

# Independent Weekly

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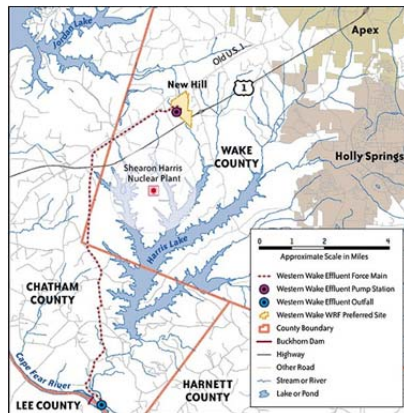
## Chatham residents, Wake mayors open up about pipeline

*by Joe Schwartz*

(This story was updated Feb. 9 at 5:30 p.m.)

More than two dozen people spoke before the Chatham Board of County Commissioners Monday night at a public hearing a plan to run an 8.1-mile underground pipeline from Western Wake County through Southeastern Chatham County.

Western Wake Partners—the towns of Apex, Cary, Morrisville and Research Triangle Park-South—are constructing a \$327 million wastewater treatment plant in unincorporated New Hill, but they need to build the pipeline to funnel treated wastewater to the Cape Fear River. About a dozen landowners would need to give up 40-foot-wide easements to bury the pipes, which are 5 feet in diameter.



- The proposed pipeline route runs from New Hill to the Cape Fear River along roads and through the yards of a dozen Chatham property owners.
- Courtesy of Western Wake Partners

The partners need Chatham commissioners to approve the easements or they will need to ask state authorities to intervene.

Chatham County Commission Chairman Brian Bock says the board will vote on the pipeline at its next meeting, Feb. 21.

Chatham Commissioner Sally Kost says she plan to vote against the pipeline unless the only way "we were able to develop a list of concession from the partners that benefited Chatham, but as it's currently proposed I just don't see what's in it for Chatham County." She is concerned that business expansion that occurs as a result of the wastewater treatment plant could be limited to Wake County, while Chatham County could experience largely residential growth that would worsen the area's problems with sprawl.

Many Chatham County residents were vigorously opposed over concerns about pipeline leaks, uncontrolled growth, the possibility of future annexation by Cary and decreasing property values.

However, representatives of RTP businesses supported the pipeline because they say the additional infrastructure is necessary to sustain and grow the local economy.

The mayors from the Western Wake Partners—Apex's Keith Weatherly, Cary's Harold Weinbrecht and Morrisville's Jackie Holcombe—pledged to offer fair value to property owners whose land is needed for easements.

Weinbrecht argued that though the majority of Chatham County residents won't use the treatment plant—only 1,967 Cary residents live in Chatham—they would benefit from the jobs additional development would create.

He also attempted to quell fears about annexation. Several residents raised concerns that the treatment plant will lead to rapid expansion in and around Cary and the town would want to capture the additional tax dollars by folding them into the town limits.

"In my opinion, there is not interest on this (Cary) council to do any involuntary annexation," Weinbrecht said, noting that the town hasn't forcibly annexed any property since 2003.

Cary residents who live in Chatham County agreed to be annexed.

Yet under current state law, Cary can annex land without permission of the landowners or Chatham County. And while Weinbrecht has maintained no land would be forcibly annexed, many Chatham residents are concerned future Cary administrations may feel differently.

"Unfortunately, the law isn't with us in this," Bock said.

Property owners along the pipeline route in Wake and Chatham counties received letters from the WWP this week notifying them that representatives of the partners would be accessing properties in March. Bailey says representatives will stake the land, which will help the partners discuss the easements with the property owners and determine potential costs to the partners.

The letter alarmed Sam Cherry, whose land is needed for an easement. After receiving the letter, Cherry sent an e-mail to the Chatham commissioners asking them to write a letter to the partners telling them to "cease and desist from this action until you publicly announce that you have declined their request to run the pipeline and they have gone through the legal process."

Cherry said he was concerned about the inclusion in the letter of state statute number, 40A-11, that references eminent domain. However, Bock said he believes Cherry misinterpreted the statute, which deals with surveying—a right of entry prior to condemnation. The letter does not mention eminent domain.

“All that letter was, was to mark where the proposed line would be,” Bock said. “The intent was probably good, so everyone can speak precisely about how they would be affected.”

At Monday night's meeting, Jeffrey Starkweather of Pittsboro urged the commissioners to use the pipeline as a bargaining chip.

He wants Chatham commissioners to ask the partners to support state legislation that would require county approval for voluntary annexation.

House Bill 9, recently introduced in the Legislature, would outlaw involuntary annexations.

Loyse Hurley, president of Chatham Citizens for Effective Communities, called properties that neighbor Apex as “prime targets for [in]voluntary annexation.”

“This proposal impacts a much larger community, not just those who are being asked to provide easements,” she said. “Surrounding property owners who have chosen to live in a rural area are opposed to the concrete jungle that suddenly appears may be their next door neighbor.”

Cary Director of Engineering Tim Bailey says the pipeline must follow the proposed route because it is the shortest feasible option and creates the least impact to homeowners. “It would be a very long and expensive process to change at this point,” he said.

And even then, “We would have just had to go to another county and get their permission,” Bailey said.

John Graybeal of Pittsboro told the commissioners, “Your constituents are telling you how to vote. They vote ‘no’ and they want you do to the same.”