

Ben Fulmer

From: Mark DeVerges <mark@deverges.com> on behalf of Mark DeVerges
Sent: Monday, March 27, 2017 1:03 PM
To: AshevilleNCCouncil@ashevillenc.gov
Subject: In support of Haywood Street task force suggestion of a business incubator on the site, an apartment building, and retail space, as well as some green areas

Dear Council,

I am very much in support of the Haywood Street task force. They were active in hearing from all member's of the community. The PARC group seems manipulating their report and ignoring another large contingent of individuals that believe in an 'AND' strategy... that this parcel is well suited for engaging development AND a public park aspect.

Please follow the task force's recommendations. Else, a special interest PARC will run afoul of a well processed and thoughtful group comprised of many differing community members.

Truly,

Mark DeVerges

Mark DeVerges | 828-423-9484 Cell

Ben Fulmer

From: Laura Webb <Laura.Webb@RaymondJames.com> on behalf of Laura Webb
Sent: Monday, March 27, 2017 12:36 PM
To: AshevilleNCCouncil@ashevillenc.gov
Subject: Please listen to the Haywood Street Task Force not PARC

Please listen to the Haywood Street Task Force not PARC. They do not represent all of our community.

Laura A. Webb, CFP®



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82 Patton Ave, Suite 610, Asheville, NC 28801

828-252-5132
828-225-6489(fax)

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Ben Fulmer

From: johndavidshort@gmail.com
Sent: Monday, March 27, 2017 8:42 AM
To: AshevilleNCCouncil@ashevillenc.gov
Subject: PARC

Dear Council Members,

MAKE IT A TEMPORARY PARK WITH A SHORT LEASE IF YOU WISH TO PRESERVE THE OPTION TO DEVELOP IN THE FUTURE.

But please listen to the voters that live and work downtown and build a park to take a bit a stain off Pritchard Park. It been 14 years folks, do something for the people that make Asheville so popular with developers.

Thanks,

JD Short
828-380-4667 johndavidshort@gmail.com

Ben Fulmer

From: Jill Scobie <jill@scobie.net> on behalf of Jill Scobie
Sent: Monday, March 27, 2017 8:36 AM
To: AshevilleNCCouncil@ashevillenc.gov
Subject: green space on Haywood

Hello City Council members,

I was a city resident from 1995 through 2004. Now I live in Buncombe County but still like to frequent downtown. My 87 year old mother lives in Asheville and I try to spend time with her 4-5 times a week.

I was not a signer of the PARC ad asking you to decide in favor of green space on Haywood across from Pack library and the Basilica, but I would like to add my voice to those who did sign.

It is not a simple task to bring my mother downtown due to her limited ability to walk great distances, uphill, on uneven surfaces, etc. so I do so infrequently and for very specific reasons. She likes the yarn shops at the Arcade and on Wall St, the bead shop on Lexington, the Diana Wortham Theatre and a few scattered restaurants. If there were a green space near the library, it would be easy to park, visit the library and enjoy sitting in the park, maybe picnicking. She loves to watch humanity stroll by.

A park, rather than more buildings, in this location will benefit the physical and mental health of Asheville residents and make our city an even more inviting place for tourists to visit and to entice businesses to locate their new office here. Everyone states quality of life when they list their reasons for wanting to live in Asheville. Let's try to keep focusing on that!

Thank you,

Jill Scobie
248 John Tate Dr
Fletcher, NC 28732

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The ideals which have lighted my way, and time after time have given me new courage to face life cheerfully, have been Kindness, Beauty, and Truth. -Albert Einstein, physicist, Nobel laureate (14 Mar 1879-1955)

Ben Fulmer

From: Laura Webb <Laura.Webb@RaymondJames.com> on behalf of Laura Webb
Sent: Tuesday, March 07, 2017 2:23 PM
To: keithyoung@avlcouncil.com
Subject: Haywood Street Site

I got an email this morning from Parc which is not accurate. They say that Asheville residents have repeatedly said they want a park on that site, BUT THAT IS NOT ENTIRELY TRUE. I participated in their survey that was extremely biased, it gave us little to no other choice except some type of park as options to choose from.

My business is downtown, my husband's is also. Between the two of us we own multiple pieces of property and pay SIGNIFICANT taxes to the city of Asheville. I do not agree with their viewpoint.

I ask that you listen to the Visioning committee, it represented a broad section of the Asheville and used a fair and open process. If you let a small but consistent voice bully you then no one will want to participate in these types of committees in the future.

I get tired of the same vocal group of people having such an abnormally large voice for our city. They do not represent me nor many of the business leaders in this community. I am a native of this town and care deeply about our community.

Laura A. Webb, CFP®



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Ben Fulmer

From: Steve Rasmussen <stevenrasmussen@gmail.com> on behalf of Steve Rasmussen
Sent: Friday, April 15, 2016 2:08 PM
To: Dave Nutter
Cc: cecilbothwell@gmail.com; AshevilleNCCouncil@ashevillenc.gov; mary@maryweberdesign.com; IThomas@stewartinc.com; ric.hardlee@live.com; gjackson@ashevillenc.gov; rsimmons@ashevillenc.gov; lcrown@ashevillenc.gov; emory22@charter.net; mecheverry@ashevillenc.gov; cball@ashevillenc.gov; tokolichany@asheville.nc.gov; marcusbarksdale@yahoo.com; pwall@ashevillenc.gov; MTaylor@stewartinc.com
Subject: Re: Beaucatcher Greenway in re select pervious surfacing

I didn't mean to disparage Iona's or any other landscaping consultant's expertise. But experts in any field are like doctors -- always get a second opinion, preferably from a specialist, because no one doctor knows all the latest treatments for every condition. You don't start composing your obituary just because the first doctor you consult says they can't help you.

-- Steve R.

On 4/14/16, Dave Nutter <dnutter@aol.com> wrote:

> I've always been thrilled to be able to consult with experts,
> especially really good ones like Iona Thomas of Stewart.

>

>

> Best,

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>

> Dave

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> David G. Nutter, AICP, Principal, Retired Member, American Planning

> Association

> Nutter Associates, Community Planners & Development Professionals

> 169 Flint Street,

> Asheville, North Carolina 28801 USA

> Tel 828-505-8242 Cell: 828-279-1820

> For large files: google drop-box

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> -----Original Message-----

> From: Cecil Bothwell <cecilbothwell@gmail.com>

> To: Steve Rasmussen <stevenrasmussen@gmail.com>

> Cc: Mary Weber <mary@maryweberdesign.com>; Iona Thomas

> <IThomas@stewartinc.com>; Richard Lee <ric.hardlee@live.com>; Dave

> Nutter <dnutter@aol.com>; AshevilleNCCouncil

> <AshevilleNCCouncil@ashevillenc.gov>;

> Gary Jackson <gjackson@ashevillenc.gov>; rsimmons

> <rsimmons@ashevillenc.gov>; lcrown <lcrown@ashevillenc.gov>; emory22
 > <emory22@charter.net>; mecheverry <mecheverry@ashevillenc.gov>; Cathy
 > Ball <cball@ashevillenc.gov>; tokolichany
 > <tokolichany@ashevillenc.gov>; marcusbarksdale
 > <marcusbarksdale@yahoo.com>; pwall <pwall@ashevillenc.gov>; Michael
 > Taylor <MTaylor@stewartinc.com>
 > Sent: Thu, Apr 14, 2016 5:22 pm
 > Subject: Re: Beaucatcher Greenway in re select pervious surfacing
 >
 >
 > Yeah. Actually consult experts.
 > -c
 >
 >
 > On Apr 14, 2016, at 4:23 PM, Steve Rasmussen
 > <stevenrasmussen@gmail.com>
 > wrote:
 >
 >
 > I would point out that the cost of maintaining a few stretches of
 > pervious pavement needs to be compared to the cost of repairing slides
 > and collapses due to stormwater runoff from an inappropriately sited impervious pavement.
 > Also, this is an evolving technology and there are numerous kinds of
 > pervious pavement nowadays, surely with varying maintenance requirements.
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 >
 > This is a larger city problem, and it would be prudent to use this
 > opportunity to explore these options. Our entire region is very
 > vulnerable to erosion in these days of climate change and its fierce
 > downpours -- yet we are continuing to increase the problem by
 > approving acres of new asphalt roads and parking lots that require
 > elaborate runoff catchment and filtering (when we even require that).
 > We are prevented by current state politics from reducing our erosion
 > risk by expanding our steep-slope ordinance, and if the legislature
 > has its way with a bill it's currently considering, we won't even be
 > able to keep the wimpy stream buffers that Council barely managed to pass a few years ago over stiff opposition from
 > "property-rights"
 > lobbyists.
 >
 >
 > We shouldn't decide whether customized pervious pavement is viable
 > based on what we've heard or what one single landscaping designer says
 > -- certainly not on what Parks & Rec considers too much extra work,
 > considering how much time I see them keeping city-maintained lawns
 > mowed to a nub when it's a far better stormwater practice to mow less often and let them grow to about 4"
 > long.
 >
 >
 > We have a Stormwater department, and we have a nationally respected
 > hub of stormwater research and expertise practically next door at NC
 > State. Why not commission our stormwater staff to collaborate with NC
 > State researchers (they'll work with us for free) in exploring and

> testing various pervious options? At the very least, publicizing such
 > an effort would help draw attention to this problem and help generate
 > public, developer, and landscaper support for better regulations and practices.
 >
 >
 > -- Steve Rasmussen
 > City-owned Parking Lot Runoff Recipient
 >
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 > On Thu, Apr 14, 2016 at 8:12 AM, Mary Weber <mary@maryweberdesign.com>
 > wrote:
 >
 > Another option people often mention is crushed granite fines but they
 > are also high maintenance and wash off easily on sloped sites. I've
 > also heard they're not really all that pervious..
 >
 >
 >
 > MARY WEBER, PLA, ASLA
 >
 > Mary Weber Landscape Architecture
 >
 > Tel: 828-281-3153
 > maryweberdesign.com
 >
 >
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 >
 > On Thu, Apr 14, 2016 at 8:06 AM, Iona Thomas <IThomas@stewartinc.com>
 > wrote:
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 > Hi all – The City would need to allocate additional maintenance
 > attention if a paver solution is desired. Cecil is correct that the
 > interstices will fill and cease to drain properly if not regularly
 > maintained. I would also be concerned with a wide scale application
 > due to freeze and thaw behavior of pavers. The pavers would likely
 > become very uneven over time even if properly installed. We have
 > proposed the pervious pavers at the handicap area because it is small
 > and can easily be maintained. Please let me know if I can provide
 > further information. -Iona
 >
 >
 > Iona L. Thomas, AICP | Bicycle & Pedestrian Practice Manager Direct
 > 919.866.4762 STEWART STRONGER BY DESIGN Visit us at www.stewartinc.com
 >
 >
 >
 > From: Cecil Bothwell [mailto:cecilbothwell@gmail.com]
 > Sent: Thursday, April 14, 2016 8:01 AM

> To: Richard Lee <ric.hardlee@live.com>
> Cc: Dave Nutter <dnutter@aol.com>; AshevilleNCCouncil@ashevillenc.gov;
> Gary Jackson <gjackson@ashevillenc.gov>; rsimmons@ashevillenc.gov;
> lcrown@ashevillenc.gov; emory22@charter.net;
> mecheverry@ashevillenc.gov; Cathy Ball <cball@ashevillenc.gov>;
> tokolichany@ashevillenc.gov; mary@maryweberdesign.com;
> marcusbarksdale@yahoo.com; pwall@ashevillenc.gov; Iona Thomas
> <IThomas@stewartinc.com>; Steve Rasmussen <stevenrasmussen@gmail.com>
> Subject: Re: Beaucatcher Greenway in re select pervious surfacing
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>
> I've been told that pervious pavers, porous asphalt, pervious concrete
> are all high maintenance in areas where there is considerable leaf
> litter. Even if you sweep regularly the ground up bits gradually fill
> the pores/interstices, etc.
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> -c
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> On Apr 13, 2016, at 9:10 PM, Richard Lee <ric.hardlee@live.com> wrote:
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> I imagine the designer would say pervious pavers don't reduce runoff
> very much more than asphalt. Or so I've heard.
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> Rich
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> Sent from my Verizon, Samsung Galaxy smartphone
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> ----- Original message -----
>

> From: Dave Nutter <dnutter@aol.com>
>
> Date: 4/13/16 10:49 AM (GMT-05:00)
>
> To: AshevilleNCCouncil@ashevillenc.gov,gjackson@ashevillenc.gov,
> rsimmons@ashevillenc.gov, lcrown@ashevillenc.gov,emory22@charter.net,
> mecheverry@ashevillenc.gov,
> cball@ashevillenc.gov,tokolichany@ashevillenc.gov,
> mary@maryweberdesign.com, ric.hardlee@live.com
>
> Cc: marcusbarksdale@yahoo.com,pwall@ashevillenc.gov,
> ithomas@stewartinc.com, stevenocrasmussen@gmail.com
>
> Subject: Beaucatcher Greenway in re select pervious surfacing
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>
> At last night's dynamic nod, most welcome, to the Beaucatcher
> Greenway, I spoke with Steve Rasmussen of PARC on the topic of pervious surfacing.
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> Steve mentioned a customized rather than a one size fits all approach.
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> We came away wondering whether it might be possible to turn to
> pervious surfacing for those limited number of points on the greenway
> most vulnerable to the greatest runoff that could be hazardous.
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> I make this as a suggestion, subject to engineering feasibility,
> possibly worth exploring.
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> Best,
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> Dave
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> David G. Nutter, AICP, Principal, Retired Member, American Planning
> Association Nutter Associates, Community Planners & Development
> Professionals
> 169 Flint Street,
> Asheville, North Carolina 28801 USA
> Tel 828-505-8242 Cell: 828-279-1820
> For large files: google drop-box

Ben Fulmer

From: Dave Nutter <dnutter@aol.com> on behalf of Dave Nutter
Sent: Wednesday, April 13, 2016 10:48 AM
To: AshevilleNCCouncil@ashevillenc.gov; gjackson@ashevillenc.gov; rsimmons@ashevillenc.gov; lcrown@ashevillenc.gov; emory22@charter.net; mecheverry@ashevillenc.gov; cball@ashevillenc.gov; tokolichany@asheville.nc.gov; mary@maryweberdesign.com; ric.hardlee@live.com
Cc: marcusbarksdale@yahoo.com; pwall@ashevillenc.gov; ithomas@stewartinc.com; stevenrasmussen@gmail.com
Subject: Beaucatcher Greenway in re select pervious surfacing

At last night's dynamic nod, most welcome, to the Beaucatcher Greenway, I spoke with Steve Rasmussen of PARC on the topic of pervious surfacing.

Steve mentioned a customized rather than a one size fits all approach.

We came away wondering whether it might be possible to turn to pervious surfacing for those limited number of points on the greenway most vulnerable to the greatest runoff that could be hazardous.

I make this as a suggestion, subject to engineering feasibility, possibly worth exploring.

Best,

Dave

David G. Nutter, AICP, Principal, Retired
Member, American Planning Association
Nutter Associates, Community Planners & Development Professionals
169 Flint Street,
Asheville, North Carolina 28801 USA
Tel 828-505-8242 Cell: 828-279-1820
For large files: google drop-box

Ben Fulmer

From: Christopher Pratt <chrispdcl@gmail.com> on behalf of Christopher Pratt
Sent: Tuesday, February 02, 2016 7:09 PM
To: AshevilleNCCouncil@ashevillenc.gov;PARC
Cc: jboyle;Christopher Pratt
Subject: "SLOW DOWN ASHEVILLE" - Local law firm launches driving speed reduction sign campaign.

"SLOW DOWN ASHEVILLE" - Local law firm launches driving speed reduction sign campaign.

-- There you go Asheville, our City Council won't and APD doesn't have enough officers so can't take action to control traffic so we get signs paid for by local law firms. How's that working for you?

Local law firm launches driving speed reduction sign campaign

Posted on February 1, 2016 by Able Allen - sign-project_redo-300x225
Press release from Minick Law:

We are proud to be launching "SLOW DOWN ASHEVILLE"; a public safety campaign designed to help motorists drive safely on Asheville's busy and narrow roadways. Co-sponsored by N.C. Farm Bureau and FastSigns of Asheville, Minick Law will be distributing FREE "SLOW DOWN ASHEVILLE" yard signs to residents and businesses, to serve as a reminder to Asheville motorists to drive with appropriate caution on our city streets.

Asheville, N.C. holds the unfortunate title for the highest number of pedestrian injuries in the state, per capita. The city's vibrant growth brings with it more challenges to pedestrian and bicycle safety, as our roads get more and more congested, and side streets become thoroughfares for drivers looking for shortcuts.

This project hits especially close to home for us at Minick Law, as many of our attorneys and staff members live in Asheville's particularly congested neighborhoods, with young children and pets. Watching motorists zoom past our homes every day, we decided that we needed to do what we could to help address and bring much needed awareness to an important local issue.

Minick Law's Asheville Personal Injury Attorney Lakota Denton handles a variety of serious pedestrian and bicycle accidents in Asheville, and as he puts it: "Unfortunately, I've seen some really sad and terrible things happen to pedestrians and bicyclists when drivers are going too fast and not paying attention. We need to drive like our own children and pets live on the street we're driving on".

Beginning on Wednesday February 10th, You can stop by the following locations to pick up your free SLOW DOWN ASHEVILLE yard sign for your home or business:

Minick Law – 30 Orchard St. Asheville, NC 28801

NC Farm Bureau – 41 Chamberlain Dr. Asheville, NC 28806

High 5 Coffee – 190 Broadway #102 Asheville, NC 28801

High 5 Coffee – 13 Rankin Ave. Asheville, NC 28801

Edna's of Asheville – 870 Merrimon Ave. Asheville, NC 28801

Edna's At The River – 219 Amboy Rd. Asheville, NC 28806

Biscuit Head – 733 Haywood Rd. Asheville, NC 28806

Biscuit Head – 417 Biltmore Ave 4F Asheville, NC 28801

(More locations TBD)

Want to be a distribution point for SLOW DOWN ASHEVILLE yard signs? Drop us an email

Thank you for doing your part to keep our community safe.

<https://mountainx.com/blogwire/local-law...>

Ben Fulmer

From: Inge Durre <ingedurre@gmail.com> on behalf of Inge Durre
Sent: Sunday, January 10, 2016 11:55 AM
To: brianhaynes@avlcouncil.com; keithyoung@avlcouncil.com
Cc: Imke Durre
Subject: Information about Collier Avenue Wood Preservation Initiative for Tuesday Jan. 12 Council Agenda's Public Comment Section
Attachments: Proposal to City Council version 20160110.docx; Tree Evaluation Report DurreApp.pdf

Dear Councilman Haynes, dear Councilman Young,

As you are probably aware, we have been working on finding a way to preserve a stand of 23 mature native oak trees in the South Slope area of downtown Asheville and have received tremendous cooperation from the property owners/developers who agreed to selling or swapping their property in the interest of preservation, indicating a clear preference for a property swap.

We are attaching the latest version of our proposal to Council on how to preserve the Collier Avenue Wood, in case you have not already received the version we submitted to City staff on Thursday. As you may know, our previously encouraged and scheduled presentation of an updated proposal has been removed from Tuesday, January 12th agenda. We therefore intend to make our presentation during the Public Comment Period and hope that each of you will take the opportunity to voice your position on the framework we present.

For your information, we are also attaching a Tree Evaluation Report documenting the significance of the forest. You can find our subsequent Petition to the City to take the lead on a preservation effort at <https://www.change.org/p/city-of-ashevi-preserve-the-wooded-area-on-the-site-of-the-proposed-collier-avenue-apartments>, which 1174 persons have signed so far. Our ensuing research revealed that the property is located on the former Ravenscroft School Campus and is the last urban stand of mature native oaks in the South Slope area.

We have received a number of written statements in support of the preservation, including from the Sierra Club, the Audubon Society, PARC, and the Preservation Society of Asheville and Buncombe County, to name a few. County Commission Chairman David Gantt expressed his personal support and stated that while he did not want to bring before the County Commission a request for one third of a yet to be determined total amount some City Council members wants us to raise in remuneration for a lot the City would relinquish, he did mention that he saw a chance that the Commissioners might agree to helping out with a reasonable minority remainder towards the end of our fundraising, should we fall short.

Our fiscal agent is MountainTrue and we have received \$44,000 in pledges and donations without having been able to start an organized fundraising effort for lack of a firm and viable property swap agreement and for lack of a distinct fundraising goal.

Thank you for your consideration,

Inge and Imke Durre, Co-Founders
Ravenscroft Reserve Initiative
ingedurre@gmail.com
828.989.3976



This email has been sent from a virus-free computer protected by Avast.
www.avast.com

Ben Fulmer

From: Lael Gray <laelgray@yahoo.com> on behalf of Lael Gray
Sent: Saturday, December 19, 2015 7:33 AM
To: Julie Mayfield;Gwen Wisler;Esther Manheimer;Cecil Bothwell;Gordon Smith;Brownie Newman;brianhaynes@avlcouncil.com;keithyoung@avlcouncil.com
Subject: Fw: Montford and the I-26 Connector alternatives

FYI...

Lael Gray laelgray@yahoo.com

----- Forwarded Message -----

From: Suzanne Devane <sdevane@hdresources.net>
To: 'Lael Gray' <laelgray@yahoo.com>; 'Rachel Stein' <nrachelstein@gmail.com>; montford@yahoogroups.com
Sent: Friday, December 18, 2015 11:24 AM
Subject: Montford and the I-26 Connector alternatives

Hi All – A couple of observations and my understanding of the background on this.

- 1) The Burton Street Community united early on the I-26 Connector because they risk losing 35 homes to eminent domain under the 3 alternatives. They entered into what they refer to as a “formal partnership” with the Asheville Design Center to come up with alternatives other than the 3’s to preserve their community. As such, the ADC designs of 4 and 4B were drafted to protect that neighborhood’s concerns. <http://burtonstreet.org/neighborhood-plan/>
- 2) The staff and board at the ADC are a very talented and accomplished group of individuals ranging from landscape architects, to architects, to attorneys and artists. That being said, it doesn’t appear that any highway engineers were involved in developing the 4 and 4B alternatives. If there had been, I believe it would have been made clear years ago that there is very little that can be done to reduce the footprint of the two fly-overs and its related traffic noise and visual impacts. Eighty percent of the funding for this project will be coming from the USDOT to develop highway infrastructures. There are project requirements that come with that, so the idea that there can be some minimizing improvements once either of these options become the “preferred alternative” is close to nil. <http://ashevilledesigncenter.org/about/#board-of-directors>
- 3) As to why NCDOT officials seem to clueless about impacts on Montford, incompetence isn’t a rational reason. Any state DOT is in the business of doing environmental reviews as a consequence of their mission. So, there’s two alternative explanations. 1 – NCDOT knows full well the unstated consequences in Montford but chose not to highlight them because they had to clearance from the City of Asheville to move forward with the 4 alternatives due to the City’s interest in removing anything but local traffic from Bowen Bridge. Or 2 – NCDOT didn’t bother with the necessary analysis of the 4 alternatives because the \$100 million cost differential makes this a no go for the State (and feds).
- 4) I understand that the City’s position in supporting the 4 and 4B alternatives defaults to the 2002 planning that had as a City goal the removal of non-local traffic from Bowen Bridge. Conceptually, it’s a great idea. BUT, what has been offered to the City’s residents is a black hole alternative with the propose fly-overs. Without detailing how these fly-overs will look and fit into the overall surrounding communities, it is impossible for anyone to make an educated decision about whether the cost of removing non-local traffic from Bowen Bridge is worth it . As an example, I have a bad right knee. I’ve told my doctor I would like to relieve the pain without resorting to knee replacement surgery. He tells me that’s possible, and I’m excited. However, I later learn the solution is amputating that leg. Yes, I achieved my goal of avoiding knee replacement surgery, but the alternative was much worse. This is essentially what we have with the 4 alternatives.

5) Lael – I appreciate seeing the position piece that MNA adopted in 2009. However, if you compare the DEIS with that position piece, it is clear that the MNA goals have not been met with the 4 alternatives. For this reason, I would agree with Rachel that the MNA should take a position at this point that the City-endorsed alternatives are not in keeping with Montford's interests.

One of my hobbies since moving to Asheville is walking through Montford daily. I believe I've walked every single street in our neighborhood multiple times. I even know where my favorite cats and dogs live. Our neighborhood is an incredible gem filled with personality and individualism. We have a great level of diversity – both racial and economic. It's friendly, connected, and engaged. To me, it's the ideal American neighborhood! I can state without hesitation that the towering infrastructure projects will change the livability of our neighborhood into perpetuity. We will be cut off, the highway noise will be a constant, the visual impact and highway lighting on a curved fly-over will become the neighborhood's glaring visual landmark. I can't believe that any of us want to live with that result.

Best, Suzanne Devane

From: Lael Gray [mailto:laelgray@yahoo.com]
Sent: Wednesday, December 16, 2015 9:35 PM
To: Rachel Stein; Suzanne Devane
Subject: Re: [Montford] SUPPLEMENTAL COMMENTS ON NCDOT STIP PROJECT NO. I-2513 - SECTION B

Hi Rachel,

These are all great questions.

We spent a lot of time in 2009 giving tours to elected officials, along with people from other neighborhoods and people from the Asheville Design Center to show them the impacts of 4B on Montford. We also toured people from the DOT (right before they temporarily dropped the project due to lack of funding.) At that time the DOT was unaware of all of the new houses that had been built. A group of us went around taking pictures of new houses that weren't shown on their maps, and sent them all of that information. More houses have been built since then.

Last week I drove around with Heather Rayburn, who is a friend that is involved with PARC and who was posting on Facebook that people should tell the DOT to choose 4B. You may have seen her revised message to the community through PARC or the listserv.

I'm afraid the biggest challenge might be getting the activist community to understand why 4B is not what they think it is. I found it impossible to convince people that we should consider dropping the call to remove highway traffic from the Bowen Bridge. That seems to be one of the community's biggest causes. And many, many people, including me, oppose alternate 3 because of the impacts to the Burton Street neighborhood.

There is so much history with the project, and the DOT appears to be very frustrated with Asheville. But if they are reacting like they don't know about our concerns, it's either because they are playing dumb, or the individuals are new to the project. We have all been very clear with them, over and over, for a very long time.

What I can tell you is that Julie Mayfield is a great ally in all of this, and it was only when she came around to understanding how bad 4B was for Montford that we were able to then get others to listen to our concerns. Julie is more knowledgeable about this project than anyone I know, and she is not afraid to confront the DOT. I'm sure that it's only because of Julie that city council is endorsing 4 along with 4B - instead of just endorsing 4B. In my opinion, 4 is better for Montford than 4B - though still not good.

It probably wouldn't hurt to invite all of the current city council members to take a tour - Julie and Esther are already pretty aware. I may have talked to Gwen about this at one time, but I can't remember if she's had a chance to walk through the impacted areas.

What's so frustrating is that there seems to be no way to stop this thing from coming through our downtown and across the river. I have tried to bring this up, and nobody will have that conversation. Nobody. It's my understanding that the DOT will only conduct their final studies once they have decided on one of the plans, and that they will choose a plan this spring. Then we might be able to get them to make modifications.

I wish I had something more hopeful to contribute. It sounds like Suzanne has a good sense of some legal issues. I've copied her on this email, and I'm going to meet with her in a couple of weeks.

Let's stay in touch.

- Lael

Lael Gray laelgray@yahoo.com

From: Rachel Stein <nrachelstein@gmail.com>

To: Lael Gray <laelgray@yahoo.com>

Sent: Wednesday, December 16, 2015 8:38 PM

Subject: Re: [Montford] SUPPLEMENTAL COMMENTS ON NCDOT STIP PROJECT NO. I-2513 - SECTION B

Lael, thank you for this comment. I very much appreciate the old 2009 document that Montford presented. I agree that we don't want to pit neighborhoods against each other. But neither do I want our neighborhood to be sacrificed. I am concerned that City Council endorsed an option that does this, instead of asking the state to create better options that do less harm to all neighborhoods. Do you think this is a done deal?

I went to the public hearing and I sent in comments saying all of this. The DOT people to whom I spoke had no idea that there was so much new construction in Montford, or that we would find the raised highway to be a problem, or that sound was currently an issue.

Do you have any ideas about the best ways to proceed? I, personally, would like our neighborhood to protest the council decision. I'd love to invite city council members to tour the edges of Montford to see what a problem the highway already is and to understand the damages that will ensue.

Rachel

On Wed, Dec 16, 2015 at 8:31 PM, Lael Gray <laelgray@yahoo.com> wrote:

Hi neighbors,

Just want to weigh in on this, as I - and many others in Montford, including Michael McDonough and David Patterson - have been working on the I-26 thing for a long time.

Without a doubt, alternate 3 has less of an impact on Montford than options 4 and 4B. AND, YES, this project risks pitting neighborhoods against each other regarding which of us will take the biggest hit. As a result, several years ago, a group of impacted neighborhoods was formed, called the I-26 ConnectUs Project. This group was largely convened by the organization now known as MountainTrue (formerly WNC Alliance).

At the time, MANY in Asheville were demanding that the DOT adopt alternate 4B as the community's preferred plan - and you will find that many still do, including a recent endorsement of 4B by the editorial board of the Citizen Times. It took a lot of work to help all of the other neighborhoods understand the devastating impact this would have on Montford. But it also became clear that Montford residents needed to work with the other neighborhoods to understand their needs as well.

The Montford Neighborhood Association did a lot of legwork in coming up with its position statement. Please take a look at the Montford position statement that was drawn up by a group of us and approved by the MNA in 2009. http://montford.org/wp-content/uploads/2010/01/I-26-Montford-Position-7_18.pdf

What you will notice is that the statement advocates for separation of highway and local traffic on the Bowen Bridge (formerly known as the Smoky Park Bridge), which is not included in alternate 3.

We are free to comment to the DOT regarding our own personal preference, but I want to be sure that everyone understands some of the history and why this is not as cut and dry as we'd like it to be.

The bottom line is that all of the plans being presented to us are too big and too damaging - regardless of where they land. And if we don't work together on this, the DOT will be less likely to hear our concerns clearly.

Lael Gray laelgray@yahoo.com

From: "Rachel Stein nrachelstein@gmail.com [Montford]" <Montford-noreply@yahoogroups.com>
To: montford.brian <montford.brian@wholefruit.org>
Cc: Suzanne Devane <sdevane@hdresources.net>; Montford@yahoogroups.com
Sent: Wednesday, December 16, 2015 9:53 AM
Subject: Re: [Montford] SUPPLEMENTAL COMMENTS ON NCDOT STIP PROJECT NO. I-2513 - SECTION B

Dear all,

I realize that City Council has already voted to approve options 4 for this highway project--and these are the options that due most harm to Montford--in ways that Suzanne and Brian have spelled out very well. I find it alarming that Julie Mayfield led the discussion of this highway project, since she was a candidate who made it clear during the campaign that she has other agendas besides listening to city residents.

I wonder if it might do any good for our Montford community to make our concerns for our neighborhood known to the council in general and in particular to Cecil Bothwell, Keith Young, and Brian Haynes, who have made clear their intention to support the needs of city residents?

The current highway designs obviously pit the concerns of various neighborhoods against each other in a way that is not productive for our city. But I am very concerned to hear that in arguing for options 4, Julie Mayfield put the desires of Westgate businesses (including another new hotel) above the valid concerns of Montford residents for air and noise pollution and worse road egress in and out of our historic neighborhood.

At the public hearing for the highway options, the Mountain True representatives said to me that their organization was NOT taking a stance as to which options were best for Asheville. But clearly that organization, or at least Mayfield, did indeed take a stance that sacrifices Montford.

I agree with Suzanne and Brian that the current plans aren't right for Asheville and will create harm for city residents. Do we have any recourse?

Rachel

On Tue, Dec 15, 2015 at 11:05 PM, 'montford.brian' montford.brian@wholefruit.org [Montford] <Montford-noreply@yahoogroups.com> wrote:

For what it is worth, our opinions may not matter. I assume that the "upgrades" to westover drive drainage are all apart of the preparation for the I26 improvement and heard it has been stated as such by some of the workers. So, the project may already be underway, officially or unofficially.

The goals of this project can be accomplished in other ways. It appears some of the issues maybe directly related to mistakes made in the original layout and construction of 26/40/240.

Summary of thoughts on this project.

I propose everything stay exactly as it is for now.

I propose we scrap all the current proposals.

I propose looking into either

putting the "I26 connector" west of west asheville and bringing it in north of woodfin

or

putting the "i26 connector" underground by tunneling.

I believe the tunneling is the best option for Asheville. It has the least overall environmental impact and least loss of surface land.

I believe when you take EVERYTHING into CONSIDERATION, it is less expensive than any alternative proposed.

As many of you did, I went over to the meeting / viewing of this project and overheard and received consistent answers from the representatives for the project. "We" must decide on who gets hurt the most out of the project. The current road is in place because of what Asheville decided years ago. I would guess that most people are not happy with any of the proposed plans.

Some concerns.

1. **Property owner rights**, including the enjoyment and use of ones property irrelevant of what is done. The loss of enjoyment and use of ones property is an infringement of basic property ownership. Current noise and other pollution from the interstate are already too high and infringing and trespassing on private property.

2. **Local travel**. It is unacceptable that these interstates infringe on traveling rights and reduce the access of local communities. To make this clearer, when interstates are put in, they sever local roads. This requires one to drive around, sometimes miles, to get to what use to be a quiet couple of block walk. An example would be my assumption that Pearson Drive might have actually connected to Pearson Bridge Road before the interstate Severed that route. There are many examples in West Asheville where streets stop because of I240 and pick back up again on the other side. Does progress really require the reduction of local community and travel?

3. Loss of land and land use. The number of acres taken up by the interstate combined with the number of acres of reduced enjoyment and usability of land, further divides communities and businesses, and creates more traffic, as those displaced homes and businesses have to move further away from town.

4. Multiple Environmental issues. More rainwater runoff into the French Broad means more flooding downstream. More noise, RF, exhaust pollution means increased health issues for the plants, wildlife and people living around this community.

I believe the main purpose of this project is to "provide a link in the transportation system connecting a direct, multi-lane freeway facility meeting interstate standards from the Port of Charleston, S.C., to I-81 near Kingsport, Tenn." Why else does Asheville need more interstate than larger cities already have? Given most people want to separate local traffic from through traffic, why are we not looking at one of the following instead of moving Port traffic and Through Traffic into the middle of the city.

1. Did anyone see the map of this? Where the traffic is coming from and going to. It was stated they have this data and have looked at the cell phone gps records to know where everyone is coming from and going to.

2. A loop or alternative path which takes all this traffic out and around the center of town. It was stated that we, as Asheville, should decide who takes the hit, so why not the people further out?...

3. Better yet, why not solve so many issues with a different approach completely. Move the road underground. Tunneling technology continues to get better and the costs continue to come down.

Instead of displacing citizens and business, increasing traffic, increasing pollution, reducing the local ability to travel, reducing the quality and enjoyment of life... we could put in a better 'tunnel road' and solve these issues.

So, I propose we scrap these plans and put something good for Asheville, the environment, and the community in place. In the process, we should reverse damage done with the current roads in place. The interstate system is not an intrastate goal and routing interstate traffic through downtown makes ZERO SENSE for those that live there. THIS NEEDS TO BE SOLVED ANOTHER WAY!

On Dec 15, 2015, at 15_12_15-1:06 , 'Suzanne Devane' sdevane@hdresources.net [Montford] wrote:

Mr. Drew Joyner, PE
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598

December 15, 2015

VIA EMAIL

**RE: *ADDITIONAL* COMMENTS ON NCDOT STIP
PROJECT NO. I-2513 – SECTION B**

Dear Mr. Joyner:

While I have already submitted comments on the above-referenced matter, I am taking the liberty of submitting additional comments in the wake of the City of Asheville's recently passed resolution supporting the 4 and 4B Alternatives for Section B of the I-26 Connector Project. It is clear from that City resolution that the failure of NCDOT to evaluate the full environmental impacts of Section B of the project in the DEIS and spell them out for the public is already having a negative consequence. Simply put, the public and decision-makers are being forced to choose an alternative that will be further examined in the FEIS while having only a nominal understanding of how the 4 and 4B alternatives will impact the surrounding environment and its residents.

As I had mentioned in my initial comments dated December 1, 2015, the EIS process and surrounding case law have defined an environmental review process that requires agencies to consider "to the fullest extent possible" environmental consequences "in every recommendation or report on major federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). An EIS is meant to provide detailed discussion of significant environmental impacts and ***informs decision-makers and the public*** of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. This has not been the case in NCDOT's environmental review of the four Section B alternatives.

In addition to the failure to provide visualizations of the fly-overs that I had mentioned in my December 1 filing with NCDOT, the noise analysis completely neglected to examine the noise consequences of the two 4 Alternatives on Montford and Houston-Courtland before determining that there would be only "minimal" or "moderate" burdens on these neighborhoods. If one reviews the map for the project closest to Montford, one will see that on the Montford side of the fly-overs there was no noise study area indicated (purple with backslash grid.) Map: https://xfer.services.ncdot.gov/PDEA/Web/I26/I-2513_PHM_AERIAL_SECB_sht7.pdf

NCDOT's rationale for this omission is clearly stated at page 63 of Chapter 4 of the DEIS: "*The locations of noise study areas where noise barriers are reasonable and feasible are indicated below.*" Rather than examine the noise consequences of the two fly-overs (that will broadcast traffic noise over the surrounding communities (and include frequent incidents of wheel squeal that is likely to occur on such a tight arc) NCDOT chooses not to measure noise impacts because nothing can be done about them. Given that the DEIS states that these alternatives would cause a noise increase of between 0 dBA and 23 dBA (with only 10 dBA being a doubling of noise levels) this omission is absurd. As such, a supplemental DEIS on Section B must be provided before a "preferred alternative" moves forward for review in an FEIS.

As NCDOT well knows, major infrastructure projects of this type have profound impacts on neighborhoods. Initially, the public looks only at eminent domain takings in terms of how many people will lose homes or businesses. But, the noise impacts are often far more profound when it comes to overall community livability and property values. Given that the EIS process is meant to fully inform the public and decision-makers (i.e. the Asheville City Council) about the consequence of each alternative, omitting much of Montford and Houston-Courtland from the noise study areas because there are ramifications that can't be mitigated is highly deceptive and not in keeping with the purpose of an EIS process in the first place.

Being fully forthcoming about these noise impacts at this stage of the EIS process would benefit NCDOT and this project in the long-term, as the existing analysis failure leaves the Department open to legal challenge by opponents as the project progresses, and sets the Department up for failure in the Courts based on an “arbitrary and capricious” standard of review. An agency action is arbitrary and capricious if, for example, the agency has failed to follow procedure as required by law, see 5 U.S.C. § 706(2), or ***has entirely failed to consider an important aspect of the problem.*** In fact, this issue has been long-settled in relevant case law: an agency action would be arbitrary and capricious if the agency has relied on factors which “entirely failed to consider an important aspect of the problem.” *Motor Veh. Mfrs. Ass’n v. State Farm Ins.* 463 U.S. 29 (1983) citing *SEC v. Chenery Corp.*, 332 U. S. 194, 332 U. S. 196 (1947)

At this point, the EIS process has failed in providing adequate analysis of the noise implications of the 4 and 4B Alternatives. I respectfully request, once again, that the FEIS be deferred until a supplemental DEIS is provided that can address the broad array of deficiencies in examining the four Section B alternatives.

Sincerely,

Suzanne Devane
48 Houston Street
Asheville, NC 28801
sdevane@hdresources.net
[773.297.6835](tel:773.297.6835)

cc: Montford Neighborhood Association Listserv

Posted by: Rachel Stein <nrachelstein@gmail.com>

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