



## CCP Asks to Halt Project

**BY TOM EMBREY: SPORTS EDITOR**

A group opposing a roundabout at the intersection of N.C. 2 and Carolina Vista is seeking an injunction to stop preliminary work on the project.

Concerned Citizens of Pinehurst (CCP) filed a complaint Friday in Moore County Superior Court asking for a preliminary injunction and permanent injunction instructing the N.C. Department of Transportation and all of its contractors to cease work until the legal process is complete, according to a news release.

An appeal filed by CCP is currently pending before the N.C. Court of Appeals. That appeal is seeking to force the Pinehurst Board of Adjustment to hear evidence in the case brought by CCP against the village over the interpretation of its ordinances. The group claimed that the NCDOT should obtain a certificate of appropriateness from the Historic District Commission.

Last October, the Board of Adjustment dismissed the group's appeal before it could be heard on the grounds that its attorneys failed to meet the requirements to present their case.

CCP appealed to

Superior Court. In March, Superior Court Judge Gary Trawick rejected the appeal and ruled in favor of the village. Trawick ruled that the NCDOT does not need to seek or obtain a certificate of appropriateness (COA) from the historic commission. Attorneys challenged that ruling by filing a motion to the Court of Appeals in April.

The latest legal action is a response to the removal of trees earlier this week from the proposed roundabout site.

"Our appeal is still pending," said John Marcum, leader of Concerned Citizens. "(The action) leaves us with no recourse but to seek an injunction."

Six to seven dogwoods were moved Monday afternoon. The giant tree-moving machine digs an 85-inch hole around the tree, scoops the tree and the ground around it up, and carries it to its new location where it is replanted. The machine can accommodate trees with trunks up to 8 inches in diameter.

The tree project involves moving 30 to 35 trees in all, from the Pinehurst Country Club side of N.C. 2 across the street to the Carolina Hotel side -- which is village-owned property -- until construction on the roundabout is finished.

The contractor will have until November to complete the work, but Village Manager Andy Wilkison said earlier this week he did not think the project would take that long.

Resort officials say the trees will be moved back to their original location or in the middle of the roundabout once the project is completed.

CCP argues that the proposed roundabout would harm the historic nature of that area because it is to be located in George Marshall Park. In general, CCP contends that governmental bodies must obtain a certificate of appropriateness from the local historical commission before going forward with a project that could harm this historic nature of an area.

Proponents of the roundabout say it is needed for safety reasons.

Marcum said he was "disappointed" that work had begun on the roundabout before all legal action had been resolved.

"We still believe it would be prudent to evaluate the safety improvements at (N.C.) 2 and (N.C.) 5 before proceeding with any work on the roundabout," Marcum said.

He said there is no set date for the appeal that is before the N.C. Court of Appeals, and he hopes it will be heard between August and the end of the year.

Officials from the village of Pinehurst and Pinehurst Resort said in a story published July 23 that the construction on the roundabout project could begin within about a month.

Construction would likely be delayed until after completion of the U.S. Amateur Championship, which will be played Aug. 18-24.

The roundabout has been a contentious issue for more than a year. The original roundabout project was scheduled to be bid last November. DOT put the project on hold due to ongoing legal battles and proceeded with work to improve turn lanes at the intersection of N.C. 2 and N.C. 5. That improvement project is still under way.

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