

BOARD OF ALDERMEN

ITEM NO. B(1)

AGENDA ITEM ABSTRACT

MEETING DATE: February 10, 2009

SUBJECT: A Report on a Request to Adopt a Resolution Supporting Connection of Homes in the Rogers Road Neighborhood to OWASA Services

DEPARTMENT: PLANNING	PUBLIC HEARING: YES ___ NO <u>X</u>
ATTACHMENTS: A. 12-02-08 letter & proposed resolution from Minister Robert Campbell B. Historic Properties Profile Sheet C. Map-OWASA Water and Sewer and Repaired Septic D. OWASA Water and Sewer Availability Report E. Resolution	FOR INFORMATION CONTACT: Roy Williford 918-7325

PURPOSE

The purpose of this item is to provide the Board of Aldermen with requested information in response to a December 2, 2008 letter and accompanying resolution presented by Minister Robert L. Campbell and Tracy Coleman representing the Rogers-Eubanks Neighborhood Association (RENA) and the Rogers-Eubanks Coalition to End Environmental Racism (CEER).

INFORMATION

There are 172 lots within an area known as the Historic Rogers Road Community. Within this area on the east side of Rogers Road there are 127 lots in the Town of Chapel Hill's jurisdiction. On the west side of Rogers Road there are 45 lots of which 42 are located in the Town of Carrboro, 2 within Carrboro's Joint Planning Transition Area and 1 (Duke Forest property) within the Joint Planning Rural Buffer.

The Town of Chapel Hill like Carrboro received a similar letter and petition from Minister Robert L. Campbell dated December 8, 2008 and referred the item to the March Assembly of Government's meeting. As the Council discussed the idea of the referral, they were updated on the status of the work of Chapel Hill's Roger's Road Small Area Plan Task Force. Chapel Hill has not considered this as an agenda item.

Historic Homes

The Board at their December 2, 2008 meeting requested the staff to determine which homes in the Historic Rogers Road Community are considered historic. Ms. Christina Moon, Cultural Resources Specialists with the Orange County Environment and Resources Conservation Department was contacted and in response provided the following information on the historic and cultural resources within the Historic Rogers Road Community (see Attachment B for a profile sheet on each property the Old Farm [OR-430] is in Carrboro's Planning area and the Lloyd Rogers House [OR-431] is in Chapel Hill's Planning area):

...There are two properties in our historic resources inventory that are located within the "Historic Rogers Road Community" outlined in black on the two OWASA maps. One of the properties (OR 430) is simply identified as "farm." It contains a well-preserved log house and a few outbuildings. This property, located on Leak Lane, appears to be outside of the focus area for the design work per the Chapel Hill "Rogers Road Study Area" outlined in the red dotted line. The second property (OR 431) is the Lloyd-Rogers House—the two-story house on the AME Church property--which is mentioned throughout the report as a possible cultural site. For some reason, the Lloyd-Rogers House seems to become increasingly historic as the report goes on; the circa 1850s date is more on target than the 1700s date. The report also speaks to a log house at the end of Edgar Street. This house was not recorded in our countywide survey, although it probably should have been. (Consultants sometimes miss houses that are not visible from the road.) Based on the photos in the report and my drive-by yesterday morning, the 1930s date of construction seems on target.

Countywide surveys are designed to identify and record buildings that appear to be 50 years or older, or of particular historic or architectural significance. There may be other buildings that the neighborhood considers important that were not included in the survey, because the building did not appear to meet the standard criteria. Neither of the two properties identified in the focus area for the design work are listed in the National Register of Historic Places, nor the state study list. I have not been in the Lloyd-Rogers House. The exterior has clearly been updated, I don't know about the interior. I suspect that it has lost too much architectural integrity to be eligible for the Register at this point. When I drove by, it looked like something had happened to the back of the house—either a plywood window covering removed or the back shed section of the house removed because I could see through a front window-straight out to the back.

The County conducted a cultural resources (archaeology) survey for the Greene Tract back in 2000. The survey uncovered two historic sites, two prehistoric sites, and four "isolated finds." The consultants determined that the two historic sites were potentially eligible for the National Register of Historic Places and warranted further research before potentially disturbing land use activity occurred. All of the design teams showed a road cutting through the Greene Tract at a diagonal to connect Purefoy Road to parts east. These roads appear to avoid the two sites, but it would be a good idea to examine this area more closely as work on a potential small area plan goes forward...

Water and/or Wastewater Facilities

The Board at their December 2, 2008 meeting requested the staff to determine which homes in the Historic Rogers Road Community are having water and /or wastewater problems. The Orange County Health Department provided a listing of the most current well and septic information for properties within the historic Rogers Road Community and nearby neighborhoods. The following table lists properties in the vicinity of Rogers Road that have experienced septic problems in the past:

SITEADDRESS	Reported Septic Problems	Septic Notes	Jurisdiction	Rogers Historic Community
6002 MEADOW RUN CT	Y	Repaired in 2006	Carrboro	Yes
6012 MEADOW RUN CT	Y	Repaired in 2006	Carrboro	Yes
1215 TALLYHO TRL	Y	Repaired 06/1999	Carrboro	No
1223 TALLYHO TRL	Y	Repaired 06/2007	Carrboro	No
1315 TALLYHO TRL	Y	Repaired 06/2002	Carrboro	No
1319 TALLYHO TRL	Y	Repaired 02/1991	Carrboro	No
1403 TALLYHO TRL	Y	Repaired 07/2006	Carrboro	No
1415 TALLYHO TRL	Y	Repaired 02/2007	Carrboro	No
1121 TALLYHO TRL	Y	Broken pipe repaired 2002	Carrboro	No
SITEADDRESS	Reported Septic Problems	Septic Notes	Jurisdiction	Rogers Historic Community
7712 ROGERS RD	Y	Repair Permit Issued 7/30/08	Chapel Hill	Yes
7622 ROGERS RD	Y	Repair Permit Issued 8/1/07	Chapel Hill	Yes
1708 RUSCH RD	Y	NOV Issued for tank abandonment	Chapel Hill	Yes
1711 PUREFOY DR	Y	System Failure - connected to OWASA	Chapel Hill	Yes
1715 PUREFOY DR	Y	System Failure - connected to OWASA	Chapel Hill	Yes

In summary, all septic systems in and around the Historic Rogers Road Community are functioning properly with 11 being repaired and 2 failures connected to public sewer since 1991. Half of the properties that have reported septic problems are within the Historic Rogers Road Community with the remaining half located in the Fox Meadow Subdivision. One property owner received a notice of violation for not removing the septic tank as required after connecting to the public sewer system.

In response to residents of the Rogers Road community, the Orange County Board of Commissioners appropriated in FY 2000-01 a total of \$675,000 from the Solid Waste/ Landfill Operations Fund to finance the installation of water mains in the Rogers Road Community. OWASA managed the construction of the water lines under an agreement with the county and construction was completed in December 2001. On February 5th of 2002, the Orange County Board of Commissioners approved funding (\$156,000) for a grant program to assist households with incomes below 80% of the median income to cover the cost for connecting to the waterline including OWASA availability fees, water meters and water laterals from the meter to the house. This assistance was made available to property owners who submitted required application materials prior to December 31st 2004 and met the income and other requirements of the program. As a result of these programs, a water distribution system was constructed with the capability of serving the entire Rogers Road Neighborhood and about half or 45 of the 90 property owners in the neighborhood applied for waterline connection assistance with about 30 obtaining assistance from the county. Fifteen properties within Carrboro have connected to the

Rogers Road waterline including two outside of the Rogers Road neighborhood (one in Fox Meadow and one in Meadow Run) leaving eight housing structures in Carrboro along Rogers Road that are not connected to the OWASA water system. According to a recent OWASA water and sewer availability report (Attachment C) water is available to 107 lots within the Rogers Road Study Area and 71 or two thirds have connected to OWASA water. Sewer is available to 28 lots within the Rogers road Study Area and 17 or 60% have connected to the sewer system.

FISCAL IMPACT:

None regarding the provision of this report as requested information.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen receive and adopt the resolution (Attachment E) that accepts this report and refers the letter and petition from Minister Robert L. Campbell dated December 2, 2008 to the March Assembly of Government's meeting.