

03-04-2020 Town Council Meeting

Responses to Council Questions

ITEM #9: Consider a Preferred Option for Fordham Boulevard Sidepath Project

Council Question:

The current and proposed sidepath between Cleland and South Estes runs alongside and also crosses a stream. What stream/creek/other category is that and how would it be impacted by redevelopment of the sidepath?

Staff Response:

The existing portion of the sidepath crosses over Bolin Creek south of the South Estes housing complex via an existing pedestrian/bicycle bridge. The bridge, which was partially renovated in 2016, will not be replaced as part of the Fordham Sidepath project. Since the bridge is already in place we do not anticipate any impacts to Bolin Creek. Bolin Creek is a perennial, FEMA regulated stream.

The path also lies adjacent to a small unnamed tributary to Bolin Creek. We do not believe that the renovation will have any impact to that stream. We will work closely with the Town's Stormwater Division to ensure that all best practices related to waterways are met during design and construction.

Council Question:

If we install a fence on owner's property next to the new sidepath, who will be responsible for maintaining it?

Will the town pay the demolition costs to remove fences already in place? Would we only pay for demo of the western side of an owner's fence, not any lengths on other sides of the property?

Is it reasonable/possible to build the fence first, before sidepath construction? Before removal of existing vegetation?

Staff Response:

We are early in the planning stages for items such as fencing adjacent to the Fordham Boulevard right-of-way. If the Council authorizes the staff to proceed with the project within the right-of-way we will develop more detailed proposals, which will be shared with all stakeholders including the adjacent residents and NCDOT. Our current thinking is that we will install a fence on the private lots adjacent to the right-of-way if landowners are willing to execute an encroachment and maintenance agreement. Although the approach and details may change as the project moves forward we believe, at this time, that:

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- *The Town will offer a one-year warranty on the fence and will take care of any needed repairs in that first year. We anticipate that any agreement will give the Town the right to maintain the westward facing side of the fence. We do not believe that it is reasonable for homeowners to be responsible for maintaining the side of the fence that faces away from their homes. The agreement will also have to include language related to eventual replacement of the fence. We expect the fence to last approximately 30 years with proper maintenance.*
- *The Town should pay the costs to remove sections of existing fence along the Fordham Boulevard right-of-way, but not fences that separate private properties.*
- *Installation of the fence cannot occur prior to removal of the buffer and grading. We can schedule fence installation immediately after grading is completed, at which point the fence contractors will have adequate access. This will be a relatively simple project. With reasonable weather we would expect that clearing and grading could be accomplished fairly quickly.*