



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

December 20, 2012

Mr. Craig Benedict, AICP
Orange County Planning & Inspections Department
131 W. Margaret Lane
PO Box 8181
Hillsborough, NC 27878

SUBJECT: Orange County Planning & Inspection Comments for the Federal Environmental Assessment, Proposed Crossing Closures with the North Carolina Railroad (NCR/Norfolk Southern (NS) Railway at Gordon Thomas Drive (TIP No. P-4405I), Greenbriar Drive (TIP No. P-4405J), and Byrdsville Road (TIP No. P-4405K) in Orange County.

Dear Mr. Benedict,

Thank you for your comments on our Start of Study Letter for TIP Projects P-4405I, P-4405J, and P-4405K. NCDOT values the input from our local government partners and recognize that only through partnership and collaboration can these projects be successful.

In the letter dated November 5, 2012, the Orange County Planning & Inspections Department provided comments on the proposed project. The information below is provided in response to the general and specific comments received from your department. For clarity, we have combined some responses based on subject matter, for questions requiring additional explanation we have provided individual responses.

General Comments:

Coordination with Orange County and the Town of Hillsborough:

The Start of Study letter distributed on September 21, 2012 represents initial alternatives considered for the project. We will continue to coordinate with you and the Town of Hillsborough throughout the public involvement and project development phases of this project and other future safety upgrades in Orange County. We recognize your concerns about potential traffic impacts at NC 86, and we are determining the appropriate level of traffic analysis required to assess these issues.

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1 SOUTH WILMINGTON STREET
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Easements, Right-of-Way Issues and Compliance with the Unified Development Ordinance (UDO):

The intent of the proposed project is to develop project designs that are compliant with the UDO, including the classification of roadways serving parcels. The NCDOT Right of Way Branch will ensure improved roadways are appropriately recorded with the Orange County Registrar of Deeds. The proposed designs will include sufficient right of way for proposed roadway widths, and will avoid the creation of non-conforming lot dimensions, where possible. We will also ensure proper roadway names are identified and recorded.

Roadway Access and Circulation:

- The improvements will be planned to maintain access to all affected properties, including the property (PIN 9873-64-6782) located at 2370 NC Highway 86 South. During right of way acquisition, NCDOT will account for established land use buffer requirements.
- Consistent with Article 10 of the UDO, access at the rear of residences along the improved Walter Clark Road will not be permitted. This will prevent double-frontage lots.
- During right of way acquisition, NCDOT would negotiate with Duke University concerning any property required along the edge of Duke Forest.
- The chain link fencing along the rear property boundaries along Walter Clark Road will be replaced if impacted.

Roadway Design Standards:

- New access roads are proposed between Greenbriar Drive and Spruce Pine Trail, and between Walter Clark Drive and the Byrdsville Mobile Home Park road. These two roads will be built to NCDOT standards.
- Other improvements include the extension of private driveways similar in form to existing driveways. These will remain private roads.
- Proposed roadways will comply with NCDOT standards for flood damage prevention, stream buffers, storm water management and erosion control as well as impervious surface limits.
- Side drainage ditches will be incorporated into the roadway design where warranted.
- Greenbriar Drive will not be modified under the proposed project. A new access road is proposed to connect Greenbriar Drive with Spruce Pine Trail.
- All proposed roadway improvements will be designed consistent with NCDOT standards. Adequate storm drainage will be designed and impacts to streams will be avoided, minimized, or mitigated.
- Existing utility connections will be maintained during and after project construction.

Crossing #735 199Y/MP H 48.49/ Gordon Thomas Drive (P-4405I)

The following are responses to specific comments on the Gordon Thomas Drive crossing closure (P4405I).

Comment #4: *Staff encourages a re-evaluation of the cost-benefit analysis and other alternatives for this closure as there are so few properties receiving access from the crossing vs. the significant impact to this private community.*

Response: **The purpose of the project is to improve railroad and automobile safety. While costs and benefits are important factors, access to these properties will be maintained. Alternatives are being considered to provide access to the nearest public roads, while avoiding or minimizing environmental**

impacts to the extent possible. A No-Build alternative will also be evaluated. Anticipated impacts to the community and to natural environment features will be assessed and included in the decision making process.

CROSSING #726 305F/MP H 47.62/Greenbriar Drive (P-4405J)

The following are responses to specific comments on the Greenbriar Drive crossing closure (P4405J).

Comment #1: *The proposed NCDOT road layout includes a cross access/road mid-way on Greenbriar Drive that does not align with existing lot patterns and appears to serve no practical purpose. This cross access/road would also involve an unnecessary perennial stream crossing.*

Response: **The ultimate location of the “cross access” road has yet to be determined. Alignments which are least disruptive to the community and the environment are being investigated. Where possible, stream crossings will be avoided, and impacts minimized or mitigated.**

Comment #3: *This proposed option could potentially involve traffic associated with adjoining non-residentially zoned property, to have ingress/egress through an established single-family residential neighborhood.*

Response: **If the adjoining parcel (Greenbriar Road area) is eventually developed with nonresidential uses, the planned roadway connection to Spruce Pine Trail will be abandoned. It is assumed that once the redevelopment occurs, Orange County will provide alternative access for the Greenbriar Road area.**

Comment #5: *Planning staff requests that more viable alternatives other than the current proposal be explored. This location is part of the County designated and zoned Eno Economic Development District (EDD), and is also immediately south of an interchange with I-85 which is planned for improvements. The adopted Eno EDD Small Area Plan supports an enhanced service road and access system in the area, and includes an approved Transportation Access Management Concept Plan (copy enclosed for reference). Staff would prefer an alternative that considers the larger context of the area's access issues and needs. Pursuing the proposed alternative could exasperate upcoming development efforts for the interchange and the EDD.*

Response: **There are no plans under consideration by NCDOT that would interfere with future plans for the EDD area. The proposed project would not connect to planned service roads and will not prevent the development of the access system or modifications to the I-85/US 70 interchange. As stated previously the NCDOT planned roadway will be abandoned once the Greenbriar area is redeveloped with nonresidential uses.**

Comment #6: *The proposed NCDOT road layout involves potential crossing(s) of Rhodes Creek. If there is to be a crossing of this perennial stream, with the associated environmental impacts, there should be multiple purposes for the larger EDD area.*

Response: **Where possible, stream crossing impacts will be minimized or mitigated. There are no plans that would interfere with future plans for the EDD area. According to the Orange County GIS the Greenbriar Road area is surrounded on three sides by streams. Avoiding stream crossings altogether is not possible with a new access road.**

Comment #7: *If feasible, perhaps a cross access road could be constructed within or parallel to the railway right-of-way between Greenbriar Drive and Old NC 10, rather than the proposed network of roads that involve substantial road work, new stream crossings, the breaching of subdivisions, and the possible introduction of nonresidential traffic through residential subdivisions.*

Response: The North Carolina Railroad Company will not permit the construction of a roadway within their right of way. A roadway alignment at the right-of-way line would result in one property taking, a stream crossing, and would result in the new access road entrance on Old NC 10 that is too near the Spruce Pine Trail entrance. These two adjacent entrances are not likely to meet NCDOT design standards.

Crossing #735 189T/MP H 43.89/Byrdsville Road (P-4405K)

The following are responses to specific comments on the Byrdsville Road crossing closure (P4405K).

Comment #5: *The unnamed roadway easement (i.e. the road identified by NCDOT as Walter Clark Road) intersects NC 86 at an angle. The proposed road layout would create a road accessing the highway across from the primary access to the Wildwood single-family residential subdivision. Also, a short distance to the south on NC 86 is an entrance to the Becketts Ridge single-family residential subdivision. Staff has concerns regarding both the increase in the amount of traffic that would be utilizing this intersection and the increased danger associated with the angled, slightly off-set intersection that would be created. Staff believes that a traffic study would be necessary, to evaluate if this intersection should be signalized and realigned to address traffic access and congestion management issues. Additionally, some evaluation should be made as to whether north and/or south bound turn lanes would be required on NC 86.*

Response: Traffic impacts and safety impacts will be considered as part of the intersection design. NCDOT is currently considering the appropriate level of traffic analysis that should be conducted.

Comment #14: *The proposed access network to the west of the twin lakes and the rail crossing does not seem to recognize that there is an existing private road off of Lonnie Drive within the Joppa Oaks development. This existing private road has a sign for the 'C & J Mobile Home Park' and it currently provides access to most if not all of the properties on the western side of the 'red square' (refer to NCDOT Figure 2 Project Study Area Map). Therefore, staff is not certain that this western side of the 'red square' would be necessary.*

Response: The figures included in the scoping letter provide a variety of access options, not all of which will be constructed. Mapping which provides more refined details on improvements being considered will be provided to Orange County and presented at Citizens Informational Workshops on January 7th and 14th. The C&J Mobile Home Park access road is being considered for access options.

Comment #5: *The Orange Rural Fire Department has commented that there could be an increase in response time for some of the residents of that neighborhood given how the proposed road might be built. This response time would also be true for an ambulance responding to the area.*

Response: Comment noted. Proposed improvements will ensure access is maintained.

Comment #6: *Approximately 95 properties would be directly impacted by the proposed new access improvements, and the entire Joppa Oaks Subdivision, Wildwood Subdivision, Becketts Ridge Subdivision, C & J Mobile Home Park, and the Byrdsville Mobile Home Park would be impacted by revisions to traffic patterns either in these developments or along NC 86.*

Response: Comment noted. Safe and efficient access will be provided for all residents in these subdivisions. As stated previously, NCDOT is currently considering the appropriate level of traffic analysis.

Comment #7: *The proposed new access improvements could potentially have significant impacts to a large number of County residents within the lower income Byrdsville community. The staff recommends*

consideration of alternative routes as well as measures to enhance compatibility and improve the positive aspects of the community's character.

Response: Potential impacts to the community, including emergency response, and community impacts will be investigated, and avoided, minimized or mitigated. Public involvement will be included as part of the project development process. Residents will have the opportunity to have input on measures to improve positive aspects of the community's character.

Again, thank you for your input. We will maintain coordination with Orange County during the development of this project. Please contact me via email at mhamel@ncdot.gov or telephone at 919-707-4705 if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc L. Hamel". The signature is fluid and cursive, with the first name "Marc" and last name "Hamel" clearly distinguishable.

Marc L. Hamel
Rail Environmental Manager
NCDOT Rail Division.

cc. Dan Havener, P.E., Project Engineer
Jahmal Pullen, P.E., Infrastructure Engineering Unit, NCDOT Rail Division
Jason Orthner, P.E., Rail Engineering Manager, NCDOT Rail Division