

Responses to Council Members Susan Romaine and Sammy Slade Westwood Cemetery Questions and Requests (bold font)

June 13, 2023

The upcoming worksession was requested via motions at both our 10/11/22 and 2/7/23 meetings for the town council to discuss:

- *Town potential expansion of cemetery
- *Potential use of remaining space at Westwood for park space
- * New rural cemetery
- *or combination of all of the above

Information requested via those motions included:

Outcome of discussion with Chapel Hill and Hillsborough on their interest in participating/collaborating with Carrboro on potential joint cemetery. Include Orange County for their potential facilitation of land.

Orange County, Chapel Hill, and Hillsborough Managers have indicated that there is no interest in participating/collaborating with Carrboro on a potential joint cemetery.

Legal perspective on question of purchasing land for cemetery use outside of town limits and/or shared with other jurisdictions.

Article 17. Cemeteries. § 160A-341. Authority to establish and operate cemeteries. A city shall have authority to establish, operate, and maintain cemeteries either inside or outside its corporate limits, may acquire and hold real and personal property for cemetery purposes by gift, purchase, or (for real property) by exercise of the power of eminent domain, may devote any property owned by the city to use as a cemetery, may prohibit burials at any place within the city other than city cemeteries, and may regulate the manner of burial in city cemeteries. Nothing in this section shall confer upon any city authority to prohibit or regulate burials in cemeteries licensed by the State Burial Association Commissioner, or in church cemeteries. As used in this Article "cemetery" includes columbariums and facilities for cremation. (1917, c. 136, subch. 5, s. 1; 1919, cc. 136, 237; C.S., s. 2787; 1969, c. 402; 1971, c. 698, s. 1.

Costs of land outside of town for cemetery use

A high-level examination of the area of southern Orange County within three miles of Carrboro was completed to identify vacant sites and assessed land value where cemeteries are a permissible use. The table below presents a summary of the characteristics of these sites. See also Illustration 1 below.

	Locations	Acreage Range	Value Median/Average	Value Std Deviation	\$/Acre Median/Average	\$/Acre Std Deviation
Carrboro	5	7.34 - 23.5	\$368,800/643,269	\$508,365	\$25,875/61,740	\$81,438
Chapel Hill	24	6.91 - 59.77	\$424,300/1,645,960	\$3,123,575	\$27,023/125,191	\$245,744
Orange County	93	6.26 - 155.41	\$212,650/359,057	\$397,307	\$14,712/15,973	\$8,372

Current listings of properties on the market in the area were also examined and are summarized below:

Current land for sale (realtor.com) in-town/Carrboro jurisdiction

- 15 acres – \$1,750,000 – Rogers Rd (\$116,000/acre)
- 43.87 acres - \$1,250,000 – Damascus Church Road (\$28,493/acre)

Comparable for price/per acre. Note sizes of these parcels.

- 1.33 acres - \$750,000 – Jones Ferry Road (\$563,909/acre)
- 0.24 acres - \$550,000 – Elm Street (\$2,292,667/acre)
- 2,614 sq ft / .060 acres - \$429,000 – E. Main St (\$7,150,000)

Orange County

- 64.4 acres - \$650,000 – University Station (\$10,000/acre)

Other information that I would like that was not necessarily explicit in the referenced motions:

Average costs of land for park within walking distance of neighborhoods (especially neighborhoods currently without a walkable park) that a Westwood park would serve.

Three nearby vacant parcels are on the market and the total sale price and cost/acre is noted above.

Along with this information please also forward, in advance of our meeting, the vacant parcels, scaled down conceptual plan, cost estimates and background on ordinance sign info that staff has gathered.

The concept plan is included in Illustration 2 below.

Wendy Welsh, Town Manager's Office Intern, surveyed surrounding municipalities to determine what information is posted in their cemeteries. For almost all, they have full ordinances posted on their website and a good many of the cemeteries are enclosed with some sort of barrier. A summary follows.

Chapel Hill - They are in the middle of amending their ordinance and thinking of adding more prohibitions to the signage. Currently they have "No person shall take any dog or other animal into any cemetery or allow any animal to run at large therein and 'Do Not Drive on the Grass.'

Hillsborough – Provide brochures and do allow dogs and people to walk the roads in the cemetery for exercise. Most are enclosed with the exception of one that is open to the woods. Don't usually have any issues with people vandalizing headstones.

Durham – All cemeteries are enclosed and have signs posted at entrances citing no dogs, skateboarding, and similar activities.

Clayton – Most are enclosed and have no open space around them. Posted at entrances are the ordinances regarding curfew hours and animals but this is a printout in a plexiglass box, not official sign.

Burlington – Do not have much up in way of signage with exception of no dogs allowed. For the most part they have flyers at the entrances to say what is allowed and what is not. Refer people to the online full ordinance.

Raleigh – They have posted signage (images below) at the main cemeteries. They encourage walking and biking if they stay on the paths because it discourages vagrancies, vandalism, and prostitution. Removed fencing, placed white post and opened all entrances to cemeteries to encourage more walking. They do not want dogs in the cemeteries, however that is hard to control.



There are 78 cemetery plots available at Westwood Cemetery as of 6/12/23. The Town averaged 38 plots/yr. from 2012 – 2022 (10 yr. average) but had a 5-year average of 55 plots/yr. from 2017-2022. In 2023, the Town averaged 5.5 plots/month. If the average 5.5 plots/month trend continues, the remaining available plots will be sold out in approximately 14 months. Concern over the Town running out of plots may be fueling some of the sales.

See Illustration 2 below.

Public Works staff completed stormwater improvements which included the regrading of a ditch around the cul-de-sac to mitigate runoff through Zone 3 and planted grass on areas disturbed by grave digging equipment. Additionally, funeral homes have been instructed to do a better job backfilling grave sites so backfill dirt is not as clumpy and prone to erosion. No erosion issues have been observed over the past several months since this has been completed. Eventually a rain garden / stormwater control measure could be installed above Zone 3 to reduce runoff intensity into the local watershed. This is not required for cemetery management but would be considered a stormwater best practice for the greater downtown watershed.

With the addition of the new burial plots in the concept plan, how many more years of traditional burials would be gained? These burial plots would be confined to Zone 4, correct? If we were to add the Columbarium walls from the concept plan, for how many years would cremations be an option at Westwood?

At the current rate, the scaled-back concept plan could provide traditional burials for approximately 10 years and cremains internment for 60+ years. Ossuaries and scattering gardens both provide unlimited internment for cremains.

If we agree on a concept plan on Thursday, would the cost (including maintenance) be included in FY24 capital improvement plan?

Staff will develop a proposed funding plan depending on the options that the Town Council chooses.

During the work session, I was hoping that Council could also consider these questions:

For the remaining plots, should we try to prioritize in some way? For example, I learned recently that some of the previous plots were purchased in bulk by funeral homes, presumably because Westwood plots are a lot cheaper than purchasing plots through churches or private businesses. Should we no longer allow bulk purchases by funeral homes? Should we also require proof of residence, to better ensure that those asking for the lower burial fee are in fact Carrboro residents? Or, continue to rely on the honor system (which is less cumbersome but may get abused from time to time)?

Funeral homes, at times, may purchase at-need plots for individuals. Some individuals prefer the funeral home to handle all arrangements. Additionally, it allows individuals to complete burial arrangements via the funeral home while they await life insurance payments, etc. Section 13-14 Speculation in Burial Rights Prohibited (a) No person may purchase or otherwise acquire any burial right for the purpose of sale or exchange. (b) No person may sell or exchange any burial right for a profit or gain. Add ordinance language that prohibits resale/for profit. Staff is looking into the prior sales noted above.

Where Cemeteries are Permissible - Carrboro Vicinity

	Use Classification	Permissible Zones	Permit
Carrboro	21.1 - Town-owned cemetery	All Zones except HR-R & HR-CC	Zoning
Chapel Hill	Cemetery	R-1D5	R-3
		RT	R-4
		R-1D1	R-5
		R-1A	R-6
		R-1	OI-3
		R-2	OI-4
		R-2A	
		DA-1	By Right
Orange County	62(C) Cemetery	RB	R4
		AR	R5
		R1	R8
		R2	R13
		R3	

	122 Locations	Acreage	Value Median/Average	Value STD Deviation	\$/Acre Median/Average	\$/Acre STD Deviation
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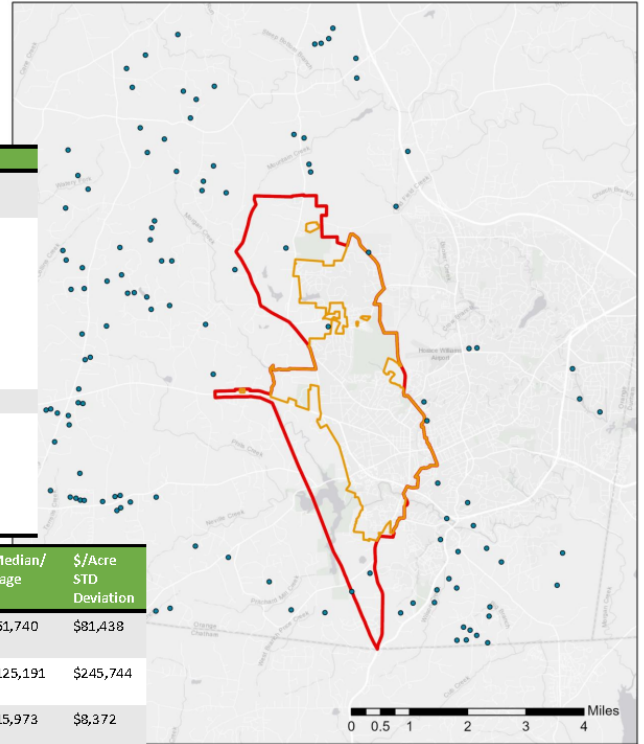


Illustration 1

Design Focus

1. Design around rock conflicts
2. Maintains greenspace
3. Provides greenspace
4. Establishes walking trails
5. Includes memorial park amenities
6. Improves site stormwater runoff
7. Includes dedicated space for green burials
8. Diversifies interment options for cremains

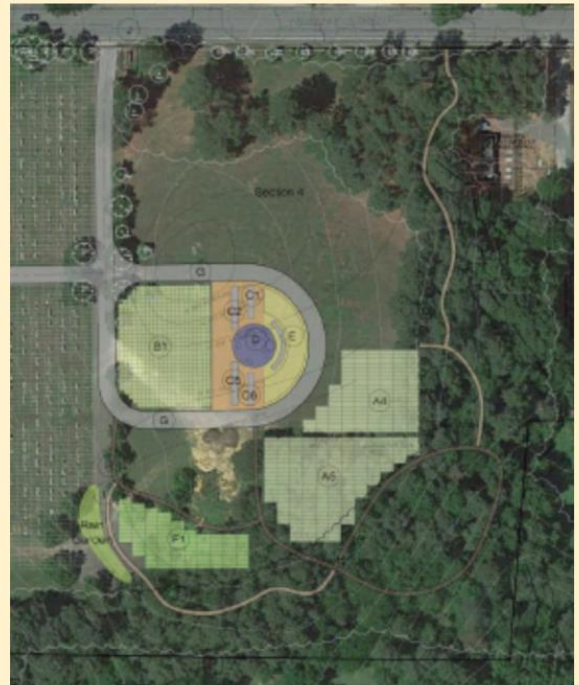


Illustration 2