



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	Aug. 25, 2025
Department:	Planning & Economic Development
Agenda Section:	Regular
Public hearing:	Yes- if scheduled
Date of public hearing:	Sept. 22, 2025

PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning & Economic Development Manager
Dustin Hill, Public Works Manager

ITEM TO BE CONSIDERED

Subject: Resolution of intent to close an unimproved right of way and portion of S. Hassel Street

Attachments:

1. Request from adjacent property owner to close the ROW
2. Map of the ROW area in question
3. Resolution of intent to close the ROW and hold the public hearing

Summary:

There is a recorded right of way designated as a portion of S. Hassel Street between 233 W. Margaret Lane and 301 W. Margaret Lane that runs from W. Margaret Lane south to the Eno River, that the town nor a developer have ever paved or dedicated for public maintenance. The right of way is not planned for a bridge over the river for vehicular access to the other side, or to provide future public river access. There have been various levels of town maintenance of this right of way over the years. At one point neighbors report that the entire right of way was maintained by being graveled by the town annually, however the right of way is almost exclusively used by the neighbors on either side as their driveways/parking areas and not by the general traveling public. The shared driveway terminates about 100 feet into the full length of the right of way. Right now, the town only maintains the first few feet of this apron onto W. Margaret Lane for a smooth transition to the roadway.

Additionally, a neighbor has placed a greenhouse structure and at one point a dock into the river and other miscellaneous items in the right of way since it functions more like private property than a street. Since this right of way acts as a shared driveway and it is not planned to be improved or maintained in full by the town in the future, staff recommends closing it and allowing the property owners to instead record a shared driveway access easement and public utility easement so that there may be better utilization of the land. There is a sewer line that runs partially down the right of way and both neighbors use the driveway to access their lots.

Financial impacts:

Low/none

Staff recommendation and comments:

Staff recommends adopting the resolution of intent to close the right of way and scheduling the public hearing for the Sept. 22, 2025 meeting. Scheduling the public hearing will trigger the requirement for staff to notify adjacent property owners, post a legal ad, and post the right of way with signage.

Action requested:

Adopt the resolution of intent to close the right of way and schedule the public hearing for the Sept. 22, 2025 meeting.