

To: Mayor J.B. Lawrence and Blowing Rock Town Council

From: Kevin Rothrock, Planning Director

Subject: Heather Ridge Sewer Considerations

Date: June 7, 2016

Over the past few months, Town staff has received some inquiries about extension of public sewer in the Heather Ridge Lane area. The house on the corner of Green Hill and Heather Ridge Lane and the first two (2) homes on Heather Ridge Lane are currently served by public sewer. The remaining five (5) homes are currently served by their respective individual private septic systems. Five (5) of these properties are partially located in the Town corporate limits, and one property is outside of the corporate limits.

The Muscari home is currently under construction and the septic system has been removed, therefore this home must be connected to a public sewer system. Mr. Miller, who owns three (3) lots (one being vacant) on Heather Ridge Lane, is also interested in making a connection to public sewer. In addition to the six homes that could be served, there are 7 acres of undeveloped land on the north and west side of Heather Ridge Lane that could benefit from a public sewer extension.

RELEVANT TOWN CODE SECTIONS

Chapter 14 of the Town Code provides the purpose, goals, objectives, standards and guidelines for extension of public sewer in the Town. This chapter also distinguishes between Scheduled Extensions and Unscheduled Extensions, the Capital Improvement Plan, and Special Extensions.

This sewer request from the Heather Ridge neighborhood is classified as a special extension as it is not part of the Town's Water and Sewer Capital Improvement Plan. Typically all of the costs associated with special utility extensions are borne by the developer or property owners. The Town Council may consider the overall costs of the proposed extension compared to the expected revenues and may decide to consider participation in the costs to some extent, including in-kind costs such as project engineering, permitting, paving, etc. The Town may also consider placing this project as part of the capital improvement plan for future installation.

ESTIMATED COSTS

McGill Associates has calculated estimated costs of gravity and pressure sewer extension options to serve Heather Ridge Lane. The cost estimates include materials, labor, design, permitting, surveying, construction administration and fees. Specific cost estimates are attached.

1. Pressure Sewer (800 linear feet) = \$122,800
2. Gravity Sewer (1,300 linear feet) = \$317,900

ESTIMATED REVENUE

Based on the estimated number of bedrooms in the five (5) homes that would be connected to the system, the Town could receive approximately \$13,500 in sewer availability fees. In addition, based on past water usage, these properties would also generate approximately \$1,230 in combined sewer usage fees annually.

OTHER REQUIREMENTS

All of the properties that could connect to the proposed sewer system are either partially within the Town limits or completely out of the Town limits. For sewer to be available to any of these properties, the entire lot of each property must be annexed into the corporate limits. The annexation petition would need to be signed by each property owner and submitted to the Town for review and consideration.

ATTACHMENTS

- Letters from neighbors
- Sections of Chapter 14 – Water and Sewer Extensions (highlighted)
- Cost estimates
- Map of proposed gravity and pressure sewer extension
- Map of area with Town limits shown

Kevin Rothrock

From: Catherine Muscari <cmuscari@fulmerco.com>
Sent: Wednesday, June 08, 2016 12:50 PM
To: Scott Fogleman
Cc: reubenmorriskbi@gmail.com; Pat Muscari; Kevin Rothrock; Mike Wilcox; Matt Blackburn
Subject: sewer plans

Dear Mr. Fogelman,

I understand there is an upcoming meeting where you will discuss the sewer service on Heather Ridge. We are the owners of 156 Heather Ridge Lane and are currently working on a renovation. As part of our renovation, we hope to be able to tie in to the public sewer service as soon as possible. Please provide this email to the members of the Town Council in support of the sewer project.

Thank you.

Catherine F. Muscari

The Fulmer Companies

Phone: 901.248.7172

Fax: 901.525.7993

Fulmer Companies |



Kevin Rothrock

From: Will Miller <willmiller22@gmail.com>
Sent: Tuesday, June 07, 2016 6:04 PM
To: Scott Fogleman
Cc: Reuben Morris; Pat Muscari; Kevin Rothrock; Doug Chapman; Mike Wilcox; Matt Blackburn
Subject: Re: Sewer plans

Mr. Fogelman,

I am out of town and will not be able to send you a letter before your meeting. As we have previously discussed in person, I own 3 development lots on Heather Ridge and I would fully expect the individuals who buy them to want to avail themselves of public sewer service. Please provide this email to the members of the Town Council.

Thank you.

Will Miller
704-619-3181

On Jun 7, 2016, at 2:51 PM, Scott Fogleman <manager@townofblowingrocknc.gov> wrote:

Hi Mr. Morris,

We have thought about sending a letter out to the property owners as suggested, but given the short notice and proximity in time to the Council meeting and agenda preparation, we did not have enough time to go that route.

We are planning to suggest to Council that it be included on the June 14 meeting agenda. We will likely get feedback during this week about whether they want to discuss it at their meeting on June 14 or whether they would like additional information prepared prior to doing so. We plan to let them know that a number of folks have already indicated interest. Thank you for coordinating that.

We should have a better idea about that by this Friday, as the final agenda is determined by Council.

At this time, I don't think the property owners need to be in attendance at the meeting.

If you could plan to be there, that would probably be helpful in the event Council has any questions along those lines.

In lieu of that, perhaps a letter from Mrs. Muscari and Mr. Miller indicating their desire and/or commitment to tie in to sewer once available would be helpful.

Thanks,
Scott Fogleman
Town Manager

CHAPTER 14 - UTILITIES

Article VI - Water and Sewer Extensions

Section 14-52 Purpose.

The purpose of this water and sewer extension policy is to establish procedures and guidelines pertaining to the extension of water distribution lines and sewer collection lines into areas of the Town that do not have such service(s), into areas that may become part of the Town through annexation, and into areas outside of the corporate limits of the Town.

[Amended August 13, 1996]

Section 14-53 Goals and Objectives.

(A) The goals and objectives of the water and sewer extension policy are as follows:

- (1) To develop a comprehensive set of policies for the Town that will assist in establishing priorities for the extension of water and sewer lines and for responding to requests for water and sewer services;
- (2) To develop policies that will clarify the financial responsibility for water and sewer extensions;
- (3) To provide for the orderly growth and maintenance of the water and sewer systems;
- (4) To assure that the water and sewer extensions meet the design and specification standards for the Town of Blowing Rock;
- (5) To exercise control over the extension of water and sewer services to assure that there will be adequate water and sewer capacity and that the water and sewer fund will be financially stable;
- (6) Based on the premise that the water and sewer systems should be self-supporting and should be financed primarily through user fees, extensions and additions to the system should be well-planned and cost-effective so that the impact on all water and sewer customers can be minimized.

[Amended August 13, 1996]

Section 14-54 Capital Improvement Plan.

(A) It is the objective of the Town of Blowing Rock to extend water and sewer services to those areas within the corporate limits of the Town that do not have such services, provided that those extensions can be made in a cost effective and efficient manner. Consistent with this objective, the Town Manager shall prepare and the Town Council shall adopt a capital improvement plan covering a minimum of five years, in which water and sewer extensions shall be programmed to meet the current and anticipated needs of the community.

(B) In scheduling the water and sewer extensions, the Manager and Council shall consider the following, as well as other related factors:

(1) The financial resources available to the Water and Sewer Fund for the financing of such improvements;

(2) The urgency or need for a particular area to receive the water and sewer services. (For example, an area where private septic systems have failed or are contaminating ground water would have a high priority on the basis of need or urgency.)

(3) The estimated number of customers that would be available to connect to the new water or sewer line, and the estimated revenue to be generated from those potential customers. As a guideline, the Town shall not be obligated to extend water or sewer services into areas that have a density of less than 60 housing units per mile of water line or a density of less than 60 housing units per mile of sewer line.

(4) The ratio of the estimated costs for the extension of the line compared to the estimated benefit or revenue to be derived from the extension of the line (cost/benefit ratio).

(C) The purpose of this section is to establish the criteria that will be used to determine which water and sewer extensions shall be scheduled for funding and construction; as well as to emphasize that there is a distinction between water and sewer projects that are scheduled on the capital improvements plan and those that are not.

[Amended August 13, 1996]

Section 14-55 Scheduled Extensions.

(A) When water or sewer lines are extended by a project that has been included in the capital improvement plan, the water and sewer lines will be extended to designated points on the exterior lines of *private properties*. Generally, the cost of extending those lines *across private property*, or *within new subdivisions*, or *within other new developments* shall be borne by the private property owner, subdivider, or developer. Otherwise, a water or sewer extension that is scheduled within the capital improvement plan shall be constructed without assessment to the benefiting property owners, other than the applicable connection or impact fees and the property owners' costs for the installation of lines on private property.

(B) The cost of extending water or sewer lines within new subdivisions or other new developments shall be borne by the subdivider or developer, except that if the Town requires water or sewer lines within a subdivision or other new development that are larger than those necessary to serve the project and are so located as to serve other properties, the Town will reimburse the developer for any additional costs incurred as a result of installing such oversized lines.

(C) The Town's share of the cost may be either in-kind or cash after the project has been completed and accepted. In-kind services may include any of the following as examples: street paving, service installations, reduction in tap and impact fee requirements, storm drainage work, etc. [Amended August 13, 1996]

Section 14-56 Requests for Special Extensions.

(A) A *special extension* would be an extension of water and sewer lines that: (1) has not been included in the capital improvement plan; or, (2) is made at an earlier time than is programmed within the capital improvements plan. Applicants for special extensions are expected to furnish all information relevant to the project at the time the application is made. The request will be denied unless the applicant can demonstrate to the satisfaction of the Town that:

(1) The extension is compatible with the Town's planned system in size, location, and other engineering features; and,

(2) The applicant can pay its share of the costs of the extension project; and,

(3) For unscheduled extensions, that the extension will not result in a disproportionate impact on the Town's treatment capacity; and,

(4) For unscheduled extensions, that the extension will be cost effective to the Town in that any initial cost to the Town will be offset by projected revenues within a reasonable period of time; and,

(5) Proposed users of the extension will abide by all relevant laws, rules, and regulations of the Town, State, and Federal governments and their regulatory agencies.

(B) In making its decision, the Council may also consider such matters as the availability of current funds; the availability of manpower and other Town resources; the delay, if any, that may result in scheduled extensions in other areas; current market conditions affecting the price of labor and materials; any impact on the public health needs; and any other factor reasonably related to the health, safety, and welfare of the citizens of the Town.

(C) By submitting a request for a special extension, an applicant is deemed to have accepted the conditions set forth in this article. The applicant may amend or withdraw its application prior to any vote of the Council.

(D) In acting upon a request, the Council will vote in open session. The application may be denied, it may be approved subject to the conditions of this section, or it may be approved subject to such additional conditions as are reasonably calculated to bring the extension within the guidelines of this policy. The Town reserves the right to change such conditions or to revoke its approval if the conditions are not accepted, in writing, within 30 days of the approval; or if there is a change in material circumstances before or after such acceptance.

(E) An application that is withdrawn or denied will not be reconsidered within one year from the date of withdrawal or denial if it is submitted in substantially the same form by substantially the same applicant, or its successors or assigns, without the prior consent of a majority of the Town Council.

(F) When the Town receives a request to make a special extension, the Town Manager will furnish the Town Council with a report setting forth the request, relevant information, and a recommendation for action.

[Amended August 13, 1996]

Section 14-57 Cost to Construct Extensions Prior to Scheduled Year.

(A) Where the extension of water and sewer lines is included in the capital improvement plan, an applicant may request that the extension be made at an earlier time than originally scheduled. However, the Town is not obligated, and may refuse, to approve such a request. In those situations where the Town does approve the request, the Town's participation will be on the following additional conditions:

(1) Where the Town agrees to reschedule an extension within the same fiscal year as the Town's existing plans, the rescheduling will be made at no additional expense to the applicant or benefiting property owners.

(2) Where the Town agrees to reschedule an extension between fiscal years, the Town's portion of the extension costs will be adjusted according to the following schedule:

- (a) Move up one fiscal year: Town's portion will be 90% of the extension costs
- (b) Move up two fiscal years: 80% of the extension costs
- (c) Move up three fiscal years: 70% of the extension costs
- (d) Move up four fiscal years: 60% of the extension costs
- (e) Move up five fiscal years: 50% of the extension costs

[Amended August 13, 1996]

Section 14-58 Cost of Unscheduled Extensions.

(A) Where a request is approved to extend water and/or sewer services to areas within the Town not scheduled for extension under the current capital improvement plan, or to extend water and sewer services outside the Town, and where there are no engineering, financial, or health reasons not to allow such an extension, the Town may offer the requesting party the right to make such an extension only at the requesting party's sole expense, subject to inspection and acceptance by the Town.

(B) Unscheduled water and sewer extensions may be approved upon receipt of a petition requesting such improvements. Such a petition shall be signed by a majority of the owners of the property that would derive service from such an extension, and at the same time, those owners shall control at least 50 percent of the property frontage abutting the proposed improvements. The Town will assess the full cost of the water and/or sewer improvements against the abutting property owners. Town property shall be assessed in the same manner as other property.

[Amended August 13, 1996]

Section 14-58.01 Provisions Applicable to All Extensions.

(A) The following provisions shall be applicable to all extensions of water and sewer lines:

(1) ***Project costs***, at the discretion of the Town, may include any or all of the following: material costs; direct labor costs; engineering, surveying, legal, inspection, and permit fees; and the cost of easements, licenses, permits, and insurance. The cost to the Town for the use of its personnel, equipment, and facilities will be calculated in accordance with the Town's cost-accounting system and will be considered part of the project costs.

(2) Any extension will be viewed by the Town as part of an overall system designed to meet the needs of the existing and future population of the Town. Accordingly, the Town reserves the right to require that any extensions be of sufficient size to provide adequate water and sewer flows for the area to be served even though the individual applicant may not require a larger size.

(3) All additions to the Town's water or sewer system, whether inside or outside the Town, shall be installed in accordance with the provisions of this Article as well as other Town specifications and requirements. Among other matters, such specifications shall govern the size of all lines, their location, grade, materials used, manner of installation, and provision for future extensions. No construction on any addition to the Town's water or sewer system shall commence until detailed plans have been reviewed and approved by the Town. Such plans shall include whatever information is required by the Town to determine whether the proposed extension complies with all applicable Town specifications and requirements.

To protect street surfaces, the Town may require that whenever extensions of water or sewer lines are made to properties or within new subdivisions, laterals be extended to all properties expected to tap onto such water or sewer lines.

(4) The Town may enter into agreements to design, construct, and inspect developer/owner-installed water or sewer extensions when the developer/owner agrees to pay all costs and submits payment in advance.

(5) All work on the extension of water or sewer lines not performed by Town forces (whether inside or outside the Town) shall be subject to inspection by the Town. If, in the judgment of the Town Manager or Public Works Director, there is a demonstrated lack of competent supervision by a contractor, the Town may:

(a) Halt work until approved supervision is obtained and the work is done in accordance with Town specifications and requirements.

(b) Provide the necessary inspection by Town personnel at the expense of the developer.

The person requesting the extension is solely responsible for ensuring that the project is completed according to Town specifications (if the work is not done by Town forces) and may be required to rearrange or make other modifications to the work to bring it into conformity with such specifications and requirements.

(6) The Town shall have the exclusive right to make or permit additional extensions and connections to any line that has been installed. Any commitment or agreement for the extension of any water or sewer line by the person who originally constructed the line, or by his agent, with any third person, shall in no way be binding upon the Town unless it is a formal party to such an agreement.

(7) Any extension made under this article shall be to a designated point on the exterior property line of the applicant's property. Any water or sewer lines within the boundaries of the applicant's property will be constructed at the sole expense of the applicant; provided, however, that such interior lines and construction shall also comply with all applicable Town, State, and Federal laws and regulations.

(8) The Town will not be responsible for any acts or omissions of the applicants and/or contractor who makes the installation. By making application for extension to the Town's water or sewer system, the person responsible for the extension agrees to indemnify and hold the Town harmless from all loss, cost, damage, liability, or expense resulting from injury to any person or property arising out of the extension of such service lines.

(9) The applicant shall be responsible for obtaining all easements necessary for initial construction, future maintenance, and future connections and extensions.

(10) Upon completion of the construction and inspection and approval by the Town, the extension shall be accepted into the Town's water and sewer system and all easements and licenses shall become the property of the Town.

(11) All project costs will be advanced by the applicant. In projects where the Town participates in payment, the Town will not make any payment until the project is completed by the applicant and accepted by the Town, and the Town receives satisfactory evidence that all project costs have been paid and that clear title to the extension can be transferred to the Town.

(12) Acceptance by the Town will not relieve the applicant or contractor from responsibility or liability for any non-compliance with the provisions of this chapter.

(13) When the property to be served by the water or sewer extension is located outside, but adjacent to the Town limits, the owner(s) shall submit a sufficient petition for annexation of the area to be served.

When the property is located outside, but not adjacent to the Town limits, the owner(s) shall, as a condition of access and continued service, submit and maintain in force a sufficient petition for annexation of the area at a future date.

[Amended August 13, 1996]

Section 14-58.02 Easements Necessary for Line Extensions

(A) Within the Town, water mains will be extended by the Town only within the rights-of-way of public streets, except that the Town may extend its lines within private streets when furnished with the necessary water line easement. Water lines extended outside the Town will be allowed to connect to the Town's system only if installed within the right-of-way of a public street or within a private street with respect to which the Town has been granted a water line easement.

(B) Sewer lines will be installed within public street rights-of-way whenever practicable, but the Town may accept sewer lines constructed within private streets or (where the topography makes this necessary) other private property when adequate easements are provided and accepted by the Town.

(C) In spite of the above provisions, the Town may accept an offer of dedication of lines installed within unsubdivided developments if necessary and acceptable easements are provided.

(D) Whenever easements are required under this section, the responsibility for obtaining and furnishing the Town with such easements (including all costs associated with easement acquisition) shall lie with the applicant seeking the line extension.

[Amended August 13, 1996]

Section 14-58.03 Dedication of Water and Sewer Line Extensions.

(A) All water and sewer mains constructed and connected with the facilities of the Town pursuant to this article shall be conveyed to and become the property of the Town upon completion and acceptance by the Town. Connection to the system and acceptance by the Town shall constitute dedication of a water or sewer main extension by the person responsible for the extension.

(B) Following dedication, as provided in the preceding paragraph, the Town shall have exclusive control over all water or sewer lines and shall be responsible for their maintenance, repair, and operation. However, the conveyer of additions to the system shall guarantee the entire project against defective material and workmanship for a period of 12 months from the date of completion and acceptance of the project, including such incidental damages as may arise from such claims.

[Amended August 13, 1996]

Section 14-58.04 Applicability of Article.

(A) The provisions of this article shall apply to all applications submitted on or after the date of its adoption. This article supersedes all other provisions of the Town Code, or ordinances or resolutions of the Town Council, setting forth requirements for water or sewer line extensions; provided, however, that nothing contained herein shall invalidate any existing contract the Town may have entered into prior to the effective date of this Article for the extension of water or sewer service, nor shall this Article entitle any person to a reduction in any contract terms or a refund of any contract amounts.

(B) Further, the Town reserves the right to amend its general plan of extensions and capital improvements plan during its budget deliberations or at other times not prohibited by law. Extensions may be added, deleted, or rescheduled to be consistent with evolving patterns of development, health needs, fund availability, and other changing circumstances.

PRELIMINARY COST ESTIMATE

HEATHER RIDGE PRESSURE SEWER SERVICE

BLOWING ROCK, NORTH CAROLINA

May 20, 2016

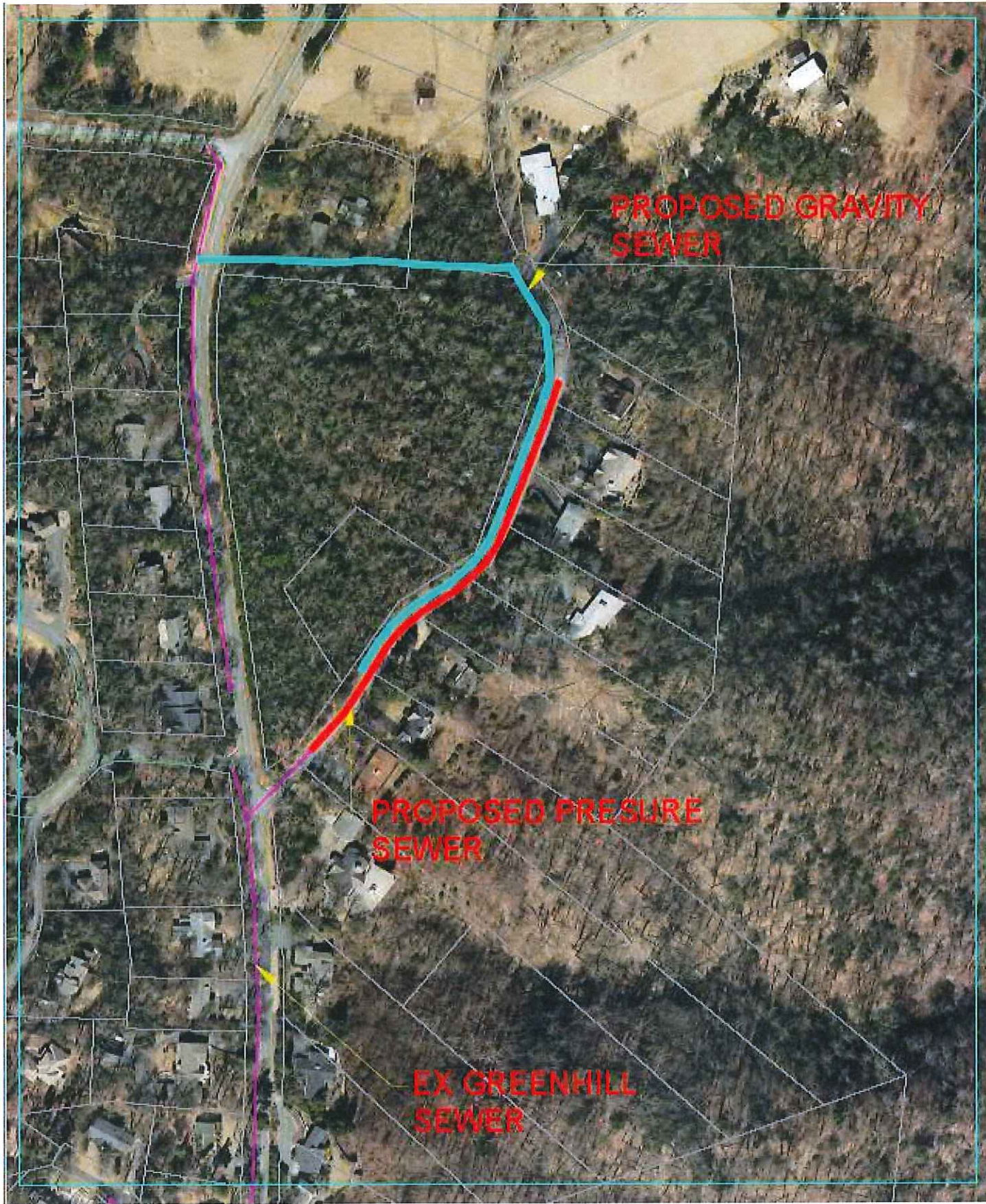
ITEM		UNITS	QUANTITY	UNIT PRICE	TOTAL COST
1	Mobilization	LS	8%	N/A	\$7,100
2	2" Pressure Sewer	LF	800	\$25	\$20,000
3	End of Line Flushing Connection	EA	1	\$3,000	\$3,000
4	Connection to Existing Sewer System	EA	1	\$1,000	\$1,000
5	Service Connections	EA	7	\$1,300	\$9,100
6	Rock Excavation	CYD	100	\$120	\$12,000
7	Asphalt Cut and Patch	LF	800	\$55	\$44,000
SUBTOTAL					\$96,200
Contingencies (10%)					\$9,600
Surveying, Engineering Design, and Permitting					\$11,000
Construction Administration					\$5,500
Permit Fees					\$500
TOTAL PROJECT COST					\$122,800

PRELIMINARY COST ESTIMATE
HEATHER RIDGE GRAVITY SEWER SERVICE

BLOWING ROCK, NORTH CAROLINA

May 20, 2016

	ITEM	UNITS	QUANTITY	UNIT PRICE	TOTAL COST
1	Mobilization	LS	3%	N/A	\$7,500
2	8" Gravity Sewer	LF	1,300	\$60	\$78,000
3	4' Dia Concrete Manholes	EA	7	\$3,000	\$21,000
4	Connection to Existing Sewer System	EA	1	\$3,000	\$3,000
5	Service Connections	EA	7	\$1,500	\$10,500
6	Rock Excavation	CYD	500	\$90	\$45,000
7	Road Repair	LF	1,300	\$70	\$91,000
SUBTOTAL					\$256,000
Contingencies (10%)					\$25,600
Surveying, Engineering Design, and Permitting					\$19,200
Construction Administration					\$16,600
Permit Fees					\$500
TOTAL PROJECT COST					\$317,900

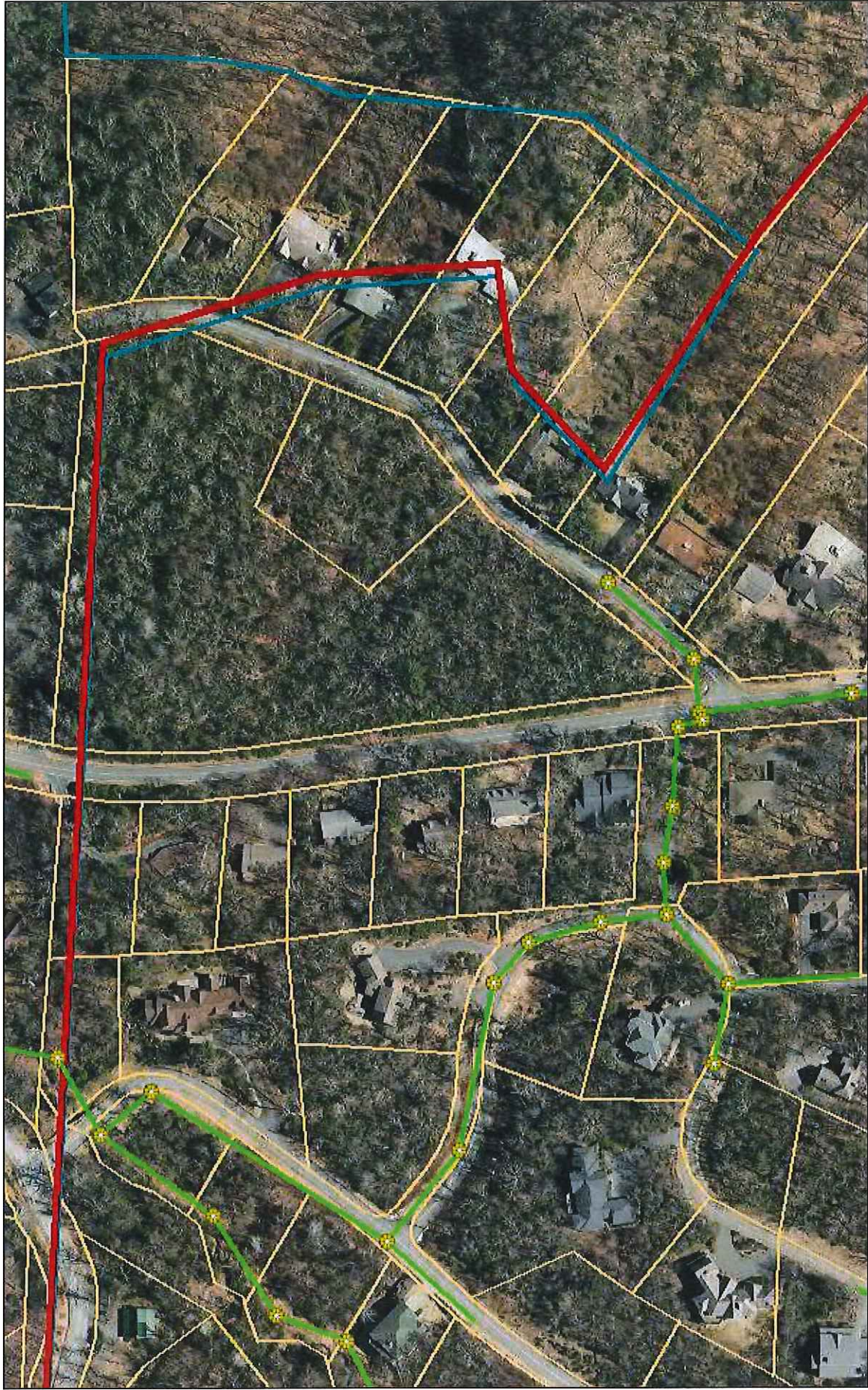


**PROPOSED GRAVITY
SEWER**

**PROPOSED PRESURE
SEWER**

**EX GREENHILL
SEWER**

Town of Blowing Rock ArcGIS Web App



June 9, 2016

- Manhole
- Gravity_Main
- Extra Territorial Jurisdiction (ETJ)
- Watauga County Parcels
- Town_Limits

1:2,051

