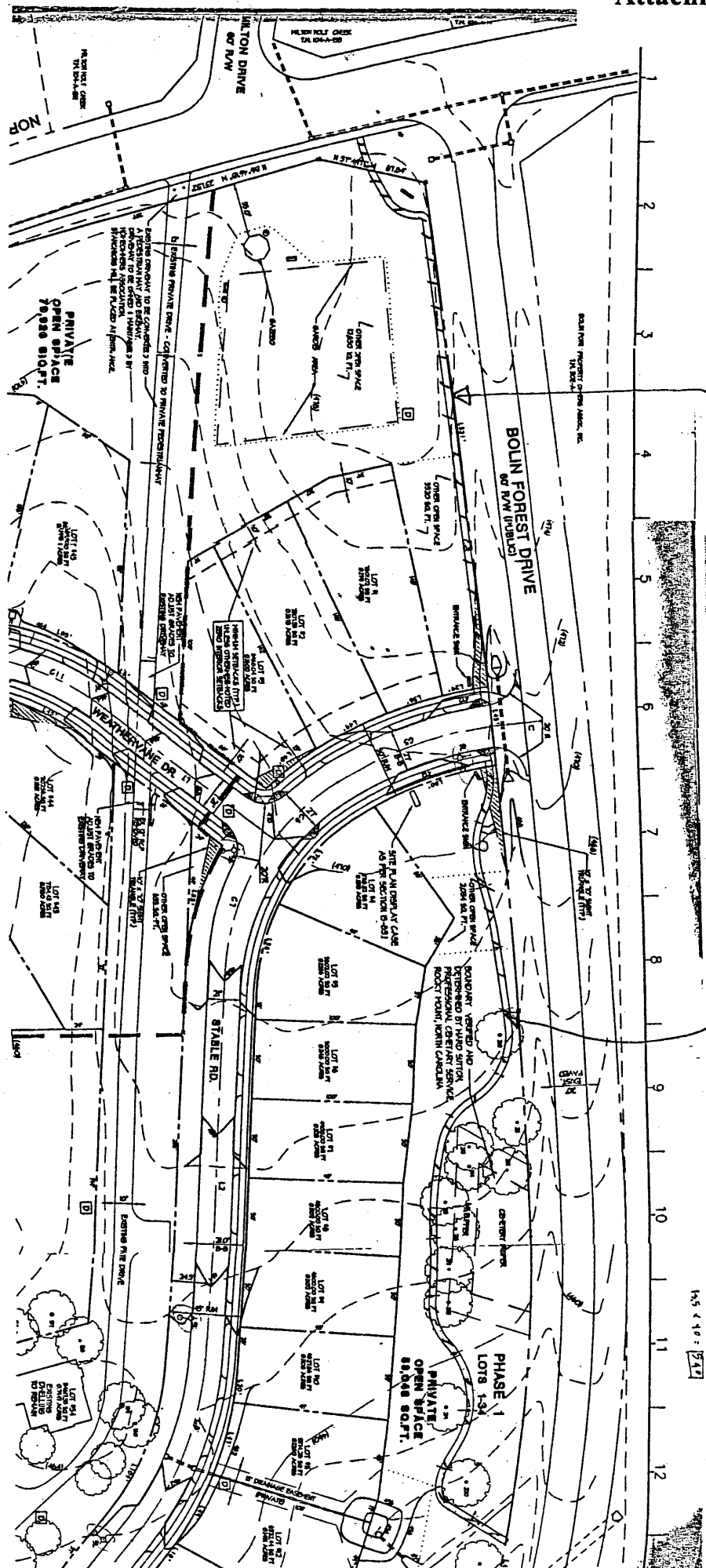
Sincerely,

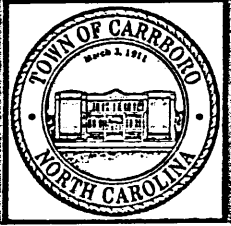


Mary Rouse

Interim Development Review Administrator

cc: Project File





# TOWN OF CARRBORO

## PUBLIC WORKS DEPARTMENT

### MEMORANDUM

**TO:** Marty Roupe, *Zoning Administrator*  
**FROM:** M. Chris Peterson, *Public Works Director*  
**DATE:** Monday, April 21, 2003  
**CC:** David Poythress, *Street Superintendent*  
**RE:** Cedars/ Sidewalk Information Comments & Remarks

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- Public Works is opposed to a five-foot sidewalk being constructed next to a three-foot planting strip between the edge of pavement and the existing swale along Bolin Forest, because the remaining three-foot grass strip becomes a maintenance problem for the neighborhood and for the Public Works Department.
- Public Works can perform the work on a project of this type for approximately 60% of the cost that the average private contractor would charge. The difference is that a private contractor can probably construct a sidewalk within the Bolin Forest Road right of way within 45-60 days after the bid is let. The Public Works Department's project construction schedule is currently filled-up through November of this year. Also, when Public Works' crews begin a construction project it more often takes a considerably longer period of time to complete the work, due to other daily maintenance issues that arise that then become top priority over the construction project in which we are involved. We have a total of only nine persons assigned to addressing all the aspects of street related issues on a daily basis throughout the Town, which also includes any construction projects that the Town undertakes.

The cheapest sidewalk in this area would end up being the most expensive and hardest to maintain. The raised five-foot concrete sidewalk abutting the edge of pavement is the best application along this portion of Bolin Forest Road given that this street has a drainage swale storm water drainage system and no curb and gutter.

## Attachment D

February 19, 2003

Mr. Marty Roupe  
Development Review Administrator  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

Re: Cost Estimate for Sidewalk along Bolin Forest Drive from North Greensboro Street to Stable Drive

Dear Marty;

Per your request we have evaluated the costs associated with installation of sidewalk along Bolin Forest Drive from North Greensboro Street to Stable Drive. We have evaluated two scenarios for cost estimates as outlined below:

### Installation of the sidewalk within the existing public right-of-way

Under this scenario, curb and gutter and associated storm drainage would be installed along the existing edge of pavement of Bolin Forest Drive and a 5 foot sidewalk would be added. The existing shoulder and ditch section would be removed.

Curb and gutter	350 feet	\$15.00/foot	\$5,250.00
Sidewalk Construction	350 feet	\$12.00/foot	\$4,200.00
Storm Drainage Structures	2	\$2,000 ea.	\$4,000.00
15" RCP	175 feet	\$20.00/foot	\$3,500.00
Grading			\$2,000.00
S & E			\$ 500.00
Seeding			<u>\$ 500.00</u>
Total			\$19,500.00



# Sungate Design Group, P.A.

ENGINEERING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL

915 Jones Franklin Road • Raleigh, NC 27606 • Phone 919.859.2243 • Fax 919.859.6258

March 12, 2003

Mr. Marty Roupe  
Development Review Administrator  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

Re: Cost Estimate for Sidewalk along Bolin Forest Drive from North Greensboro Street to Stable Drive

Dear Marty;

Per your request and after conversation with Chris Peterson we have evaluated the costs associated with installation of an integral pour sidewalk and curb along Bolin Forest Drive from North Greensboro Street to Stable Drive. The cost estimate is outlined below:

**Installation of integral pour sidewalk and curb within the existing public right-of-way**

Under this scenario, an integral sidewalk/curb and associated storm drainage would be installed along the existing edge of pavement of Bolin Forest Drive. The existing shoulder and ditch section would be removed.

Sidewalk/curb Construction	350 feet	\$20.00/foot	\$ 7,000.00
Storm Drainage Structures	2	\$2,000 ea.	\$ 4,000.00
15" RCP	175 feet	\$20.00/foot	\$ 3,500.00
Grading			\$ 1,500.00
S & E			\$ 500.00
Seeding			\$ 500.00
Total			\$17,000.00

This estimate assumes that there is sufficient right-of-way to construct the proposed sidewalk.

I hope that this information is acceptable to you. If you have questions or need further information, please contact me.

Sincerely,



W. Henry Wells, Jr., PE  
Town Engineer

May 20, 2003

Mr. Marty Roupe  
Development Review Administrator  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

Re: Cost Estimate for Sidewalk along Bolin Forest Drive from North Greensboro Street to Stable Drive

Dear Marty;

Per your request we have evaluated the costs associated construction of a sidewalk along Bolin Forest Drive from North Greensboro Street to Stable Drive in accordance with the LID Street standard approved by the BOA. The estimate is extremely preliminary in nature and was made based on a brief field reconnaissance and available plans for Bolin Forest Development. No field surveying was done and no plans were prepared in association with the estimate. The cost estimate is outlined below:

**Installation of LID typical roadway section with sidewalk**

Under this scenario, a sidewalk and shoulder section in accordance with the approved LID typical roadway section would be installed along the existing edge of pavement of Bolin Forest Drive. This includes widening the existing pavement on the east side by three feet and installation of a grade beam. The existing shoulder and ditch section would be reconstructed.

Sidewalk Construction	350 feet	\$16.00/foot	\$ 5,600.00
Grade Beam	350 feet	\$25.00/foot	\$ 8,750.00
Asphalt Paving & ABC	350 feet	\$ 6.00/foot	\$ 2,100.00
Grading			\$ 3,500.00
S & E			\$ 500.00
Seeding			<u>\$ 1,000.00</u>
Total			\$ 21,450.00

This section cannot be constructed in the existing right-of-way. The required right-of-way on each side of center line is 36.5 feet. The existing right-of-way is 30 feet. Additional construction easement may also be required in order to tie the proposed section into natural ground. The cost of this additional easement/right-of-way or mobilization is not included in the estimate.

I hope that this information is acceptable to you. If you have questions or need further information, please contact me.

Sincerely,

W. Henry Wells, Jr., PE  
Town Engineer

**Bolin Forest Phase II  
Homeowners' Association**

102 Millrock Court  
Carrboro, NC 27510

April 28, 2003

Martin Roupe  
Planning/Zoning Development Specialist  
301 West Main Street  
Carrboro, NC 27510

Dear Marty,

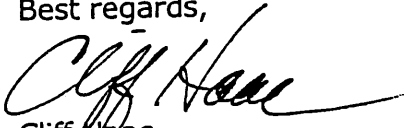
Thank you for your recent letter concerning updates regarding the proposed Bolin Forest Drive sidewalk.

Exactly one year ago, a letter was written to Bob Morgan requesting that the Town of Carrboro exert permitting authority to see to it that Kovens Construction honor a condition of their Conditional Use Permit for The Cedars and construct a pedestrian pathway (of a "surface compatible with bicycle and wheelchair traffic") from Stable Drive to Greensboro.

365 days have passed and despite a lot of conversation, nothing has happened. Bob Morgan's proposal, to move a sidewalk (which had been approved in the Conditional Use Permit) from one side of a drainage ditch to the other was agreed to by all parties. Somehow the Town staff has found that move to require \$13,000-\$15,000 of additional improvements. Given your most recent cost estimates, it does not appear that Kovens nor the town are willing to proceed with a concrete sidewalk, and it is highly unlikely, as well, that Bolin Forest HOA's will be able to financially participate at the proposed levels.

We have complied with the Aldermen's request that we meet with members of The Cedars Home Owner's Association and Town Officials. Between us we came to a consensus on a 'best solution' but find ourselves coming full-circle. The original question remains: What is Kovens going to do to honor its CUP and obligation to the citizens of Carrboro?

Best regards,



Cliff Haac

Secretary, Bolin Forest II HOA

Cc: Michael Nelson, Mayor  
Jacquelyn Gist  
Joal Hall Broun  
Diana McDuffee  
Alex Zaffron, Mayor Pro Tem  
Mark Dorosin  
John Herrera

To: Martin Roupe, Planning/Zoning Development Specialist, Town of  
Carrboro

From: Mark Botts, President, Cedars HOA  
108 Weathervane Drive, 929-4951

Date: June 4, 2003

Subject: Sidewalk Construction Along Bolin Forest Drive

Thank you for meeting with Donald Esterling, who conveyed the sentiments of The Cedars Home Owners Association (HOA) that we are not prepared, at this juncture, to provide any additional funding to the construction of a sidewalk along Bolin Forest Drive, beyond the funding being provided by Kovens Construction on behalf of The Cedars. This letter provides written confirmation of this, per your request to Mr. Esterling.

Should you have further questions please be in touch.

**Martin Roupe**

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**From:** Donald Esterling [don@vulcancraft.com]  
**Sent:** Thursday, June 12, 2003 10:36 AM  
**To:** Martin Roupe  
**Cc:** Mark Botts  
**Subject:** Bolin Forest Drive Trail/Sidewalk

I understand that the Town Aldermen will be considering the Bolin Forest sidewalk/Cedars Trail issue this next week, hopefully finally resolving this modest but long standing issue.

I would like to weigh in as a resident of The Cedars and as one who has been involved in the issue for some time.

1. No one seems to want the trail. The Cedars was held to an exceptional standard by the requirement that we provide a unanimous written vote on this (with no abstentions, all owners responding). Our unanimous verdict was simple: We do not want the trail as an 'amenity.' The reasons have been previously stated (destruction of trees and long standing shrubs including several stands of wild roses; passage near an ante-bellum cemetery, with both white and slave graves with increased visibility and potential vandalism; trail "from nowhere to nowhere" and so on).

In an e-mail copied as an attachment to your e-mail of April 21, 2003 to The Cedars HOA, various residents of the Bolin Forest HOA expressed their opinion that a trail from the burial plots to Stable Road would be of no interest or value to them as well (Bob Ross spends 3 paragraphs stating this).

2. In contrast to the unanimous vote by residents of The Cedars, it appears that there has been less than full participation in this matter by residents of Bolin Forest. Several residents, asked at random, had no idea of what was going on. If Bolin Forest residents wish to reverse the matter of the "burial plot to Stable Road" trail, I suggest they be held to the same standard of a unanimous written vote, an unlikely event.

3. I have spoken with Eric Chupp and Scott Kovens and have a suggestion on how to resolve this matter to everyone's satisfaction. Kovens has told me that they are amenable to putting the cash equivalent of the cost of the trail into a general Town recreation fund, preferably for purchase of much needed equipment at nearby Wilson Park. This seems to me an outcome where everyone is satisfied and the Town as a whole gains from the Cedars CUP.

Donald Esterling  
201 Stable Road  
942 2757 (office)  
942 0423 (home)

cc: Mr. Mark Botts, President, The Cedars HOA

# Capkov Ventures

Developing Homes And Communities Since 1954, In Chapel Hill Since 1972.



a Kovens Company

June 5, 2003

Martin A. Roupe  
Town of Carrboro Zoning Division  
Planner/Zoning Development Specialist  
301 West Main Street  
Carrboro, NC 27510

Dear Martin A. Roupe:

In response to your letter of April 18, 2003, Capkov Ventures Inc. will stand behind its previous offer to pay for half of the cost of a five foot sidewalk running between Stable Road and North Greensboro Street at the industry standard of twelve dollars per foot. If the sidewalk were separated from the existing roadway by a three foot green strip, it would be an attractive and economical way to address the concerns of the residents in the Bolin Forest community. Alternatively, we can go back to the original conditional use permit requirement to install a nature trail parallel to Bolin Forest Drive as originally proposed by Capkov Ventures and approved by the Board of Alderman.

In response to Mr. Bob Ross' letter and the statements from the Haac Family, I think it is relevant to refresh the Board's memory of the Cedars development proposal and what was included.

The Cedars property as well as the rest of Bolin Forest was all part of the master planned community that was designed in the 1980s to be constructed on the Webb Estate. The Cedars is the last phase of the master plan and included the old homestead, pond and gardens of the estate.

The Cedars was innovative in many ways when it was approved back in 1997 and few have followed in its footsteps. Example of things that set the Cedars apart include:

- It was the first community subject to then section 15-198 of the development ordinance which required 40% of the site to be dedicated open space. Capkov provided over 50% open space preserving the old homestead, surrounding grounds, pond, chicken coupe, and even dismantled the old barn for reassembly by a collector.
- The number of recreation points required by the ordinance was 509 Capkov provided 516 points. Not only did we exceed the required number of points we

developed creative amenities that would be used by the residents and foster community interaction. Things like a community garden, a trail system with pedestrian bridges through the old Webb Estate and around the pond; a classic barn with Cupola; teck benches; a custom playground with the highest quality fixtures; a swing set made using post & beam construction that was designed to allow you to swing high by using twelve foot post as opposed to the more typical eight foot post. All of the little things the high quality fixtures, the higher swings, the best grade sand in the sandbox, were all things that were not required but which Capkov did because it was the right thing to do.

- The landscaping was substantially upgraded by planting street trees both along Bolin Forest Drive and internal to the site were typically twice the size required by the conditional use plan.
- At additional expense but for the betterment of the Cedars residents, we laid two coats of asphalt, the last being laid after the construction was substantially completed. This left the community with a fresh look as we prepared to depart. Keep in mind this was not for sales purposes or profit, but simply because we felt it was the right thing to do the homes had already been sold.
- Over 90 homes and townhouses were first approved for the site, but we only built 48 homes.
- No house in the Cedars backs up to another and much of the roadway only has homes on one side of the street. All the while this gives each homeowner a greater sense of privacy; it is not an efficient way to develop from a cost standpoint. If getting out of this community cheaply was even a remote consideration, the roadway would be shorter and homes would line both sides of every street as most communities in Carrboro do.

These are only a few of the areas that Capkov went the extra mile in developing the Cedars community. The benefits to such construction accrue to the residents in the Cedars who have experienced quick sales and extraordinary capital appreciation rates. Where homes at the Cedars were selling in the low to mid \$200s, now they are selling from the low to mid \$300s on the resale market only four years later. In the letter to you from Mr. Ross, it was stated that Capkov was making a "half-hearted effort" to honor their C.U.P. and that we are seeking the "cheapest and easiest way out." This flies in the face of what all evidence supports. Just looking at what the ordinance required in terms of open space and recreation points in contract to what was provided indicates a well designed product was Capkov Venture's overriding concern.

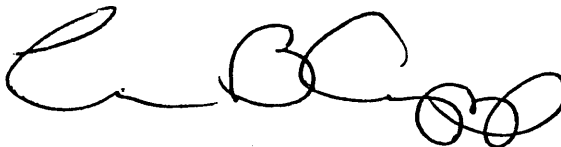
When Mr. Ross and Mr. & Mrs. Haac try to convince you that Capkov Ventures should accept this sudden responsibility of installing a sidewalk for their exclusive use you should think about what they are really asking for. The residents of the Cedars have no interest in it. They have two pedestrian orientated connections to North Greensboro Street. When we build a community like the Cedars, the cost of sidewalks and pedestrian

pathways are built into the purchase price of each home. In the case of the Cedars, every single home has a sidewalk in front of it that connects to downtown Carrboro. In the event that the Board of Alderman, the planning staff of the transportation committee, had required sidewalks we would have put them in and added the cost to the homes. To ask us seven years later to come in and so something that was not part of the approval when the cost can no longer be distributed is simply punitive and we take offense at the suggestion.

Furthermore, it is interesting to note that both Mr. Ross and Mr. Haac live in phase II of Bolin Forest where no resident has ever paid a dime for sidewalk construction like the Cedars residents have. They demand that someone else pay for the construction of 350 feet of sidewalk at the end of Bolin Forest Drive, but yet have not been subject to any fees for the thousands of feet without sidewalk in front of their own homes either from a construction cost or municipal fee standpoint. Why is a sidewalk so important for the last 350 feet of Bolin Forest Drive and not important for the roadway in front of their homes? I'll tell you why; because they have the notion that a developer is an easy target and through manipulation of town officials, they can coerce the developer in satisfy their entitlement sediments. Phase II homeowners association never ceases to surprise me. These were the folks who for the first eight years of their association would not contribute to the maintenance of the entrance signs, plantings or roadway shoulder despite the fact that all other phases I, III and IV contributed willingly as the right thing to do. Everybody drove through the same entrance, yet they thought for some reason they were exempt. As I mentioned at the beginning of this letter, Capkov Ventures will live up to what it had committed to if it is the will of the town, or it will go back to the requirements laid out in the C.U.P. The residents of the Cedars have little interest in paying for a sidewalk they won't use when they have already paid for the ones they do use.

My personal recommendation would be to put Bolin Forest in line with all the other subdivisions that don't have sidewalks and prioritize them according to how they would tie in and function with the town's overall plan for a pedestrian travel. There is no compelling reason that the Bolin Forest residents should placed in line in front of places where legitimate concerns exist. Please go and look at the area in which the walkway is being contemplated and you will find a beautifully landscaped ten to fifteen foot grassed walking area on either side of the roadway. There is in my mind no compelling need.

Regards,

A handwritten signature in black ink, appearing to read 'Eric Chupp', with a stylized, looping flourish at the end.

Eric Chupp  
Director of Development  
Capkov Ventures Inc.  
Kovens Construction Company

**Martin Roupe**

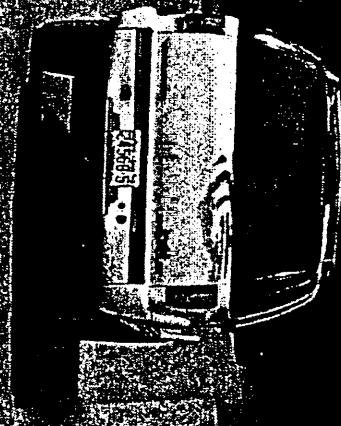
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**From:** M.C. Peterson  
**Sent:** Friday, May 30, 2003 11:34 AM  
**To:** David Poythress; Dale McKeel; Mike Brough; Martin Roupe; Roy M. Williford  
**Subject:** Bolin Forrest Rd/Cedars sidewalk

FYI. I have decided after much review and consideration to allow a five foot width by 6" thick concrete sidewalk be constructed next to the edge of the pavement at grade level on Bolin Forrest Rd from North Greensboro to the intersection of Stable Drive Rd. This is approximately 350' in length. This sidewalk will be constructed by a private contractor if the Town Board decides they want the sidewalk installed. If this sidewalk is installed, Public Works will have a solid white line placed on Bolin Forrest Rd. next to the concrete so as to delineate more clearly which area is for motor vehicles and which area is for the pedestrians. Also, I will recommend that the Town amend the Town Ordinance to specifically prohibit the parking of any motor vehicles at any time over the new sidewalk. This is not the best application for a sidewalk, but it is an application that I believe will work ok for the area considering the various options and the many issues that have been associated with this proposed sidewalk.

M. Chris Peterson  
Director of Public Works  
Town of Carrboro

ATTACHMENT "H"-2





# Sungate Design Group, P.A.

ENGINEERING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL

915 Jones Franklin Road • Raleigh, NC 27606 • Phone 919.859.2243 • Fax 919.859.6258

June 4, 2003

Mr. Marty Roupe  
Development Review Administrator  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

Re: Cost Estimate for Sidewalk along Bolin Forest Drive from North Greensboro Street  
to Stable Drive

Dear Marty;

Per your request we have evaluated the costs associated with installation of sidewalk  
along Bolin Forest Drive from North Greensboro Street to Stable Drive.

**Installation of the sidewalk adjacent to edge of pavement**

Under this scenario, a 5-foot wide reinforced concrete sidewalk would be installed  
adjacent to the edge of pavement.

Sidewalk Construction	380 feet	\$29.75/foot*	\$11,305.00
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\*Cost includes minor grading, sawcutting along existing edge of pavement, backfilling,  
and seeding

I hope that this information is acceptable to you. If you have questions or need further  
information, please contact me.

Sincerely,

W. Henry Wells, Jr., PE  
Town Engineer

**ATTACHMENT J**

**A RESOLUTION COMMITTING THE TOWN TO THE PAYMENT OF HALF THE COSTS ASSOCIATED WITH THE INSTALLATION OF A SIDEWALK AT THE EDGE OF PAVEMENT ALONG BOLIN FOREST DRIVE BETWEEN NORTH GREENSBORO STREET AND STABLE DRIVE (NOT EXPECTED TO EXCEED \$5,652.50)**

**Resolution No. 190/2002-03**

WHEREAS, the Carrboro Board of Aldermen directed the Administration to negotiate with the applicable parties regarding the installation of a trail within The Cedars subdivision subsequent to the granting of an Insignificant Deviation for the project; and

WHEREAS, the Administration has negotiated with all applicable parties regarding the installation of a sidewalk along the western side of Bolin Forest Drive between North Greensboro Street and Stable Drive; and

WHEREAS, the Board of Aldermen has determined it is appropriate to fund a portion of the installation of such sidewalk (in an amount not expected to exceed \$5,652.50) in accordance with the Town's sidewalk policy.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen approve the allocation of funds necessary to pay for half the costs associated with installing a five-foot wide at-grade sidewalk at the western edge of pavement along Bolin Forest Drive between North Greensboro Street and Stable Drive.

This is the 17<sup>th</sup> day of June 2003.

## **ATTACHMENT K**

**A RESOLUTION REQUESTING THAT THE ADMINISTRATION CONTINUE TO  
NEGOTIATE WITH RESIDENTS OF THE CEDARS SUBDIVISION IN AN EFFORT  
TO SEEK PERMISSION FROM THE RESIDENTS TO PLACE A TRAIL WITHIN  
THE CEDARS OPEN SPACE AS SHOWN ON THE APPROVED CUP PLANS FOR  
THE CEDARS SUBDIVISION PROJECT**

**Resolution No. 191/2002-03**

WHEREAS, the Carrboro Board of Aldermen granted a Conditional Use Permit for The Cedars subdivision project including a trail within the subdivision's open space alongside and near Bolin Forest Drive; and

WHEREAS, the Administration granted an Insignificant Deviation for the removal of such trail in exchange for the provision of other recreational amenities within the subdivision at the request of residents of the subdivision; and

WHEREAS, citizens of Carrboro and members of the Board of Aldermen have commented that the spirit and intent under which the Conditional Use Permit was granted included an expectation that such trail would be available for use by residents outside of The Cedars subdivision for purposes of pedestrian travel between North Greensboro Street and locations north of The Cedars subdivision.

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen directs the Administration to continue negotiating with residents of The Cedars in an effort to seek permission from such residents to allow for the construction of the subject trail in accordance with the approved Conditional Use Permit Plans and Construction Plans for the project.

This is the 17<sup>th</sup> day of June 2003.

**ATTACHMENT L**

**A RESOLUTION COMMITTING THE TOWN TO THE PAYMENT OF FUNDS  
ASSOCIATED WITH THE COSTS OF INSTALLING A SIDEWALK AT THE EDGE  
OF PAVEMENT ALONG BOLIN FOREST DRIVE BETWEEN NORTH  
GREENSBORO STREET AND STABLE DRIVE (NOT EXPECTED TO EXCEED  
\$9,205.00)**

**Resolution No. 192/2002-03**

WHEREAS, the Carrboro Board of Aldermen directed the Administration to negotiate with the applicable parties regarding the installation of a trail within The Cedars subdivision subsequent to the granting of an Insignificant Deviation for the project; and

WHEREAS, the Administration has negotiated with all applicable parties regarding the installation of a sidewalk along the western side of Bolin Forest Drive between North Greensboro Street and Stable Drive; and

WHEREAS, the Board of Aldermen has determined it is appropriate to fund a portion of the installation of such sidewalk (an amount not expected to exceed \$9,205.00).

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen approve the allocation of funds necessary (less a \$2,100.00 contribution offered by Kovens Construction Company) for the purpose of installing a five-foot wide at-grade sidewalk at the western edge of pavement along Bolin Forest Drive between North Greensboro Street and Stable Drive.

This is the 17<sup>th</sup> day of June 2003.

**A RESOLUTION REQUESTING SIDEWALK FUNDING FROM THE DURHAM-  
CHAPEL HILL-CARRBORO METROPOLITAN PLANNING ORGANIZATION**

**Resolution No. 189/2002-03**

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) provides federal Surface Transportation Program-Direct Allocation (STP-DA) funds that are administered by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization and are available on a matching basis (at 80 percent federal / 20 percent local government match); and

WHEREAS, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization has set aside \$200,000 of STP-DA funds in 2003-2004 for bicycle and pedestrian projects that are requested by local governments in the region.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen that the Town of Carrboro request that the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization allocate \$\_\_\_\_\_ in STP-DA funds for sidewalks along Bolin Forest Drive and, if approved, that these funds be matched by \$\_\_\_\_\_ from the Town of Carrboro.

This is the 17<sup>th</sup> day of June, 2003.