

MINUTES OF A PUBLIC HEARING AND A REGULAR MEETING OF THE MAYOR AND
BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL HELD IN THE
MUNICIPAL BUILDING, MONDAY, NOVEMBER 11, 1974 AT 7:30 P.M.

The Board of Aldermen met for a public hearing, followed by a regular meeting, on November 11, 1974 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

Present: Howard N. Lee, Mayor
Gerald Cohen
Thomas Gardner
Shirley E. Marshall
Sid Rancer
R. D. Smith
Alice M. Welsh

Absent: None

A quorum of the Board was present and in attendance at the meeting. Also present were Town Manager C. Kendzior and Town Attorney E. Denny. Town Clerk D. Roberts was absent.

PUBLIC HEARING

Cedar Ridge Office Condo-
miniums--Special Use Permit

Mayor Lee said that the public hearing is called to consider a Special Use Request submitted by

Mr. Thomas Heffner and Mr. J. P. Goforth for a Unified Business Special Use Permit under Section 4-C-21 of the Zoning Ordinance to construct two office condominium structures and a branch bank on Airport Road, on property identified as part of Lot 1, Block B, Orange County Tax Map 34. Notices have been mailed to area residents notifying them of this request. Mayor Lee explained the procedure for the public hearing and requested that those persons wishing to give testimony to be considered by Planning Board and Board of Aldermen to come forward to be sworn in. Mr. Kurt Jenne and Mr. Arthur Cogswell were sworn in.

Mr. Kurt Jenne, Assistant Town Manager for Community Development and Services, presented the project. The request is for a Unified Business Development Special Use Permit under Section 4-C-21 of the Zoning Ordinance. It is located on 2.92 acres on the east side of Airport Road opposite Barclay Road intersection, in an area zoned R-10. It is bounded on the north by undeveloped R-20 and AG land; on the east by residential development including Mt. Bolus subdivision and a tract of open space land reserved by that subdivision; and on the west by single family and multifamily housing at R-10 and R-3 density located across Airport Road, which includes Elkin Hills and Sharon Heights apartments. Access to the proposed project is from Airport Road, which is a five lane major thoroughfare; the proposal indicates a single curb cut for the entire development. Out of 18 acres within the 500 foot radius of the project, 6.8 acres are developed as single family and 1.2 acres as multi-family; out of 72 acres within the 1000 foot radius, 37.3 acres are developed as residential and 7.9 acres as institutional, the latter being the University maintenance facilities to the northwest across Airport Road. In 1973 the Planning Board conducted a study of commercial development in the Town and concluded, as a policy guideline, that new commercial development should occur either within or directly abutting existing commercial nodes with capacity for expansion, such as Easttown, Glen Lenox, The Oaks, Town and County or Watts, or should be located one

mile from those nodes and be developed in large parcels of eight acres or more. The objective of these guidelines is to avoid the incremental development of strip commercial uses along the Town's road networks. Regarding services to the site, water service is available through a tie-in to an existing six-inch line on the east side of Airport Road; fire hydrants do not currently exist to serve the site adequately; sewer service is available by tying into an existing eight-inch line on the west side of Airport Road; wastewater from this site would be routed through the Rogerson Drive lift station; electric power is available to the site from existing overhead lines in a 20 foot easement running through the center of the site. Alderman Smith asked if all residents within the 500 foot radius have been notified. Mr. Jenne said yes. Alderman Welsh asked who owns the triangular property adjacent to the proposed project. Mr. Jenne said that Mr. Edmiston owns this property. Mr. Arthur Cogswell, architect of the project, said that this property is not available to the project.

Mr. Arthur Cogswell said that the project is an owner occupied condominium office complex, so designed as to be of relatively modest scale to harmonize with the other structures in the area. It is intended that the project will be rather extensively landscaped to constitute a contribution to the neighborhood, replacing a vacant site of no great visual appeal. The special use permit is being sought with reference to the following points:

1. The use will not materially endanger the public health or safety if located where proposed and is developed according to the plan as submitted and approved.
 - A. Traffic: Town officials have inspected the site with respect to traffic and have indicated that visibility is good at the point where access to Airport Road is sought, directly across from Barclay Road, which will form a standard intersection. This will be preferable to the use of the site under its present zoning, R-10, which would permit six single family dwellings and, presumably, six separate curb cuts. As an office complex, constituting only 18,000 sq. ft. when fully developed, it is not felt that sufficient traffic will be generated to constitute a significant addition to the load currently carried by Airport Road, or to cause a hazard at the Barclay Road intersection.
 - B. Sewer: Sewer is available in Airport Road and building finish elevations will be established so that adequate fall is maintained for access.
 - C. Water: Water is available in Airport Road of sufficient capacity to service the project.
 - D. Sedimentation: The grading plan will be developed in cooperation with the soil conservation service to ensure that adequate means of controlling or impounding run-off for filtration control is adequately provided for, this will be accomplished by a temporary sedimentation pond and will be removed at the end of construction. Storm drainage will be accomplished by three catch basins draining in back of the site into drainage easement.
2. The use meets all required conditions and specifications. The application complies with all applicable ordinances and standards.
3. The use will not substantially injure the value of adjoining or abutting property.
 - A. Neighborhood Context: The adjoining and abutting property to the north and east is Public Park and University-owned property, and to the west, across Airport Road, is

University-owned University Service Plants warehouse, public parking lot, single family and multi-family use.

- B. Site Plan: The buildings are so disposed on the site and so landscaped as to prevent any substantial effect upon adjacent uses. Further, all site lighting is low level in character and other site fixtures, such as dumpsters, are so located as to minimize their effect upon adjacent property. The scale of the buildings is deliberately made residential in nature as to minimize the visual impact of the project. In fact, the buildings are of smaller scale than buildings on the west side of Airport Road. In addition, the project will be completely screened from adjacent uses by landscaping.
 - C. Neighborhood Reaction: A letter from one of the nearby property owners, Mr. Gerald Unks, is attached to this statement and indicates sympathy with this request.
4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of the development of Chapel Hill and its environs.
- A. The proposed use does not seem inconsistent with the existing uses in the neighborhood, which are of a mixed nature. From visual standpoint, the project will be an improvement in the area along Airport Road.
 - B. As mentioned above, the intended use is not commercial retail, but office/institutional. It is suggested that a fine-grain analysis of the neighborhood would indicate that the proposed project, given the existing circumstances in the neighborhood, would be an asset rather than a detriment in terms of the plan of development of the town. In this regard, it is suggested that the long-range plan is a set of general guidelines which cannot be followed rigidly in every instance. It would seem, for example, that the existing zoning of R-10, which would suggest six single family houses is unsuitable and the use of the site under this zoning would be less desirable than the use which is proposed here.

In sum, the proposers suggest that the small office condominium proposed here meets the four conditions for a special use permit. Admittedly, since it is not residential, it does not conform strictly with the long-range plan which suggests that anything of commercial nature be located in commercial nodes; however, the proposed project is quite small, is not of a retail nature, is to be owner occupied and maintained, and will be located on a site which is unsuitable for use under its present zoning because of its location on a major thoroughfare. In view of these and other points mentioned above, it is requested that the special use permit be favorably received.

In addition, Planning Board and Staff have made suggestions which have been incorporated in the drawings. These are addition of fire plugs, extension of the traffic island, development of storm drainage facilities, location of dumpsters, and addition of sidewalks along Airport Road. Landscaping of the project will be extensive, providing a variety of flowering trees and shrubs and evergreen screening along the sides and back of the project. An attempt has been made to make the project as attractive as possible on a major thoroughfare gateway to Town. In response to questions from Alderman Cohen, Mr. Cogswell said that the proposed bank would have a drive-in window but that this would not add substantially to the traffic on Airport Road and, since the car line-up for the drive-in window is inside the project, would not cause traffic back-up on Airport Road. Alderman Smith said that the sewer is on west side of Airport Road and asked how the project proposes connecting to it. Mr. Joseph

Rose, Public Works Director, said that State requires connection by tunneling. Mr. Cogswell said that he assumes that a connection permit will be needed; the cost of tunneling is not included in the project, since little cost analysis has been done as yet. In response to questions from Alderman Welsh, Mr. Goforth said that the bank space has not yet been definitely leased and that the project depends on having a drive-in bank. Alderman Welsh asked how the requirements for Unified Housing residential condominiums apply to office condominiums. Town Attorney Denny said that the situation is covered by unit ownership act. Mr. Cogswell said that the principle is the same and that the project is set up in such a way that maintenance is assured. In response to a question from Alderman Welsh, Mr. Cogswell said that the number of tenants will depend on how much space they need individually. Alderman Welsh said that in the past, Board has gone on record indicating that it wishes to restrict the site to office-institutional use only or for residential development with no commercial or retail sales uses and with no additional drive-in uses; she asked if these conditions are acceptable to the applicant. Mr. Goforth said yes, if the drive-in bank is permitted. In response to a question from Alderman Gardner, Mr. Cogswell said that the timing of the development will depend on the sales; the first phase should be finished in six to eight months; the second phase could be developed immediately after that or take as long as three years to develop, depending on economy. In response to questions from Ms. Ann Slifkin, member of the Planning Board, Mr. Goforth said that none of the office space has been sold yet since the project has not yet been approved. Mr. Cogswell said that he does not know what percentage of office space in Chapel Hill is not rented, but the project is not intended to supplement existing office space but to compete with it. It would appeal to certain professionals who could derive tax benefits from purchasing that they could not from leasing. Mr. Goforth said that he thinks there may be about 10% of office space available for rent in uptown area but almost none a mile or more out. In response to a question from Alderman Cohen, Mr. Cogswell said that existing office buildings that are leased can be converted to condominiums.

There were no statements in support of the project. In opposition, Mr. Parsons, a resident of Town for fifteen years, said that he is disturbed about the number of bank branches being built in various parts of Town and said that he feels too much space is being invested in banks. Alderman Marshall said that it is not within Town's jurisdiction to decide if there are enough banks in Town. Dr. George Hemmens, Chairman of the Planning Board, said that some background information is necessary regarding the small triangular site adjacent to the project. In 1969, a request for commercial development for the site, including the triangle, was denied; project for a small shopping center was resubmitted in February, 1971, with the triangle proposed to be deeded to Town as a park, this request was withdrawn; in June, 1971, a modified request was resubmitted with the triangle proposed for use as a day care center and the request was denied. In October, 1971, the project was resubmitted with no indication made as to the use of the triangle and was approved; the special use permit expired and was not renewed. So, in three of the previous requests, the triangle was considered part of the project. The Planning Board will need to consider this, since it has a mandate to consider orderly development of land and is being put in the position of creating a small land area for which there is no development in the normal scheme of things. Town Attorney Denny said that, subsequent to the project rejection in 1971, a subdivision ~~plat~~ was submitted and approved by Town in September, 1971, subdividing the property and separating the triangular piece of land from the rest of the property, they apparently are not under the same ownership. Alderman Welsh moved, seconded by Alderman Rancer, that the Special Use Request submitted by Mr. Thomas Heffner and Mr. J. P. Goforth for a Unified Business Special Use

Permit under Section 4-C-21 of the Zoning Ordinance to construct two office condominium structures and a branch bank on Airport Road, on property identified as part of Lot 1, Block B, Orange County Tax Map 34 be referred to Planning Board for its consideration and review and recommendation back to the Board. Said motion was unanimously carried. The Public Hearing adjourned at 8:15 p.m.

REGULAR MEETING

Alderman Gardner moved, seconded by Alderman Marshall, that minutes of the meeting of November 4, 1974 be approved as circulated. Said motion was unanimously carried.

Petitions

Mayor Lee requested that the agenda involving Planning Board be shifted

to the beginning of the meeting. Alderman Welsh moved, seconded by Alderman Smith, that the petition be received and items 1, 2 and 3 under 6a be moved to the beginning of the meeting. Said motion was unanimously carried. Alderman Smith petitioned the Board that a report from the streets Committee be placed on the agenda. Alderman Welsh moved, seconded by Alderman Gardner, that the petition be received and Street Committee report be placed on the agenda under 5d. Said motion was unanimously carried.

Laurel Hill Club Condominiums--Special Use Permit

Mayor Lee said that the Board must consider the request for Unified Housing Development Special Use

Permit for Laurel Hill Club Condominiums, which has been referred from the Public Hearing of October 14, 1974. Mr. Kurt Jenne, Assistant Town Manager for Community Development and Services, gave a brief background on the project and said that the issues most central to the decision appeared to be the matter of road improvements and the traffic-carrying capacity of the road network, the provision of adequate water service to the property and the provision of sewer service.

Both the Staff and the Planning Board approached this project with a sense of uneasiness. It was believed that in terms of maintaining a truly orderly process of growth, the project is somewhat premature. It is felt that the existence or present promise of public improvements in the area are minimal in terms of what one would normally expect to exist in order to serve well the level of development proposed. Nonetheless, by the criteria of our current ordinances and law, the Staff and the Planning Board believe that the very complete and extensive body of facts presented at the hearing indicated a decision for approval.

Our primary concern was, of course, the road network. While testimony indicated that Parker and Farrington could handle the volume of traffic generated by this development, it also indicated that several unsafe conditions do exist which would have to be rectified in order to make a positive finding with regard to safety. In light of expressions of intent by the applicant at the hearing and of current State Department of Transportation policy, it was believed that a positive finding could be made conditional on such actions.

It was also concluded with regard to water and sewer utility that while the detailed engineering involved in providing these services would not be easy, the information in the testimony indicated a high probability of an adequate solution in the design phase.

Consequently, the staff and the Planning Board recommend the following findings:

1. A finding that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs. The residential

24

nature of the project and the conscious use of the land to preserve the existing natural setting is in harmony with all plans for the area.

2. A finding that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. The quality of the condominium units and the related amenities indicated in the application would not have an adverse effect on property values.
3. A finding that the use meets all required conditions and specifications since the application complies with all applicable ordinances and standards.
4. A finding that use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved, conditional on compliance with stipulations A-1, A-2, A-3, and A-4. Again, three issues were raised with regard to this finding: traffic circulation, provision of sewer service, and provision of adequate water supply.

With regard to traffic: Mr. Horn testified that the traffic generated by 225 condominiums could be handled by Parker and Farrington Roads provided that traffic to and from the condominium project be restricted to Farrington and Parker Roads. The N. C. Division Traffic Engineer has indicated that improvements to the sight distances at the intersections and extension of the paved surface of Parker Road to the access road of the condominium project are necessary for traffic safety.

With regard to sewer: While testimony of the Town Engineer indicates that adequate treatment capacity is available, the above finding is conditional on the formal approval of the the N. C. Environmental Management Agency.

With regard to water: In a series of letters entered into the public hearing record, the University Service Plants indicated that, while adequate water service can be provided to the project, satisfactory service is currently not available to the property. The above finding is conditional on formal approval by the University Service Plants of plans for the provision of water utility services to the condominium project.

The actions on which these findings are believed to be conditional are as follows:

Prior to issuance of a Building Permit.

1. That a 100 foot right-of-way along Parker Road, extending from Farrington Road to the access road of the project, be dedicated to public use and fully recorded. One copy of the recorded plat shall be submitted to the Building Inspector.
2. That 150' x 150' sight distances, as approved by N. C. Department of Transportation, shall be provided at Parker Road's intersection with Farrington Road and at the project access road's intersection with Parker Road.
3. That certification of approval from the University Service Plants shall be obtained for electric and water utility plans indicating: 1) that adequate electric and water

services are available for the property; 2) that all easements necessary for the extension of utilities beyond the property in accord with long-range utility plans have been provided; 3) that provision has been made for adequate maintenance of all utilities on the property.

4. That a permit for the extension of the sewer line shall be obtained from the N. C. Environmental Management Agency within three years from the date of the issuance of the Special Use Permit.

Finally, the staff and the Planning Board recommend approval on the basis of the findings with stipulations.

The major stipulations by staff are: that Parker be paved to the entrance; that the project not be connected to Bayberry Drive; that the Town and University Service Plants be given access to service utilities; and that adequate sedimentation control measures be taken. The Planning Board has also recommended approval with four additional stipulations and the Appearance Commission with eleven. In response to a question from Alderman Cohen, Mr. Jenne said that since the application has indicated that streets in the project will be paved, it is not necessary to stipulate this.

Alderman Welsh said that the law says that the approval or denial of a Special Use Permit must be in accordance with the procedures as set forth by the North Carolina Supreme Court Decisions. In other words, the applicant has the burden of proof with respect to the four findings required of the Board of Aldermen in granting a Special Use Permit. The applicant must produce competent, substantial evidence to establish the existence of facts and conditions which the ordinance requires. The applicant must have substantial evidence which is greater in weight than that of the opponents. To arrive at a decision, the Board of Aldermen must review the facts presented at the Public Hearing and which are now in the record. Looking at the record of the Public Hearing, the applicant did not offer substantial evidence with respect to the four findings which the Board must make. She stated it is her interpretation that the applicant failed to produce evidence showing the existence of facts and conditions which the ordinance requires and that the opponents produced findings contra which are supported by substantial evidence in the Public Hearing, which has been recorded.

Under the first finding, with regard to traffic circulation and public safety, Mr. Horn of Kimley-Horn and Associates said: "The Parker Road - Farrington Road intersection is not a safe one as it now exists. The increased traffic on Parker Road, which presently has very light traffic, from the condominiums would create additional hazard, but the residents could probably live with that. However, there is still vacant land south of the proposed project so other future traffic must be assumed. The intersection with 15-501 and Farrington Road is now used at maximum potential in afternoon peak traffic period; it is now nearing the point where signalization may be required. As the volume on Farrington Road gets into 6-8,000 range, Farrington Road will become very hazardous and badly congested; the additional traffic from the proposed development will raise traffic to about 5,000 which is bordering on congestion." Mr. Horn's estimate of Azalea, Bayberry, Arboretum and Poinsett Drives is that "they are extremely hazardous and poor facilities for moving traffic and recommends that no additional traffic be assigned to these facilities except from other platted undeveloped lots." Mr. Horn further considers "the addition of 1800 vehicles per day can be accommodated on Parker and

Farrington Road. However, both of these facilities are low standard secondary roads, and will need widening and other improvements in due course." Mr. Norman Gustaveson, a sworn witness, stated that "the area lacks road facilities to handle present traffic," and "he is concerned that the proposed development will overload existing roads and services. The area is now overloaded in this respect." The applicant did not offer any substantial evidence with respect to traffic solutions except to admit that the problem between 8 a.m. and 5 p.m. exists and suggest that more people in the area will "give people the power to have Farrington Road improved; the improvement will not come before the people are there." The applicant recognizes the traffic problem on Farrington Road. Mr. Horn stated that Farrington Road would have to be upgraded to handle the increased traffic for the proposed project; however, the applicant said "the cost of widening Farrington Road should not be borne by the developer or Mr. Hunt, it is not part of the project." In summary, the residents of the area, the engineering consultants, DOT, and the applicant see now and foresee traffic circulation problems at Farrington Road intersections as well as traffic moving on and off Farrington Road to the project.

With regard to water, a communication dated September 23, 1974 from University Service Plants states: "The project covers an extensive rugged geographical area that is over 4,000 feet long on the east-west dimension... the site is isolated on the east-west side by the North Carolina Botanical Gardens and the William Ranier Hunt Arboretum... it appears the project is a closed private development with single entrance with no public thoroughfare or access to contiguous except through the single entrance. The above factors create serious problems for the orderly future utility planning and development of the project as well as within the project itself... From the information in hand, it is questionable whether this project can be properly supplied with an adequate supply of water for domestic and fire protection purposes." Also from University Service Plants, a communication dated October 11, 1974 states as follows: "Further checks on the water quantity available to this project as provided by the design shown on the submitted plans indicates an insufficient water supply to support domestic and fire protection needs for this project... I recommend delay of approval or approval with the stipulation that the electric and water utility services be satisfactorily resolved with the University Service Plants before commencement of construction." It may be improper for University Service Plants to commit itself to service. The sale of water and sewer to, perhaps, an authority, is imminent. Duke Power has bought the water supply and it is not known at this point whether Duke will retain the sale. Therefore, there exists a water quantity problem, i.e., public health; the applicant must get formal approval by University Service Plants for the provision of adequate water supply to the project. Although in a third letter University Service Plants has indicated that it would work with the developer; he still must get formal approval.

With regard to sewer, while the applicant felt there were no severe problems in respect to sewage treatment, the wastewater problems, in fact, are so serious in Chapel Hill - Carrboro area that the Chapel Hill Public Works Department stated "it cannot yet be said whether the state will approve a request for line extension for the proposed project." If the plant is so overloaded that plant efficiency drops below requirements, Mr. Don Francisco pointed out that the State has full authority to restrict approvals. Because EMA requires formal approval of new projects in Chapel Hill - Carrboro area, it is obvious that major wastewater problems exist. The question exists whether there is capacity for a project of this magnitude in view of Chapel Hill - Carrboro's outstanding sewer obligations.

Ms. Welsh stated it is her interpretation that the applicant has not presented substantial evidence that the use will not materially endanger public health or safety. The applicant has met the second finding in terms of technical requirements. With regard to real estate values or that the use is a public necessity, the applicant has not demonstrated a public necessity. As to the use injuring the value of adjoining or abutting properties, this is quite properly a concern of the residents in the area. In the sworn testimony of Mr. Ed Gray, resident and developer himself, he stated: "He is familiar with the land values in the area; his opinion is that the impact of the proposed project would be adverse to the land values." The fourth finding, in terms of the character of the neighborhood, the applicant has met.

Alderman Welsh said that she shares Alderman Rancer's concern with the traffic increase; his feeling is that the sewer system is inadequate; that the situation of the sale of the sewer and water utilities is unsettled and so is the economic picture.

In conclusion, two of the four findings have not been met by the applicant. The opponents have taken the four findings one by one to show findings contra and on findings one and three have demonstrated substantial evidence greater in weight than the applicant.

Alderman Smith said that sight distances, as stated in Stipulation A2, were not displayed at the Public Hearing and he does not know if 150 feet by 150 feet will be adequate. He feels there are too many contingencies set in the proposal to be able to vote in favor of it.

Alderman Cohen said that on the question of lowering property values, he feels that the limited access to the project and the provision of more than adequate recreational facilities will cause the property values not to be lowered; however, the project is not a public necessity. He feels that stipulations A1, 2, 3, and 4 are adequate to provide for water and sewer needs; if the stipulations are not met then the project cannot be built. Cluster-type developments result in lower utility costs, smaller building areas and more open space.

The project is zoned in an area where single family houses can be built although it is questionable if this would ever be done. He agrees with Aldermen Welsh about the evidence presented at the Public Hearing on the hazardous traffic conditions on Farrington and Parker Roads, and that not much evidence was given by the applicant to refute this. Aldermen Cohen asked about the sight distance in stipulation 2A. Mr. Jenne said that this is the standard sight distance and has been suggested by DOT Engineer; DOT would need to pass on the configurations. Alderman Cohen said that speed on Farrington Road is fairly high and 150 feet would give only two second visibility. Alderman Cohen said that the project as a whole is very desirable and of the type that should be encouraged. Town has no right to decide, under the present Zoning Ordinance, to control which areas will be developed.

Alderman Marshall said that she agrees with Alderman Cohen. She finds the situation distressing; additional traffic will worsen the situation on Farrington Road, but at the same time Board has been told that, if a situation is allowed to develop in a way that is unsafe, additional developments cannot be barred because of it. Mr. Jenne said that the traffic problem is the main concern. Ideally, Town should provide road networks as required by development; however, under existing conditions Town has to concern itself with the hazard existing in the area but has no control over road development, since public improvements in the area are up to State. State policy seems to be to install public improvements after hazards exist and not before. Alderman Marshall said that she is not sure if Town has the

legal right to hold up a project because of traffic problems. Town Attorney Denny said that the Board has the following choices: it can fail to make a finding because of insufficient evidence or it can find that there is sufficient evidence that there either is or is not danger to public health and safety. The Board is faced with the problem that when it zones an area to a certain apparent density, the existing street layout may not be sufficient to sustain full development. In making a finding, the Board needs to consider the whole range of development, from none to full density and see where the proposed development fits in, as regards possible generated traffic.

Alderman Smith said that he feels the Board can approve any project by adding enough stipulations. At the Public Hearing, the applicant did not show that all four findings are met, as evidenced by the fact that stipulations 1, 2, 3, and 4 are necessary to make the findings possible. He feels that 150 foot sight distance is insufficient for the intersection. Mayor Lee said that the Board needs not only to consider the evidence as presented at the Public Hearing but also consider the recommendations given by the Planning Board and Development Review Staff. Town Attorney Denny said that sight distances are areas over which State Highway Department has easement and on which no buildings are permitted and which are kept clear; the actual visibility distance may be much greater. Alderman Welsh moved, seconded by Alderman Rancer, that the request of Mr. William Hunt for a Unified Housing Development Special Use Permit to build 225 condominium units be denied for the reasons that the Board of Aldermen fails to find that sufficient evidence has been presented to show that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved as detailed in her earlier remarks and fails to find that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity as outlined in her remarks. Said motion passed by a vote of four to two, with Alderman Cohen and Marshall opposing. Alderman Cohen stated that he opposes the motion because he believes that finding 3 as to property value has been met, although he does believe that finding 1 as to health and safety has not been met.

Granville Towers--Special
Use Modification

Mayor Lee said that the Board must consider the request for a modification of the Commercial Student

Residence Hall Special Use Permit for Granville Towers, which has been referred from the Public Hearing of October 14, 1974. Mr. Kurt Jenne, Assistant Town Manager for Community Development and Services, gave a brief background on the project.

In essence, the request involves the installation of a driveway entrance on Cameron Avenue which would serve as the point of ingress and egress for some 500 cars parking in the Granville Towers tenants lots. The Board has heard at public hearing detailed testimony regarding the background and facts bearing on the proposal. The major issue which had to be addressed by the Staff and the Planning Board in evaluating this proposal and recommending findings was the matter of traffic.

With regard to safety: The traffic report of Mr. J. W. Horn, traffic engineer, as entered into the record of the Public Hearing states that, while West Franklin Street is a five lane facility classified as a major thoroughfare, Cameron Avenue is a residential street carrying one lane of traffic in each direction. Both the applicant and Mr. Horn testified that the traffic volume on Cameron Avenue already exceeds the maximum desirable level for residential or non-thoroughfare streets, and that the volume on Cameron, as proposed by the applicant, would be further increased by at least 15%. Mr. Horn stated

his expert opinion that it would be detrimental to the residential and institutional activities along Cameron Avenue to permit or encourage increased traffic on Cameron Avenue. In addition, Mr. Horn's report noted that the "T" intersection of Cameron Avenue and Mallette Street is located at the top of an extremely blind hill crest. While the sight distance from Mallette Street is fair in both directions, from a point 200 feet east, in the vicinity of the Granville Towers parking lot, the sight distance for cars entering Cameron Avenue is very poor. Mr. Horn found that it would create a hazardous traffic condition to permit traffic of this magnitude to enter and exit at this location. Consequently, both the Staff and the Planning Board have recommended that the Board fail to find that the modification will not materially endanger public health or safety.

With regard to ordinance conditions: The application complies with applicable ordinances and standards. The Staff and Planning Board therefore recommend a Board finding that the use meets all required conditions and specifications.

With regard to property value and public necessity: No factual evidence was presented pro or con regarding the proposal's effect on property values. The applicant implied that the removal of traffic from Franklin Street is a public necessity; however, Mr. Horn's expert testimony indicated that the current volume on Franklin is certainly within its capacity and that any problem which exists is not due to the traffic volume itself.

Consequently, both the staff and the Planning Board have recommended that the Board fail to find that the use will not substantially injure property values or that the use is a public necessity.

With regard to harmony and plan conformity: The original stipulation which limited access to Franklin Street was made to enable a positive finding that the proposal would be in harmony with the area and in general conformity with the plan of development of Chapel Hill by insuring both the continued residential use and residential character of Cameron Avenue and Mallette Street. The placement of increased traffic from the Granville Towers Residence Hall onto Cameron Avenue would be detrimental to the residential use and character of the area and is not in conformity with the general intent of the Town's plan of development to maintain Cameron Avenue as a residential street.

Consequently the staff and the Planning Board recommend that the Board fail to find that the location and character of the use will be in harmony with the area in which it is to be located and in general conformity with the plan of development.

Because of the considerations listed above, the Staff and the Planning Board recommend that the Board deny the request for modification on the grounds of failure to make three of the four required findings.

Alderman Smith moved, seconded by Alderman Gardner, that the request for a modification of the Commercial Residence Hall Special Use Permit for Granville Towers be denied because the Board of Aldermen fails to find that the modification will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved; fails to find that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and fails to find that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Chapel Hill and its environs. Said motion was unanimously carried. Alderman Welsh said she does believe

that University Square area has traffic problems and recommended that Mayor appoint a special committee to investigate the causes for traffic back-up on Franklin Street at the three peak traffic periods. Mayor Lee said that he will present this committee for Board consideration at the next Board meeting. Alderman Marshall said that she thinks much of the problem is associated with the loading problems on Columbia and Franklin streets. Alderman Welsh asked when the pedestrian light will be installed on Columbia Street. Town Manager Kendzior said that it should be installed within two months. Alderman Gardner asked if the staff should not start working on the problem, since Board recognizes that the problem exists. Alderman Welsh said she feels it would be of benefit to do actual site investigation. Mayor Lee said that in future, if the number of cars in CBD increases, an opening to Cameron Avenue may be needed anyway, with other possible traffic modifications, such as one way streets. Alderman Gardner said that the completion of McCauley Street should be considered in the near future since funds are available; this would alleviate some of the traffic problem.

Farrington Hills, Section
4--Preliminary Plat Renewal

Mr. Kurt Jenne, Assistant Town Manager for Community Development and Services, presented the re-

quest. The project is located on 8.3 acres, in an area zoned R-20, and contains nine lots averaging 30,000 square feet or about 3/4 acre. Section 4 will complete the loop road (Gray Bluff Trail) which was started by previous sections of the subdivision. Water service will be provided by closing the loop of a six inch line on Gray Bluff Trail. Sewer will be provided by an existing collector on the west side of the lots and a new collector on the east side which lies on the opposite side of a spur. Open space has already been provided in previous final plat dedications in the form of an arm of the arboretum to the north and to the west of these lots. 9.2 acres were dedicated with Section 1; the total requirement was 1.8 acres. Department of Public Works and Planning Staff recommend granting a variance from the curb and gutter and sidewalk requirements for this section to make this short segment consistent with the rest of Gray Bluff Trail. The Development Review Staff and Planning Board recommend approval with variances from sidewalk, curb and gutter and with six stipulations. Alderman Marshall asked if pedestrian easements to arboretum exist. Mr. Jenne said that one easement exist along the sewer easement. The Staff considered another easement on lot 52, but were reluctant to ask for it since the easement is located about one third way in on the lot. Alderman Welsh moved, seconded by Alderman Gardner, that the preliminary sketch for Farrington Hills Subdivision, Section 4 be renewed to November 11, 1975, subject to the following stipulations:

1. That adequate water service be provided to University Service Plant standards and approved by the Service Plant, prior to approval of a Final Plat.
2. That the sanitary sewer plan, all necessary sewer easements, and installation of the Sewer System, be to the standards of and approved by the North Carolina Environmental Management Agency and the Town of Chapel Hill, prior to approval of a Final Plat, and start of construction of improvements.
3. That the storm drainage plan, erosion and sedimentation control facilities, and detailed plans of streets and other improvements, with all necessary easements; and the installation of these facilities and improvements, be to the standards of and approved by the North Carolina Department of Transportation and the Town of Chapel Hill, prior to approval of a Final Plat and start of construction of improvements.

- 4. That fire hydrants be located and installed as approved by the Town Manager.
- 5. That erosion and sediment control plans be submitted to and approved by the Regional Office, Raleigh, North Carolina, of the Office of Environmental Management, North Carolina Department of Natural and Economic Resources prior to the approval of the Final Plat and start of construction of improvements.
- 6. That all of the Gray Bluff Trail loop be paved to Town and State standards or bonded prior to approval of a final plat.

Said motion was unanimously carried.

Special Sidewalk Committee-- Alderman Welsh reported that the
Report committee, consisting of Alderman Smith and Welsh, Mr. Rose and Mr.

Spiller, met with Town Manager and reconsidered the sidewalk priorities. The committee recommends awarding the sidewalk contract to R. L. Martin, Incorporated, at a lump sum bid of \$113,899.31 with stipulations that there will be a change order to delete the sidewalk on E. Franklin Street from Estes Drive to Elliott Road and substituting sidewalk on Estes Drive from Burlage Circle to Willow Drive. Ephesus Church Road and Estes Drive have the two top priorities. In addition, Appearance Commission has recommended that the planting strip on the east side of the Police Building (Old Town Hall) be extended to the Northeast corner of the building; that plastic be placed between the sand and the brick; and that special effort be made to prevent damage to existing trees and rock walls. Columbia Street from Carr Street to Public Housing presents tremendous engineering problems and will not be included in this project. Alderman Cohen asked how the change order will be handled, since the area to be paved is completely different from that substituted. Mr. Joseph Rose, Public Works Director, said that the sidewalk bids contain unit prices that are used in computing the change order; the engineering drawings will need to be developed. Alderman Welsh said that the consulting engineer foresaw no problems, although the low bidder has not been contacted about this. Alderman Smith asked if the change order will keep within the budgeted amount. Mayor Lee said that the Board will approve the cost of the bid; if this is exceeded, then the matter has to come back to the Board. However, additional funds are available in contingency fund. Alderman Cohen moved, seconded by Alderman Gardner, that the bid for the construction of sidewalks on the west side of Columbia Street from Rosemary to Carr Street, the south side of E. Franklin Street from Glendale Drive to Estes Drive, the north side of Ephesus Church Road from Tinkerbelle Road to Sharon Road, the south side of Rosemary Street from NCNB Building to Merritt Mill Road; the north side of Estes Drive from Caswell Road to Phillips Junior High School drive and with a change order deleting E. Franklin from Estes Drive to Elliott Road and adding Estes Drive from Burlage Circle to Willow Drive to be awarded to R. L. Martin, Incorporated, at a lump sum of \$113,899.31. Said motion was uannimously carried. Alderman Welsh requested that the Board instruct the Public Works Department to start on Ephesus Church Road as the first priority. Mayor Lee requested the Sidewalk Committee to continue investigation of sidewalk priorities in Town making periodic reports to the Board and a final report sixty days prior to budget deliberations. Alderman Smith said that the committee is also considering ways to get more sidewalks for the money by using in-house construction.

Solicitor's Office Activities--Report

activities of the Solicitor's Office for the months of September and October.

The Board received a written report from Mr. A. Little, Solicitor's Office Intern, in reference to activ-

Proxy Votes for COG Delegates

and that sometimes there is not a quorum to conduct business. The Board should consider one of the six proposed ways in which a proxy vote can be permitted or decide that no proxies will be allowed. Alderman Welsh asked whether a proxy vote holder could become familiar enough with agenda items in a short period of time to be able to vote intelligently. Alderman Marshall said that she feels any member of an elected body should be able to be filled in with no difficulty; however, she strongly feels that the voting members should be elected official and will support proxy vote only if the proxy is held by an elected official. Alderman Smith said that he agrees with Alderman Marshall. Alderman Smith moved, seconded by Alderman Marshall, that proxy votes for COG delegates should be utilized only by another member of the appropriate local board; that appointive delegates should secure proxies only from among members of one of the governing boards in the appropriate county. Said motion was unanimously carried.

Alderman Smith reported that a large number of COG delegates find it inconvenient to attend COG meetings

Street Committee--Report

transportation Advisory Committee to consider the problems on Westwood Drive, Gimghoul Road and Glandon Drive, Lake Shore Drive and at post office on Estes Drive. At the post office two lights were removed when the road was widened and have not been replaced. The assistant post master also said that the signs that are up at the entrance driveway are the only ones in the inventory; he is willing to pay for a reflector sign provided by Public Works Department if the cost is reasonable. It has been suggested that putting a street light on the electric pole across the Estes Drive from the post office entrance would improve the situation. The postmaster has been having difficulty getting the owners of the building to replace the lights. With regard to the other streets, the Street Committee and Transportation Advisory Committee agreed that the changes in parking should be recommended in conjunction with bus systems changes and recommendations will be presented twice a year. Alderman Cohen said that other alternative parking situations were also considered, such as limiting the length of parking or banning parking at certain times of day. Alderman Smith asked that Town Manager contact the residents of Gimghoul Road and Glandon Drive and find out whether they prefer the alternative of parking on one side of the road with one way traffic or no parking with two way traffic. Alderman Marshall said that Transportation Committee has requested Streets Committee to meet for joint deliberations on November 21, 1974; other members are welcome to attend.

Alderman Smith reported that the Street Committee met with Trans-

Subdivision Ordinance Amendment--Certification of Planning Board Review-Authorization

staff personnel be prepared. Alderman Cohen amended the motion, leaving the chairman of Planning Board as one of the persons authorized to sign the final plat. Said amended motion was unanimously carried.

Alderman Gardner moved, seconded by Alderman Welsh, that an ordinance amending the Subdivision Ordinance - Certification of Planning Board review of final plats by appropriate

Zoning Board of Adjust-
ment--Vacancy

are being polled by telephone to obtain recommendations to fill the existing vacancy. These recommendations will be submitted to the Board as soon as possible.

Mayor Lee said that since the
ing Board of Adjustment does not
meet on a regular basis, the members

Day Care Support--
Resolution

Board of Aldermen adopt the resolution as presented. The resolution asks State General Assembly to pass a local bill providing Town with legal ability to support day care programs. Presently counties are assigned the function of providing for health, education and welfare, although cities are not starting to take over some of this function, such as public housing. The passage of such a legislation would not commit the Town to support of day care, but the Task Force thought it best to submit the local bill as early as possible in case the final report from Task Force recommends day care support. Alderman Gardner said that he feels the legislation would be premature and would create the assumption that Town will finance day care; he suggested that action on the resolution be postponed until the final report from the Task Force has been received, since it still would give enough time to submit the bill then, if the Board so desired. Alderman Welsh asked if Carrboro is also included in the local bill. Alderman Cohen said that he has not approached Carrboro, but would hope that Carrboro will also consider such a bill. Mayor Lee suggested that the Task Force contact Carrboro to see if they wish to be included in the local bill. Alderman Smith asked if the Task Force has considered how money would be allocated to the day care centers. Alderman Cohen said that the Task Force is not yet ready to make any recommendations. Reports from its subcommittees will be received in December with final report to Board made after that. Mayor Lee said that if the local bill does not pass the General Assembly, then the decision will be already made about support, since Town would not be able to fund day care. Other cities in state are also interested in the same local legislation. Alderman Welsh asked the Mayor to consider suggesting to delegates from other districts that a general statute be considered permitting cities to aid day care. Alderman Smith asked if the Task Force has discussed the proposed legislation with Town representatives to General Assembly. Alderman Cohen said that the matter has been discussed with Representative Trish Hunt. Alderman Welsh moved, seconded by Alderman Marshall, that the following resolution requesting the passage of local bill by the 1975 General Assembly, authorizing the Town of Chapel Hill to expend public funds for the support of child care facilities be adopted:

Alderman Cohen said that the Mayor's
Task Force on Day care has unani-
mously requested that the Town

R E S O L U T I O N

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL,
NORTH CAROLINA, THAT

SECTION I

The Town of Chapel Hill requests the passage of the following local bill by the 1975 General Assembly:

A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF CHAPEL HILL TO
EXPEND PUBLIC FUNDS FOR THE SUPPORT OF CHILD CARE FACILITIES.

"THE GENERAL ASSEMBLY OF NORTH CAROLINA ENACTS:

Section 1.

In addition to the other services which the Town is authorized to spend public monies, the Town of Chapel Hill is hereby expressly authorized to use public funds for the support of day care and child care facilities and services within the Town of Chapel Hill, including support of non-profit facilities.

Section 2.

This act shall take effect upon ratification, and shall apply only to the Town of Chapel Hill."

SECTION II

The Board of Aldermen requests this resolution be forwarded to Representatives Trish Hunt and Holmes, and Senators elect Charles Vickery and Russel Walker.

This the eleventh day of November, 1974.

Said motion was passed by a vote of five to one with Alderman Gardner opposing.

Subdivision Ordinance
Amendment--Certification
of Planning Board Review

Alderman Smith moved, seconded by Alderman Marshall, that the following ordinance, amending Chapter 18 of the Code of Ordinances,

be adopted:

AMENDMENT TO SUBDIVISION ORDINANCE
(Chapter 18 of the Code of Ordinances)

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL:

SECTION I

That Section 18-105, "Planning Board and Board of Aldermen Endorsements", of the Code of Ordinances, Town of Chapel Hill, be amended to read as follows:

Sec. 18-105. Planning Board and Board of Aldermen Endorsements

The plat shall show the following form for Planning Board and Board of Aldermen endorsements:

"Provided that this plat be recorded within 30 days of final approval: Recommended by Planning Board _____ (date) _____, (Zoning Administrator/Director of Planning/Chairman of Planning Board). Approved by Board of Aldermen _____ (date) _____, _____ (Town Clerk)."

SECTION II

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 11th day of November, 1974.

Said motion was unanimously carried.

Budget Ordinance--Payment to Appraiser

Mayor Lee said that the Board must consider an ordinance to pay Mr.

P. H. Craig, one of the three appraisers for the NDP street right-of-way acquisitions, for the work done in 1973-74 fiscal year. As the 1973-74 land acquisition account has been closed, it is necessary to transfer money from the NDP contingency fund to pay Mr. Craig the money owed him. Alderman Smith moved, seconded by Alderman Gardner, that the following Ordinance amending the Budget Ordinance for the fiscal year beginning July 1, 1974 and ending June 30, 1975 be adopted:

O R D I N A N C E

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE FOR THE FISCAL YEAR BEGINNING JULY 1, 1974 AND ENDING JUNE 30, 1975.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CHAPEL HILL

SECTION I

That the Budget Ordinance of the Town of Chapel Hill entitled "An Ordinance to appropriate Funds and to Raise Revenue for the Fiscal Year Beginning July 1, 1974 and Ending June 30, 1975" as duly adopted on July 15, 1974 be and the same is hereby amended as follows:

Public Improvement Fund (63)

		Increase (Decrease)	Total
63-810-71	Capital Land	\$ 250.00	\$ 250.00
63-810-99	Contingency	(\$ 250.00)	\$25,250.00

SECTION II

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Said motion was unanimously carried.

Releases and Refunds

Alderman Marshall moved, seconded by Alderman Gardner, that the following resolutions granting releases and refunds be adopted:

following resolutions granting releases and refunds be adopted:

RESOLUTION - TAX RELEASES

WHEREAS taxes listed below were erroneously levied through clerical error on properties belonging to the following:

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Thompson Cad. & Olds Inc.	7143	\$ 62.90	Listed two cars in Chapel Hill, only one should be listed.

John W. Morris Jr.	4366	15.22	Property listed in error. 603-A Oak Ave.
Martha S. Phillips	4829	21.00	Home Exemption
John Lester Humber	3055	16.65	Valuation was reduced from 41,700 to 39,900
Durward Roberts	5118	16.65	Valuation was reduced from 41,300 to 39,500
Charles D. Van Cleave	6080	10.18	Valuation was reduced from 25,000 to 23,900
Robert L. Whitfield	6416	44.45	Was living in the Oaks Apt. 1-1-74.
Jonathan Brezin	665	39.55	Personal Property located on 326 Azalea Dr.

WHEREAS, the above list of persons have made application for release of said taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN of the Town of Chapel Hill, that it finds the taxes on the above listed persons were levied through clerical error, and in the discreption of the Board should be released to the taxpayer, IT BEING FURTHER RESOLVED THAT the Tax Collector is authorized and empowered to make such release.

RESOLUTION - TAX REFUNDS

WHEREAS, taxes listed below were erroneously levied and collected through clerical error on properties belonging to the following:

<u>NAME</u>	<u>REC. #</u>	<u>AMOUNT</u>	<u>REASON</u>
Jonathan & Linda Brezin	8009	39.55	Personal Property not in town. Paid 10-29-74.

WHEREAS, the above listed persons have made application for refund of said taxes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill, that it finds that taxes on the above listed persons were levied and collected through clerical error, and in the discretion of the Board should be refunded to the taxpayer, IT BEING FURTHER RESOLVED that the Tax Collector is authorized and empowered to make such refund.

Said motion was unanimously carried.

Town Auditor--Meeting Town Manager Kendzior said that Town Auditor has indicated his willingness to meet with the Board for an expanded report. Board members should let Town Manager know if they wish such a meeting.

There being no further business to come before the Mayor and Board of Aldermen, said meeting was adjourned at 10:10 p.m.



Mayor



David B. Roberts, Town Clerk

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF CHAPEL HILL HELD IN THE
MUNICIPAL BUILDING, MONDAY, NOVEMBER 18, 1974
AT 7:30 P.M.

The Board of Aldermen met for a regular meeting on November 18, 1974 at 7:30 p.m. in the Municipal Building. The roll was reported as follows:

Present: Howard N. Lee, Mayor
Gerald Cohen
Thomas Gardner
Shirley E. Marshall
R. D. Smith
Alice M. Welsh

Absent: Sid Rancer

A quorum of the Board was present and in attendance at the meeting. Also present were Town Manager C. Kendzior, Town Clerk D. Roberts and Town Attorney E. Denny.

Alderman Smith moved, seconded by Alderman Marshall, that minutes of the meeting of November 11, 1974 be approved as corrected. Said motion was unanimously carried.

Petitions

Town Manager Kendzior petitioned the Board that the following items be added to the agenda: 1) budget amendment for increased costs for the paving of North Lake Shore Drive and Burris Place, to be placed under 9c of the agenda; 2) consideration of a request from Utilities Study Commission to discuss proposal for Water and Sewer Authority, to be placed under 10a of the agenda; 3) rescinding of contract for janitorial service for the Chapel Hill Police Department Building, to be placed under 10b of the agenda; and 4) consideration of instructing Town Manager to contact the necessary representatives in Congress to support Senate Bill 386, which would make Transportation Funds available not only for capital expenditures but also for operational expenditures, to be placed under 10c of the agenda. Alderman Cohen petitioned the Board to place an announcement on the listing of property taxes next January under 4d of the agenda. Alderman Welsh moved, seconded by Alderman Smith, that the petitions be received and placed on the agenda as indicated. Said motion was unanimously carried.

78

Parking Lots--Holiday
Schedule

on the following holidays: Thanksgiving, November 28; Christmas, December 25; and New Year's Day, January 1, 1975. The bus system will operate Sunday route service on these holidays.

Mayor Lee announced that the Off-Street Parking Lots that are staffed by attendants will not be manned

Christmas Holidays
for Town Employees

25, and 26 for Town employees as allowed by Section 14.108 of the Town Code. Bus system and parking lots will operate on regular schedules on December 24 and 26. Alderman Smith moved, seconded by Alderman Welsh, that December 24, 25, and 26, 1974 be designated Christmas holidays. Said motion was unanimously carried.

Mayor Lee said that the Board must consider designating three-day Christmas holidays for December 24,

December Salaries for
Town Employees

day, December 20, 1974 along with weekly employees.

Town Manager Kendzior announced that salaried employees will receive their December checks on Friday,

Property Tax Listing

tion requesting County to conduct a personal property tax listing in Chapel Hill in addition to the one in Carrboro. County Administrator has indicated that tax listings in Chapel Hill can be held on Thursday, Friday and Saturday mornings in January. Alderman Cohen asked Town Manager Kendzior to investigate if the meeting room will be available on these mornings in January, 1975.

Alderman Cohen said that in March, 1974 that Board passed a resolution

Animal Protection
Society--Report

operate a shelter for the Towns of Carrboro and Chapel Hill. Animal control problem involves many different duties, such as picking up unwanted, stray or injured animals, taking them to a shelter and holding them until they are returned to owners, new owners are found, or the animal is disposed of. In addition, it involved law enforcement, record keeping and other duties. Many communities have turned the operation of shelters over to humane society. The advantages of such a plan are that it provides a central location for reclaiming lost or apprehended animals, frees town dog officer from time consuming chores and permits him to concentrate on law enforcement, puts the responsibility for humane animal care and disposal with the APS, reduces stray animal problem, provides a location where an owner can take unwanted animals, relieves local governments of dealing with citizens having animal problems, and may result in savings to both Towns. The Board needs to resolve the questions of financing, responsibility for shelter operation, location and size of the shelter, and whether county participation is feasible and desirable. The Animal Protection Society proposes that a committee made up of six members, two each appointed by the Town of Chapel Hill, Town of Carrboro and the APS be formed to study the feasibility of a regional shelter operated by the APS. The committee should be instructed to complete the study in time for recommendations to be considered in the next fiscal year's budget. Mayor Lee asked if Town should proceed with its program while the study is going on. Dr. Reist said yes. In response to questions from Mayor Lee, Alderman Smith said that he has recommended in the past that this type of procedure be followed; Mr. Blake, Assistant Town Manager for Public Safety, said that he feels this is a feasible course to follow. Mayor Lee recommended that Alderman Smith, Mr. Blake, Dr. Reist and Mr. William Rump be part of the committee, and that Carrboro representatives and maybe Orange County Representatives be also added to the committee. Alderman Welsh moved, seconded by

Dr. Parker Reist from Animal Protection Society asked the Board to consider whether the APS should