

A+D 1-2-84

# Ridge development laws take effect

WINSTON-SALEM (AP) — State and local laws strictly regulating — and in some cases banning — mountain ridge development took effect Sunday, but the debate over the legality and wisdom of the limits rages on.



**Thomas**

The Mountain Ridge Protection Act "sends a message to the world that North Carolina is going to protect its natural beauty and its natural assets," said Hugh Morton, owner of Grandfather Mountain and head of a coalition that lobbied for the law.

But James Ring, former president of the N.C. Home Builders Association, says the law is "basically an ill-conceived notion that the Legislature was remiss in passing and didn't know what they were talking about."

The law was approved by the General Assembly July 5 after months of haggling. It required the 24 mountain counties with at least one ridge exceeding 3,000 feet above sea level to adopt their own ridge ordinances, submit to state regulation or call a referendum to decide whether to protect ridges — the top 100 feet of mountains.

Eleven other counties — those with ridges at least 500 feet above adjacent valleys but less than 3,000 feet above sea level — were given the authority to adopt ordinances to protect the ridges.

The law came largely in response to construction of the 10-story Sugar Top Condominiums atop Little Sugar Mountain in Avery County. Critics denounced the building as an eyesore and urged the Legislature to make sure it wouldn't be imitated.

State Sen. R.P. "Bo" Thomas, D-Henderson, who led supporters of the ridge law, said "unscrupulous speculators" wanted to spoil the mountains in pursuit of fast money.

"We have thousands of people who love these mountains and support second-home development but don't want to see the mountains pillaged by speculators who have a lot of grease, a lot of mouth and a lot of money," said Thomas.

Ring, however, said the law was flawed because it didn't clearly define ridge.

"There are ridges on top of ridges, and who's to say where you're supposed to measure the elevation from along the valley floor?" he said. "The whole thing is just basically ill-conceived, and it's probably going to take some court cases to square the mess. I certainly think so."

For counties with a local ordinance, the building prohibition is tempered by a system of permits. Counties had the choice of dropping the 3,000-foot requirement and protecting all ridges that rise 500 feet above adjacent valleys.

The optional provisions left the door open for county commissioners to model their own ordinance to fit their local needs, said Rep. David Diamont, D-Surry.

"We knew that for it to really work, the counties would have to pick up on their needs," he said last week. "The ridge law provided the motivation, the catalyst, for counties to take a good look at their own situation. I feel we were successful."

A+D 12-31-83

# Board closing mobile home park

WINSTON-SALEM (AP) — A mobile home park, at which raw sewage has been found atop the ground, is being closed, giving 48 families two weeks to move their dwellings or find new housing, health officials say.

The Forsyth County Board of Health Thursday rejected an appeal to let the Lakeview Mobile

home and his brother would have "to let the park go."

County officials have told the Websters since October 1982 that the sewage systems were malfunctioning. Several attempts to repair them failed.

The board's ruling was a blow to tenants.

"I love this park. It's a quiet place and we never have any

tried about raising the \$1,000 they say would be needed to move their mobile home and get utilities hooked up.

the Hunters near the lake's edge. Development near the lake's edge, John Y. Phelps Jr., the planning board chairman, in a strangely ambiguous position. Phelps also is chairman of the soil district's board of supervisors, which urged a moratorium.

Phelps explained lamely that, if he voted to recommend the moratorium on Nov. 14, it was because he thought the stronger controls would be in effect by now. But he and Aycock have yet to throw their support solidly behind regulations that would give water consumers the benefit of every doubt.

Wake County must still address itself to the following points in recommendations made by the state and the staff of the Triangle J Council of Governments:


- Limits on impervious surfaces

cially important. A laxity produces development of urban density as feared by planners. Pressures for commercial services will become intense if such density is allowed.

Any talk by developers and by developer-oriented commissioners and planning board members that Wake has done its "fair share" to protect Falls Lake is misleading and shortsighted. No county has as large a stake in the future quality of the lake as Wake does. To the degree that Wake's leadership temperizes on such important issues as a development moratorium and tougher regulations, it leaves the five other counties with too little incentive to adopt the state's package of higher standards.

W-S 12-31

**Today Nearby**  
From Journal Staff and Wire Reports



### Alleghany Last to Enact Ridge Law

SPARTA — Alleghany County became the last of the state's mountain counties to enact a ridge law yesterday when the county commissioners adopted an ordinance regulating construction on mountain ridges countywide.

The vote came less than two days before the Jan. 1 deadline for 24 western counties to either adopt a local ordinance or be governed by the Mountain Ridge Protection Act of 1983.

The Alleghany County ordinance covers construction of buildings of 40 feet or more that are proposed for ridges that rise 500 feet above an adjacent valley floor, said County Manager Charles E. Dysart Jr. The county ordinance dropped a provision in the state law that would have made the law apply only to ridges 3,000 feet or taller, Dysart said.

Dysart said that the commissioners plan to establish a county planning board to issue permits for construction on ridges. He said the county plans to hire a building inspector after July 1.

Alleghany  
county  
ordinance  
covers  
construction  
of buildings  
of 40 feet  
or more  
that are  
proposed  
for ridges  
that rise  
500 feet  
above an  
adjacent  
valley floor,  
said County  
Manager  
Charles E.  
Dysart Jr.  
The county  
ordinance  
dropped a  
provision  
in the state  
law that  
would have  
made the  
law apply  
only to  
ridges  
3,000 feet  
or taller,  
Dysart  
said.

*Va Pilot 12-28*

# pipeline retaliation is feared

Associated Press

DANVILLE — If a pipeline is constructed between Lake Gaston and Virginia Beach, North Carolina may retaliate by piping water from the Dan River to Greensboro, some Virginians fear.

North Carolina has strongly criticized the plan to build an 84.5-mile pipeline from Lake Gaston to the Virginia resort city. Gov. Jim Hunt, saying the pipeline could harm the lake's environment, has threatened a lawsuit to block it.

Officials of Danville, located just across the North Carolina border, also oppose the pipeline out of fear that it could create a precedent for additional interbasin water transfers out of the Roanoke River system.

The Dan River is Danville's only water source. Greensboro's proposal to withdraw water upstream, where the Dan River dips into North Carolina, could jeopardize Danville's water supply and economic development potential, said City Manager Frank Church.

Danville has contributed the largest amount, about \$6,000, to the Roanoke River Basin Association's fund for opposing the Lake Gaston pipeline.

North Carolina now has a prohibition against interbasin transfers, which has led Greensboro to seek a more costly alternative water source, Greensboro City Manager Tom Osbourne said.

But that alternative, construction of the Randleman dam and lake on the Deep River in Randolph County south of Greensboro, has been held up in Washington by North Carolina Sens. Jesse Helms and John East, Osbourne said.

The \$120 million Randleman project, which would also serve Guilford and Randolph counties and the city of High Point, would cost Greensboro \$32 million.

A withdrawal from the Dan River in Rockingham County just north of Greensboro would serve only Greensboro but would cost between \$5 million and \$10 million, Osbourne said.

"It's the cheapest way to go," he said. "We would solve our problem, but that does not solve the problem

*Durham 1-2-89*

## Debate Continues

# Ridge Law Takes Effect

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that lobbied for the law. But James Ring, former president of the N.C. Home Builders Association, says the law is "basically an ill-conceived notion that the Legislature was remiss in passing and didn't know what they were talking about."

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ridge ordinances, submit to state regulation, or call a referendum to decide whether to protect ridges—the top 100 feet of mountains.

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The law came largely in response to construction of the 10-story Sugar Top Condominiums atop Little Sugar Mountain in Avery County. Critics denounced the building as an eyesore and urged the Legislature to make sure it wouldn't be imitated.

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*W/6010 1231*

## Toxic spill danger over

CHADBOURN — About 250 people who were evacuated after a tanker truck spilled some 4,000 gallons of a toxic solvent mixture earlier this week returned home Friday night, officials said.

Cleanup of the Thursday morning spill was expected to be completed about midnight, officials said Friday. After that, barricades were to be removed and surrounding highways opened.

Residents from 15 houses and 20 trailers were evacuated after the tanker truck owned by Du Pont collided with a car at 1:37 a.m. Thursday at the intersection of U.S. 74 and N.C. 410 in Columbus County. The collision tore a 6-inch gash in the truck.

The residents began returning home about 7 p.m. after having supper at a Red Cross shelter, Chadbourn Fire Chief Ed Nance said.

Bob Jameison, office manager of the Department of Natural Resources in Wilmington, said the contaminated soil being dug up will fill about 150 55-gallon barrels. The soil will be taken to a disposal site in Kernersville or an unspecified location in South Carolina.

Jameison said the liquid was pumped into a tanker and will be taken to Pinewood, S.C.

The area dug up will remain uncovered

Hilborn 1-3-84

# Ridge law takes effect, but dispute rumbles on

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Staff P

## New secretary

James A. Summers, left, accepts congratulations as Secretary of State Thad Eure upon being sworn in Tuesday as North Carolina's new secretary of natural resources and development. Summers succeeds Joseph W. ... resigned to head Gov. James B. Hunt Jr.'s campaign for the Senate.