

**Amy Harvey**

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**From:** Ross Tompkins  
**Sent:** Wednesday, October 10, 2018 12:50 PM  
**To:** Amy Harvey  
**Subject:** FW: Agenda Item 12: Police Station Coal Ash process explanation  
**Attachments:** 2016 October Steps in Brownfield Program for Coal Ash Remediation.docx

[From the Mayor's office yesterday.](#)

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**From:** Jeanne Brown  
**Sent:** Tuesday, October 9, 2018 7:08 PM  
**To:** Karen Stegman <kstegman@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Donna Bell <dbell@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Nancy Oates <noates@townofchapelhill.org>; Rachel Schaevitz <rschaevitz@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>  
**Cc:** Maurice Jones <mjones@townofchapelhill.org>; Dwight Bassett <dbassett@townofchapelhill.org>; Flo Miller <fmiller@townofchapelhill.org>; Mary Jane Nirdlinger <mnirdlinger@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>  
**Subject:** Re: Agenda Item 12: Police Station Coal Ash process explanation

My apologies. Am having trouble with my home computer.

This one has the correct attachment.

Jeanne

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**From:** Jeanne Brown  
**Sent:** Tuesday, October 9, 2018 6:48 PM  
**To:** Karen Stegman; Hongbin Gu; Donna Bell; Michael Parker; Pam Hemminger; Jess Anderson; Nancy Oates; Rachel Schaevitz; Allen Buansi  
**Cc:** Maurice Jones; Dwight Bassett; Flo Miller; Mary Jane Nirdlinger; Ross Tompkins; Laura Selmer  
**Subject:** Agenda Item 12: Police Station Coal Ash process explanation

Council Members:

In response to questions received in our office today, MayorHemminger has asked me to forward the attached document which Dwight and I worked on together this morning.

The document outlines the multi-step process required for the town to identify the remediations necessary to the site if the Town chooses to redevelop the property using a Brownfield Agreement.

As a reminder, the step you are being asked to take tomorrow is to authorize staff to request a "Letter of Eligibility" for a Brownfield Agreement - which is one of the options being considered.

Also included on page 2 is a link to an FAQ on Brownfield Agreements from the NCDEQ website.

Please let Maurice or Dwight know if you have questions about the information provided.

Sincerely,

Jeanne



**Jeanne Brown**

Mayoral Aide  
Mayor's Office

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Help create a new Comprehensive Plan at <http://www.chapelhill2020.org>

Old Police Station – Coal Ash Decision Process

<p>Letter of Eligibility Timeframe: 2 months</p> <p>Interim: 3 meetings</p> <ol style="list-style-type: none"> <li>1. Environmental/Remiation</li> <li>2. Possible scenarios</li> <li>3. ESAB</li> </ol>	<p>Resolution would allow staff to request <b>Letter of Eligibility</b></p> <p>Information required:</p> <p>General statement of use types</p> <ul style="list-style-type: none"> <li>• No single family allowed</li> <li>• No park land allowed</li> <li>• Unsure about first floor residential</li> </ul> <p>Scenarios: (already discussed w/ public) Vary in residential/commercial mix</p> <p>One example:</p> <p>Retail: 6 – 10k Commercial: 90k Residential: 200k</p> <p>Guidelines based on public meetings: Mix of uses, Less than <b>6 stories</b>, taller buildings up front, connected to transit and greenway, tree canopy and buffers remain,</p>
<p>December 5<sup>th</sup> (Tentative) Council Decision Point</p> <p>Remediation Plan Negotiation Expected timeframe: 6 months</p>	<p>If council votes to move forward, they will ask staff to negotiate a <b>Brownfield Agreement</b></p> <p>Town and NCDEQ establish remediation strategy for “concept”</p> <p>Information required: Building footprints, retaining walls</p> <p>Note: Remediation plan is not set in stone.</p>
<p>Council Decision Point June 2019 (at the earliest) Remediation Agreement Development or Partnership Path</p>	<p>If council agrees with NCDEQ and votes to move forward, they will decide on a <b>Development Path</b>.</p> <p>Options might include:</p> <p>Putting out an RFP Choosing to go with an identified developer Looking for a partner</p> <p>Also on the table: Development Agreement or Conditional Use Zoning tool</p>
<p>Council Decision Point: Entitlement</p>	<p>Site plan and proposal go through Development Review process, including Advisory Board reviews and public hearings.</p>

## Wording from NCDEQ webpage:

'The department will enter into an agreement with the developer that is in effect a covenant not-to-sue contingent on the developer making the site suitable for the reuse proposed. The brownfields agreement provides both the site-specific actions necessary to make the site suitable for reuse and the covenant not-to-sue once these actions are complete.'

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\*Link to NCDEQ FAQ on Brownfield programs:

<https://deq.nc.gov/about/divisions/waste-management/bf/faqs#4>