

Kevin Belanger

From: Kevin Belanger
Sent: Tuesday, July 2, 2024 7:25 AM
To: 'Julie Rorrer'
Cc: Christina Moon; Martin Roupe; Marie Parker
Subject: RE: Love Overboard tree
Attachments: RE: Survey Work; RE: [External] RE: Update on tree in front of Love Overboard Kennels in Carrboro

Julie,

I got the information from the Surveyor in the attached email. They were able to find the rear pins and a pk nail in the pavement at the southwest corner. They did set a new pk nail at the southeast corner where they could not locate one.

That information shows that the Tree is on your property, and not within the Town Right of Way.

As previously explained in my March 13th (attached) the tree is on your property and the Town can not enter your property to remove it.

Kevin Belanger, PE
Public Works Director
Town of Carrboro | www.Carrboronc.gov
P: 919-918-7427
Get Carrboro News & Updates
www.carrboronc.gov/SIGNUP

-----Original Message-----

From: Kevin Belanger
Sent: Thursday, June 27, 2024 10:58 AM
To: 'Julie Rorrer' <luvdog2222@gmail.com>
Cc: Christina Moon <CMoon@carrboronc.gov>; Martin Roupe <mroupe@carrboronc.gov>; Marie Parker <mparker@carrboronc.gov>
Subject: RE: Love Overboard tree

Hi Julie,

I sent an email after I came out to the site earlier this month, attached. I'm not quite sure why you didn't get it? Because I was not 100% confident in the information I was able to obtain during that visit I have hired a company to do some survey work to locate the Right of Way (ROW) Line. Though the field work from my visit did match up with GIS data that showed the ROW being at the back of the sidewalk, I really wanted some more concrete information. I'm hopeful they will be able to locate that ROW line this week or next.

Once that information is provided, we will know 100% if the tree is fully on your property and not within the ROW.

As far as the Signals go, I believe the signals are DOT signals installed as part of a DOT project. I have CC'd Tina and Marty in planning hoping that they can confirm that the signals belong to the NCDOT. As I explained when we met. While I could not find a DOT easement for the installation of the signals, it is possible one exist, and I could not locate it, or it is not recorded at the registry but instead in some DOT file I do not have access too.

I will be in touch once the Survey Company completes the layout of the ROW line.

Have a great day.

Kevin Belanger, PE
Public Works Director
Town of Carrboro | www.Carrboronc.gov
P: 919-918-7427
Get Carrboro News & Updates
www.carrboronc.gov/SIGNUP

-----Original Message-----

From: Julie Rorrer <luvdog2222@gmail.com>
Sent: Thursday, June 27, 2024 10:34 AM
To: Kevin Belanger <kbelanger@carrboronc.gov>
Subject: Love Overboard tree

Hi Kevin. I had assumed that you hadn't sent me an email yet because I didn't receive one . I later learned that my boyfriend received an email from you (I guess he was included because I forwarded emails to him? I don't know what happened !) But I see once again Carrboro isn't going to help me with this tree issue ... which is unfortunate ! The limbs have been falling on people and power lines and even cars . So.. since Carrboro didn't get an easement to put up the pedestrian crossing I need to have that thing removed . Carrboro can't force pedestrians to stand on private property to wait to cross the street unknowingly in harms way and I can't have the public on my private property knowing they may be injured by this tree until this matter gets settled . Thanks for your prompt attention to the removal of the pedestrian crossing .

Julie Rorrer

Kevin Belanger

From: Kevin Belanger
Sent: Tuesday, June 11, 2024 8:07 AM
To: 'Julie Rorrer'; dvdhunt24@frontier.com
Cc: Marie Parker
Subject: RE: [External] RE: Update on tree in front of Love Overboard Kennels in Carrboro
Attachments: JulieRorrerDeed.pdf; 60 feet west.jpg; 260 feet from Sunset Dr Centerline.jpg

Julie,

It was nice to meet you yesterday. After we talked about the Tree and the Right of Way, I again used your deed to try to find the property pins referenced on the deed. (deed is attached).

I could not locate any pins at the property corners, but I did put paint marks on the very back edge of the sidewalk where the deed indicates they should be. (These marks are approximate, as they were measured with a wheel not survey equipment) the first mark is 260' west of the centerline of Sunset Dr as called out in the deed. The next mark is 60' west of that mark, the distance the deed indicates your frontage along West Rosemary is. While I could not locate the pins at the back corners of the lot, using the information you provided that the fence line is the property line, I measure from the fence towards the street 165 feet. This is the distance that the deed indicates the depth of the lot on each side. Those measurements put me within a few inches of the back of the sidewalk. Photo's attached, show the two paint marks.

This information is matching up with the GIS data and other information (location of water meters, fence lines along West Rosemary etc) that indicates that the ROW is at the back of the sidewalk.

Feel free to reach out with any questions you might have.

Kevin

Kevin Belanger, PE

Public Works Director

Town of Carrboro | www.Carrboronc.gov

P: 919-918-7427

Get Carrboro News & Updates

www.carrboronc.gov/SIGNUP



TOWN OF CARRBORO • NC

From: Julie Rorrer <luvdog2222@gmail.com>
Sent: Thursday, May 30, 2024 9:24 PM
To: dvdhunt24@frontier.com
Cc: Kevin Belanger <kbelanger@carrboronc.gov>
Subject: Re: [External] RE: Update on tree in front of Love Overboard Kennels in Carrboro

Caution: This is an external email and has a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact the Carrboro IT Department.

I've put this email on hold ... but now it's time to act ... no utilities company is going to do anything . Branches are falling on everyone and they pile them up by the tree . We've hauled off many of them . There's a pedestrian crossing right under the tree .. and when someone gets hurt crossing the street in a place Carrboro invites people to come in.. it won't be MY responsibility...it's on Carrboro!
Julie Rorrer

On Mar 13, 2024, at 12:33 PM, Julie Rorrer <luvdog2222@gmail.com> wrote:

Denied. 🙄 Back to Duke Power I go!
Julie Rorrer

Begin forwarded message:

From: Kevin Belanger <kbelanger@carrboronc.gov>
Date: March 13, 2024 at 10:31:08 AM EDT
To: luvdog2222@gmail.com
Cc: Trish McGuire <PMcGuire@carrboronc.gov>, Marie Parker <mparker@carrboronc.gov>, Heather Holley

<hholley@carrboronc.gov>, Dillon Dispennette <ddispennette@carrboronc.gov>, Martin Roupe <mroupe@carrboronc.gov>, "Howell, Austyn W" <awhowell1@ncdot.gov>

Subject: RE: [External] RE: Update on tree in front of Love Overboard Kennels in Carrboro

Julie,

Like the NCDOT, the Town of Carrboro has investigated the Right of Way (ROW) and determined that it is just behind the sidewalk on W Rosemary, which puts the tree outside the Town ROW. Because the tree is outside the ROW the Town of Carrboro can not remove the tree, and concurring with the Austyn's statement below it would be your responsibility to have the tree removed.

Due to the utility lines passing through the tree I would recommend that you reach out to the utility companies. I believe you had reached out to Duke, I'm not sure that we have been updated on any response they gave you.

You may also want to reach out to your insurance company. With all the concerns raised about safety, if a tree branch were to fall and hit a pedestrian or car, you could potentially be liable for any damages, so a discussion with them may help or provide some potential solutions.

I am sure this is not the response you were hoping to hear, but due to the tree's location being outside the ROW we are unable to remove it. Like the NCDOT, if limbs fall, we would be able to come clear them from the roadway and sidewalk, to keep the area clear.

I wish you the best of luck in getting the tree removed. I'm hopeful for you that due to the utility lines you may get some assistance from the utility companies.

Sincerely,

Kevin Belanger, PE

Public Works Director

Town of Carrboro | www.Carrboronc.gov

P: 919-918-7427

Get Carrboro News & Updates

www.carrboronc.gov/SIGNUP



TOWN OF CARRBORO • NC

From: Howell, Austyn W <awhowell1@ncdot.gov>

Sent: Thursday, March 7, 2024 1:59 PM

To: Martin Roupe <mroupe@carrboronc.gov>; 'luvdog2222@gmail.com' <luvdog2222@gmail.com>

Cc: Trish McGuire <PMcGuire@carrboronc.gov>; Kevin Belanger <kbelanger@carrboronc.gov>; Marie Parker <mparker@carrboronc.gov>; Heather Holley <hholley@carrboronc.gov>; Dillon Dispennette <ddispennette@carrboronc.gov>

Subject: RE: [External] RE: Update on tree in front of Love Overboard Kennels in Carrboro

Caution: This is an external email and has a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact the Carrboro IT Department.

Marty,

Thanks for including NCDOT on this email. I have investigated this location and NCDOT's ROW ends about ½' from the edge of sidewalk. Though some of its branches do enter our ROW, as you can tell there are lines that run through some of those branches and a couple sets on both sides in addition. It is the responsibility of the parcel owner to have the tree removed. The department does not engage in any tree removal or clearing when there are utility lines of any sort in the way. Even in emergency situations (storms, wrecks, etc.) we contact the power company and/or phone company and have them remove their lines before we engage in our operations. I see from the previous emails that Julie has been in contact with Duke power. That would be my suggestion as well. NCDOT can come clear fallen limbs and branches that fall into the ROW, but as far as removal, we are not at liberty to conduct operations outside of our ROW. If there is anything else you may need or have any questions about, feel free to reach out anytime.

Thanks,

Austyn Howell

County Maintenance Engineer

Division 7 – Orange County

North Carolina Department of Transportation

2122 Clarence Walters Rd. Hillsborough, NC 27278

Phone: 919-296-6080

Web: www.ncdot.gov

Email: awhowell1@ncdot.gov



Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

From: Martin Roupe <mroupe@carrboronc.gov>

Sent: Thursday, March 7, 2024 10:48 AM

To: Howell, Austyn W <awhowell1@ncdot.gov>; 'luvdog2222@gmail.com' <luvdog2222@gmail.com>
Cc: Trish McGuire <PMcGuire@carrboronc.gov>; Kevin Belanger <kbelanger@carrboronc.gov>; Marie Parker <mparker@carrboronc.gov>; Heather Holley <hholley@carrboronc.gov>; Dillon Dispennette <ddispennette@carrboronc.gov>
Subject: [External] RE: Update on tree in front of Love Overboard Kennels in Carrboro

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Hey Austyn,
Just following up on the matter below, with other staff copied as well. Doing so with urgency, because a limb apparently fell onto a pedestrian recently. Julie, the Love Overboard property owner, will be contacting you separately as well.

Julie,
Per our phone call, here are the people you may contact for follow up about this:

NCDOT, Austyn Howell, 919-296-6080

Public Works,
Kevin Ballenger, Director, 919-918-7472
Dillon Dispente, Streets and Grounds Supervisor, 919-918-7434

Thank you,
Marty

From: Martin Roupe
Sent: Wednesday, February 14, 2024 6:15 PM
To: 'Howell, Austyn W' <awhowell1@ncdot.gov>; 'luvdog2222@gmail.com' <luvdog2222@gmail.com>
Cc: Trish McGuire <PMcGuire@carrboronc.gov>; Kevin Belanger <kbelanger@carrboronc.gov>; Marie Parker <mparker@carrboronc.gov>; Heather Holley <hholley@carrboronc.gov>; Dillon Dispennette <ddispennette@carrboronc.gov>
Subject: Update on tree in front of Love Overboard Kennels in Carrboro

Hello Austyn,
This is Marty Roupe from the Carrboro Planning Department following up on an email exchange from November 2023 about a dead tree at 710 West Rosemary Street, where Main and Rosemary Streets come together. In response to your previous message, please know that the town does not object to the tree being removed, there seems to be clear consensus from all involved that the tree is very much dead and beyond being brought back.

The update regarding whether you would or should be involved is that I now know from a phone call with the property owner, Julie Rorrer (copied here as luvdog2222@gmail.com), that she has been in contact with Duke Power over the course of the last few to several months about having them remove the tree because of proximity to and potential damage to nearby power lines. She noted that someone from Duke Power is supposed to visit the site and report back to her on when / if they will be removing the tree.

I have copied town staff from Planning, Public Works, and the Manager's Office so we're all aware of what is going on with the tree.

Julie,

Per our discussion, please keep us informed about your discussion with Duke Power about this matter.

Austyn,

Please feel free to reach out to Julie separately if you have any questions or need to discuss whether NCDOT needs to be involved instead of or alongside Duke Power.

Thanks all,
Marty

Town of Carrboro, NC Website - <https://www.carrboronc.gov>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

Town of Carrboro, NC Website - <https://www.carrboronc.gov>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

Kevin Belanger

From: Kevin Belanger
Sent: Thursday, June 27, 2024 10:58 AM
To: 'Julie Rorrer'
Cc: Christina Moon; Martin Roupe; Marie Parker
Subject: RE: Love Overboard tree
Attachments: RE: [External] RE: Update on tree in front of Love Overboard Kennels in Carrboro

Hi Julie,

I sent an email after I came out to the site earlier this month, attached. I'm not quite sure why you didn't get it? Because I was not 100% confident in the information I was able to obtain during that visit I have hired a company to do some survey work to locate the Right of Way (ROW) Line.

Though the field work from my visit did match up with GIS data that showed the ROW being at the back of the sidewalk, I really wanted some more concrete information.

I'm hopeful they will be able to locate that ROW line this week or next.

Once that information is provided, we will know 100% if the tree is fully on your property and not within the ROW.

As far as the Signals go, I believe the signals are DOT signals installed as part of a DOT project. I have CC'd Tina and Marty in planning hoping that they can confirm that the signals belong to the NCDOT.

As I explained when we met. While I could not find a DOT easement for the installation of the signals, it is possible one exist, and I could not locate it, or it is not recorded at the registry but instead in some DOT file I do not have access too.

I will be in touch once the Survey Company completes the layout of the ROW line.

Have a great day.

Kevin Belanger, PE
Public Works Director
Town of Carrboro | www.Carrboronc.gov
P: 919-918-7427
Get Carrboro News & Updates
www.carrboronc.gov/SIGNUP

-----Original Message-----

From: Julie Rorrer <luvdog2222@gmail.com>

Sent: Thursday, June 27, 2024 10:34 AM

To: Kevin Belanger <kbelanger@carrboronc.gov>

Subject: Love Overboard tree

Hi Kevin. I had assumed that you hadn't sent me an email yet because I didn't receive one . I later learned that my boyfriend received an email from you (I guess he was included because I forwarded emails to him? I don't know what happened !) But I see once again Carrboro isn't going to help me with this tree issue ... which is unfortunate ! The limbs have been falling on people and power lines and even cars . So.. since Carrboro didn't get an easement to put up the pedestrian crossing I need to have that thing removed . Carrboro can't force pedestrians to stand on private property to wait to cross the street unknowingly in harms way and I can't have the public on my private property knowing they may be injured by this tree until this matter gets settled . Thanks for your prompt attention to the removal of the pedestrian crossing .

Julie Rorrer