

Big Branch Force Main  
Neighbor Questions  
8/19/2024

Offer letter states: "The purpose of this project is to expand the Town's sewer system and improve its functionality." This is too broad and lacks the necessary information to contemplate the offer. Please specify:

Please refer to the most recent "Design Plans" which may be accessed on the Town's website at:  
<https://www.apexnc.org/DocumentCenter/View/43888/Design-Plans---Force-Main-90?bidId>

#### A. Infrastructure

A1. All infrastructure to be installed above ground along with anticipated maintenance schedule and pictures. Please refer to sheet numbers 41 and 42 of the Design Plans which provide detailed information of these structures including a diagram. Town of Apex is responsible for mowing easements twice per year at a minimum. Inspection of structures will be performed quarterly.

A2. All infrastructure to be installed below ground along with anticipated maintenance schedule. Please refer to sheet numbers 3 thru 26 of the Design Plans. Below ground infrastructure (beyond the ARVs and isolation valve manholes) will include C900 PVC force main pipes, ductile iron bends, and steel casing pipe at bore locations. Town of Apex is responsible for mowing easements twice per year at a minimum. Inspection of structures will be performed quarterly.

A3. All temporary infrastructure that may be installed with anticipated removal schedule. Please refer to the erosion control plans beginning on sheet 43 of the Design Plans. Temporary infrastructure will include construction entrances, silt/tree protection fences, temporary stream crossings, rip rap, erosion control blankets, necessary pump arounds, etc. Removal will be in accordance with the approved plans and the erosion control permit issued by NCDEQ.

A4. Please provide detailed drawing and written detail of location of all infrastructure to be installed. Please refer to the most recent set of Design Plans at  
<https://www.apexnc.org/DocumentCenter/View/43888/Design-Plans---Force-Main-90?bidId=>

A5. How often will my property be accessed by the Town or anyone on behalf of the town? Once construction starts on a property, continued access is required until the pipe is installed, backfilled, and fine graded. Some properties will need access more frequently than others depending on proximity to construction access points.

A6. How will these visits be coordinated? How much advanced notice is provided? Following easement acquisition, the town does not provide notification for routine access to its easements. If a property owner has special needs regarding notice, such as care for farm animals, they should reach out to Steve Adams, Utility Acquisition Specialist.

A7. Please detail all visual and/or audio monitoring, including but not limited, to real time electronic or motion activated video or drone monitoring that may be used now or in the future. **Prior to construction, the Town and the contractor will document current conditions along the proposed easements. Photographs, video, and drone footage may be utilized for documentation during construction.**

A8. Please provide the insurance coverage that the Town will have in place to indemnify property owners. **The Town of Apex is insured through the North Carolina League of Municipalities.**

A9. When there are issues with trespassing whose jurisdiction applies? I.e. Wake County Sheriff since our property is in the County or Apex Police since it is the Town's easement area? **Wake County Sheriff is responsible for law enforcement within Wake County.**

A12. Please detail property owner's allowable uses or banned uses within the easement area. **Property owners may use their property in and along the easement area in any way that will not interfere with the Town's easement rights.**

A13. Please detail how the easement area is treated by Apex UDO (include UDO citation) should a property owner choose to develop in the future. **Public utility easements are permitted within buffers (UDO Sec. 8.2.6.C.4) and Resource Conservation Areas (UDO Section 8.1.2.F.2).**

A14. Apex has stated there will be 3 connections points for future development.

a. Please specify the location of these three locations. **Future development will be required to adhere to the Town of Apex master sewer plan for the Western Big Branch Basin. Apex Sewer Master Plans are available on the Town's webpage at the following location: <https://www.apexnc.org/1438/Utilities-Engineering>**

b. Does the Town's requested easement language provide access for future development to these connection points or will future development require a separate easement agreement?

**The Town's standard easement language provides a permanent easement to construct, install, improve, remove, upgrade, replace, inspect, repair, maintain, use, and operate a system of pipelines and force mains for sanitary sewer purposes, together with all the appurtenant facilities and equipment necessary or convenient to the above.**

## B. Resident's Property

B1. Where neighbors currently use the requested easement area, what are the Town's plans for the relocation and storage of resident property? **No buildings or other structures will be impacted or need to be relocated. Relocation of personal property is the responsibility of the property owner.**

B2. Where animals are present, what are the Town's plans for the animals? **Specific need for care of animals during the course of construction can be coordinated and negotiated with Steve Adams, Utilities Acquisition Specialist.**

B3. What is the claim process for damages by the Town or the Town's subcontractors? **Claims occurring during the construction process can be sent to the Town, who will put the claimant in touch with the contractor or send directly to the contractor.**

B4. How will the Town protect nearby septic systems? **The force main has been designed to avoid private septic systems.**

B5. How will the Town protect nearby wells? **The force main has been designed to avoid all private wells in close proximity in accordance with NC Public Water Supply standards. The Town will require the contractor to test wells before and after construction.**

B6. Will the power to my property be turned off at any point? If so, for how long and how often? How will I be compensated for loss of refrigerated food, hotel stays, etc.? **Prior to construction the contractor will call 811 to request locates for all underground utilities. It will be the contractor's responsibility to avoid impacting utilities during construction in accordance with standard practices.**

#### C. Tree removal

C1. What method will trees be removed from the requested permanent easement? **Tree removal in permanent utility easement will be part of the construction contract. Means and methods for tree removal will be up to contractor.**

C2. What method will trees be removed from the requested temporary construction easement? **Tree removal in the temporary construction easement will be part of the construction contract. Means and methods for tree removal will be up to contractor. Trees within the TCE will only be removed if required for construction.**

C3. What steps will be taken to protect tree root systems outside of the temporary construction easement? **Contractor will be responsible for any necessary tree root system protection. [REDACTED]**

C4. It is typical after clearing trees that a number of trees along the easement area will die off or fall over due to disruption to their root systems and/or weakening of the ground due to construction.

a. When these trees fall, who is responsible for the removal/clean up?

**In general, it is the property owner's responsibility. However, Town staff will work with the contractor and our inspectors to document any tree root disruptions. If future problems occur, we will investigate and take appropriate action.**

b. What's the Town's process for compensating for the collateral loss of the trees?

**See above.**

D. Construction:

D1. What is the anticipated length of construction? Total construction time for the 5-mile force main is approximately 12 months.

D2. What are the construction hours and days? The construction contract defines regular working hours as 8 am to 5 pm Monday to Friday.

D3. How does the Town control trespassing during construction? The design of the force main includes appropriately sized easements as well as access easements to allow for access. The contractor is not permitted to access private property outside of easement areas. If additional access is needed, it will be responsibility of the contractor to seek permission.

D4. What background checks does the Town require of its staff, contractors and subcontractors? All Town employees are required to complete a pre-employment background check, drug test, motor vehicle driving record check, and sex offender screening.

D5. Will a detailed construction schedule be provided by day, type of work, and listed of individuals who will be on our properties? Contractor will be required to provide their construction schedule and coordinate work on properties with animals.

D6. Please provide all permit applications submitted by the Apex for the construction of the force main and contact information of the permitting agency.

Permit information will be made available on the town's website.

E. Restoration of Property:

E1. Please specify what condition the permanent easement will be restored to? The permanent easement areas will be fine graded and grassed to restrain erosion.

E2. Please specify what condition the temporary easement will be restored to? The temporary easement areas will be restored to preexisting conditions to the greatest extent possible. If trees or shrubs are removed, the resulting ground will be fine graded and grassed to restrain erosion. The appraisal and offer letters provide funds for the property owner to replant at their discretion.

E3. Who maintains the new plantings? The property owner is responsible for maintaining new plantings.

E4. What if the plantings die? The property owner is responsible for maintaining new plantings.

E5. Please provide a list of all plant options? The property owner is responsible for choosing and replacing plants.

E6. For restoration of woods in the temporary easements, what types of trees and sizes will the Town replant? See response to E5 above.

## F. Town's Appraisal

F1. Appraiser states that he "is not qualified to conduct a tree survey". Will Apex be conducting a tree survey? **No. Please coordinate with Steve Adams if the tree information provided by the appraiser is insufficient.**

F2. Appraiser states that's that the appraisal "makes no specific representations as to the condition of the property relative to poor soils." Will Apex be conducting a soil survey to inform property owners as to the construction methods that will be used on their property? Ie. Dewater may impact nearby wells. **No. Any dewatering required for a force main trench will be minimal and will not impact a deep well.**

F3. Appraiser states "no representation as to the condition of the property relative to the rock outcroppings." Will Apex be conducting a study to inform property owners as to the construction methods that will be used on their property? Ie. Blasting of rock may impact nearby wells. **No blasting methods will be utilized for the FM construction contract.**

E4. Appraiser recommends an environment site assessment. Will Apex be conducting an assessment? **The Town performed all necessary inspections and surveys needed for the 401/404 permit.**

E5. Has or will Apex perform an endangered species survey of the property? **An endangered species survey was completed for the 401/404 permit.**

## F. Easement Agreement

F1. Please provide a sample Deed of Easement. **A sample Deed of Easement can be [viewed here](#).**

F2. Is the easement language proposed by the Town strictly limited to Big Branch force main or does the language allow the Town to the expand use of the easement area for any other purpose? Ie. power, water lines, greenways, etc. **The easements provide for the construction, operation, and maintenance of the Town's sewer utility. They do not include other purposes such as power, water, greenways, etc.**

G. Compensation with the offer is not clear. Please provide each property owner with a breakout: **Property owners with questions about their individual offer or appraisal should contact Steve Adams, Utility Acquisition Specialist.**

G1. Compensation for the permanent use of the easement.

G2. Compensation for reduce resale value due to diminished use of the easement area, reduce visual aesthetics of above ground infrastructure, and anticipated odors from air valves.

G3. Compensations for permanent loss of privacy and need to coordinate ongoing maintenance visits.

G4. Compensation to cover construction of a noise wall where natural buffer to US1 is removed.

G5. Compensation for loss of trees.

G6. Compensation for property taxes on easement area.

G7. Compensation for the temporary easement.

G8. Compensation for the construction nuisance.

H. Apex has heavily promoted the economic benefits of the Big Branch Force Main. Please provide all economic analysis including but not limited to:

Please see the Town's website at: [Big Branch Pump Station and Force Main | Apex, NC - Official Website \(apexnc.org\)](https://www.apexnc.org/Big-Branch-Pump-Station-and-Force-Main)

H1. Economic benefits of removing pump stations. Please see the Town's website at: [Big Branch Pump Station and Force Main | Apex, NC - Official Website \(apexnc.org\)](https://www.apexnc.org/Big-Branch-Pump-Station-and-Force-Main)

H2. Economic benefits to development. Please see the Town's website at: [Big Branch Pump Station and Force Main | Apex, NC - Official Website \(apexnc.org\)](https://www.apexnc.org/Big-Branch-Pump-Station-and-Force-Main)

H3. Anticipated Town Revenues. It is too early to know the full financial impact of the project.