

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 27, 1992 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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|---------------|---------------------|
| Mayor         | Eleanor Kinnaird    |
| Aldermen      | Randy Marshall      |
|               | Tom Gurganus        |
|               | Hilliard Caldwell   |
|               | Frances Shetley     |
|               | Jacquelyn Gist      |
|               | Jay Bryan           |
| Town Manager  | Robert W. Morgan    |
| Town Clerk    | Sarah C. Williamson |
| Town Attorney | Michael B. Brough   |

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JAY BRYAN THAT THE MINUTES OF OCTOBER 20, 1992 BE APPROVED. VOTE: AFFIRMATIVE ALL

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SET PUBLIC HEARING SET/DESIGNATION OF THE NEIGHBORHOOD PRESERVATION DISTRICT

The administration requested that the Board of Aldermen set a public hearing for December 15, 1992 to consider the following actions:

- a. Adoption of the Neighborhood Preservation District boundary map;
- b. Adoption of the boundary map, including the significance report as it relates to the boundary of the Neighborhood Preservation District; and
- c. Adoption of the Design Guidelines, which outline regulations and recommendations concerning construction within Neighborhood Preservation Districts.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT A PUBLIC HEARING BE SET FOR DECEMBER 15, 1992. VOTE: AFFIRMATIVE ALL

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1992-93 TRANSPORTATION IMPROVEMENT PROGRAM

Kenneth Withrop, the town's Transportation Planner, presented the proposed 1992-93 priority list of highway projects needed for Carrboro as proposed by the Transportation Advisory Board for the Board's review and consideration.

The following resolution was introduced by Alderman Frances Shetley and duly seconded by Randy Marshall.

A RESOLUTION ADOPTING THE  
1993-94 TRANSPORTATION IMPROVEMENT PROGRAM  
Resolution No. 13/92-93

WHEREAS, the Carrboro Board of Aldermen annually evaluates the Town of Carrboro's transportation needs; and

WHEREAS, the Town of Carrboro Transportation Advisory Board has likewise made recommendations and evaluations for transportation needs for the town; and

WHEREAS, the North Carolina Department of Transportation accepts transportation improvement requests from jurisdictions throughout the State; and

WHEREAS, the Town of Carrboro and other jurisdictions within the Durham-Chapel Hill-Carrboro Urbanized Area develop a Transportation Improvement Program for the Urbanized Area.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Board of Aldermen hereby adopts the following Town of Carrboro 1993-1994 Transportation Improvement Program and hereby authorizes the Town Manager to submit the Transportation Improvement Program to the North Carolina Department of Transportation and to the Metropolitan Planning Organization.

332 Section 2. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 27th day of October, 1992:

Ayes: Randy Marshall, Tom Gurganus, Hilliard Caldwell, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

**TOWN OF CARRBORO**  
**1993-1994**  
**TRANSPORTATION IMPROVEMENT PROGRAM**

1. Widen Hillsborough Road to 36 feet with curb & gutter, bikelanes and a sidewalk from where the U-2002 project ends (Lorraine St.), to the intersection of Old Fayetteville Road (SR 1009).
2. Widen Smith Level Road to five lanes from NC 54 to Rock Haven Road with bikelanes and grade for sidewalks.
3. Widen Estes Drive to three lanes from the Carrboro Town Limits to North Greensboro Street, and include bike lanes, and a right turn lane.
4. Widen Greensboro Street at the intersection of Estes to provide a right turn only lane.
5. Improve the intersection of Merritt Mill and Cameron Street, to provide for better capacity as well as reducing vehicular and bicycle conflicts.
6. Widen Homestead Road to a three lane section between Seawell School Road and High School Road.
7. Construct park/ride facility on Jones Ferry Road (SR 1005) near Willow Creek Shopping Center.
8. Construct park/ride facility on Roberson Street in downtown Carrboro.
9. Widen Highway Old 86 to 36 feet with curb and gutter, bikelanes, and a sidewalk from the intersection of Old Fayetteville Road (SR 1009) to Calvander.
10. Improve South Greensboro Street to provide improved safety for pedestrians, bicyclists, and motorists.

**TRANSPORTATION SYSTEM MANAGEMENT**

1. Purchase and install improved signal equipment in the two towns and add left turn signals and actuated signals where necessary. This project is currently included in the State TIP as project U-2504. The Town continues its support of this project.
2. Installation of an actuated signal at the intersection of Main Street and Jones Ferry Road with a signal head added for the PTA Thrift Shop. A pedestrian signal with a beeper should be added as well.
3. Installation of an actuated signal at the intersection of James Street and Main Street (Old Business 54, in the area of the proposed post office). This signal should include a pedestrian signal and a beeper as well.
4. Installation of an actuated signal at the intersection of Old Fayetteville Road (SR 1937) and Jones Ferry Road (SR 1005).
5. Left turn signal at west bound Main Street onto South Greensboro Street.
6. Installation of an actuated signal at the intersection of NC 54 and West Poplar Avenue.

7. Installation of a pedestrian actuated signal at the intersection of Main and Weaver Streets in front of Town Hall.
8. Installation of an actuated signal at BPW Club Road and Smith Level Road.
9. Add an actuated pedestrian signal-head at the intersection of Greensboro and Weaver Street.
10. Installation of bicycle sensitive loop detectors at all signalized intersections.
11. Add a traffic signal at the Frank Porter Graham School Drive and Public Works Access Road on Smith Level Road.

#### CROSSWALKS

1. Provide proper signage for crosswalks.
2. Installation of an actuated signal with pedestrian head and signal and crosswalk at NC 54 and Main St, in the area of the proposed post office.
3. Installation of an activated signal and pedestrian crossing from Woodbridge to Willow Creek Shopping Center.
4. Add a pedestrian crossing on North Greensboro Street at Carr Mill Mall and Poplar Avenue.
5. Add pedestrian cross-walks on Jones Ferry and Main at that intersection.
6. Add a pedestrian cross-walk across Main Street at Merritt Mill Road.
7. Add a cross-walk of Greensboro Street south of Willard.
8. Add cross-walks on Weaver and Main Streets at the intersection of Weaver, Main, Roberson, and the Carr Mill Mall entrance.
9. Add a cross-walk at the intersection of Main Street and Rosemary Street.

#### BICYCLE PROGRAM URBAN

1. Construct a bike path from Jones Ferry Road to Carr Street next to the PTA Thrift Shop. This project is currently included in the State TIP as a Bicycle Program Independent Project. The town continues its support of this project.
2. Construct a bike path around Carr Mill Mall to get bicyclists from North Greensboro Street to the intersection of Weaver/Main/Roberson where the Libba Cotton bike path begins.
3. Include bikelanes on Estes Drive from the Carrboro Town Limits to North Greensboro Street, as an incidental project, and coordinate this project listed in State TIP for Estes Drive from Airport Road to Town Limits in Chapel Hill.
4. Construct a bicycle/pedestrian path from the intersection of Estes Drive and North Greensboro Street to Elm Street.
5. Widen and mark shoulders along Smith Level Road to provide 4-foot bikelanes from Highway 54 to Rock Haven Road.
6. Provide pedestrian and bicycle access from the BPW Club Road area to Westbrook drive by building a bridge over Morgan Creek behind The Bluffs apartments.
7. Install the traffic signal at Main/Weaver/Roberson with a loop-detector which is sensitive to bicyclists.

SECONDARY

1. Widen and mark shoulders along Old 86 to the Town of Hillsborough to provide 4-foot bikelanes.
2. Widen and mark shoulders of Homestead Road to provide 4-foot bikelanes.
3. Widen and mark shoulders of Jones Ferry to provide 4-foot bikelanes from Town Limits west to the County line.

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PUBLIC HEARING/Conditional Use Permit Request/Stacy Heights Subdivision

Helen Waldrop, the town's Zoning Administrator, was sworn in. Ms. Waldrop stated that Greg Shepard of Philip Post and Associates had requested a conditional use permit that would allow the construction of 20 single-family dwelling units on 11.83 acres. The property is located at the corner of Tallyho Trail and Rogers Road. The parcel is identified as Tax Map 23, Block C, Lot 25B and partial Lot 25A. Ms. Waldrop presented slides of the existing site and the proposed site plan for the development.

Ann Leonard, speaking for the Appearance Commission, was sworn in. Ms. Leonard stated that the Appearance Commission recommended that a 20-foot undisturbed landscape buffer be added along the western and southern property boundaries of the entire site. Ms. Leonard stated that the Appearance Commission felt that the "future" sewer easements along the western property line will adversely affect the adjacent property owners in Fox Meadow (to the west of Stacy Heights) and it will adversely affect a significant stand of hardwood trees in the same area.

Phil Post was sworn in. Mr. Post stated that they had met with the residents surrounding the site, that there will be a separation from other neighbors abutting this property, the lots are generously sized, a buffer will appear on the final plat stating the landscape will be preserved.

Danny Moran was sworn in. Mr. Moran stated that he enjoys the trees and is concerned with the enforcement of retaining the tree buffer.

Phil Post stated that the restrictive covenant will state that no tree removal, no grading or filling, erection of buildings or storage facilities will be allowed and that there will be a homeowners association.

Jim Whalen was sworn in. Mr. Whalen stated that he is a property owner bordering the sewer easement and is concerned about the trees being cut down for the sewer easement. Mr. Whalen also requested that the sewer line be installed as expeditiously as possible and that requested that landscaping be provided to replace the lost trees.

Phil Post stated that OWASA had agreed to work with the developer to clear only a 20-foot easement and that the tree clearing line will be flagged. Mr. Post stated that it would take approximately two weeks to construct and restore the easement.

Sue DeNuzzio, a resident of Highland Hills, was sworn in. Ms. DeNuzzio stated that she would like to see the local street upgraded in order that the State will take it over for maintenance.

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE PUBLIC HEARING BE CLOSED AS NO ONE ELSE WISHED TO SPEAK. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Zoning Administrator

in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That the project receive N.C. DOT approval;
4. That the project receive an erosion control permit prior to construction plan approval;
5. That the project receive OWASA approval;
6. That the developer secure a joint driveway access easement agreement between the property owners of Lots #19 and #20 prior to final plat approval and that signage be removed from the site triangle located at the entrance to the subdivision;
7. That the developer work with OWASA to minimize the tree loss on the sewer easement located in the adjacent subdivision (The Highlands);
8. That the developer work with OWASA to do the construction of the sewer easement located in the adjacent subdivision (The Highlands) as soon as possible;
9. That the developer provide appropriate landscaping to restore the tree loss in the sewer easement located in the adjacent subdivision (The Highlands) as much as is reasonable.
10. That the developer work with or without N.C. DOT to repair the road under which the sewer to the development will be placed to the meet the standards required by N.C. DOT.

VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY RANDY MARSHALL THAT THE APPLICATION BE GRANTED, SUBJECT TO THE CONDITIONS AGREED UPON ABOVE. VOTE: AFFIRMATIVE ALL

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**PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/CENDEL CELLULAR TELEPHONE COMMUNICATIONS TOWER**

Helen Waldrop, the town's Zoning Administrator, was sworn in. Ms. Waldrop stated that Ron Biszick of The Bernstein Group, Inc. and Ken Cory of The John R. McAdams Company, Inc. have applied for a conditional use permit that would allow the construction of a 250 foot high cellular telephone communications tower and 336 square foot accessory building on 5.92 acres. The property is located at 515 South Greensboro Street. The parcel is identified as Tax Map 100, Block C, Lot 33 and is zoned M-1. Ms. Waldrop presented slides of the existing site and the proposed site plan for the tower.

Ann Leonard, representing the Appearance Commission, was sworn in. Ms. Leonard stated that the Appearance Commission had the following recommendations:

1. That additional screening by 11 Burford Hollies be placed along property lines that are adjacent to the school (eastern side). Also, that the slats that will be placed in the existing 8-foot high chain link fence be the brown color as presented by the applicant; and
2. That the Appearance Commission does not wish to have this tower in Carrboro at all. The general appearance/scale of the whole area is disturbed due to the tremendous height of the tower.

The following people were sworn in: Jerry Eatman, attorney representing Centel; Ron Bisick, with The Bernstein Group; Ken Cory, with The John R. McAdams Company; Robert Denny, a consulting engineer; Will Ferris, and Keith Lee.

Mr. Eatman stated that Centel needs to construct this tower this location to fill the current gaps in service. Mr. Eatman provided photographs of how the proposed tower will look.

Ken Cory answered questions ref. sighting of the tower.

Will Ferris stated that he could not say that the tower will remain as shown in the photographs provided, that these photographs show the current needs of Centel, antennas could be added, and six to eight foot dish antennas could be added just beyond the tree line on the tower.

Ron Bisick stated that they could come back before the Board in the future if dish antennas are necessary, and the tower could be removed if it is no longer needed.

Will Ferris stated that the tower could be sold.

Ron Bisick presented information on why the tower was being proposed for this location.

Sharon Holland, a resident of South Greensboro Street, was sworn in. Ms. Holland spoke against the proposed tower. Ms. Holland stated that you cannot landscape a 250-foot tower and that the tower will be an eye sore. Ms. Holland asked why Centel couldn't add onto an existing tower. Ms. Holland also expressed concern over the electromagnetic emissions from the tower.

George Sanford, a resident of Roberts Street, was sworn in. Mr. Sanford expressed concern about the electromagnetic emissions from the tower. Mr. Sanford also expressed concern that the tower would interfere with television and portable phones.

Jackie Hayes, a resident of 111 Roberts Street, was sworn in. Ms. Hayes expressed concern over the unknown effects of the electromagnetic emissions from the tower on she and her family.

Robert Denny stated that there is not scientific evidence that there is a health risk associated with the tower.

Ann Leonard stated that the Appearance Commission had not received the information concerning possible additions to the tower.

Richard Taylor, a Carrboro resident, was sworn in. Mr. Taylor suggested that this tower be attached to the Town of Carrboro's radio tower.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HILLIARD CALDWELL THAT THE PUBLIC HEARING BE CLOSED. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY TOM GURGANUS THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE THREE, NEGATIVE FOUR (KINNAIRD, SHETLEY, GIST, BRYAN)

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION BE DENIED BECAUSE IT FAILS TO COMPLY WITH SECTIONS 15-304 AND 305 OF THE CARRBORO LAND USE ORDINANCE AND BECAUSE, IF COMPLETED AS PROPOSED, THE DEVELOPMENT MORE PROBABLY THAN NOT WILL NOT BE HARMONY WITH THE AREA IN WHICH IT IS TO BE LOCATED FOR THE FOLLOWING REASONS:

1. There is no other comparable tower located near this location that will appear as is listed in the exhibits presented to the Board by the applicant.
2. The proposed location is where two zones meet - a residential zone and a manufacturing zone. This tower would not be in harmony with the residential zone that immediately abuts it.
3. That it is not in general conformity with the Land Use Plan in that it does not meet the overall policy requirements of Section 15-304 (screening as necessary to safeguard the public health, safety and welfare.

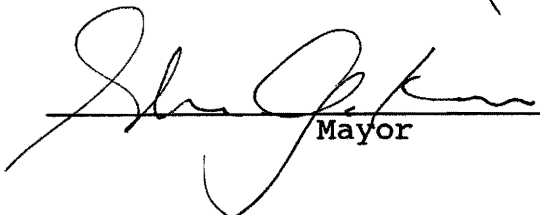
(THIS MOTION WAS WITHDRAWN.)

Alderman Caldwell requested that action on this matter be delayed in order for the applicant to check into the possibility of using an existing tower/facility--the Town of Carrboro's tower, the OWASA water tank, the UNC Power Plant.

MOTION WAS MADE BY FRANCES SHETLEY AND SECONDED BY HILLIARD CALDWELL THAT THIS PUBLIC HEARING BE CONTINUED UNTIL NOVEMBER 10, 1992. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (GIST)

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MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY TOM GURGANUS THAT THE MEETING BE ADJOURNED AT 12:50 A.M. VOTE: AFFIRMATIVE ALL

  
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Mayor

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Town Clerk