



Could government take your land for trail?

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By Michael Barrett

A Gaston County commissioner wants more clarification on whether local governments might be expected to condemn land to help create a network of greenways linking communities around Charlotte.

The issue concerns the Carolina Thread Trail, a proposed network of walking trails and biking paths that would connect 15 counties, including Gaston, Cleveland and Lincoln. It's a vision being guided along by the Catawba Lands Conservancy, a nonprofit that is raising public and private funds and other support to make the project a reality.

Numerous cities and counties in the region have endorsed the idea since 2008, and some private landowners have already donated acreage or offered to let greenways come across their property. But some elected officials, including Keigher, are concerned about how often eminent domain might be used to run a greenway through an area where a landowner refuses to cooperate.

Keigher said a red flag went up in his mind in January when the Gastonia City Council voted to begin condemnation proceedings on local land in order to build a new greenway to Rankin Lake Park. The land that stands to be seized runs along an existing Gastonia sewer line easement beside Long Creek, so the 20-foot-wide corridor is already in place to lay concrete. But landowners told the city they didn't want their property involved.

The city's controversial 4-3 vote to condemn was based solely on connecting a trail to the park by running it under a bridge on U.S. 321, independent of the Carolina Thread Trail plans. But the Catawba Lands Conservancy has emphatically supported that very type of trail construction, and would promote Gastonia's greenway system as part of the Thread Trail.

Greenway's pros and cons debated

When the conservancy approached Gaston County commissioners in 2008 about adopting a master plan for the conceptual greenway system, county leaders were hesitant. Proponents spoke of how the project would boost quality of life, increase property values and spur economic development. But detractors voiced concerns about impending property disputes and walking trails turning into crime corridors.

County commissioners finally adopted the master plan through a resolution in 2009. But they only did so after adding language to clarify that condemnation and easements — including along abandoned railway lines — would only be acquired from willing property owners.

The Catawba Lands Conservancy's official position on the issue is that "any decision to exercise eminent domain is at the discretion of the community's governing body." But Keigher said he worries that might be a "word game" that is masking an underlying push to help make the Thread Trail a reality, no matter what it takes.

"When the conservancy director stood in front of us back in 2009, I asked him if they planned to condemn any land," said Keigher. "That was actually not the right thing to ask because I didn't realize they couldn't. They have to rely on municipalities and counties."

Conservancy executive director Dave Cable, who addressed commissioners in 2009, could not be reached for comment Thursday. But he stressed at the time that the overall plan is conceptual, and that anyone who has a problem with the trail winding through their property wouldn't have to comply, as far as the conservancy is concerned.

Dallas opts out

He pointed to the town of Dallas, which declined to turn an abandoned railway into a greenway because of concerns about crime.

"Dallas was fearful. So there are no trails slated to run through Dallas," Cable said at the 2009 commissioners meeting. "That is their choice and we are totally fine with that."

But Keigher said he is still bothered that what Gastonia leaders decided to do last month could become more common. "I was under the impression that no land condemnation would take place," he said. "We can't speak for the other governments, but we don't have to continue to give our support either if they're playing these word games."

County commissioners will address the issue with an agenda item during their next meeting on Feb. 24. Keigher said he simply wants to talk about the overall philosophy behind completing the Carolina Thread Trail.

"It's a great thing to have these thread trails and greenways, but it's not what I'd call a critical need for a community," he said.

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