

MINUTES OF A PUBLIC HEARING OF THE MAYOR AND COUNCIL
OF THE TOWN OF CHAPEL HILL
PHILLIPS JR. HIGH SCHOOL, MONDAY, OCTOBER 15, 1984, 7:30 P.M.

Mayor Joseph L. Nassif called the meeting to order. Council Members present were:

Marilyn Myers Boulton
Winston Broadfoot
Beverly Kawalec
David Pasquini
Nancy Preston
R. Dee Smith
Bill Thorpe

Council Member Jonathan Howes was absent, excused. Also present were Town Manager David R. Taylor, Assistant Town Managers Sonna Loewenthal and Ronald A. Secrist, and Town Attorney Grainger Barrett.

Duke Power Substation Request for a Public Service Facility Special Use Permit (SU-126-D-8)

Persons wishing to speak to Council about this proposal were sworn in by the Minutes Clerk.

Manager Taylor requested that the following documents be entered into the record of the hearing: (Please refer to the Clerk's Files.)

- Agenda #1, October 15, 1984, Duke Power Substation-Request for Public Service Facility Special Use Permit (SU-126-D-8)
- Applicant's Project Fact Sheet
- Applicants' Statement of Justification
- Applicants' Traffic Impact Report

Assistant Manager Loewenthal introduced the request. (Please refer to Agenda #1).

Dave Maner, District Manager of Duke Power, addressed the issues of need and location of the substation. Mr. Maner explained that since 1977 there has been a 42% growth in demand for electricity in the Chapel Hill area. In 1980 a study was done by Duke Power that determined there was a need for a ring of substations around the town. The proposed substation will complete the ring. Mr. Maner noted that at present there are no other substations planned for the town but future growth will determine additional needs. He also explained that the proposed substation (Grey) will help relieve the load on the Cameron Avenue substation which presently serves the majority of the University, the business district and the southern area of town. He stated that the Cameron Avenue substation cannot be expanded and projected that it cannot serve the area past 1987. Because of the limitations of the Cameron Avenue substation, Grey is needed to serve the increased demand which is expected to occur in the southern portion of town due to a number of recently approved developments.

In regard to the location, Mr. Maner explained that although the proposed site is not Duke Power's first choice, it is the only one of four sites considered near the load center that is available. He noted that this site will allow Duke Power to utilize an existing transmission line right-of-way. Mr. Maner said there will be two lines exiting underground from the substation. He stated that Duke Power is aware of the sensitivity of the site (adjacent to the Merritt Meadow or pasture) and feels that with the extensive landscaping proposed, the substation will improve the appearance and value of the site. Mr. Maner asked Council to consider other uses of the site and compare them with this proposed use as to any negligible effects.

Mr. Maner said there will be limited impact on traffic in the area since only two to three vehicles per month will be going in and out of the site.

Dwight Hollifield, landscape architect for the proposal, said the dual objectives for landscaping the site were (1) to completely screen the substation from surrounding roads and properties and (2) to improve the visual quality of the property so that it would contribute positively to an entranceway to Town and surrounding properties. Mr. Hollifield said the proposed grade elevation is planned to be as low as possible but at the same time will remain 2' to 3' above the 100 year floodplain level.

Mr. Hollifield presented drawings of the proposed landscaping for the site and described the various types of plant materials planned to be used. He noted that although trees will have to be removed along the power line corridor, it is acceptable to plant low-growing flowering trees under the lines. Mr. Hollifield said there will be a very high level of landscape maintenance. He also presented cross-sections from visual points around the substation. He said the only structures that will be visible above the tree line will be the lighting for the substation and the area where the transmission lines enter the site.

Mayor Nassif asked what the height of the low-growing trees would be. Mr. Hollifield said the Southern Magnolias that will be planted around the site will be a minimum of 18' in height at the time of planting. They will be planted 10' on center with some variation of the 10' distance in order for the trees to touch. Council Member Pasquini noted that there has been some consideration given to requiring a 50' natural buffer along entranceways. He said that if the proposed US 15-501 NC 54 interchange goes through, that requirement will not be met. Mr. Hollifield said Council Member Pasquini's observation is true but the buffer will be less than 50' for only a short distance. Mr. Hollifield noted that if the interchange is constructed, the closest point of the right-of-way to the substation will be 55'.

Council Member Smith asked how many of the relatively large trees will have to be removed. Mr. Hollifield said that an area of 260' long and 80' wide will have to be cleared. Mayor Nassif asked what the height of the towers would be. Bill Bonny, Project Engineer for Duke Power, said the tubular steel towers will be from 85'-100' in height. Council Member Pasquini asked why the incoming lines cannot be buried. Mr. Bonny replied that it is a matter of cost and reliability. Mr. Bonny noted that if the lines are buried that area would still have to remain cleared. Mayor Nassif asked what amount of clearing could be required if the lines were underground. Mr. Bonny replied 68' in width.

Mr. Hollifield presented cross-sections from Merritt's Meadow which showed that the site line just skirting the tops of the taller structures in the substation.

Council Member Pasquini asked what type of lighting is planned for the substation. Donald Berg, Project Engineer for Duke Power, replied that it will be high pressure sodium. Council Member Preston asked if there will be a problem with the lighting interfering with the traffic in the area. Mr. Berg said the lighting is directional and will not be extremely bright.

Council Member Pasquini asked if the presenters had a picture of what the substation will look like. Mr. Hollifield replied no, but said the substation will be similar to the one behind the Duke Power Service Center on Homestead Road. Mr. Berg explained the proposed elevations.

Mr. Hollifield presented cross-sections showing the substation would not be visible from distant hills and ridges. He also noted that Duke Power plans to add loblolly pines to existing vegetation on the northern portion of the site. Mr. Hollifield said the three transmission towers will be able to be seen from Highway 54. However, he said the views of the structures will be broken given the existing vegetation along Highway 54. If the trees along Highway 54 are removed in the future, he said the trees behind the towers will still offer screening behind the lines.

Mr. Hollifield said a 550' x 68' swath will have to be cleared for the transmission lines. He noted that although the swath will be through some existing woods much of it will be through an already open area.

Lightning Brown, spokesperson for the Planning Board, said the Planning Board recommended approval of the proposal. Concerns expressed by Planning Board members were (1) the need for greenway easements on the site, (2) the need for maintenance of the landscape, (3) the need for awareness of the sensitivity of the site with relation to stormwater runoff and siltation, and (4) the need for careful maintenance of the interchange ramp during construction. The Board also expressed its desire for the transmission and distribution lines, both incoming and outgoing, to be located underground.

Lightning Brown, then speaking for the Task Force on Greenways, said the Task Force recommended that 70' wide pedestrian non-motorized easements be provided along Morgan Creek on the side of the station and that similar easements be provided along the site's frontage with the interchange for potential use around the future interchange development. The Task Force also noted that the Town owns or will be offered deed to 15 acres of parkland on the other side of Pittsboro Road. He said it is important that the powerlines coming into the site not disrupt that park land.

Manager Taylor said the Manager's preliminary recommendation is that Council approve resolution A subject to the conditions listed in the resolution.

Phillip Walker, owner and developer of High Park, expressed concern about the effect of the proposal on property values. He said that he holds a special use permit allowing construction of 24 condominium units within 200' of the proposed power lines that will run through his property. Mr. Walker said the top floors of the units will be only 10' above the proposed towers. He said he does not feel Duke exhausted all avenues in their selection and said that a location behind Kingswood Apartments would be better. Mr. Walker asked that Council consider the impact this proposal will have upon the entranceways to Town. He also noted that Morgan Creek, Culbreth Road and US 15-501 South are all at an elevation of 320' which is higher than the height of the towers. Tom Heffner, a real estate appraiser, commended Duke Power for its sensitivity to the impact of the substation. Mr. Heffner said that the James Street substation is one example which illustrates the unfavorable impact on property facing a substation. He did note that the proposed substation is better designed than the James Street substation. Mr. Heffner stated that he had not examined the elevations to determine if the proposed screening will be adequate, but from the presentation given by Duke Power officials he stated that there is some potential for view of the structure from High Park, from development that might occur across Morgan Creek and from the other side of Merritt's Meadow. Mr. Heffner said Council should seriously consider requiring that the incoming and outgoing lines be placed underground so as to minimize the impact of the proposed substation on adjoining property values.

Runyon Woods, developer of the proposed Old Bridge development (across Morgan Creek), referred to a letter he wrote to Council dated September 18, 1984 which expressed concerns about the power line right-of-ways and the substation itself. Mr. Woods said that since that time Duke Power officials have alleviated his concerns about the number of trees that will have to be removed along the right-of-way and he is completely satisfied with what has been proposed. However, Mr. Woods said he questions why the substation must be lit 24 hours per day.

Council Member Smith asked Mr. Walker if he was aware of the 68' power line easement across his property when he purchased it. Mr. Walker said he was not aware of the easement. He explained when his attorney did the title search, Duke Power had not recorded the map indicating the easement. He said his attorney only found a deeded reference to an easement which he assumed to exist on Culbreth Road.

Council Member Smith asked what will happen to the Cameron Avenue station. Mr. Russell said it will remain operative. He also noted that the

Cameron Avenue station provides a large quantity of UNC's power needs. Mr. Maner noted that the proposed Grey substation would relieve some of the load from the Cameron Avenue substation. Mr. Maner also noted that there is a provision in Duke Power's purchase agreement with the University that states that if the University grows to such a point that it requires full use of the Cameron Avenue substation, Duke Power can be asked to abandon its circuits from the Cameron Avenue substation. Mr. Maner said he feels that most of the future growth of the University will be served from delivery from the Finley Golf Course substation.

Mayor Nassif asked what overhead lines will be needed in order for the proposed Grey substation to serve the needs of non-University related customers. Mr. Russell replied that those needs can be served from the Grey substation with only minor modifications to the proposed lines. He said it will not involve the addition of any new pole lines.

Council Member Smith noted that when the Finley Golf Course substation was proposed, it was to be used to serve the needs of the University. He said it sounds as if Duke Power officials are now saying that the University's needs can be met from the Cameron Avenue station. Mr. Russell said the University has two delivery points and that the Grey substation will help relieve the load to the Cameron Avenue station.

Council Member Kawalec asked Manager Taylor if he thinks it would be wise for the Town to develop some sort of policy on major power lines going through residential areas or if he knows how other Towns deal with the issue. Manager Taylor replied that Chapel Hill has not dealt with such a policy and he is sure that neighborhoods do not want major power lines crossing their areas. Manager Taylor said the lines can be put in underground. He suggested that Council direct questions to Duke Power officials regarding the feasibility of putting in the transmission lines underground. Mr. Bonny said the technology does exist to be able to bury the transmission lines. However, he noted that, assuming you do not have to dig through rock, burying the lines increases the overhead costs by eight to ten times. He said lines are buried primarily in areas where there is a problem of overhead clearance such as around airports or in large cities. Mr. Bonny said that statistics indicate the overhead power lines do not adversely effect property values and overhead lines allow for more open space for use as recreational facilities. Mr. Bonny also noted that if the lines are buried a 68' easement would have to be kept clear whereas with overhead lines, low growing vegetation could be planted under the lines. He also said that if a problem occurs in a buried line, the land along the easement would have to be dug up to locate the source of the problem. If a problem occurs on an overhead line, the problem can be repaired using a pick-up truck and a hand line.

Manager Taylor said he did not think Mr. Bonny's analogy concerning the repair of underground vs. overhead power lines is completely accurate and asked Mr. Bonny to clarify his point to the Council.

Council Member Kawalec asked where in North Carolina lines of the same voltage of those proposed to come into this substation are buried. Mr. Bonny said about 2000' of lines of this voltage are buried around the Douglas Municipal Airport in Charlotte. Council Member Kawalec asked if there are various rates set for different areas that Duke Power serves. Mr. Bonny said rates are set for all of North Carolina and are not separated by area.

Mr. Bonny noted that the proposed poles are suspension poles and can be moved 25' to 50' to a location that might be less obtrusive than the proposed location. Council Member Preston asked why the facility needs to be lit 24 hours a day. Mr. Russell replied that there needs to be enough lighting at the facility to allow emergency crews to locate a problem. He noted that the facility does not necessarily have to be lit or that all lights do not have to be on all of the time. Mr. Russell noted that the proposed sodium lights will not be of a very high wattage. Council Member Boulton asked that a stipulation be included in the resolution that would restrict the lighting to a minimal amount.

Council Member Broadfoot asked how Council is suppose to determine whether or not the proposal is a public necessity so as to exclude the

special use finding related to property values. Attorney Barrett said Council should consider all the evidence presented at the hearing to determine if the proposed facility in the proposed location is a public necessity.

Council Member Preston asked if there have been any negotiations with Duke Power officials concerning the greenway easements. Mr. Lightning Brown replied that there has been no prior discussion with the applicants about the greenway easements except that the applicant did tell the Planning Board there would be no problems with granting the requested greenway easements.

COUNCIL MEMBER BOULTON MOVED, SECONDED BY COUNCIL MEMBER PASQUINI, TO REFER THIS MATTER TO THE MANAGER AND ATTORNEY.

THE MOTION PASSED UNANIMOUSLY (8 - 0).

There being no further business, the meeting was adjourned at 9:35 p.m.

Mayor, Joseph L. Nassif

Robin G. Rankin, Deputy
Town Clerk