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From: Mark H. Cate [mailto:mark.cate@dowhiletrue.com]
Sent: Thursday, March 06, 2003 3:52 PM
To: Town Council
Cc: englewood@chapelhillneighbors.org
Subject: Erwin Road Subdivision

Dear Mayor Foy and Town Council,

I am writing in regard to the notice I received today on the Concept Plan Review by the Community Design Commission and Town Council of the proposed Erwin Road Subdivision. While I understand that the Concept Plan Review is the beginning of the development process, I would like to bring to your attention the concerns that I and many of my neighbors have with the development of this particular property.

These concerns have been well documented in past communication and petitions to the Council regarding development in the Erwin Road area. To some extent, the Town Manager has addressed these in his memorandum dated January 23rd of last year. While I don't necessarily agree with all of the conclusions drawn in the memo, I appreciate the hard work and careful study that went into it.

The property proposed for the Erwin Road Subdivision is adjacent to, and much of it is up slope from the Cedar Terrace Bottoms tract discussed in the Manager's memo. In addition to concern in this area about traffic congestion, school overcrowding and storm water management, development adjacent to Cedar Terrace Bottoms raises some important environmental issues. In the 1997 Dry Creek Greenway report, the Greenway Commission noted that this area has been described by the Triangle Land Conservancy as one of the two or three most significant areas of biological diversity in the southern portion of the county. The goal for the greenway in this area should be "conservation and observation". I could not agree more.

While it is true that the bottomland itself is protected by the town RCD, the upslope areas are not. I understand that the rules regarding development adjacent to an RCD have recently been strengthened in the Land Use Management Ordinance. A large area that has historically been designated as floodplain has been underwater for much of the last three years, even at the height of the drought. In a letter to my neighbor Mary Sampson, Fred Royal identified the cause of this flooding problem as a beaver dam. I do not know if a beaver dam constitutes reason for expanding the RCD. It does seem to make sense to me though that the existence of the beaver dam raises the water table, and therefore the risk of doing environmental damage by developing upslope.

Given the town's ownership of the RCD and the potential damage upslope development could do to this rare natural asset, I request that the town consider purchasing the property proposed for the Erwin Road Subdivision to be kept as open space. I believe that the citizens of Chapel Hill would benefit from such a purchase in several ways:

- . The town would be protecting a sensitive riparian environment and maintaining the surface water quality in the New Hope River Basin.
- . An interpretive trail system could be built that would seek to provide environmental education about local wildlife and the science of river systems.

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. The same trail system could be designed to connect existing neighborhoods and serve the needs of pedestrians, cyclists and joggers in this area.

If purchasing the property isn't an option, there are some steps that I believe should be taken before consideration is given to any development. These are:

. The town should commission a current inventory of natural assets in and around the Cedar Bottoms Terrace.

. An engineering study be undertaken to determine if the presently defined RCD adequately protects the Dry Creek watershed and identify any other wetlands on the property that may also qualify for some protected status.

Finally, I would like to take this opportunity to thank the Council and the town staff for the time and careful attention you all have given to our development concerns. Your efforts in passing the Land Use Management and the Adequate Public Facilities Ordinances are greatly appreciated. You can count on the continued support of me and my neighbors for your efforts to keep Chapel Hill beautiful and thriving.

Sincerely,

Mark H. Cate
407 Englewood Drive
President, Englewood Homeowners Association