

BOARD OF ALDERMEN

ITEM NO. D(4)

AGENDA ITEM ABSTRACT

MEETING DATE: February 7, 2012

TITLE: Staff Report - Baldwin Park Garden Expansion Proposal

DEPARTMENT: Recreation and Parks, Public Works, Planning	PUBLIC HEARING: NO
ATTACHMENTS: A. Resolution B. Baldwin Gardeners Proposal C. Water Catchment Aerial D. Garden Expansion Aerial E. Garden Pictures	FOR INFORMATION CONTACT: Anita Jones-McNair – 918-7381 Wendell Rodgers – 918-7371 George Seiz – 918-7427 Patricia McGuire – 918-7327

PURPOSE:

The purpose of this item is for the Board of Aldermen to review the Baldwin Park garden proposals and staff report and establish whether the gardeners can move forward with the garden expansion proposal, rain catchment plan and signage request.

INFORMATION:

On January 17, 2012, The Baldwin Park Gardeners presented proposals which included expansion of the current garden perimeter, placement of the cistern and shed, garden signage and installation of rainwater catchment system. At that time, staff provided a few points for the Board to consider:

- Along the edge of the proposed expanded garden site is a steep slope and stream buffer that should be considered.
- As a matter of practice the Town has not funded signs for citizen driven projects. In the past, donated funds have been used to pay for the signs for these types of projects.
- The garden items left outside of the fence currently create safety and liability issues. These supplies have been outside of the fence for over a month and Staff requests that smaller items be placed inside the fence as soon as possible.
- OWASA staff had not evaluated the proposal to cross the OWASA easement.

Town Staff, OWASA and NC League of Municipalities reviewed the requests to determine their impact on Baldwin Park. This report will cover each consideration individually.

Expansion of current garden perimeter

The gardeners requested 2,160 additional feet for the garden which would accommodate 18 new garden plots. If granted the expansion, the additional space is more than 50% of the original garden. The stream restoration and storm water management project and the community garden have greatly impacted the open and useable space of this 2.5 acre park.

The Land Use Ordinances establishes water quality buffers on streams in town. The buffer on the stream to the west of the garden is 100 feet wide. It is a two tier buffer, with the nearest 50 feet receiving more protection than the 50 feet farther from the stream. The minimum buffer

required by the Jordan rule for streams such as this one is 50 feet total with a more protected zone within 30 feet of the stream. Extending the garden as has been proposed will create a larger footprint at that edge, and perhaps some/more area within 30' of the stream.

Should the Board decide to allow the gardeners to expand the garden, staff recommends a 25-30 feet expansion to the north end of the garden while maintaining the current 25 feet buffer between the fence and the stream instead of the 45 feet requested during the presentation (see attachment D). Additionally, staff recommends utilizing the existing space in the current garden to add needed plots (see attachment E).

Staff also recommends maintaining the appearance of garden by and suggests that the gardeners use the same materials as those used in the original construction of the garden perimeter and fencing. This would help maintain the uniformity and durability of the garden.

Placement of cistern and shed

Small garden items left outside the fence were placed inside the fence prior to the January 17, 2012 Board meeting. The cistern and shed were left outside the fence and the gardeners requested that they stay outside the northwest corner of the fence. Because of its function retaining rainwater, the cistern appears to be an allowable activity within the water quality buffers on the site, so long as it is located outside of Zone 1 (i.e. 50 feet from the stream on the west and 30 feet from the stream on the east). The shed is not an allowable activity within the water quality buffers. Staff will work with the garden members to identify appropriate locations for both structures in accordance with the Town's water quality buffers.

Staff recommends that the shed should be locked when gardeners are not in the vicinity and the cistern should have a locking valve so that it is secured when not in use. Also, for safety reasons a certification from an engineer stating the proposed platform(s) will hold the cistern and shed should be obtained.

Garden signage

The Carrboro Parks Project requested that the town pay for a garden sign which includes a list of donors and contact information. The cost is approximately \$200. We recognize and appreciate the Carrboro Parks Projects past and current fundraising efforts. Staff noted in the January 17th abstract that as a matter of practice the Town has not funded signs for citizen driven projects. In the past, donated funds have paid for the signs for these types of projects. The town has accepted donated funds and used the funds to purchase and/or install various amenities such as recognition signage. Any signage proposed for the garden must comply with Land Use Ordinance provisions. In previous situations, signs containing references to commercial supporters of a project could not meet the LUO definition of a sign (i.e. commercial messages could not be visible from a right-of-way). Signs that have been installed in association with other park projects have been reviewed by Town staff and this step will be needed in this instance as well.

Staff recommends the Carrboro Parks Project and the Baldwin Park Gardeners continue their fundraising efforts to purchase a sign. Recently staff shared the Nourishing North Carolina One Garden At-A-Time grant opportunity with the gardeners. This grant is a cooperative effort between Blue Cross Blue Shield (BCBSNC) and the North Carolina Recreation and Parks Association (NCRPA). We will continue to share opportunities. The Recreation and Parks Department can facilitate purchase and installation of the sign after receiving the donated funds.

Installation of rainwater catchment system

The gardeners would like to use volunteers to install gutters on the pavilion, trench and install PVC piping across the park to hook up to the cistern near the garden.

Staff requested a risk opinion from the League of Municipalities to determine whether volunteers should complete installation and trenching in the park. We were informed that the volunteers are not covered under workers compensation because they don't work for the Town or under general liability insurance because it is used for injuries to people or property caused by the negligence of the insured. Based on this information using staff or general contractors would be a protected direction to consider.

The addition of gutters to the shelter can be considered an improvement to an existing structure maintained by the Town, and therefore Public Works will install the gutters and downspout at Town expense. The gutters will help reduce erosion caused by water draining off the drip edge of the roof, and reduce splash/spray entering the interior of the shelter during rain events. Also, with the work being performed by either Public Works crews or a contractor hired by Public Works, staff questions concerning liability and proper installation will be addressed. Public Works staff will work with Baldwin garden representatives to coordinate the installation and connection of the downspout to other piping or water storage units.

The trench work and location proposal was given to OWASA for comment. Staff also met with an OWASA staff member onsite. The gardeners propose digging a 12" deep trench to bury the PVC in connecting to the cistern. OWASA confirmed the proposed route to make the connection would cross the OWASA sanitary sewer easement and that they may need to access this easement with equipment that weights 18,000 lbs. (see attachment C.) PVC pipe may have a problem supporting this weight. Ductile iron pipe or at minimum a 6" steel casing pipe enclosing the PVC across the 30' easement is recommended. Additionally, marking tape should be placed 6" above the pipe during installation. Public Works and OWASA will also need to review final plans and the timeline for the installation. Once the plan is approved, OWASA will issue a letter of encroachment to the gardeners. OWASA also requires a sign be attached on the pavilion after the work is completed notifying the community and others that a buried water line is present.

Staff recommends the installation of the water line connecting to the cistern be done by licensed contractors and the gutters and downspouts by Public Works.

FISCAL IMPACT

The total fiscal impact listed is based on staff recommendations. Gutter and downspout installation is approximately \$450.

RECOMMENDATION:

Town Staff recommends that the Board of Aldermen adopt the attached resolution.