

1. Were you aware when you approved the special use permit that the construction company would be blasting extensive granite formations on this 7-acre piece of land that is so close to neighborhoods and schools?

Town Staff Response: As with many construction sites, blasting is required to remove rock on-site. When the Town became aware of the expected blasting earlier this spring, we contacted the nearby property owners to hold an information meeting.

2. How will the Town staff ensure that the blasting company is adhering to the highest standards of safety?

Town Staff Response: As part of the blasting permit issued by the Town, the Fire Marshal's office issues blasting permits based on the National Fire Protection Association (NFPA) Explosive Materials Code 495 and North Carolina State Building Code: Fire Prevention Code 2012.

3. Were any preliminary investigative ground studies done to ensure that this blasting would not damage existing homes in the area?

Town Staff Response: As you are aware, pre-blast surveying is occurring in homes within proximity of the proposed blast sites.

4. Has similar blasting been done previously in such close proximity to other populated neighborhoods or schools in Chapel Hill?

Town Staff Response: This spring, blasting was conducted at the Chandler Woods development. Blasting has also been done on UNC campus near the law school and stadium drive. That blasting encountered utilities and other obstacles, but we are not aware of any damages.

5. Who is legally responsible if there is any damage done to our homes as a result of the blasting? Mid-South Drilling? The developer? The Town of Chapel Hill? (We have learned that the ownership of the Retirement Residence is already changing hands and want to know who will be accountable if things go wrong.)

Town Staff Response: Should there be any structural/operational damage that has been caused by the blasting operation, there is a protocol in place, in which you would work with the contractor and their subcontractor to resolve any problems. The contractor does have insurance. The Developer and the Town would work with you to make sure that your concerns and/or claim was being addressed by the contractor and subcontractor.

6. Were you aware that, although Vibra-Tech, Inc. has been allowed by other drilling companies to release the inspection films to the home owners, Mid-South Drilling has specifically prohibited release in this case?

Town Staff Response: As we understand it, the inspection films are done and held by a third-party independent company. For a fee, the third-party will release the information. Neither the contractor nor the subcontractor have ownership of the files.

7. Our second concern is that virtually all of the trees have been removed from the construction site. We thought that the town's tree ordinance mandated the protection of significant trees and tree canopy. It seems like the tree buffer sought by the neighborhood and approved by the developer was not kept in place.

Town Staff Response: Please see the attached approved landscape plan. The development has a 30 percent tree canopy requirement.

8. Will there be significant landscaping and plantings on the completed site that will buffer the residential neighborhood from the noise and lights of the Retirement Residence?

Town Staff Response: Please see the attached approved landscape plan. The development has a 30 percent tree canopy requirement.

9. Our next concern has to do with the increased traffic. With the large number of residents and support staff once this facility opens, the volume of traffic that comes in and out of Somerset Drive will increase dramatically. It is already difficult to turn left on to Estes Drive when leaving the neighborhood.

- Will anything be done to mitigate the effects of this dramatic increase in traffic volume?
- Will a stoplight or a roundabout be placed at the entrance of Somerset Drive to facilitate traffic flow?

Town Staff Response: The requirements of the plan are included in the attached Special Use Permit. A traffic impact exemption was granted for this project based on the information provided.

10. We remain concerned about the safety of our homes and the adjacent school given the extensive blasting planned on the 7-acre site of the Chapel Hill Retirement Residence.

- We were told by VibraTech, Inc. that there would be up to 30 days of blasting (1-3 times/day). Is there a *cumulative* risk of damage to our homes with repeated blasting?

Town Staff Response: To our knowledge we have not received any damage to homes that were in proximity to areas where blasting has taken place in the past.

The following developments had blasting permits (there may be others):

1. AC Hotel on W. Rosemary Street adjacent to Northside NCD;
2. 140 West, across from AC Hotel;
3. Carraway Village on Eubanks Road;
4. Shortbread Lofts, on W. Rosemary Street across from Breadman's;
5. Northside Elementary School;
6. Chandler Woods, subdivision on Homestead/Merin Road;
7. Chapel Hill High School (proposed); and
8. Rogers Road Sewer Project (proposed)

- When nearby blasting is done, we understand it can cause immediate damage, but is it possible that the damage would not become evident until weeks or months later?

Town Staff Response: Again we are not unaware of any damage to homes from the result of blasting.

- Were any preliminary investigative ground studies done to ensure that this blasting would not cause damage to the existing homes in the area or to the nearby Phillips Middle School? The Raleigh Fire Department requires a pre-blasting assessment of potential damage to nearby buildings (Please see email attachment). Has Chapel Hill done this?

Town Staff Response: Chapel Hill Fire Department issues Blasting Permits. You may find the permit here: <http://www.townofchapelhill.org/home/showdocument?id=28876> It is our understanding that the contractor has hired an independent third party to provide inspections to homes in the blast area. They also provide monitoring during the blast for any shock wave that resulted from the blast. We do not have access to these records.

- In the Staff Response about who is liable if homes are damaged, Mr. Stancil attached a document that the blasting company must have at least \$1,000,000 in insurance coverage. Is this the full extent of the coverage in the case that homes in the neighborhood are damaged? (This seems like an insufficient amount.)

Town Staff Response: The North Carolina Fire Code requires \$500,000 of coverage, however the town requires \$1,000,000. The blaster provides the Fire Marshal's Office with a certificate of insurance.

- Contrary to the Staff Response to our petition, homeowners were, in fact, told by Vibra-Tech, Inc. that we could *not* receive copies of the pre-inspection home photos/films that they took. Although Vibra-Tech has been allowed by other drilling companies to release photos/films, Mid-South Drilling has specifically disallowed release of the photos/films to home-owners in our neighborhood.

Town Staff Response: That information would be left up to the company providing the reports. The code doesn't call for us to make these records public. We would assume this is the company's internal policy.

11. Article 5.7 ("Tree Protection") of the Town's Design and Development Standards states that the minimal tree canopy coverage for new construction be 30%. (https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXA_LAUSMA_ART5DEDEST_5.7TRPR). Article 5.6 ("Landscaping, Screening and Buffering") of the Town's Design and Development Standards states that "Buffers shall be required to separate a proposed development from adjacent major streets and different adjacent land uses or zoning designations in order to minimize potential nuisances such as the transmission of noise, dust, odor, litter, and glare of lights; to reduce the visual impact of unsightly aspects of adjacent development; to provide for the separation of spaces; and to establish a sense of privacy. "

When one looks at the clear-cut construction site, it seems obvious that neither the Town's Tree Canopy nor Tree Buffer Ordinances were followed.

In the Central West Small Area Plan, the principles state that any new development should “conserve and protect the natural setting that is so characteristic of Chapel Hill,” “not threaten the essential character of an established adjacent neighborhood,” and “blend in with the surrounding neighborhood.” The Huntington-Somerset neighborhood consists of homes built on ½ - 1 acre, treed lots. Removing nearly every tree on the 7-acre site and building a Retirement Residence with such a large foot print that it extends almost to the edges of Estes Drive and Somerset Drive cannot possible be construed as “blending into” and “preserving the character” of the neighborhood that it so closely abuts.

- Why did the Town allow the tree buffer that had been agreed upon by the neighborhood and the developer to be reduced so dramatically? (from 30 to 0 feet on Estes Drive, from 20 feet to 15 feet on Somerset Drive, and to a small triangle of a tree buffer between the site and the existing homes behind it)

Town Staff Response: The applicant requested a modification to the Ordinance regulations. In this case, the Council approved the modifications to the landscape buffers for both Somerset Drive and Estes Drive. The developer cited reasons for the reduced buffer to accommodate the Central West Small Area Plan and encourage activity, walking, and biking near the street and the Council agreed and issued the modifications.

The most recent inspection of Tree Protection Fencing on the site was made on 4/18/2018 by the Town’s Landscape Architect. Staff stated that the tree fencing was unchanged from initial inspection made on 3/22/18. All fencing at that time appeared to be installed according to the approved plans. Staff further stated that the contractor completed the Town’s required Landscape Protection training on 3/20/18.

- Who made that decision and to whose benefit?

Town Staff Response: See response above.

- We are concerned that the Town will again issue special permits that allow a developer to build on the presently undeveloped, heavily treed land from Somerset Drive to MLK Blvd site without adhering to the principles that were established in the Central West Plan, or in the Town’s tree buffer and canopy ordinances. What assurances do the residents of the Huntington-Somerset neighborhood have that future construction on this land *will* adhere to these ordinances?

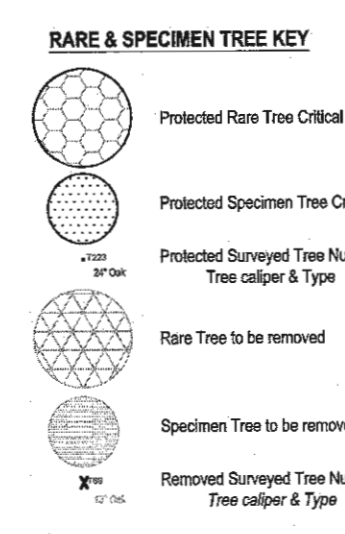
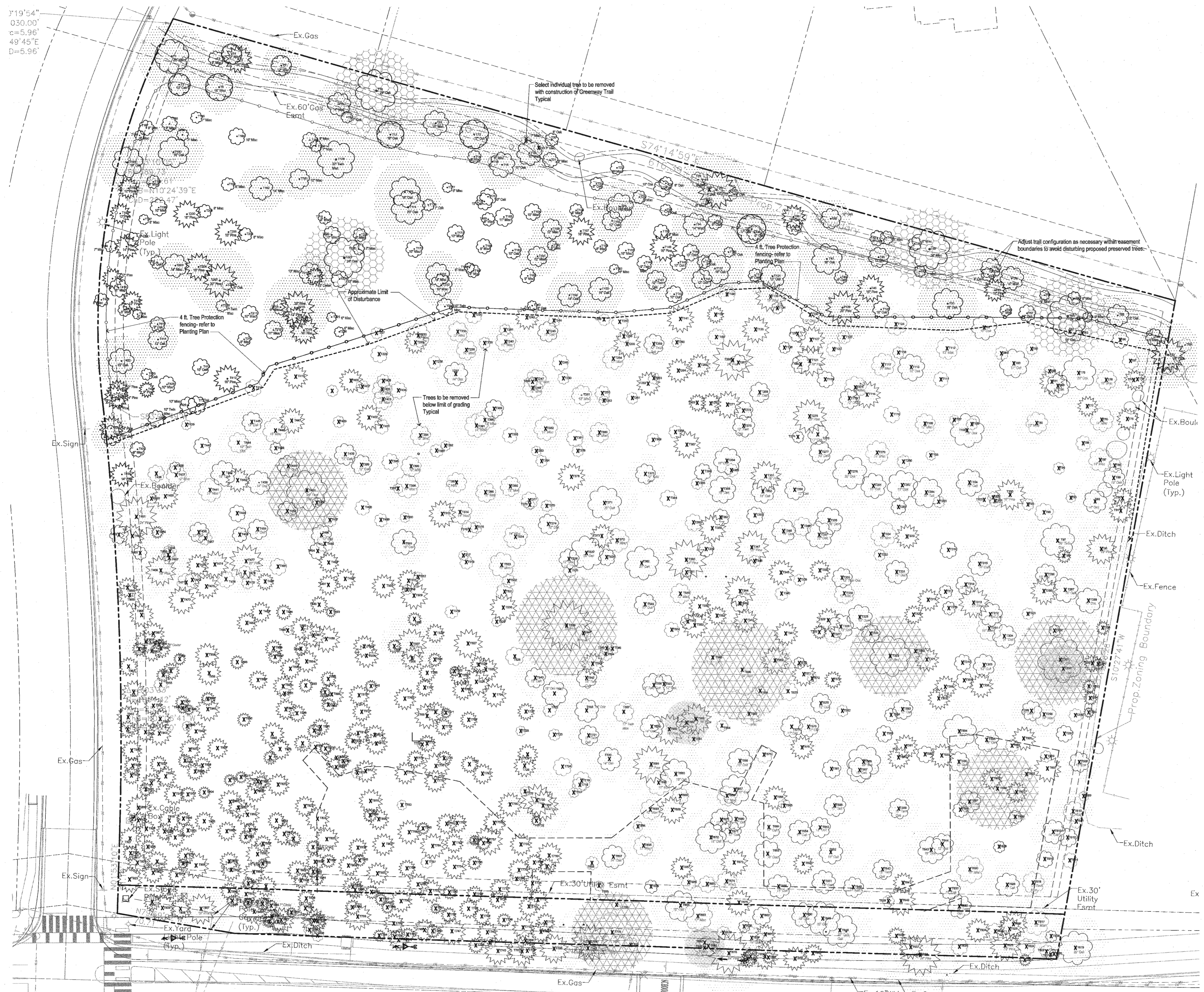
Town Staff Response: Developers must adhere to Ordinance requirements unless they received Council approval for any requests for modification to Ordinance requirements. If the Council approves modifications, then Town staff honors those modifications approvals as construction takes place.

12. We remain concerned about the volume of traffic that will come in and out of Somerset Drive when the Retirement Residence is completed. It is already difficult to make a left from Somerset Drive on to Estes Drive, especially during morning and afternoon “rush hours” when parents drop off and pick up their children from school, and between 4:30 to 6:30 p.m. when people are returning home from work.

- What steps is the Town taking to ensure appropriate access and traffic mitigation in and out of the Huntington–Somerset neighborhood as clearly stated in the Central West Plan (traffic turn lanes, traffic circle, pedestrian crossing, covered bus stops)?

Town Staff Response: Pedestrian crosswalks are proposed across Estes Drive and Somerset Drive at this intersection. Five foot sidewalks are proposed along the Somerset Drive frontage. A greenway is proposed between the site and the neighborhood connecting to school property. Along Estes Drive, a 10-foot multi-modal path and 5-foot bike lanes are part of the joint NCDOT and Town project to improve connectivity.

Town staff and NCDOT will continue to monitor traffic flow and vehicular movements along Estes Drive and will pursue a roundabout at the Somerset Drive/Estes Drive intersection if the need arises.



- NOTES**
- No Significant Tree Stands occur on site.
 - Tree information gathered from survey prepared by EPM&T, Inc. and assumes all trees are in a healthy condition and that trees identified as "Misc" are protected tree types.
 - Critical Root Zone (CRZ) radii are depicted by 1 ft. shown for each inch of trunk diameter (CRZ) measured at four and one-half feet above grade.
 - A pre-construction meeting with the town's urban forester shall be scheduled prior to start of work.
 - Any tree roots exposed by construction will be severed cleanly with an appropriate pruning tool.
 - The soil within the critical root zones of existing trees will not be driven on or otherwise disturbed during the installation of landscaping.
 - A Landscape Protection Supervisor who is registered with the Town of Chapel Hill will be present on site at all times when the following activities are being done: clearing, grubbing, excavation, grading, trenching, moving of soil, installation and removal of the protection fencing, and the delivery, transporting and placement of construction materials and equipment.
 - Landscaping activities taking place after the removal of protective fencing shall be accompanied with light machinery or manual labor and in accordance with the town's landscaping standards and specifications.
 - Tree Protection fencing shall be installed to protect no less than 75% of a tree's critical root zone.

PROTECTED TREE CANOPY CALCULATIONS

Size (caliper inches)	Quantity (ea.)	Canopy Area (s.f.)	Canopy Subtotal (s.f.)
6"	12	183 s.f.	189 s.f.
7"	12	154 s.f.	185 s.f.
8"	21	201 s.f.	421 s.f.
9"	14	254 s.f.	356 s.f.
10"	23	314 s.f.	722 s.f.
11"	4	300 s.f.	122 s.f.
12"	13	452 s.f.	587 s.f.
13"	4	531 s.f.	214 s.f.
14"	10	616 s.f.	616 s.f.
15"	3	717 s.f.	213 s.f.
16"	11	804 s.f.	884 s.f.
17"	1	908 s.f.	908 s.f.
18"	6	1018 s.f.	6108 s.f.
20"	4	1287 s.f.	5098 s.f.
21"	-	-	-
22"	1	1500 s.f.	1500 s.f.
23"	-	-	-
24"	2	1810 s.f.	3620 s.f.
TOTAL			62,032 s.f.

TREE CANOPY CALCULATIONS:

SITE DATA:

SITE AREA: 280,439 SQ. FT.

R.O.W. dedication: 14,636 SQ. FT.

Stormwater Access Easement: 22,716 SQ. FT.

Gas Utility Easement: 3485 SQ. FT.

Greenway Trail: 9583 SQ. FT.

Water Line Easement (Fire): 16,117 SQ. FT.

Active Recreation Areas: 5663 SQ. FT.

NET SITE AREA: 208,739 SQ. FT.

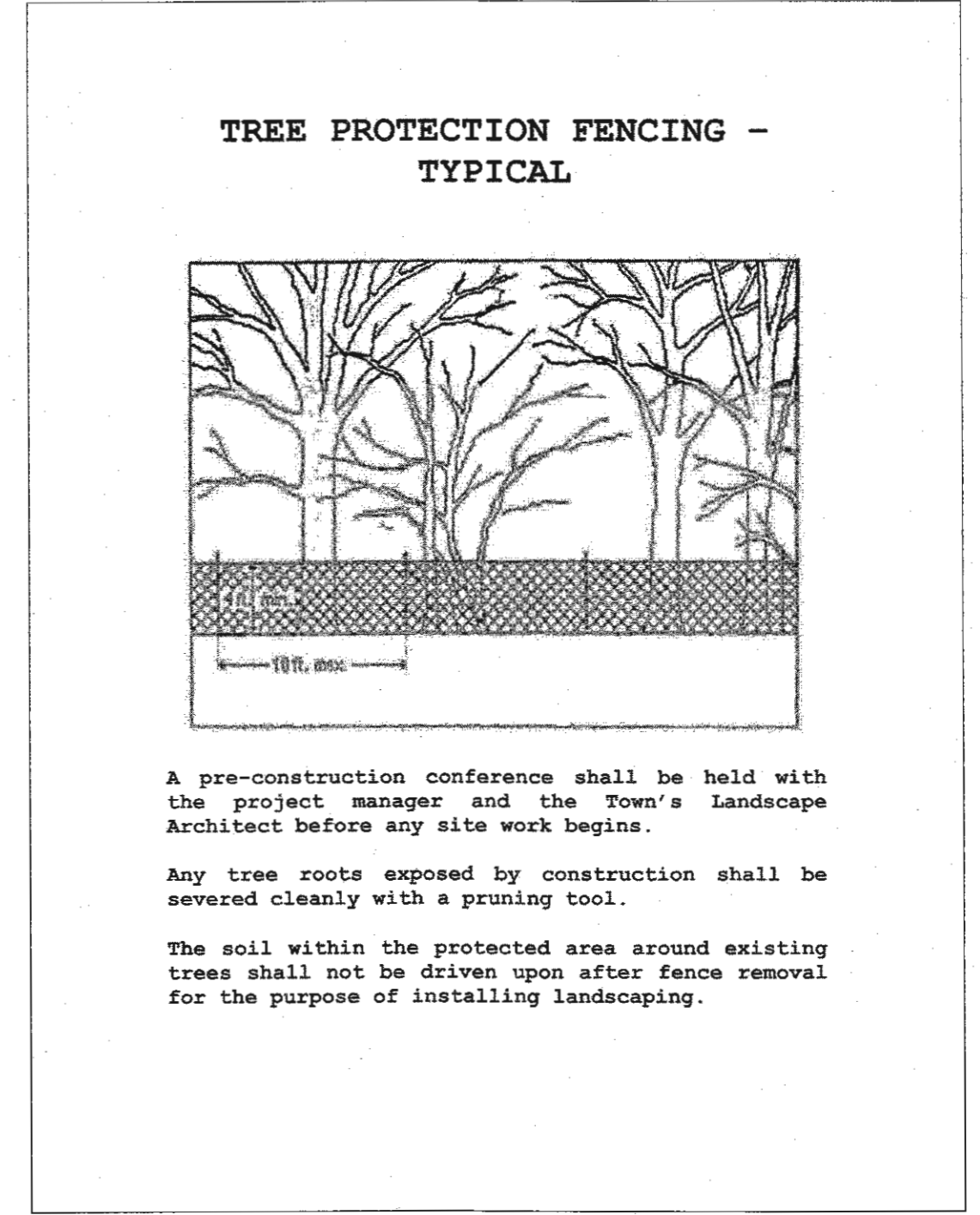
30% TREE CANOPY REQUIREMENT: 62,622 SQ. FT.

PROTECTED TREE CANOPY AREA: 62,032 SQ. FT. (areas beyond property lines and within existing utility easement not included)

REPLACEMENT TREE CANOPY AREA: 11,000 SQ. FT. (22-2.50" caliper trees @ 500 s.f.)

TOTAL TREE CANOPY AREA: 73,032 SQ. FT. (35%)

Note- Trees used to meet buffer and parking lot shade requirements and all trees within utility easements are not included in calculations.



Landscape Protection Plan

SCALE: 1" = 30' DATE: 09/12/2017

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Chapel Hill Retirement Residence

Chapel Hill, NC

PARCEL #9789552904
HELEN G. & GEORGE E. TAUCHEN
DEED BOOK 734 PAGE 615

PARCEL #9789553920
JACQUELINE ANNE MACDONALD
DEED BOOK 4098 PAGE 313

PARCEL #9789554345
GOLD AVRAM TRUSTEE
DEED BOOK 5496 PAGE 175

PARCEL #9789551528
CHRISTOPH RUMMEL
DEED BOOK 1331 PAGE 63

20' ENHANCED TYPE "C" INTERNAL BUFFER- 618 LF
Requirements/ 100 LF:
4 Large Trees
8 Small Trees
30 Shrubs
4 x 6.16= 25 Large Trees Required
28 Large Trees Preserved
8 x 6.16= 48 Small Trees Required
29 Small Trees Preserved
24 Small Trees Proposed
30 x 6.16= 185 Shrubs Required
188 Shrubs Proposed

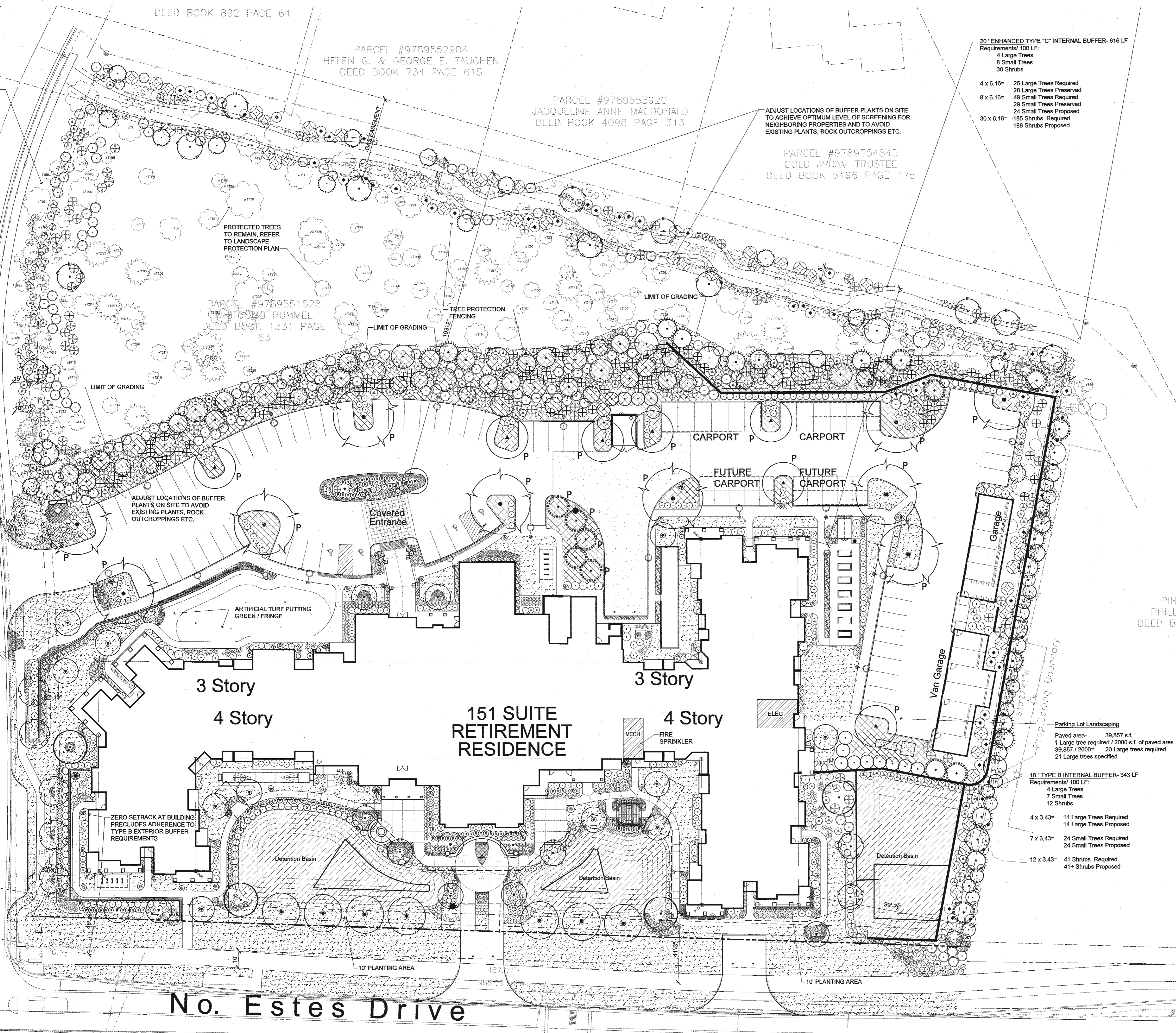
ENHANCED VEGETATIVE BUFFER- 301 LF
22 Large Trees Preserved
19 Small Trees Preserved
5 Small Trees Proposed
118 Shrubs Proposed

PROTECTED TREES TO REMAIN, REFER TO LANDSCAPE PROTECTION PLAN

ADJUST LOCATIONS OF BUFFER PLANTS ON SITE TO ACHIEVE OPTIMUM LEVEL OF SCREENING FOR NEIGHBORING PROPERTIES AND TO AVOID EXISTING PLANTS, ROCK OUTCROPPINGS ETC.

ADJUST LOCATIONS OF BUFFER PLANTS ON SITE TO AVOID EXISTING PLANTS, ROCK OUTCROPPINGS ETC.

ZERO SETBACK AT BUILDING PRECLUDES ADHERENCE TO TYPE B EXTERIOR BUFFER REQUIREMENTS



Symbol	Botanical Name / Common Name	Quantity	Size / Comments
○	Boulevard Trees: (some symbols reduced in scale in Legend)		
○	Ginkgo biloba 'Princeton Sentry'	7	2.50" caliper x 12 ft. B&B Standard-limbed at 7 ft.
○	Princeton Sentry Maidenhair Tree		
○	Ostrya virginiana	5	2.50" caliper x 12 ft. B&B Standard-limbed at 7 ft.
○	Eastern Hop Hornbeam		
○	Trees: (some symbols reduced in scale in Legend)		
○	Cercis canadensis	19	1.50" caliper x 10 ft. B&B Standard-small tree
○	Eastern Redbud		
○	Chionanthus virginicus	37	1.50" caliper x 10 ft. B&B Standard-small tree
○	Fringe Tree		
○	Cryptomeria japonica	13	7.8 ft. B&B or container-low branching- large tree
○	Japanese Cryptomeria		
○	Ilex x 'Nellie R. Stevens'	33	5 ft. B&B or container Fully branched-small tree
○	Nellie Stevens Holly		
○	Lagerstroemia 'Muskoogee'	22	30 gal. container x 8 ft. Multiple-trunk-small tree
○	Muskogee Crape Myrtle		
○	Magnolia grandiflora 'Little Gem'	4	45 gal. container x 10 ft. Low-branched-small tree
○	Little Gem Magnolia		
○	Pinus taeda	35	7.8 ft. B&B or container large tree
○	Loblolly Pine		
○	Quercus laurifolia	21	2.50" caliper x 12 ft. B&B Standard-large tree
○	Laurel Oak		
○	Quercus shumardii	10	2.50" caliper x 12 ft. B&B Standard-limbed at 7 ft.-large tree
○	Shumard Oak		
○	Zelkova serrata 'Green Vase'	7	2.50" caliper x 12 ft. B&B Standard-limbed at 7 ft.-large tree
○	Green Vase Sawleaf Zelkova		
○	Shrubs/Vines:		
○	Abelia x grandiflora 'Kaleidoscope'	140	3 gal. container 18" min. height
○	Kaleidoscope Abelia		
○	Buxus microphylla 'Winter Gem'	165	12-15" B&B formal low hedge
○	Winter Gem Boxwood		
○	Buxus microphylla 'Winter Gem'	2	21-24" B&B Topiary-globe form
○	Winter Gem Boxwood		
○	Camellia sasanqua 'Hana Jirani'	3	3 gal. container 24" min. height
○	Hana Jirani Camellia		
○	Chaenomeles spp.	154	3 gal. container 18" min. height
○	Flowering Quince (5 assorted medium size vars.)		
○	Cleyera japonica	19	7 gal. container 36" min. height
○	Cleyera		
○	Cornus sericea baileyi	62	3 gal. container 24" min. height
○	Redwing Dogwood		
○	Diervilla sessilifolia	344	3 gal. container 18" min. height
○	Southern Bush-honeysuckle		
○	Gardenia japonica 'Klein's Hardy'	21	3 gal. container 18" min. height
○	Gardenia		
○	Hydrangas quercifolia	6	3 gal. container 24" min. height
○	Oakleaf Hydrangea		
○	Ilex crenata 'Sky Pencil'	7	7 gal. container 42" min. height
○	Sky Pencil Holly		
○	Ilex crenata 'Soft Touch'	117	3 gal. container 18" min. height
○	Soft Touch Holly		
○	Ilex glabra 'Compacta'	134	B&B or container 24" min. height
○	Compact Inkberry Holly		
○	Ilex virginica 'Henry's Game'	116	3 gal. container 24" min. height
○	Sweetspire		
○	Juniperus chinensis 'Nedyselo'	55	3 gal. container 18" min. height
○	Nedyselo Juniper		
○	Juniperus procumbens	126	3 gal. container ground cover
○	Garden Juniper		
○	Loropetalum chinense 'Chang's Ruby'	67	3 gal. container 18" min. height
○	Chang's Ruby Loropetalum		
○	Mahonia eurybracteata 'Soft Caress'	17	3 gal. container 18" min. height
○	Soft Caress Mahonia		
○	Myrica cerifera	56	7 gal. container 36" min. height
○	Southern Wax Myrtle		
○	Picea glauca albertana 'Conica'	2	36" B&B Full & Symmetrical
○	Dwarf White Spruce (native)		
○	Rhododendron indica 'Georgia Petite'	204	B&B or container 24" min. height
○	Georgia Petite India Hawthorn		
○	Rhododendron satsuki 'Osakazuki'	52	3 gal. container 18" min. height
○	Osakazuki Azalea		
○	Rosa 'Meijocora'	214	3 gal. container 18" min. height
○	Pink Drift Rose		
○	Sarcococca humilis 'Sardis'	78	3 gal. container 12" min. height
○	Fragrant Valley Sweetbox		
○	Grasses / Perennials:		
○	Coreopsis grandiflora 'Sunnay'	62	1 gal. container
○	Sunnay Coreopsis		
○	Cyrtomium falcatum	39	1 gal. container
○	Holly Fern		
○	Liriope muscari	494	1 gal. container
○	Blus Lily Turf		
○	Heuchera 'Plum Pudding'	71	1 gal. container
○	Alum Root		
○	Iberis sempervirens	403	1 gal. container
○	Evergreen Candytuft		
○	Panicum virgatum 'RR1'	55	1 gal. container
○	Red Switch Grass		
○	Pennisetum alopecuroides 'Little Bunny'	76	1 gal. container
○	Little Bunny Fountain Grass		
○	Ground Covers:		
○	Trachelospermum asiaticum	1 gal. @ 36" o.c.	tranquility spaced
○	Asian Jasmine		
○	Detention Basin Native Seed Mix		Hydroseed
○	Annual Flowers by season		
○	Spring-Summer-Fall rotations	4" Pots @ 9" o.c.	triangularly spaced
○	Lawn Areas- Geo Zoysia Grass		Sod or Seed areas to be determined
P	Indicates Parking Lot large shade tree		
○	Indicates 4 ft. Tree Protection Fence, See Detail 1 on Landscape Protection Plan		

- Notes-
1. An automated permanent irrigation system shall be installed using SMART Technology, providing 100% coverage to all landscaped areas.
 2. Provide 4 ft. high Tree Protection fencing around Critical Root Zones of all trees or tree groups to be preserved. Tree Protection fencing to be installed and inspected prior to any land disturbance and to remain in place throughout entire construction activity period.
 3. All shrub/ground cover beds to receive a 3" layer of aged shredded hardwood mulch.

Planting Plan

SCALE: 1" = 30' DATE: 09/12/2017



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