



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

March 27, 2013

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 recent comments on 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.

Thank you for meeting with us on March 15th to discuss comments from your letters dated February 22 and March 12, 2013 as well as other project-related issues. The information below is provided in response to the general and specific comments received from your department.

General Comments:

1. There is confusion as to whether and/or which improvements will be public or private. The Project Study Maps do not adequately indicate which will be private drives and which will be public roads to NCDOT standards. Can this be clarified on the Study Maps?

Response: All roadways planned under this crossing closures project will be constructed in compliance with NCDOT standards. Additional details include:

Greenbriar Drive Crossing

- The new roadway connecting Greenbriar Drive to Spruce Pine Trail will be a public road (to be included on the State's secondary system);
- Greenbriar Drive itself will remain private but the NCDOT will ensure all residents along the road have access, via legal easement, to the new connecting roadway; and

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- Minor improvements will be made to improve the condition of Spruce Pine Trail which will remain a public roadway.
- The design would include provisions for vehicles to turn-around where the road ends at the railroad corridor.

Gordon Thomas Road Crossing

- NCDOT will investigate the legal considerations associated with existing easements for residential access to Paschall Drive. Where warranted, new easements will be established to ensure all residents in the Couch Mountain/Gordon Thomas Road area have legal easement to Paschall Drive.
- NCDOT will discuss the proposed status of Paschall Drive as either a public or private roadway with Paschall Drive residents before a determination is made.

Byrdsville Road Crossing

- Byrdsville Road is proposed as a public roadway from the NCRR/NS right of way near the Byrdsville Road crossing to Walter Clark Drive. Walter Clark Drive would become a public road from the intersection of Byrdsville Road/Walter Clark Drive to NC 86. The design would include provisions for vehicles to turn-around where the road ends at the railroad corridor.

2. **At the Citizen Informational Workshops there was some confusion and varying comments from DOT staff and consultants concerning NCDOT construction standards (right-of-way width, pavement width, drainage ditches, etc.). For example, there was mention of right-of-way widths possibly being 50 feet rather than 60 feet, and citizens' understanding of pavement widths varied as well. Recognizing that the projects are still in their conceptual stages, please clarify to the best of your ability the construction standards for these three projects.**

Response: NCDOT proposes to use design standards for subdivision streets and would accept a minimum 50-foot right of way in order to lessen property impacts. NCDOT would also be willing to construct a 20-foot wide aggregate base roadway (similar to existing roadway surfaces) if preferred by property owners.

A 50 foot right of way is sufficient to encompass the required roadway. However, there may be impacts to the adjacent properties in order to properly drain the roadway. This could be accomplished with easements, either temporary or permanent. The extent of easements will be determined during preliminary and final design.

3. **For purposes of applying zoning setbacks, the Orange County UDO would treat lots with two street frontages as double frontage lots.**

Response: The creation of double frontage lots will be avoided where possible. Under the current preferred alignment, double frontage lots would be a possibility along the Byrdsville Road extension and Walter Clark Road. The following items will be addressed during right of way acquisition and design.

- 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.

- The chain link fencing along the rear property boundaries along Walter Clark Road will be replaced if impacted.
- Additional vegetated screening will be considered during final design to lessen the visual impacts of the roadway.

4. Proposed roadway should comply with local, state and federal standards for flood damage prevention, stream buffers, storm water management and erosion control as well as impervious surface limits.

Response: Proposed roadways will comply with federal, state and local 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. 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.

5. What are the standards for determining when side drainage ditches will be incorporated into a roadway design? When will it be known if side drainage ditches will be part of a particular roadway design?

Response: Roadway designs will provide for positive drainage. To determine the required drainage NCDOT will establish roadway grades and cross sections to accommodate water flow. Hydraulic engineers will perform analysis of drainage requirements and incorporate results in the roadway designs.

6. Some of the suggested reroutes (such as the case with Byrdsville) are more circuitous and increase the commute times to Durham.

Response: Rerouting some traffic in the study areas has the potential to create slightly longer commute times to Durham under certain conditions. The additional length of commute times is not expected to be significant (five minutes or less) and will be offset by the elimination of delays at the crossings during train crossings.

7. When available, please provide the anticipated schedule for required right-of-way acquisition, relocation of property structures and buildings where necessary, and construction dates.

Response: The project is scheduled for right of way acquisition to begin in 2014 and construction to begin in 2015. More specific scheduling information will be provided when it becomes available.

8. Please keep Orange County Planning staff informed of and copied on revisions to Project Study Maps, as well as more detailed design drawings as your analysis progresses.

Response: This comment is noted, and more detailed design drawings will be provided when they become available.

Specific Comments: Crossing #735 199Y/MP H 48.49/Gordon Thomas Drive (P-44051)

- No comments.

Specific Comments: Crossing #726 305F/MP H 47.62/Greenbriar Drive (P-4405J)

- 1. Orange County Planning staff favors Proposed Access Road Corridor Alternative No.2. This alternative is less intrusive on the existing Greenbriar Drive residential neighborhood, and also is in a preferred location for future connectivity with properties to the north upon redevelopment in accordance with the adopted Future Land Use Map of the Orange County Comprehensive Plan.**

Response: This comment is noted. The Project Team also favors Alternative 2. Its specific alignment will be located in a manner that minimizes impacts to the residences, streams, and wetlands. If Orange County Planning staff has any specific connectivity concerns regarding Alternative 2, NCDOT requests that information be provided to the Project Team. The Project Team also requests any planning information regarding the location of future roadway connections.

- 2. Planning staff continues to strongly encourage an alternative road network that purposely coordinates well with the proposed interchange redesign to the north and enhancement of proposed access road connections for adjoining nonresidential development, in that the constructed road network will readily facilitate the larger context of the area's access issues and needs.**

Response: The Project Team will coordinate with the Orange County Planning department prior to selection of a Preferred Alternative and during the final design process. The proposed Greenbriar Drive improvements will not affect the planned proposed interchange redesign.

Specific Comments: Crossing #726 189/MP H 43.89/Byrdsville Road (P-4405K)

- 1. Property owners north of the Byrdsville Mobile Home Park do not have right of access through the proposed private drive exit through the Mobile Home Park. Alternative access for these northern property owners should be considered to the west through the Joppa Oaks development, or improving the private drive and adding it to the state secondary road system. Alternative access through the Joppa Oaks development would also have the benefit of dispersing traffic to multiple connections with NC 86 if the non-authorized earthen barricade at the end of Jaspers Lane were removed.**

Response: The Joppa Oaks neighborhood street network is not sufficient to handle the additional traffic from Byrdsville Road without substantial improvements. As described above, NCDOT proposes to improve Byrdsville Road and make it a part of the State's secondary system from the railroad right of way to NC 86/Walter Clark Drive. The elimination of the Jaspers Lane barricade is now being considered as part of the Walter Clark Drive improvements.

- 2. Children in the Byrdsville Mobile Home Park currently walk north, across the rail line, and catch the bus at the intersection of Byrdsville Road and Old NC 10. Alternative school bus routes and pick-up location(s) will need to be considered as part of the alternative road plans.**

Response: Once more detailed design plans are developed, additional coordination will occur with the Orange County School District regarding new bus routes and pick-up locations.

Comments from March 12, 2013 Letter Clarifying Comments from Julia Byrd (P-4405K)

- 1. Ms. Byrd owns Tax Parcel 9873853851 (the C&J Mobile Home Park) and Tax Parcel 9873960117 (her residence). Other members of her family reside on surrounding parcels. Ms. Byrd and her family are concerned that an alternative access to west that traverses her properties to connect with**

the Joppa Oaks development would destroy the access to her mobile home park and several of the mobile home sites within the park, the continuing income from which is essential to her livelihood.

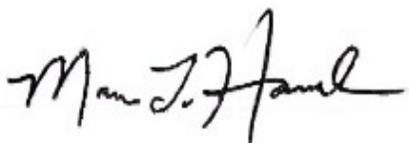
Response: As described above, NCDOT does not intend to extend Byrdsville Road to the west in the vicinity of the C&J Mobile Home Park. The extension of Byrdsville Road is planned along an alignment which will minimize impacts to adjacent parcels. This alignment and roadway right of way will be further modified during final design.

2. I would request that the NC Rail Division consider different alternatives not yet proposed. There is a stream that parallels the rail right-of-way, with up to 200 feet of undeveloped land between the stream and the rail right-of-way. While there is some topography of note in this area, a parallel crossing of this area from Byrdsville Road to intersect with Workman Road might be feasible. This approach could perhaps be done instead of the proposed alternative through Duke Forest and Piedmont Electric, alleviating direct impact to around 22 properties. In this new alternative, residents in the Byrdsville Mobile Home Park would utilize this northern route through Joppa Oaks. This alternative would allow shorter and more direct access to NC 86, and un-barricading the terminus of Jaspers Lane would allow two full access points to NC 86. Some improvements to the angled Walter Clark Drive intersection may still be necessary.

Response: As discussed during our March 15th meeting, NCDOT will perform an environmental screening of an extension to Workman Road and determine whether this alignment would be a viable alternative. We will provide these results to you.

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,



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Rail Environmental Manager
NCDOT Rail Division.

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