

Item Title: Public Hearing on a Request for Disinterment, Relocation, and Reinterment of Approximately Three (3) Graves Located at 7204 Carpenter Fire Station Road to Oakwood Cemetery Near Downtown Raleigh (Petition PLG-GR-005549-2024)

Specific Action Requested:

That the Board of Commissioners holds a public hearing and approves the disinterment, relocation, and reinterment of approximately three (3) graves located at 7204 Carpenter Fire Station Road to Oakwood Cemetery Near Downtown Raleigh (Petition PLG-GR-005549-2024).

Item Summary:

Purpose: North Carolina General Statutes requires that the Wake County Board of Commissioners holds a public hearing when graves are proposed to be removed by a party other than the next-of-kin.

Background: This petition for grave disinterment, relocation, and reinterment is submitted by Ellen Turco of Richard Grubb & Associates (RGA) on behalf of the property owner, Nicolas Otheguy, managing partner for Carpenter Fire Owner, LLC. The purpose of this petition is to remove the remains within approximately three (3) graves from the 2.84-acre property located at 7204 Carpenter Fire Station Road near the Town of Cary, and to reinter them in Oakwood Cemetery at 701 Oakwood Avenue near downtown Raleigh where they will receive perpetual care.

The actual number of graves at this location cannot be determined with certainty until the site is excavated. The term “approximately” is used to cover however many graves that may be found upon full excavation of the site.

The petitioner indicates that the removal of these graves is necessary to accommodate proposed development (see the partial site plan below) authorized by the Town of Cary (including the extension of a town street and greenway) on the surrounding 2.84-acre property, and to provide better protection of the remains by relocating them to a perpetual care cemetery.

Strategic Plan: This action aligns with the Board of Commissioners’ land use regulatory authority under North Carolina General Statutes and does not relate to a specific Strategic Plan goal or initiative.

Fiscal Impact: There is no fiscal impact related to this agenda item.

Additional Information:

The cemetery is located just inside the eastern property line within a 2.84-acre property on the northern side of Carpenter Fire Station Road, located at 7204 Carpenter Fire Station Road (PIN 0735349864). Please see the location maps below. The site is located within the Town of Cary's extraterritorial jurisdiction (ETJ) and is zoned by the town for higher-density residential development. State law requires grave removal petitions within the municipal ETJ areas to be processed through the board of commissioners of the county where the abandoned cemetery is located. The subject cemetery will be referred to as the Goss Cemetery for the purposes of this report.

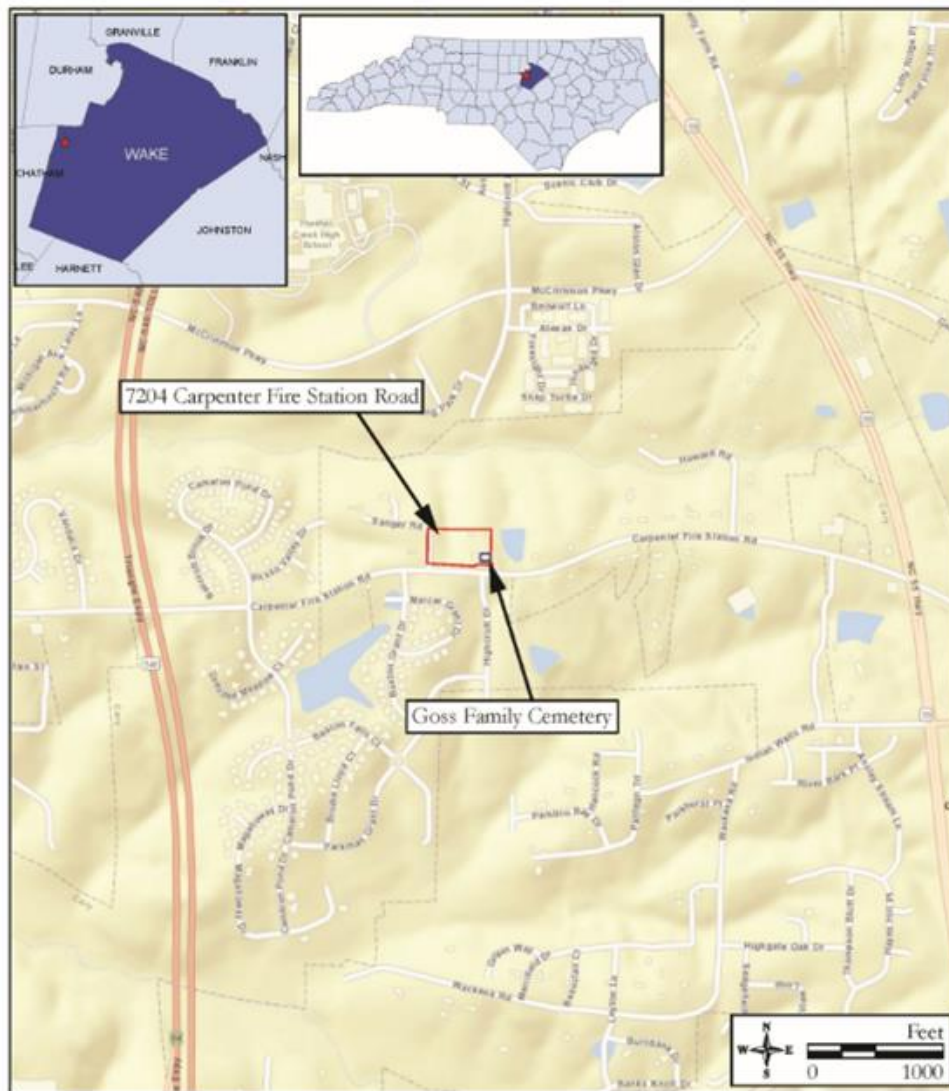


Figure 1.1: Street map showing the location of the Goss Family Cemetery
(Environmental Systems Research Institute [Esri] 2024).

Interestingly, there is a more formal cemetery of approximately 15 graves on the adjacent 21.76-acre property located at 7100 Carpenter Fire Station Road (PIN 0735454207), approximately 40 feet east of the Goss family graves. That cemetery is known as the Morgan cemetery, although there are no grave markers inscribed as Morgan--most are listed as McGhees and a few other surnames. There is also a row of five (5) unmarked

sunken graves between the Goss graves and the “Morgan” graves (perhaps those are the Morgans). Both the Morgan and the unmarked graves are shown as being fully within the adjacent property and not within the subject property where the Goss graves are located.

Even though the archaeological petitioner was unable to find any formal relationship between the three distinct sets of graves, various historical records have identified them as if they were a single cemetery known as the Morgan-Goss Cemetery and also as the Old Good Hope Church Cemetery (although the church is located approximately 0.8 miles further to the east). This information is provided to establish the full context of the site, so as to avoid any confusion. It is important to note that the Morgan graves, and the row of unmarked sunken graves are **not** located on the same property as the Goss graves and they are **not** part of this grave removal petition which is limited to only the three (3) Goss graves and any other unidentified graves that may be found on the subject property at 7204 Carpenter Fire Station Road (PIN 0735349864).



Figure 1.2: Aerial map showing the location of the Goss Family Cemetery (Google Earth 2022).

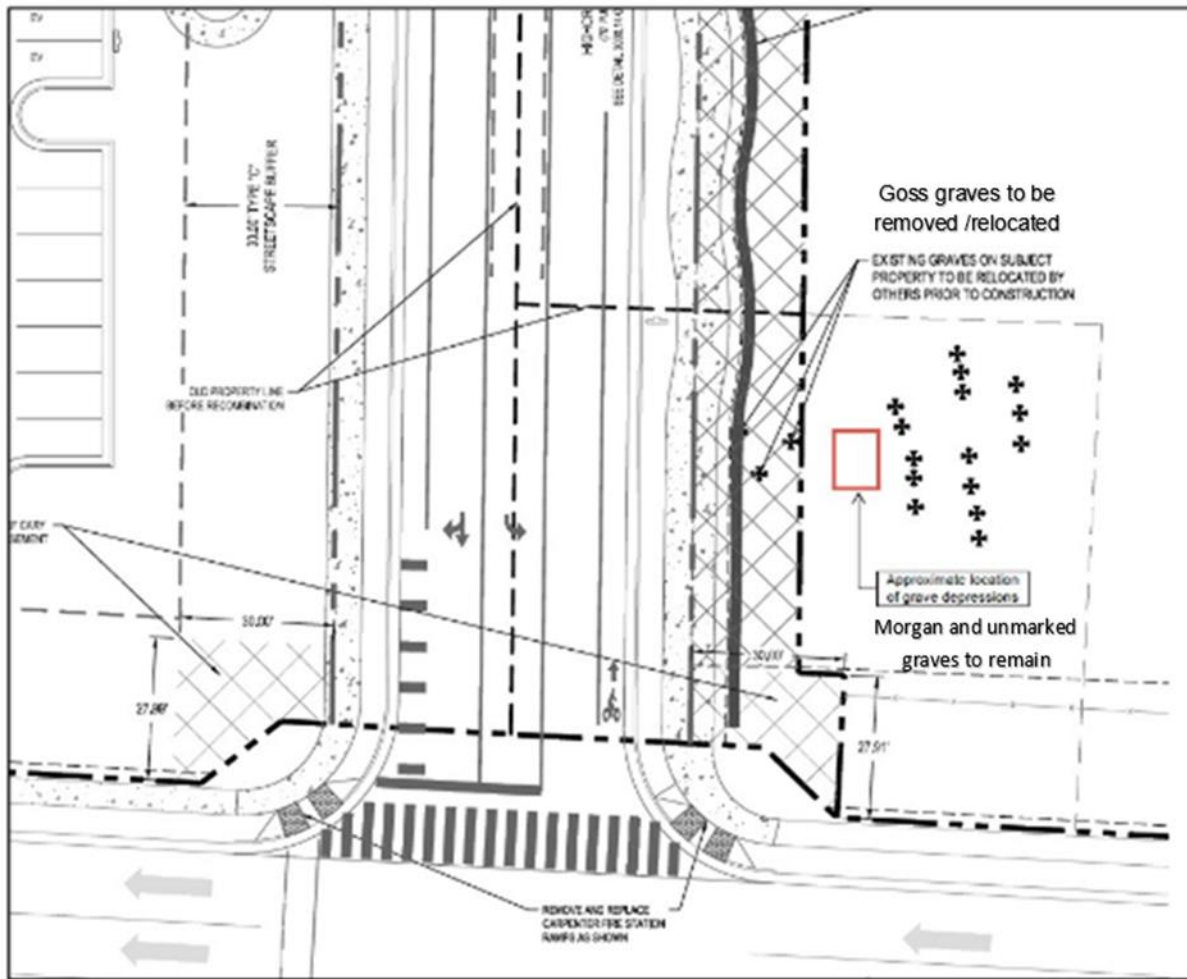


Figure 1.4: Partial site plan of Highcroft Drive Extension at Azalea at the Park (Courtesy of Carpenter Fire Owner, LLC). Gravemarkers of the Goss Family Cemetery are in the right-of-way of the proposed drive extension. The red box indicates the approximate location of the 5 grave depressions located on the adjacent parcel. The cluster of graves to the east of the proposed drive extension belongs to the Morgan Family Cemetery. The graves on the adjacent parcel at 7100 Carpenter Fire Station Road are not proposed for relocation.

A preliminary archaeological field survey was performed by Richard Grubb & Associates, and it identified approximately three (3) graves at this location (see the cemetery photographs and survey plan on the following pages). This cemetery contains a single inscribed marker that is approximately three feet tall inscribed with the name of W. M. Goss (William M. Goss who died in 1922) and his wife Rebecca Ann Green Goss (who died in 1925). There is also a small, inscribed field stone marker for their daughter Mary Frances "Fannie" Goss who died in 1961.

Even though there is no visible evidence of additional graves within this 2.84-acre property, there is a possibility that there may be undetected graves whose presence cannot be known until full excavation of the site. A probe rod survey of the property identified only the three known Goss family graves. This grave removal petition, if approved, would authorize the disinterment, relocation and reinterment of however many graves are found upon full excavation of the site.

Additional Resources Consulted for Cemetery History:

The Planning staff consulted with the County's historic resources consultant, Capital Area Preservation (CAP), regarding any historical significance of this cemetery. CAP staff indicated that they had no additional information about the Goss family or this cemetery, although they expressed an opinion that the three sets of graves may have constituted the original Old Good Hope Church Cemetery. The CAP staff expressed no objection to the reinterment of the Goss family graves to Oakwood Cemetery. The Goss cemetery is not shown separately in the Wake County Cemetery Census, although the three Goss family names are included in the list of burials for the Morgan/Old Good Hope Church Cemetery.

In preparing their report Richard Grubb & Associates staff also reviewed the chain of title documents in the Wake County Register of Deeds office, US Census records, marriage and death records, obituaries and newspaper articles, and on-line databases such as Find-A-Grave and Ancestry.com.



Figure 3.3: Detail view of the burial plot for W. M. and R. A. Goss.



Figure 3.7: Detail view of the headstone for Fannie Goss within the Goss Family Cemetery.

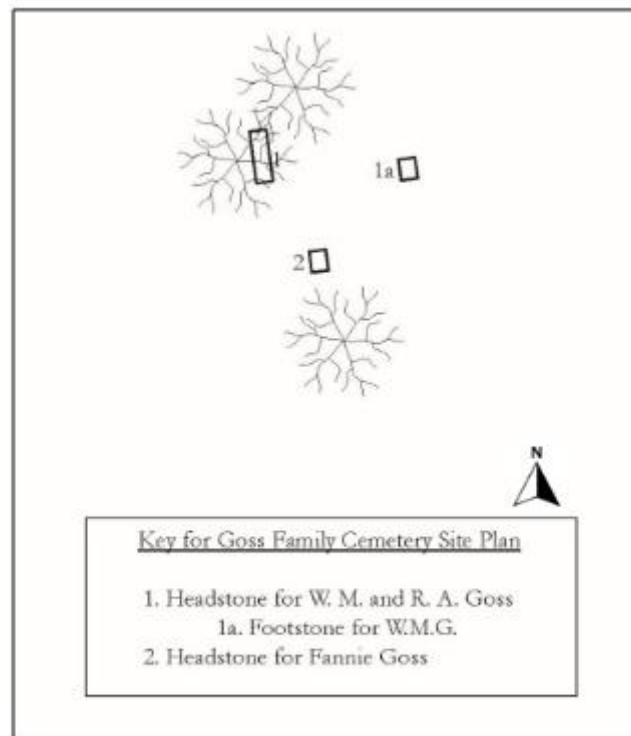


Figure 1.5: Sketch site plan of the Goss Family Cemetery, not to scale
(Created by Patricia McEachen, RGA).

Grave Removal Process:

Under the North Carolina General Statutes, any grave that is disinterred is required to be reinterred in a suitable cemetery. The remains within these graves that are petitioned for removal, if approved, would be reinterred within Oakwood Cemetery located at 701 Oakwood Avenue (PIN 1714110503) near downtown Raleigh where they will receive perpetual care. The existing grave markers will be reinstalled at Oakwood Cemetery, as well as a new monument explaining the disinterment and reinterment of the family cemetery.

The petitioner has worked with the Oakwood Cemetery manager to determine the proposed reinterment site within the receiving cemetery. The location of the proposed reinterment cemetery and the specific location where the graves will be reinterred is shown in the aerial photograph on the following page. The disinterment, removal, and reinterment of the remains within this cemetery shall be performed by a licensed funeral director, and the Wake County Public Health Department staff shall be on site to observe the process (as required by state law). The funeral director, or petitioner, shall be required to file a Removal of Graves Certificate with the Wake County Register of Deeds office within 30 days of completion of the work in order to document the relevant facts of the disinterment and reinterment.

**Section J Within Oakwood Cemetery
Goss Family Cemetery Relocation, Wake County, North Carolina**

Aerial Image

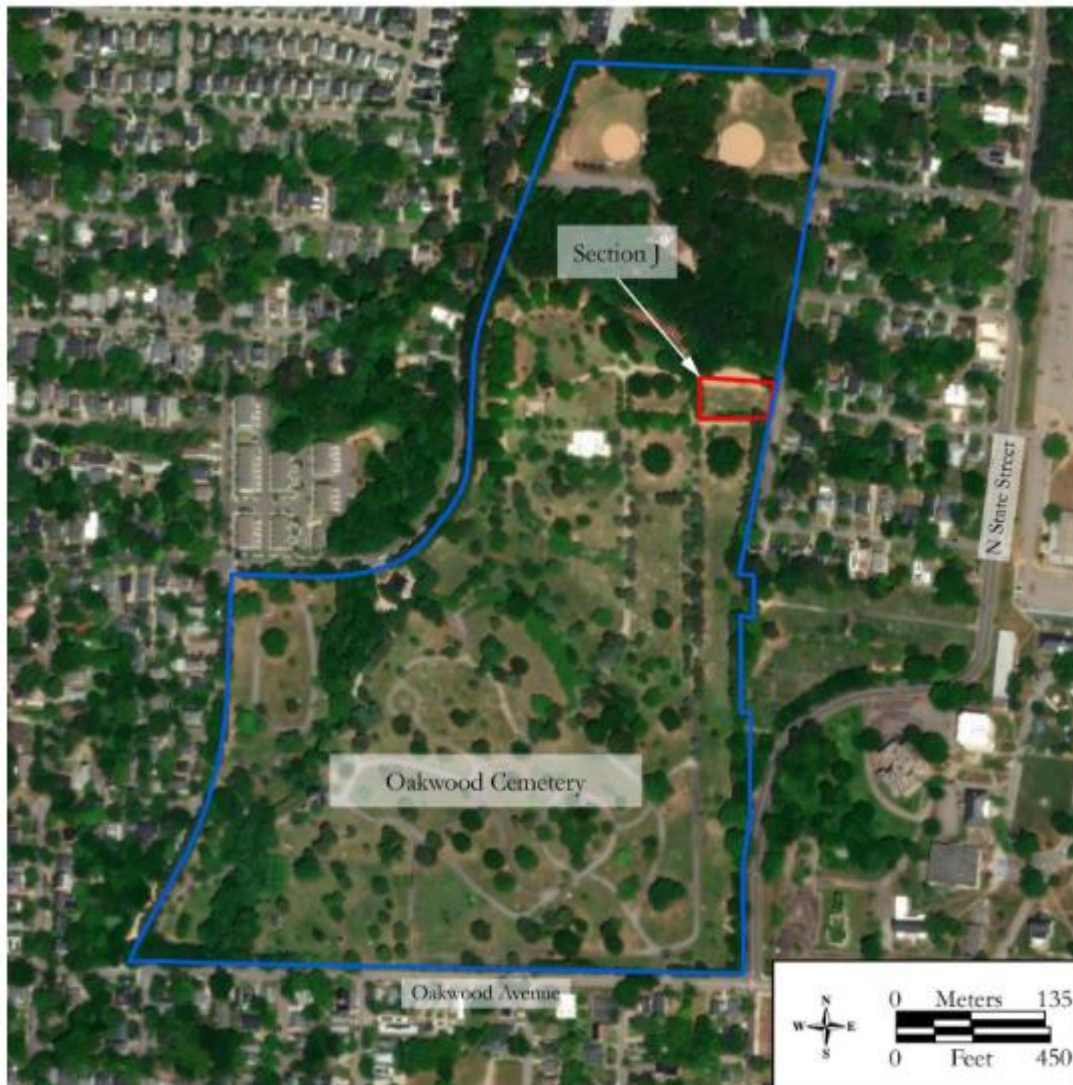


Figure 4.2: Location of Section J within Oakwood Cemetery where the Goss graves are proposed to be relocated.

NCGS Guidelines:

Section 65-106 (a) (4) of the North Carolina General Statutes requires that the Wake County Board of Commissioners holds a public hearing when graves are proposed to be removed by a party other than the next-of-kin. The petitioner shall provide a 30-day written notice of intention to the next-of-kin of the deceased (if known) before the disinterment, relocation, and reinterment of any grave occurs.

The petitioner shall publish a notice at least once per week for four (4) consecutive weeks in a newspaper of general circulation within the county where the graves are located (the first publication shall be not less than 30 days before disinterment).

Compliance with NCGS:

Through extensive genealogical research based upon the names inscribed on the existing grave markers, the petitioner identified 61 living descendants and mailed individual letters to each of them to inform them of the proposed grave disinterment, relocation and reinterment. Three (3) additional persons were identified by the notified next-of-kin, for a new total of 64 notifications. Six (6) of those recipients responded to the petitioner. Of those six (6) respondents, one had a number of questions about the process that were answered by the petitioner via e-mail, one asked to be kept informed as the process progresses, one stated approval of the relocation and asked to take possession of the gravemarkers if they could not be reset at the receiving cemetery, one asked for the petitioner's genealogical research, one provided their own genealogical research to the petitioner, and one asked for permission to visit the cemetery. There was no opposition to the relocation of the graves.

The petitioner placed a legal advertisement in the News & Observer newspaper for four (4) consecutive weeks in an attempt to notify any next-of-kin or any other interested parties (as required by state law). The legal notices appeared in the newspaper on October 15th, 22nd, and 29th and November 5th of 2024. The petitioner has indicated that they did not receive any response to the newspaper advertisements.

Additionally, the Wake County Planning staff posted a public hearing notification sign along the road frontage of Carpenter Fire Station Road on August 22nd, 2025 and ran the two standard public hearing notices in the News & Observer newspaper on August 22nd and 25th, 2025. The legal advertisements and posted sign included contact information for the Planning staff. The Planning staff has not received any phone calls or inquiries related to this request in response to these notification efforts.

Staff Findings:

1. The petitioner has fulfilled all the requirements for the removal and relocation of the remains within this cemetery as outlined by the North Carolina General Statutes, Section 65-106.
2. The petitioner has indicated that the removal of this cemetery is necessary to accommodate proposed development authorized by the Town of Cary (including the extension of a town street and greenway) and to provide better protection of the remains by relocating them to a perpetual care cemetery.
3. Arrangements have been made for the remains to be reinterred at Oakwood Cemetery near downtown Raleigh where they will receive perpetual care.
4. There is no evidence of any historical significance regarding this cemetery and its removal would not be detrimental to the general welfare of the County.
5. There has been no objection to this disinterment, relocation and reinterment request.

Attachments:

1. Presentation
2. PLG-GR-005549-2024 Archaeological Report
3. Signed Grave Removal Petition