

The Petitioners being the herein-signed residents and owners of real property in Wood Valley, a subdivision located in Wake County, North Carolina, and whose residential property is recorded in one of Wake County Book of Maps: book 1976, page 470, book 1977, page 215, book 1978, page 59, book 1981, page 98, book 1978, page 761, book 1979, page 605, book 1981, page 480, book 1982, page 719, book 1984, page 150, book 1985, page 1377, book 1986, page 364, book 1987, page 2051, book 1990, page 624, book 1992, page 995.

Preliminary Statements, Background

Wood Valley is a 30-year old subdivision within North Raleigh and Wake County, but outside the Raleigh city limits. As such, this subdivision doesn't have any sidewalks, and the roads are used for both vehicular traffic and residential recreational activities such as walking, running, bicycling and baby-strolling. The road system within the development prior to the recent action of the Department of Transportation (DOT) was macadam-based. Recently (within the past 6 weeks), the main thoroughfare of the subdivision, Wood Valley Drive, was treated to a BST paving process. This tar and gravel composite has resulted in numerous complaints to the DOT and to our elected North Carolina Representative, Marilyn Avila, and to North Carolina Senator Neal Hunt. A Wood Valley resident meeting was held on Tuesday, December 11, 2007, at the Wood Valley Swim and Racquet Clubhouse and was attended by numerous residents as well as Representative Avila and Senator Hunt. The DOT representatives were aware of the meeting and, while invited, chose not to attend. Representative Avila has been very proactive in these complaints, and has had an outside paving contractor, Blalock Paving, assess the Wood Valley Drive roadwork done by the DOT crews. Rep. Avila relayed her findings to the residents. Both Rep. Avila and State Senator Hunt agree with the residents that the "final" DOT work product on Wood Valley Drive is not acceptable and that we have apparent cause for action. We also heard from an EPA employee and Wood Valley resident who raised health concerns regarding the airborne particulate matter in the range of 2 microns. He stated that our young children, the elderly, and those with respiratory ailments were especially prone to increased health risk due to the road surface treatment. Other issues relate to the negative impact this sub-par road surfacing will have on home values and resale processes so that the residents will be economically harmed. Based on the aforementioned and the statements that follow, our main demand is the immediate repaving of Wood Valley Drive with a plant-mix asphalt.

Statements

Whereas:

- I. We, the undersigned residents of the Wood Valley subdivision, located in Wake County, NC, do respectfully submit this petition for the proper paving of Wood Valley Drive using a plant-mix asphalt;
- II. The North Carolina Department of Transportation elected to address the paving needs of Wood Valley Drive, the main subdivision thoroughfare, with a BST Paving treatment (tar and gravel) which is not the plant-mix asphalt composite as used on all subdivision roads;
- III. Wood Valley is a county neighborhood without sidewalks, and as such, the roadway services recreational traffic as well as vehicular;

Petition to North Carolina DOT by Wood Valley Subdivision Residents

- IV. The standard for subdivision pavement should be higher than those of rural county roads and should maintain uniformity throughout the subdivision;
- V. We assert that the BST Pavement Treatment of Wood Valley Drive has led to the following issues that need to be remedied:
- 1) Loss of the quality of life due to the inability to use this main neighborhood thoroughfare for walking, running, bicycling, and other recreational activities that were afforded the community prior to the BST treatment;
 - 2) Health-related concerns due to the airborne particulate matter associated with the dust from vehicular traffic traversing the neighborhood BST-treated road;
 - 3) Property devaluation resulting from items 1 and 2 above, when compared to other subdivisions having a plant-mix asphalt road system.
- VI. We further assert that the monetary savings expected by the DOT using such BST treatment in lieu of the existing plant mix asphalt base will be offset by the liabilities of health-related issues and property devaluations, wherein said property devaluation will result in a lower tax base and therefore lower county revenue.

Wherefore:

Petitioners seek immediate relief from among several issues identified herein, including the diminished health, safety, property usage, and real property value caused by the NC DOT actions in the following manner to be performed by the NC DOT and at the sole cost(s) of the NC DOT:

1. We, the undersigned petitioners of the Wood Valley subdivision, formally petition the DOT to repave the Wood Valley Drive roadway within a reasonable time, not to exceed 60 days, with a plant-mix asphalt, thereby affording roadway uniformity, and to cease and desist from further application of BST applications within our neighborhood.
2. We further request that formal accountability within DOT be established and that we are informed on any future road treatments in our neighborhood prior to the action.

Dated this 13th day of December, 2007

Attached: residents,
owners signatures.

Petition to North Carolina DOT by Wood Valley Subdivision Residents

Name

Address

Signature

1) _____

2) _____

3) _____

4) _____

5) _____

6) _____

7) _____

8) _____

9) _____

10) _____

11) _____

12) _____
