

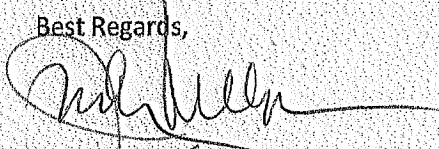
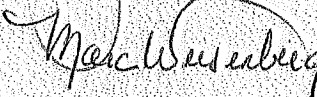
May 17, 2015

Enclosed please find our letter to the members of the Chapel Hill Town Council regarding their May 11, 2015 business meeting during which the Durham-Orange LRT Little Creek area alternatives were discussed.

While our comments are specific to the issues raised at the meeting, they do reflect our overall concerns about the LRT Little Creek proposal. Although our property falls under the zoning jurisdiction of Chapel Hill, we are Durham County residents and would appreciate your review and feedback on these questions and concerns raised as a result of the Chapel Hill meeting.

We thank you for your attention to this matter.

Best Regards,

Judith Mellyn

Marc Wiesenberg

1202 Killington Court

Chapel Hill, NC 27517

2015-2016

1. The Board of Directors of the Metropolitan Planning Organization (MPO) is hereby authorized to enter into a contract with the Metropolitan Planning Organization (MPO) for the purpose of providing transportation planning services to the MPO.

2. The Board of Directors of the Metropolitan Planning Organization (MPO) is hereby authorized to enter into a contract with the Metropolitan Planning Organization (MPO) for the purpose of providing transportation planning services to the MPO.

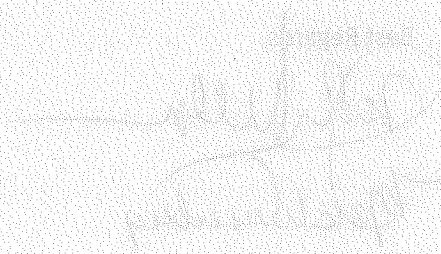
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A handwritten signature in dark ink, appearing to be "John J. [unclear]", is written over a horizontal line.

8. The Board of Directors of the Metropolitan Planning Organization (MPO) is hereby authorized to enter into a contract with the Metropolitan Planning Organization (MPO) for the purpose of providing transportation planning services to the MPO.

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May 17, 2015

Town of Chapel Hill
Town Council
405 Martin Luther King Boulevard
Chapel Hill, NC 27514

In re: May 11, 2015 Town of Chapel Hill Business Meeting, Agenda Item 11, Light Rail

Dear Council Member:

During the May 11, 2015 Chapel Hill City Council meeting the following topics relating to the Orange-Durham Little Creek area light rail alternatives were discussed and we are now soliciting your responses to the questions and concerns they raise:

AT GRADE CROSSINGS

Inquiry was made as to how many at grade crossings were planned for the light rail alternatives in the Little Creek area. The response was that there are five at grade crossings for C1A route through Meadowmont and four on the C2/2A route impacting the neighborhoods south of NC 54 (namely, Chapelwood, Finley Forest, Alta Vista, Alta Springs, Abernathy Court, Downing Creek, and Sherwood Forest). While the absolute number of at grade crossings is not in dispute, the impact of these crossings is markedly different for each community and therein lies the most significant objection to C2/C2A.

When viewing the C1A route map through Meadowmont it is readily apparent that no resident of Meadowmont will have to traverse any at grade crossing for either ingress or egress to NC 54. Residents on the west side of the C1A route have easy and quick access to West Barbee Chapel Road and its signalized intersection with NC 54. Likewise, residents east of the route, primarily The Cedars, will continue to have unobstructed access to NC 54 via either Meadowmont Lane or East Barbee Chapel Road, both of these intersections signalized. Any change to the residents' current habit of access will be de minimus. More importantly, the ability of emergency response vehicles to serve the Meadowmont community remains consistent with current conditions. Therefore, the effect of the C1A route through Meadowmont poses no unreasonable burden upon the community's travel routes and their safety will not be compromised in any way by the route.

Conversely, when looking at the C2/2A routes it is glaringly apparent that all of the above cited neighborhoods south of NC 54 are blocked at all of their currently used access points to NC54 by the light rail crossings. Residents will be forced to navigate at least one at grade crossing for either ingress or egress to NC 54. Of the four planned at grade crossings (all four of which are contained within 0.4 miles), only Barbee Chapel Road/NC 54 is signalized. Access to this sole signalized crossing for Downing Creek, Sherwood Forest, Stancell Road residents will be marginalized by queuing at Little John Road and Downing Creek Parkway as cars await their turn to either cross over onto NC 54, turn onto Stancell Road or merge into the queue at Barbee Chapel's heavily congested intersection with the west end of Stancell Road. In order to avoid any of these at grade crossings, particularly during rush hours, the residents south of NC 54 will have only one alternative to get to either I40 or NC54. They will have to utilize

Barbee Chapel Road/Farrington Road, a one way drive of 2.8 miles compared to the current access of less than 0.5 mile. This is not only an undue burden on the residents of these communities that effectively cuts them off from any reasonable access to the main highway, NC54 their conduit westerly toward Chapel Hill and easterly to I40 and Durham, but it also poses a significant increase in traffic to the already heavily congested I40/Farrington Road Intersection. Unlike the C1A route through Meadowmont, emergency response vehicles arriving at and departing from neighborhoods constrained by C2/C2A will be faced with increased response times since they will more likely than not encounter trains travelling through the four at grade crossings (potentially a train every five minutes if they are not perfectly synchronized). Since these four C2/C2A crossings are contained within 0.4 miles, it is to be expected that at any given time, and in particular during peak hours, more than one of the crossings will be obstructed by gates down. This is an extremely serious public safety problem and the injustice of willfully imposing such a strikingly harmful consequence on our neighborhoods is central to our objections to the C2/C2A route. We believe it is a moral imperative for those who hold office with decision making power impacting people's lives to steadfastly support proposals that safeguard rather than imperil those same people.

We would ask that the safety of our south of NC 54 neighborhoods be of the highest priority when recommendations are made concerning where light rail should be built in the Little Creek area. A great deal of focus has been placed on the environmental impact to the Little Creek watershed (and it is not argued that this is valid concern) but the safety of the human beings living south of NC54 should be paramount on the minds of those making recommendations for preferred route alternatives.

MERGE LANES AND ROAD CLOSURES

The Council was shown a graphic depicting how motorists could utilize Little John Road to access NC54 despite the rail tracks going through it. The graphic overlooks a critical detail – the NC 54 lanes, including the planned additional lane, will all be travel lanes. When NC 54 is widened not only will the existing NC 54 merge lane for entry onto Little John from the west be consumed as a travel lane but there will be no room for new build of a merge lane going east. The addition of another NC 54 lane will shorten the Little John access stub (which at its current longest point is 85 feet) by 12 feet. Based on the chart displayed by David Charters (GoTriangle) there will be a 10 foot shoulder, a 2 foot rail gap, and 30' ballast area, with the addition of minimally 2 feet on each side for gate clearance, best case will be 14 feet total available space. This means only 7 feet on either side of the tracks. The average car or family minivan is 15 -16 feet long, a FedEx delivery truck averages 18 feet long, ambulances average 20 feet long, fire engines 24 feet long and a school bus on average is 34 - 36 feet long. These vehicle lengths when superimposed on an available 7 foot 'wait to merge' onto NC 54 area from Little John demonstrate that it will be impossible to safely exit from east bound NC 54 onto Little John Road and likewise there will not be enough space for a vehicle to exit Stancell Drive, cross the tracks and await an opportunity to turn right onto NC54. Motorists will either need to queue up on Stancell Drive and then rapidly accelerate across the rail tracks moving directly onto NC54 or wait at the intersect of Little John and NC 54 hoping that a train doesn't arrive because part, or in the case of a school bus most, of their vehicle will be resting over the rail tracks. This same scenario will impact motorists trying to use Downing Creek Parkway to access NC54. Both of these roads, consistently used today by vehicles accessing NC54, will simply be rendered too dangerous to use. The proposed 'solution' will be a hazard awaiting unfortunate incident.

Stancell Drive is just wide enough for two cars to safely bypass each other, it has no sidewalks or bike paths so pedestrians and cyclists share the road with vehicles, and, should a car be parked on Stancell the road is reduced to a single lane. These conditions in and of themselves should give planners pause in their quest to build a Woodmont station on Stancell Drive where there will be no bus service, no park and ride, and no sidewalks.

A further complication regarding Stancell Drive was highlighted by a speaker's statement that Stancell will be closed. This comment was unequivocally rebutted by GoTriangle. We respectfully disagree with GoTriangle since the NC54/I40 Corridor Study Transportation Land Use Master Plan (December 2011), Chapter 6 Roadways, Functional Design Strategy, page 6-25 specifically states, "Stancell Drive....would no longer connect to Barbee Chapel Road". This closing of Stancell Drive is necessitated by the superstreet realignment to mitigate traffic delays. When the Functional Design Strategy is implemented and Stancell Drive is closed combined with Little John Road and Downing Creek Parkway being too dangerous to rationally consider as access to NC 54, then the residents of Downing Creek, Stancell Road and Sherwood Forest will have lost all of their existing access points to NC54.

DEVELOPMENT OF WOODMONT

The issue of the development of Woodmont, and, therefore, a desire for a station at the site was raised. It was stated by Mr. McDonough (GoTriangle) that there is a 'preference' for a Woodmont station and that is why it is being pursued. Capital Associates has announced no intention to build on the limited Phase I area approved by the Council and the extension of said approval expires the end of this year. Given there is no known developer waiting in the wings, whose 'preference' is being accommodated? Is it UNC as per the bullet on the GoTriangle update presentation of April 27, 2015 declaring "Town and UNC envision future development", and, if so, why is the public unaware of this expected development?

Council members speculated on potential use of the Woodmont acreage with much emphasis on the opportunity it presents for building a transit oriented community. Such a suggestion must be viewed with considerable skepticism since it was the Chapel Hill Council that approved Meadowmont as a mixed use, transit oriented community. Rather than support Meadowmont as planned and approved, the Council now appears to feel little responsibility to abide by their earlier decision – so why would a speculative Woodmont development be any different? Why would the public trust that Woodmont will be built as a transit friendly complex? Will taxpayer funds be expended to build a station that may ultimately exist without any supportable LRT need? Mayor Kleinschmidt noted that Meadowmont's LRT friendliness had been "killed by a thousand pin pricks". This easy dismissal of Meadowmont's approved and still feasible plan for mass transit should stand as a compelling rationale for why those of us who purchased property that neither included nor contemplated mass transit should be similarly held exempt from having to bear the burden that light rail places on our communities.

The Woodmont site consists of 33 acres but, since it is within the Watershed Protection District, per Chapel Hill's controlling ordinance up to 50% (residential build) or 20% (non-residential build) will be unbuildable leaving anywhere between 16.5 acres to 26.4 acres available for build. It is inconceivable that even with the highest density plan this property will generate statistically significant numbers of residents and businesses. The Woodmont parcel is the only viable land that can be developed south of NC 54 that also lies within reasonable walkable distance of proposed stations. Why would the potential development of an additional 16 - 25 acres result in ridership in excess of Meadowmont's 435 acres of high density built existing homes and businesses? Why is building a Woodmont station treated as

imperative when the planned Friday Center station is within transit industry accepted norms for walkability from the Woodmont location? Is jeopardizing the day to day safety of existing community residents as well as that of the commuters, school buses, delivery persons, emergency responders and area visitors who will use the C2/2A obstructed roads, of such minor significance that it is an acceptable trade off in order to provide door to door service for non-existent Woodmont residents?

AFFORDABLE HOUSING

We fully support the goal of finding affordable housing solutions, however, the Affordable Housing Strategy adopted in February 2014 by the Chapel Hill Council and the Chapel Hill 2020 Plan do not align with the inference that Woodmont and its proposed station could be a site for affordable housing. The 2020 Plan specifically calls out 8.5 acres on Legion Road and also targets south and west of Elliott Road. These locations are tangent to Route 15/501, said route an alternative for light rail that was dismissed in the effort to serve the Friday Center. It is noteworthy that one of the key goals of mass transit, namely providing service to transit dependent populations, is not being actively pursued to maximize the potential of the sites chosen for affordable housing in Chapel Hill. Surely, the wealth and average incomes in the Little Creek area do not beg the need for a mass transit solution particularly one that does nothing to mitigate NC 54 congestion. In fact, the controversy engendered by the Little Creek route alternatives has pitted neighborhood against neighborhood amply demonstrating an overwhelming lack of need or desire for light rail by residents of both neighborhoods.

It is baffling as to why ownership by UNC of the Lloyd property was called out as a barrier to placing a station on the north side of NC 54 in particular because the driving force behind the Little Creek section of the route (all alternatives) is to provide a shuttle service for UNC students and employees to and from the campus. Why is the Lloyd property sacrosanct when it appears that a corridor for light rail could be placed along its border with The Cedars then continuing north and joining C1A at the Rizzo Center? Please note that a large percentage of area residents are in transit to the RTP/RDU airport/Raleigh area and are not served by this light rail proposal; it provides neither access to essential locations nor mitigation of congestion on NC 54 from Barbee Chapel Road to I40.

RAIL SAFETY

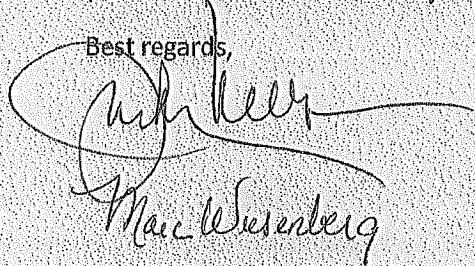
Comments were made as to the noise and safety of light rail in the context of heavy rail. Noise from passing freight trains does not occur with regularity every day, 18 hours per day. Light rail trains in contrast pass by communities multiple times every hour, a constant presence and a far different noise nuisance and safety problem. FTA safety statistics reflect that 83% of combined heavy and light rail at grade crossing accidents (exclusive of trespass and suicides) are ascribable to light rail (Federal Transit Administration, Rail Safety Statistics updated March 2010). And, yes, while it does take heavy rail trains longer to stop in an emergency, light rail trains travelling 25 mph will take a minimum of 362 feet to stop in a full braking situation. It is not relevant that the trains are "lighter", when you get hit by a train there will be damage and injury. The use of at grade crossings, while budget friendly, is a costly risk to the citizenry and we are opposed to their use in any area not just our community. If the many at grade crossings proposed across the entirety of the Orange-Durham route are critical to the affordability of placing fixed light rail routes in the Triangle, an old technology solution that may well be supplanted by the rapid advances being made in automated travel for all modes of transportation, then perhaps the current proposal in its entirety is lacking vision and a forced fit so faulty that it needs to be revisited.

Is the Council committed to going forward with the light rail as planned or do you believe a moratorium on its development might better serve our communities?

Thank you for your attention to these questions and concerns. We look forward to your responses.

(Extensive research of this subject can be found at www.transit.downingcreek.org)

Best regards,



Judith A Mellyn, Esq.
Marc I Wiesenberg
1202 Killington Court
Chapel Hill, NC 27516

Chapel Hill Recipients:

Mayor Mark Kleinschmidt
Council Member Donna Bell
Council Member George Cianciolo
Council Member Sally Green
Council Member Ed Harrison
Council Member Maria Palmer
Council Member Lee Storrow
Council Member Jim Ward

Durham Recipients with cover letter:

Mayor William Bell
Commissioner Brenda Howerton
Councilwoman Diane Catotti
Commissioner Ellen Reckhow
Commissioner Steve Schewel

DCHC Metropolitan Planning Commission

NC Legislature Recipient with cover letter:

Senator Mike Woodard

is the county commission to have a meeting with the board of directors to discuss the proposed changes to the county commission's authority to appoint and remove members of the board of directors?

Thank you for your time today. I will be back in the boardroom at 10:00 a.m. on Monday, June 15th, 2015, for the next meeting. I will be back in the boardroom at 10:00 a.m. on Monday, June 15th, 2015, for the next meeting.

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With a copy to the
County Board
and the Board of Directors
for their review and
approval.

For the Commission with copy to the

County Board

Commissioner, County Board

Commissioner, County Board

Commissioner, County Board

Commissioner, County Board

For the Commission, Board of Directors

At the County Board meeting with the Board

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