

FINDING OF NO SIGNIFICANT IMPACT

FOR

Contract No. B 769-101-471

MARYLAND ROUTE 45 (YORK ROAD)

FROM COCKEYSVILLE ROAD TO NORTH OF
BEAVER RUN LANE
BALTIMORE COUNTY, MARYLAND



prepared by
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

and
MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
FOR
MARYLAND ROUTE 45
BALTIMORE COUNTY, MARYLAND

The FHWA has determined that this project will not have any significant impact on the environment. This Finding of No Significant Impact is based on the Environmental Assessment and the attached information, which summarizes the assessment and documents the selection of Alternate 3, the five-lane improvement. The Environmental Assessment has been independently evaluated by the FHWA and determined to adequately discuss the environmental issues and impacts of the proposed project. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

We understand that replacement of the entire wall in front of the National Register eligible Queen Anne House is not deemed imperative at this time. If this assessment should change prior to or during construction of the widening project, a late discovery 4(f) statement will be necessary to document any impact that reconstruction of the wall might have on the historic site, and avoidance and/or mitigation of such impacts.

8/26/86
Date

[Signature]
for Division Administrator

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I.
RECORD
OF
DECISION

MEMORANDUM OF ACTION OF ADMINISTRATOR HAL KASSOFF
TUESDAY, JUNE 17, 1986
* * *

6
PROJECT DEVELOPMENT
JUN 30 10 10 AM '86

Concurrence with Prior Action

The State Highway Administration is preparing a Final Environmental Document - Finding of No Significant Impact (FONSI) for the project listed below. Federal Highway Administration approval will be requested for Alternate 3 - a five lane urban street.

1. State Contract No. B-769-101-471 - Md. Rte. 45 (York Rd.), from Cockeyville Rd. to north of Beaver Run Lane.

The decision to proceed in this manner was made by the Administrator at a Staff Meeting held on June 3, 1986.

Copy: Mr. J. A. Agro, Jr.
Mr. W. R. Clingan
Mr. L. J. Ege, Jr. ✓
Mr. F. DeSantis
Contract B-769-101-471



Maryland Department of Transportation

State Highway Administration

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William K. Heilmann
Secretary

Hai Kassoff
Administrator

June 16, 1986

MEMORANDUM

TO: Mr. William I. Slacum, Secretary
State Roads Commission

FROM: Neil J. Pedersen, Director *Neil J Pedersen*
Office of Planning and
Preliminary Engineering

SUBJECT: Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass Elimination
from Cockeysville Road to North
of Beaver Run Lane
0.44 mile
PDMS No. 033025

The Project Development Division is preparing a Finding of No Significant Impact (FONSI) for the Cockeysville Underpass Study. It is anticipated that the document will be submitted to the Federal Highway Administration this month. The decision to proceed with a FONSI recommending Alternate 3, the 5 lane urban street, was made by Administrator Kassoff at a team meeting held on June 3, 1986. A summary of the meeting and a project summary-recommendation are enclosed.

This information is being sent to you as part of the procedures by which you submit the action to Mr. Kassoff, receive his approval, and formally record and file this action.

I concur with the above recommendation.

6/17/86

Date

[Signature]

Hal Kassoff
Administrator

NJP:tn
Enclosure
cc: Mr. Louis H. Ege, Jr.
Mr. Frank DeSantis

My telephone number is 659-1110



Maryland Department of Transportation

State Highway Administration

June 13, 1986

William K. Hellmann
Secretary
Hal Kassoff
Administrator

MEMORANDUM

TO: Mr. Louis H. Ege, Jr., Deputy Director
Project Development Division

FROM: Frank DeSantis *ADS*
Project Manager

SUBJECT: Contract No. B 769-101-471
Maryland Route 45
Cockeysville Underpass
PDMS No. 033025

RE: Selection Meeting held on June 3, 1986

The purpose of the meeting was to present the Team Alternate Recommendation to the Administrator for his concurrence. Those present were:

- | | |
|---------------------|---|
| Mr. Hal Kassoff | Administrator-SHA |
| Mr. Neil Pedersen | Director-SHA |
| Mr. Wayne Clingan | Chief Engineer(Acting)-SHA |
| Mr. C. Robert Olsen | District Engineer-SHA |
| Mr. Louis Ege, Jr. | Deputy Director-SHA |
| Mr. Douglas Matzke | Bureau of Highway Design |
| Mr. Ronald Spalding | Bureau of Highway Planning and Program Development |
| Mr. Robert Goldfien | District 4 R-O-W |
| Mr. Robert Lambdin | Traffic Forecasting |
| Mr. Thomas Jones | Bureau of Bridge Design |
| Mr. Charles Okehie | Bureau of Bridge Design |
| Ms. Cynthia Simpson | Project Development Division |
| Ms. Rita Suffness | Project Development Division |
| Mr. Frank DeSantis | Project Development Division |
| Mr. Stephen Gay | Federal Highway Administration |
| Mr. Joseph Langley | Baltimore County |
| Mr. Ronald Rye | Wilson T. Ballard Co. |
| Mr. Mark Lotz | Wilson T. Ballard Co. |

This writer described the project and its impacts. Based on projected traffic volumes, numerous commercial entrances and the fact that 5-lane sections are planned or under construction north and south of the project, the project team recommended the 5-lane section.

My telephone number is 659-1109

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 · 0717

Mr. Louis H. Ege, Jr.
June 13, 1986
Page 2

Mr. Kassoff approved selection of the 5-lane alternate and the following issues were then discussed:

1. Parking

A preliminary parking plan for the rear of the shops on the west side of York Road has been developed by the SHA. The SHA would, provided the involved property owners (5±) agreed, construct the lot and then turn it over to the owners for maintenance. Mr. Pedersen will coordinate with Mr. Harry Pistel, Baltimore County Director of Public Works, to discuss the available options for parking. Subsequent to discussion, the County will be requested to convene a meeting with business property owners and appropriate State and County staff.

There may be problems with loading and unloading furniture at the shops unless short-term stopping during nonpeak hours is permitted on the west side of York Road. This matter will be discussed at the meeting with the property owners. Since the existing on-street parking will be displaced for maintenance of traffic during construction, provision of new parking spaces should be a first item of work.

2. Flooding

A hydraulic study is underway and the Bureau of Bridge Design expects final results by January 1, 1987. A letter has been received from a public adjuster representing private property owners inquiring as to whether the SHA would participate with FEMA in the purchase of building in the floodplain. This will be addressed after completion of the hydraulic study.

3. Queen Anne House Property

Approximately 60 L.F. of the existing retaining wall will have to be replaced because of undercutting by this project. Total replacement of the wall could be accomplished within existing SHA right-of-way if sheet piling is utilized, at a cost of \$80,000. Otherwise a temporary construction easement would be required from the Queen Anne House property, which would be a 4(f) impact. Another option would be to grade the slope back rather than replace the wall, also a 4(f) impact.

Mr. Kassoff directed that the Bureau of Bridge Inspection and Remedial Engineering investigate the possibility of repairing rather than replacing the wall (except the southern 60'± which must be replaced due to engineering considerations).

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Mr. Louis H. Ege, Jr.
June 13, 1986
Page 3

In any event, historic property is not to be affected as part of this project. Replacement of the wall, if needed, is to be handled as a separate project at such time that the wall will require replacement in the future.

4. Final Design

Mr. Kassoff directed that the staff make every effort to expedite the start of Final Design activities since this is a high priority project.

FDS:cd

cc: Attendees
Mr. Tony Fusco

II.
COMPARISON
OF
ALTERNATIVES

TABLE 1
Comparison of Alternates
Maryland Route 45 (York Road)

| <u>Social, Economic and Land Use Impacts</u> | Alt. 1 No-Build | Alt. 2 4-Lane Widen. | Alt. 3 Selected 5-Lane Widen. |
|--|--------------------|----------------------------|--|
| 1. Residential Displacements | 0 | 0 | 0 |
| 2. Commercial Displacements | 0 | 8 | 8 |
| 3. Other Properties Impacted | 0 | 0 | 0 |
| 4. Historic and Archeological Sites Impacted | 0 | 0 | 0 |
| 5. Public Recreational Lands Impacted | 0 | 0 | 0 |
| 6. Consistent with Land Use Plans | No | Yes | Yes |
| <u>Natural Environmental Impacts</u> | | | |
| 1. Loss of Natural Habitat | None | None | None |
| 2. Effect on Wildlife Populations | None | None | None |
| 3. Stream Crossings | 0 | 1 | 1 |
| 4. Floodplains Affected | 0 | 1.5 acre | 1.5 acre |
| 5. Agricultural Land Affected | 0 | 0 | 0 |
| 6. Air Quality Impacts (Sites exceeding S/NAAQS) | 0 | 0 | 0 |
| 7. Noise Level Impacts (NSAs exceeding Federal Noise Abatement Criteria by 10 dBA or more) | 0 | 0 | 0 |
| 8. Wetlands | 0 | 0 | 0 |
| <u>Costs</u> | | | |
| 1. Engineering and Construction | 0 | \$3,000,000 | \$4,500,000 |
| 2. Right-of-Way | 0 | \$ 670,000 | \$ 675,000 |
| 3. Total Costs | | \$3,670,000 | \$5,175,000 |

III.
**SUMMARY OF
ACTIONS AND
RECOMMENDATIONS**

III. SUMMARY OF ACTIONS AND RECOMMENDATIONS

A. History and Current Status

The project area is located in Baltimore County, due north of the Baltimore City center (see Figure 1). Maryland Route 45, York Road, which is proposed for widening, runs in a north-south direction and crosses Beaverdam Run.

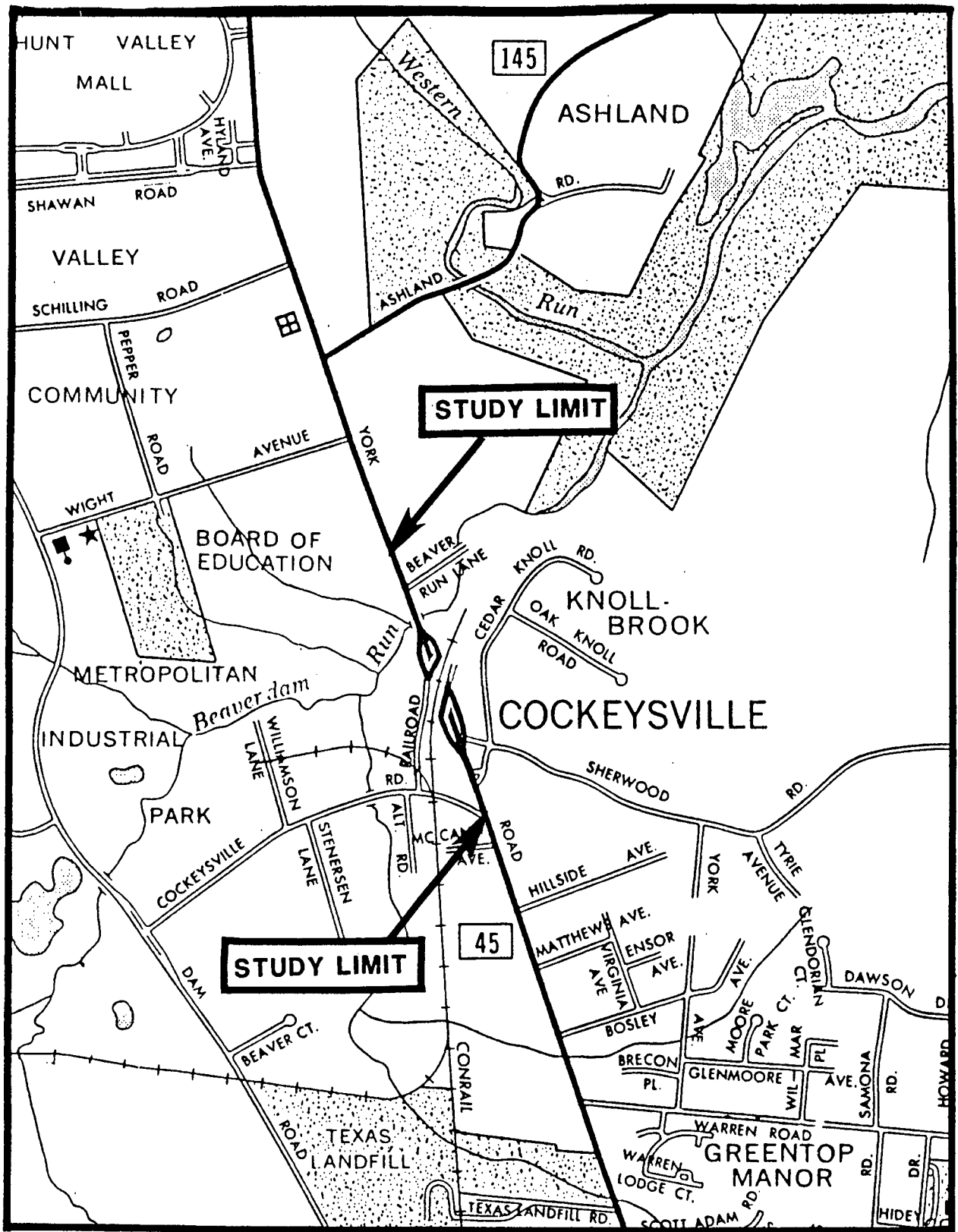
In 1969, a study was conducted for Maryland Route 45 that recommended bypassing Cockeysville through the then undeveloped industrial area to the west. It was hoped that this corridor would be reserved for the bypass along the Kelly Branch floodplain. Again in 1974 studies were conducted to determine the most feasible alignment for Maryland Route 45. Alternates included three routes through Cockeysville and one route bypassing Cockeysville to the west. The corridor for a bypass studied in 1969 was only partially reserved and the resulting development greatly restricted the proposed bypass. It was originally hoped that a bypass of Cockeysville would revitalize the area as a pedestrian oriented shopping center with traffic along Maryland Route 45 reduced to minimal local traffic.

Since the original report in 1969, the "Bonnie Blink" tract of 329 acres north of Shawan Road was developed as a large regional shopping center along with the expansion of the present industrial area. Consideration in deciding the most feasible route for Maryland Route 45 included the history of flooding at Beaverdam Run and the future of the Conrail Railroad operations through Cockeysville.

Flooding due to the Beaverdam Run has damaged property and interrupted traffic along Maryland Route 45 numerous times since 1933. This flooding climaxed in June 1972 due to tropical storm "Agnes," which resulted in a water level 14 feet above the existing low point in York Road and causing loss of life.

The Conrail Railroad operations through Cockeysville are minimal, being confined to a "tail track" and rail storage for the surrounding industrial area. The bridge over York Road and the rail north and east of Western Run are inoperative due to the destruction of the railroad crossing by tropical storm "Agnes." Conrail has no plans to rebuild from Cockeysville to the north.

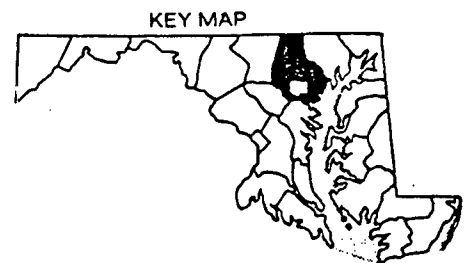
This project is currently listed in the Maryland Department of Transportation's 1986-1991 Consolidated Transportation Program (CTP) for project planning studies.



MD. RTE 45
FROM COCKEYSVILLE ROAD
TO NORTH OF BEAVER RUN LANE

LOCATION MAP

FIGURE 1



B. Need

The purpose of this Maryland Route 45 study is to provide additional traffic capacity through the Cockeysville underpass area, from south of Cockeysville Lane to north of Beaver Run Lane, a distance of approximately 0.5 mile. The Maryland Route 45 corridor is continuing to develop as a center for business and industry, placing increasing demands on the existing two-lane facility. This project will also make this section of York Road consistent with those sections to the north and south.

Just north of the project area, from Beaver Run Lane to Shawan Road, York road is being widened to five lanes. Just south of the underpass activities are currently under way to begin final design to widen York Road to five lanes from Cockeysville Road to Industry Road.

1. Current and Forecasted Traffic Volumes and Level of Service

Quality of traffic flow along a transportation facility is measured in terms of level of service (LOS). This measure is dependent on highway geometry and traffic characteristics, and ranges from LOS "A" (best), through LOS "C" (minimally desirable), and "E" (capacity), to LOS "F" (worst or forced flow).

The roadway currently operates at level of service "E" (capacity). The current average daily traffic (ADT) is 20,000 vehicles. The ADT is projected to reach about 27,000 vehicles by 1995 and 40,000 by design year 2015. The resulting levels of service are as follows:

| <u>Year/Condition</u> | <u>1984/Existing</u> | <u>2015/No-build</u> | <u>2015 Build (Alt. 2)</u> | <u>2015 Build Selected Alt. (Alt. 3)</u> |
|-----------------------|----------------------|----------------------|--------------------------------|--|
| LOS | E/F | F | D/E | D |

2. Current and Forecasted Accident Rates

The study corridor experienced 28 reported accidents during 1981 and 1983. The resulting accident rate of 386 accidents per hundred million vehicle miles of travel (acc/100 MVM) is slightly higher than the statewide average of 341 acc/100 MVM for roadway with similar designs. The corresponding accident cost to the motoring and general public is about \$21 million/100 MVM.

The types of accidents which occur most frequently involve rear end collisions and sideswipes, and the rates are significantly higher than the

statewide averages for these collision types. Those patterns are indicative of traffic congestion.

With the No-build Alternate, the rear end, sideswipe, and total accident rates are expected to remain higher than the statewide average rates. These accidents will stop traffic or cause traffic delays during peak hours of travel.

The improvement of Maryland Route 45 to either a four-lane or five-lane facility should relieve the current traffic congestion, and thereby reduce the high rate of rear end accidents that are now being experienced. The advantage of the proposed improvements will be the increased capacity brought about by the additional lanes.

C. Alternates Presented at the Public Hearing

1. Alternates Considered Under Present Study

a. Alternate 1 (No-Build)

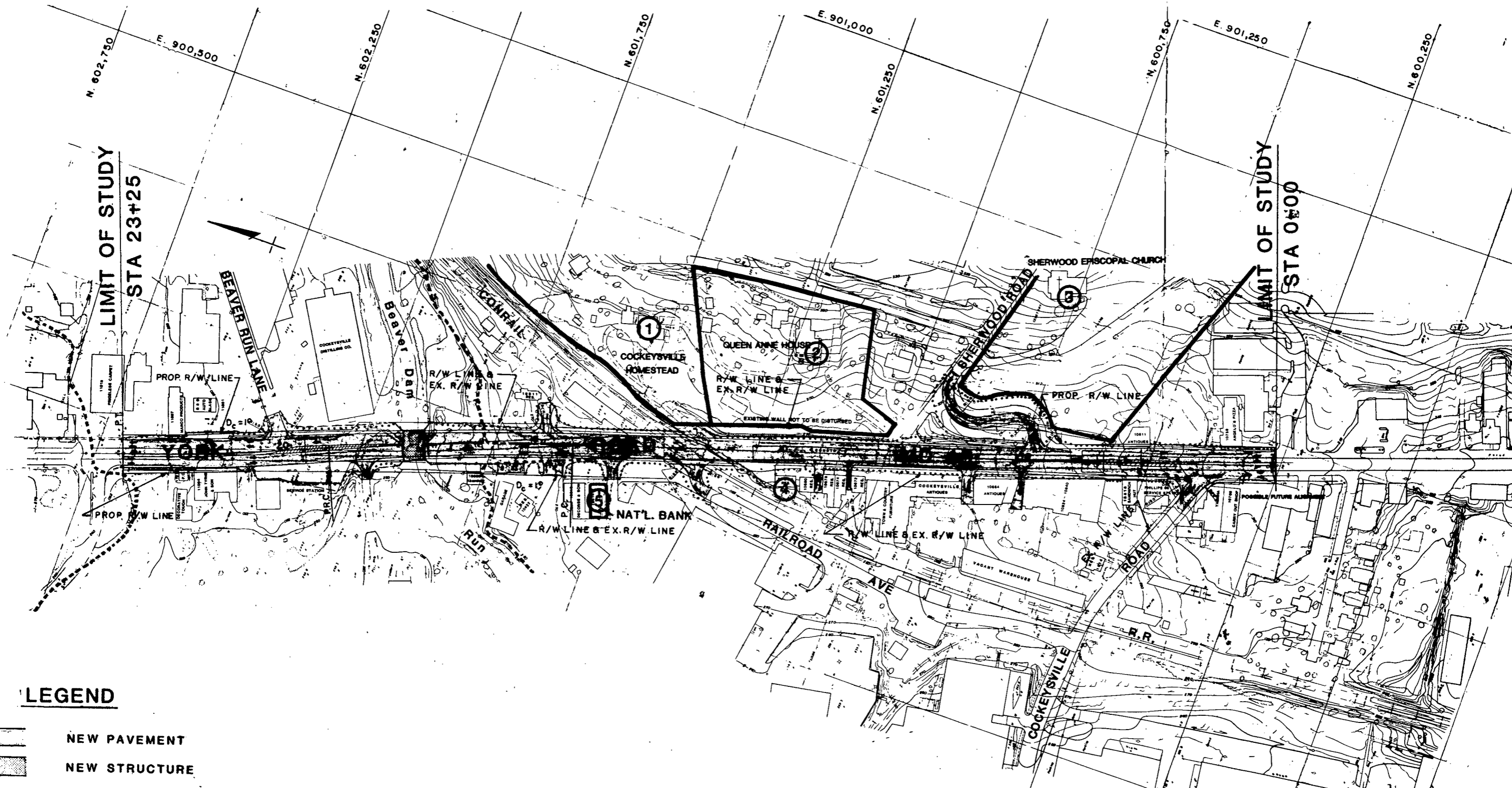
No major improvements would be made to the existing roadway and normal maintenance would continue. This alternate would not offer any improvements to traffic operation or capacity. The existing two-lane roadway is currently operating at capacity during peak hours.

As traffic increases over time, and with the scheduled and planned improvements for York Road north and south of the study area, the underpass will become a serious traffic bottleneck in the future. A No-build Alternate is not an acceptable solution to the transportation problem.








b. Alternate 2 (Four-Lane Curbed Roadway)

This alternate would provide a four-lane curbed roadway approximately 45 feet wide, two lanes in each direction, within a variable width right-of-way (see Figures 2 and 3). There would be an additional lane for left turns to the Noxell Entrance at the north end of the study area. Sidewalks would be provided on both sides of the roadway. The existing bridge over Beaverdam Run would be removed and replaced with a new bridge having 46 feet of clear roadway and 5-foot sidewalks on either side. The overall bridge width from parapet to parapet would measure 56 feet.

A four-lane roadway would not be compatible with the scheduled five-lane improvements to York Road north and south of the study area. A four-lane roadway has been studied to evaluate its relative impact on adjacent development. It has been determined that no significant advantages to the community can be realized by construction of this alternate.



LEGEND

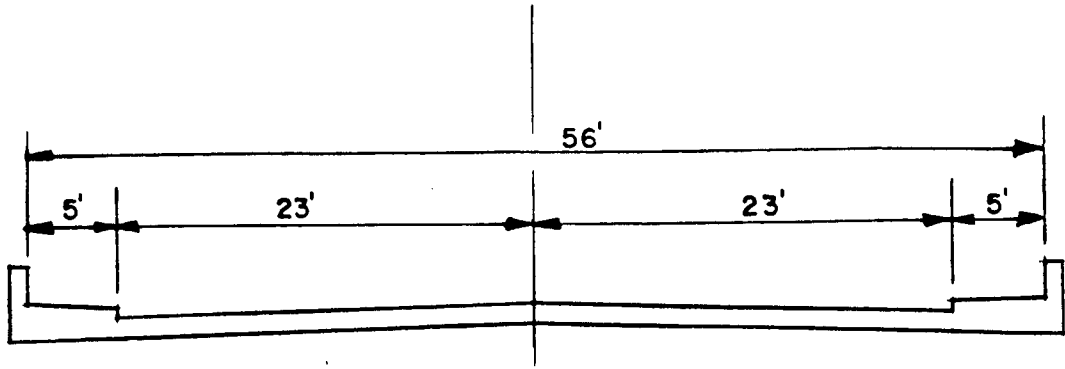
-  NEW PAVEMENT
-  NEW STRUCTURE
-  100 YEAR FLOODPLAIN
-  GRADING LIMITS
-  GRADING LIMITS (WITH HIGH BRIDGE)
-  HISTORIC BOUNDARY
-  AIR AND NOISE RECEPTOR SITES

SCALE: 1" = 200'

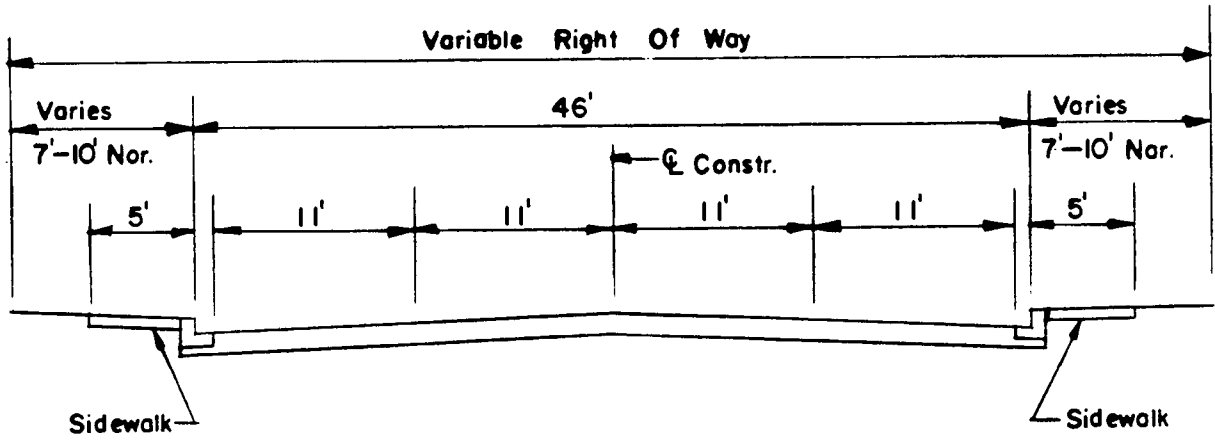
MARYLAND STATE HIGHWAY ADMINISTRATION
 MD. ROUTE 45 (YORK ROAD)
 COCKEYSVILLE UNDERPASS

PLAN

4 LANE ALTERNATE



BRIDGE OVER BEAVERDAM RUN



ROADWAY

THE DIMENSIONS SHOWN ARE FOR THE PURPOSE OF DETERMINING COST ESTIMATES AND ENVIRONMENTAL IMPACTS AND ARE SUBJECT TO CHANGE DURING THE FINAL DESIGN PHASE

MARYLAND STATE HIGHWAY ADMINISTRATION
 MD. ROUTE 45 (YORK ROAD)
 COCKEYSVILLE UNDERPASS
 TYPICAL SECTIONS
 4 LANE ALTERNATE

CONTRACT NO. B-769-101-471

NO SCALE
 FIGURE: 3

c. Alternate 3 (Five-Lane Roadway) (Selected)

This alternate has been preferred during the study and would provide a five-lane curbed roadway approximately 58 feet wide within a variable width right-of-way (see Figures 4 and 5). There would be two lanes in each direction and a center lane serving as a continuous two-way left-turn for direct access to adjacent property entrances and intersections with resultant improvements to traffic flow and safety. Sidewalks would be provided on both sides of the roadway. The existing bridge at Beaverdam Run would be improved and replaced with a new bridge having 58 feet of clear roadway and a 5-foot sidewalk on either side. The overall bridge width from parapet to parapet would be 68 feet.

2. Design Features

a. Build Alternates 2 and 3

The proposed build alternates would generally follow the existing horizontal alignment, with widening on one or both sides depending upon physical constraints.

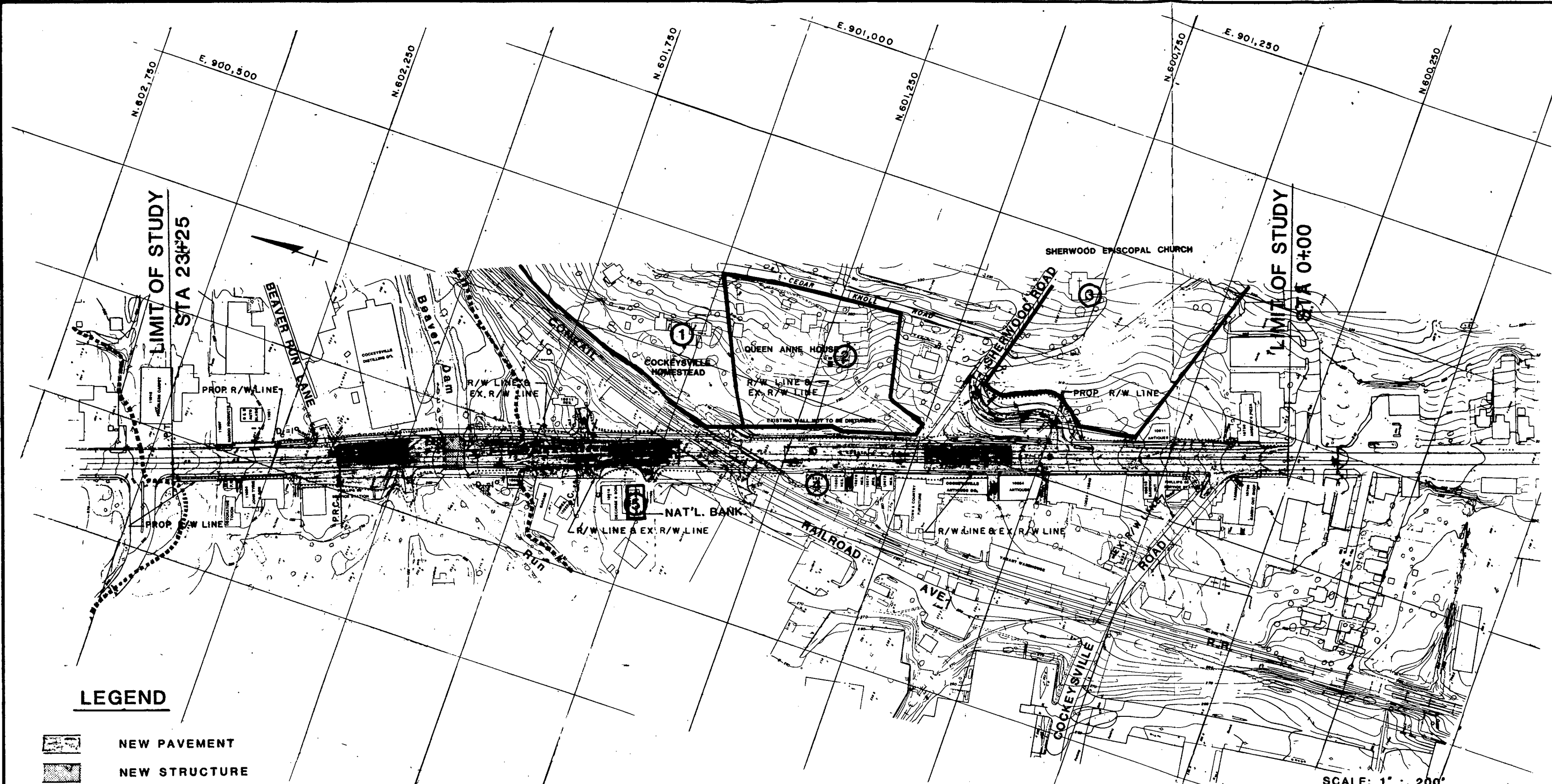
The vertical alignment at the underpass would be raised to approximately the level of the existing service drive on the west side of the underpass. The service drives on each side would be eliminated and direct access would be allowed to York Road. The Conrail Bridge would be removed prior to upgrading and widening. The railroad has no plans to reactivate the line.

The basic right-of-way requirement would be the acquisition of strip taking required for the improvement. Additional right-of-way would be required for the modification of Sherwood Road.

b. The Cockeysville Road connection to Maryland Route 45 will be improved by an adjustment to its turning radius of 30 feet on the north and 50 feet on the south.

c. Sherwood Road's straight connection with Maryland Route 45 will be eliminated. The existing ramp connection to Sherwood Road will be modified and widened to 24 feet for approximately 2,650 feet. The typical section will consist of a 24-foot roadway with 5-foot shoulders on each side with safety grading contained within a 52-foot right-of-way.

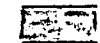


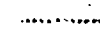
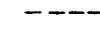


d. A new connection to Railroad Avenue from Maryland Route 45 will be provided. This connection will be approximately 100 feet in length. The typical section will consist of a 20-foot roadway. The radius will be 50 feet on the north and 30 feet on the south.



LIMIT OF STUDY
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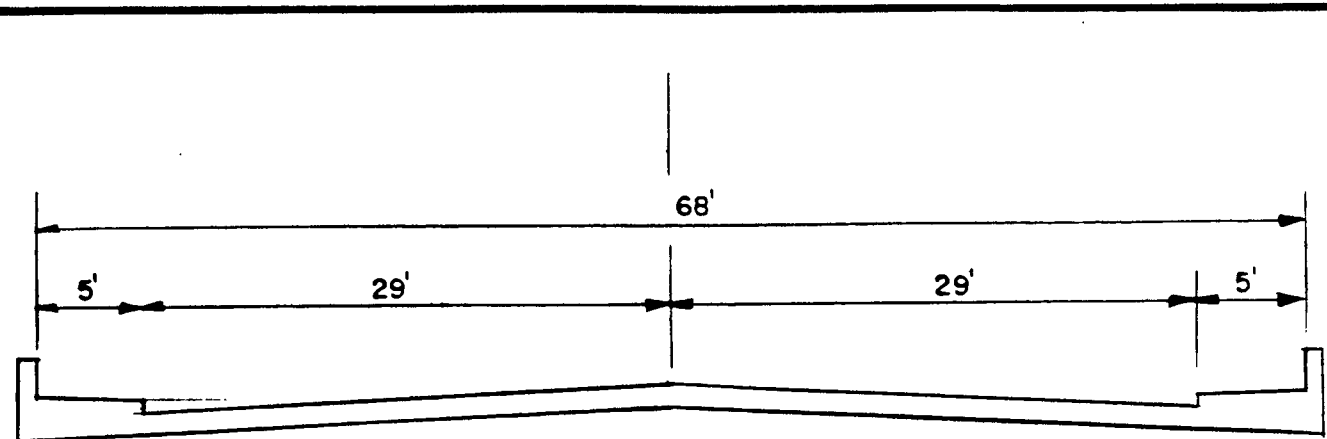
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LEGEND

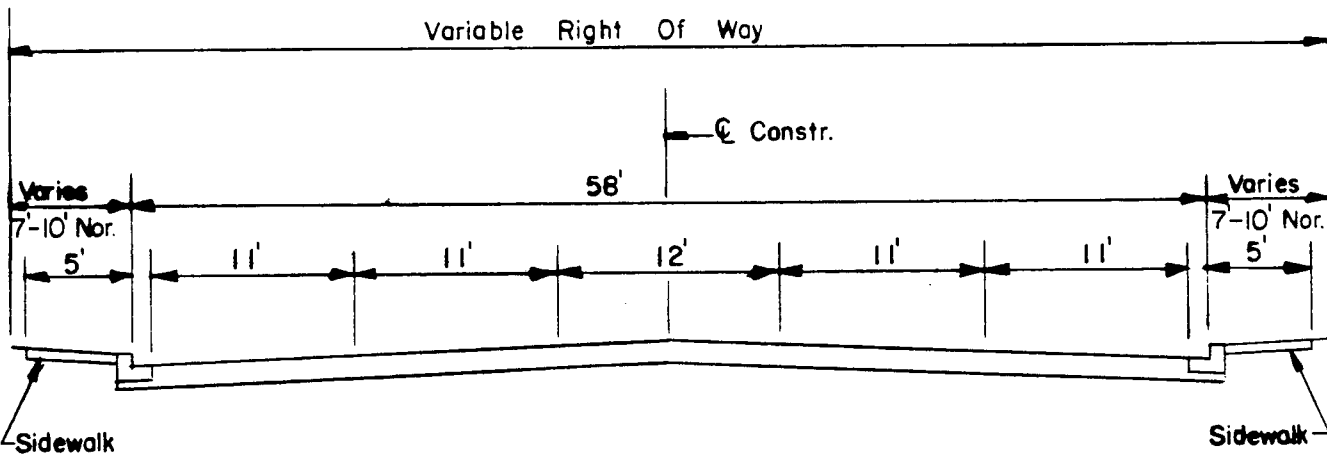
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-  GRADING LIMITS
-  GRADING LIMITS (WITH HIGH BRIDGE)
-  HISTORIC BOUNDARY
-  AIR AND NOISE RECEPTOR SITES

SCALE: 1" = 200'

MARYLAND STATE HIGHWAY ADMINISTRATION
 MD. ROUTE 46 (YORK ROAD)
 COCKEYSVILLE UNDERPASS
ALTERNATE 3
5 LANE ALTERNATE
(SELECTED)



BRIDGE OVER BEAVERDAM RUN



ROADWAY

THE DIMENSIONS SHOWN ARE FOR THE PURPOSE OF DETERMINING COST ESTIMATES AND ENVIRONMENTAL IMPACTS AND ARE SUBJECT TO CHANGE DURING THE FINAL DESIGN PHASE

MARYLAND STATE HIGHWAY ADMINISTRATION
 MD. ROUTE 45 (YORK ROAD)
 COCKEYSVILLE UNDERPASS

TYPICAL SECTIONS
 5 LANE ALTERNATE
 (SELECTED)

CONTRACT NO. B-769-101-471

NO SCALE
 FIGURE 5

e. The Beaver Run Lane connection to Maryland Route 45 will be improved by an adjustment to its turning radius to 30 feet.

f. An off-street surface parking lot could be constructed to the rear of the commercial businesses to the west of Maryland Route 45 and just north of Cockeysville Road to replace existing parking eliminated by the roadway widening.

A conceptual parking lot layout to the rear of the commercial shops was presented at the Public Hearing. The State Highway Administration would be willing to design and fund its construction but would not be responsible for maintenance. This off-street parking lot could be constructed only by agreement and consent of all property owners affected.

3. Other Proposed Projects

To address increasing traffic demands, other transportation improvements being developed in the project corridor must be considered. Just north of the project area, from Beaver Run Lane to Shawan Road, York Road is under construction to a 5-lane street section. Just south of the underpass, activities are currently underway to begin final design to widen York Road to five lanes from Cockeysville Road to Industry Lane. Construction should be underway during 1988. Thus, the 0.5 mile segment of York Road presently proposed for improvements in the vicinity of the Cockeysville underpass will be the only two-lane section between the Baltimore Beltway (I-695) and Shawan Road.

Additionally, Baltimore County is studying two other projects on York Road, the extension of Warren Road to an interchange with Interstate Route 83 and the connection of Beaver Dam Road to Padonia Road.

D. Team Recommendation and Costs

On May 14, 1986, a Project Team Recommendation Meeting was held. The team recommended the selection of Alternate 3, the five-lane urban street. This is based on:

1. Better level of service,
2. Conformance with ongoing construction and planned improvements south of the underpass, and
3. An improved level of service (D vs. E) and left turning capabilities for commercial establishments in the area.

The team recommended that a surface parking lot should be provided to the rear of the antique shops. It was agreed that the SHA should absorb the

construction cost, but should not be responsible for maintenance.

A parking lot scheme is conceptual at this time. It will be refined during coordination with affected property owners. Because the SHA cannot condemn properties to construct a parking lot, its implementation could not occur without the total consent and agreement of the various shop owners affected.

The cost of Alternate 2 is estimated to be about \$3,670,000, and the cost of Alternate 3 is approximately \$5,175,000. The cost for Alternate 3 includes the additional costs of relocating the utilities underground.

E. Environmental Summary

1. Social, Economic, and Land Use Impacts

With Alternates 2 and 3, the patrons of local businesses could experience some temporary inconvenience during construction. However, access would be maintained during construction by using the two existing parallel frontage roads, each of which would carry one direction of traffic.

Approximately 28 parking spaces in front of the stores on the west side of York Road would be eliminated by the construction of the selected build alternate. A scheme for the replacement of these parking spaces is being studied as part of this project.

In the long-term, access to these local businesses and the nearby industrial community will be improved. When the existing road grade is elevated, the roadside businesses will be more visible to passing traffic. This visibility, combined with the elimination of traffic hazards and the "bottleneck" at the underpass, will make it safer and more convenient for passing motorists to patronize these businesses.

One residential displacement would be required; however, the dwelling is unoccupied and abandoned. Three commercial buildings housing eight businesses would be acquired under the selected alternate. No displacement would result from the parking plan. None of the business displacements would affect minorities.

Many of the small businesses that will be displaced have benefited from the lower rents found in this older commercial district. Although relocation is possible, some of the businesses may not be able to afford the higher rents in the newer commercial areas and malls, and may be forced to cease operation. In these instances, the business may be eligible for a monetary award in place of moving costs (i.e., "In lieu of" payment). Relocation is estimated to take

about 18 months. Relocation assistance is available. A "Summary of the Relocation Assistance Program of the State Highway Administration of Maryland" is included in the Appendix.

No public parks or recreational areas will be affected.

The selected alternate, Alternate 3, is consistent with the Baltimore County Master Plan (1979-1990).

2. Cultural Resource Impacts

No property will be required from any site listed on, or considered eligible for listing on the National Register. The State Historic Preservation Officer (SHPO) has determined that neither the Cockey Homestead or Queen Anne House will be affected. He believes that the National Bank and the Sherwood Episcopal Church and Rectory may be affected, but not adversely. The final plans for the road in the vicinity of the last site will be circulated to the SHPO for review and comment in the design phase of project development. His August 5, 1985, letter is included in the Comments and Coordination Section.

No archeological sites were identified in the project area.

3. Natural Environment Impacts

Soils

No prime or unique farmland soils have been identified in the project area.

Surface Waters

The proposed improvement will cross Beaverdam Run, which is designated Class III (National Trout Waters) by the Department of Health and Mental Hygiene. A bridge structure is proposed for this crossing. Because trout are known to reproduce in Beaverdam Run, no in-stream construction will be permitted from October 1 through April 30.

Floodplains

Final design for the proposed improvements will include plans for grading, erosion and sediment control, and stormwater management, in accordance with State and Federal laws and regulations. They will require review and approval by the Maryland Department of Natural Resources-Water Resources Administration (WRA) and the Department of Health and Mental Hygiene-Office of Environmental Programs (OEP). A waterway construction permit will also be required from the Department of Natural Resources.

Due to the nature of the project, construction occurring within the 100-year floodplain is unavoidable. A preliminary hydraulic analysis indicates that the

selected action would not result in any significant adverse effects on storage capacity or water surface elevation. By controlling the size of the structure, increases in the flood levels can be minimized. Detailed hydraulic studies in accordance with Executive Order 11988 are presently under way. As such, this project would not result in risks or impacts to the beneficial floodplain values or provide direct or indirect support to further development within the floodplain. Therefore, the floodplain encroachment was determined to be non-significant. In accordance with the Federal Aid Highway Program Manual, 6-7-3-2, a floodplain finding is not required.

Habitat

The proposed project will not result in any significant impacts to terrestrial or aquatic habitats. No state rare or federally listed threatened or endangered species will be affected.

Wetlands

Less than 0.1 acre of riverine, non-tidal wetlands will be affected by the selected alternate. However, this figure may be revised upon completion of the hydraulic analysis.

4. Noise Impacts

A detailed noise analysis has been completed for the No-build Alternate and the selected alternate. The results of the noise studies are contained in Table 2 and in the Noise Report, which is available for review at the Maryland State Highway Administration, 707 North Calvert Street, Baltimore, Maryland 21202.

The Federal Highway Administration noise abatement criteria will be exceeded at noise sensitive areas 4 and 5 for the selected alternate. The receptor sites are identified in Table 3.

Noise sensitive areas 4 and 5 will have projected 2015 noise levels (3 dBA and 1 dBA, respectively) over the noise abatement criteria. A barrier at either location would have to be segmented for driveway and cross-street access from York Road (Maryland Route 45) and would not be effective.

5. Air Quality Impacts

A detailed microscale air quality analysis of the No-build and the selected alternate has also been performed. No violation of the 1-hour or 8-hour State or National Ambient Air Quality Standards will occur with the No-build Alternate or the Build Alternate in 1995 or 2015. The results of the air quality analysis are also available for review at the Maryland State Highway Administration in

Baltimore. The receptor sites are identified in Table 3 and the results of the microscale analysis are shown in Table 4.

The project is in an air quality nonattainment area which has transportation control measures in the State Implementation Plan (SIP). This project conforms with the SIP in that it originates from a conforming transportation improvement program.

F. Positions Taken

1. Elected Officials

On March 1, 1985, the Baltimore County Senate Delegation submitted a letter expressing its unanimous support for the project.

On March 5, 1985, the Executive of Baltimore County, Donald Hutchinson, concurred with the Administration's proposal to proceed with the project.

2. Agencies

The Baltimore County Director of Planning endorsed the need for this project. He suggested indicating directional traffic estimates with turning movements for the intersections of York Road with Cockeysville Road, Sherwood Road, and Beaver Run Lane. He further suggested that three schemes for parking be presented in the document and that SHA consider granting permission for vehicles to stop on York Road for loading and unloading in off peak and weekend hours. Responses to these concerns can be found on p. V-15.

3. Citizens

Citizen comments received as a result of the May 7, 1986, Public Hearing revolved about a number of concerns, such as congestion in the study area, loss of parking places in front of the businesses, maintenance of access to the businesses during construction, signalization at Sherwood Road and other intersections, the realignment of Sherwood Road, and control of flooding at Beaver Run Lane. There was general agreement that the construction of other projects, such as Warren Road Extended, should be implemented and coordinated with this project in order to reduce traffic during and after construction.

4. Civic Groups

On January 4, 1985, the Baltimore County Chamber of Commerce expressed support of this project. Members suggested that the alignment be shifted slightly to the north to avoid impacts to area businesses, that the Administration provide direct access to the rear of the businesses, and that the option of on-

street parking during off-peak hours be explored. Responses to these concerns are provided on p. V-55.

TABLE 2
Projected Noise Levels

| NSA | Description | Ambient Leq | No-Build | Design Year (2015) Leq | | | |
|-----|------------------------|----------------|----------|------------------------|------------|------------------------|------------|
| | | | | *Alt. 2L | Alt. 2H | Selected Alt. 3L | Alt. 3H |
| 1 | Residential (Historic) | 54 | 54 | 60 | 60 | 60 | 60 |
| 2 | Residential (Historic) | 55 | 56 | 61 | 61 | 61 | 61 |
| 3 | Church (Historic) | 58 | 53 | 56 | 56 | 56 | 56 |
| 4 | Residential | 65 | 64 | 70 | 70 | 70 | 70 |
| 5 | Office (Historic) | 66 | 63 | 68 | 68 | 68 | 68 |

*Each alternate has been analyzed utilizing both a low level bridge replacement structure (L) over Beaverdam Run, about 2.5 feet higher than the existing structure, and a high level bridge replacement structure (H) over Beaverdam Run, about 5 feet higher than the existing structure.

TABLE 3
Air Quality and Noise Analyses Sites

| <u>Site No.</u> | <u>Description/Location</u> |
|-----------------|--|
| 1 | Residence, 2-story frame Cockeysville Homestead 10899 York Road (Historic) |
| 2 | Residence, 2-story frame Queen Anne House Cedar Knoll Road (Historic) |
| 3 | Sherwood Episcopal Church and Rectory Sherwood Road (Historic) |
| 4 | Residence, 2-story frame 10884 York Road |
| 5 | National Bank of Cockeysville 2-story brick 10914 York Road (Historic) |

TABLE 4
CO Concentrations* at Each Receptor Site, PPM

| Receptors | NO-BUILD | | | | BUILD ALTERNATE | | | |
|-----------|----------|-------|-------|-------|-----------------|-------|-------|-------|
| | 1995 | | 2015 | | 1995 | | 2015 | |
| | 1 HR. | 8 HR. | 1 HR. | 8 HR. | 1 HR. | 8 HR. | 1 HR. | 8 HR. |
| 1 | 11.0 | 4.0 | 9.5 | 3.5 | 10.8 | 3.9 | 9.1 | 3.3 |
| 2 | 11.2 | 3.9 | 9.4 | 3.5 | 10.9 | 3.9 | 9.2 | 3.4 |
| 3 | 11.0 | 3.9 | 9.2 | 3.4 | 10.8 | 3.9 | 9.1 | 3.3 |
| 4 | 11.6 | 4.3 | 10.2 | 3.9 | 11.1 | 4.1 | 9.5 | 3.6 |
| 5 | 11.8 | 4.4 | 10.6 | 4.1 | 11.0 | 4.1 | 9.4 | 3.5 |

*Includes Background Concentrations.

The S/NAAQS for CO: 1 HR maximum = 35 PPM
8 HR maximum = 9 PPM

IV.
PUBLIC
HEARING
COMMENTS

IV. PUBLIC HEARING COMMENTS

On May 7, 1986, a Location/Design Public Hearing was held and attended by 130 citizens. Alternates 1 and 2 were presented with Alternate 3, the five-lane street which was specified as the preferred alternate. Concerns were expressed about the Maryland Route 45 traffic lights at Sherwood Road, Beaver Run Lane, and Cockeysville Road, and parking for businesses. Representatives of Senator Francis Kelly and Delegate Ellen Sauerbrey supported the need for improvements, but did not state a preference for either build alternate.

Fifteen persons made statements following the formal presentations by SHA personnel. The following is a summary of the statements made.

Written comments received subsequent to the Public Hearing are presented in the Correspondence Section.

1. Ms. Patricia McGrath, 2418 Springlake Drive, Timonium.

Comment:

Ms. McGrath is concerned with vehicular access in the study area during construction. She urged the Administration to provide alternative routes during and after Maryland Route 45 is under construction. She also voiced concern that increased traffic on Church Lane and Beaverdam Run might impact a church and school located on Church Lane.

SHA Response:

Access to the community along Maryland Route 45 will be maintained during construction by using the existing frontage roads. Traffic will not be detoured to other area streets.

2. Mr. Steve Bruells, an engineer representing Mr. Rosen of Mark Downs.

Comment:

Mr. Bruells is concerned about exits onto and from Beaver Run Lane. His client prefers Alternate 3 over Alternate 2. If Alternate 2 is selected, he requested studies to determine the feasibility of traffic control devices. He asked if there were plans to detour traffic, and how traffic would be maintained during construction. Finally, he questioned whether or not flood control was being provided on the new portion of road.

SHA Response:

Alternate 3 has been selected. The Administration will maintain one lane of traffic in each direction during construction and will not detour traffic. As to flood impacts, results of the hydraulic analysis currently underway will determine if any flood controls will be required.

3. Mr. Richard Crouse, 35 Sherwood Road.

Comment:

Mr. Crouse voiced concern about the difficulty of turning southbound on Maryland Route 45 from Sherwood Road if there is elimination of parking on Maryland Route 45, the institution of a 40 mph speed limit, and reduction of sight distance on the east side because of raising the grade, especially as regards school bus safety. He was also concerned about the impacts to community integrity and to the small businesses, especially with the elimination of York Road parking, and with what he perceived were deficiencies in the Administration's approach to the replacement parking lot. He asked about the two sites at which noise criteria were exceeded and if the higher noise levels would be mitigated. He asked about blasting at the underpass and if the Administration had considered that traffic would increase on Sherwood Road as drivers used it as a shortcut to Warren Road.

SHA Response:

Neither the ability to turn south from Sherwood Road nor the safety of the facility would be decreased by the elimination of parking, increasing the speed limit, or raising the grade.

The posted speed limit in the area of the underpass will be consistent with the section of York Road to the south. There won't be any blasting. Noise barriers to mitigate impacts at the two sites which exceed criteria would have to be segmented for access and would, therefore, not be effective. By the time the Maryland Route 45 project is completed, the improvements to Industry Lane and the construction of Warren Road Extended will be either underway or completed, thus traffic on Sherwood Road should not increase.

4. Mr. DeCourse, owner of business at top of overpass.

Comment:

Mr. DeCourse commented that a stoplight may be needed at Sherwood Road to provide left turns. He supports Alternate 3, the five-lane alternate.

SHA Response:

Signalization is considered in the design phase or construction phase of the project on the basis of national warrants.

5. Mr. Anthony Minokowski, 73 Montview Court, President of St. Joseph's Parish Council.

Comment:

Mr. Minokowski was concerned that traffic will use Beaverdam Road and Church Lane during construction. He suggested that roadway improvements in the

vicinity of the project be coordinated so that traffic can use Industry Lane or other alternative routes.

SHA Response:

The Administration will develop a traffic maintenance plan which does not utilize a detour route.

6. Mr. Rosen, property owner on Montview Court.

Comment:

Mr. Rosen requested traffic lights at Sherwood Road, Beaver Run Lane and Cockeysville Road for safety reasons. He asked when Maryland Route 45 would be widened and if Warren Road Extended and Beaverdam Road would be completed by the time Maryland Route 45 was widened. He suggested the extension of McCormick Road to Beaverdam Road and Padonia Road to reduce traffic on York Road. He asked if traffic projections had considered these additional roadways. His final concern was with the current flooding of Beaverdam Run.

SHA Response:

A traffic signal analysis will be undertaken during the design phase of the project. There are no funds currently programmed for the right-of-way acquisition or construction of the project. It would be at least 5 years before the project construction would begin. Warren Road Extended is programmed for construction and Beaverdam Road is a County project.

The traffic projections are based on the Warren Road Extended and Industry Lane connection. Finally, stormwater management controls will be required for this project to minimize impacts to Beaver Dam Run and per Department of Natural Resources regulations.

7. Mr. Andrew Harris, future resident on Montview Court.

Comment:

Mr. Harris was concerned with the realignment of Sherwood Road. He asked if signalization had been considered, and how citizens would have some input into the process for installing such a signal.

SHA Response:

Signalization is considered in the design phase or the construction phase on the basis of a national standard. The sight distance of Sherwood Road will be considered in the design phase. The Administration proposes to realign Sherwood Road because of the severe safety problem posed by the 12 percent grade as Sherwood Road approaches York Road.

8. Ms. Barbara Lewis, 10914 York Road.

Comment:

Ms. Lewis was concerned about impacts and access to her place of employment, the Bank building. She questioned whether the existing frontage road in front of the building would be used as a detour. She also requested signing to identify Cockeysville Road and the one way frontage road in the vicinity of her business. She pointed out that the clearance sign at the underpass had been removed and that the top of the underpass is cluttered.

SHA Response:

The bank building will not incur any construction impacts, and the frontage road in front of it will be utilized as a detour during construction. As to how to maintain access to the businesses during the construction phase, the Administration will discuss alternate parking and access as part of the negotiation with the business owners. The Administration will also look into the questions concerning signing.

9. Ms. Grempler, of Grempler Reality.

Comment:

Ms. Grempler asked what access would be available to the Cockey Homestead and Queen Anne House, both during and after construction, should replacement of the wall on the western edges of these properties be necessary.

SHA Response:

Because the Queen Anne House currently has alternative access from Cedar Knoll Road, its access to York Road will not be replaced if the wall was removed. The Cockey Homestead, however, which only has one access point, will continue to have the same access during and following the construction phase of the project should wall replacement be necessary.

10. Mrs. Anne Fisher, operator of antique store at 10834-40 York Road.

Comment:

Mrs. Fisher asked if the Administration had contacted the store owners regarding the parking lot, and if there is an alternative plan if the owners refuse to supply the parking.

SHA Response:

The Administration has not contacted the property owners concerning the proposed parking lot. The situation is a local issue, and the question of government owned and maintained parking should be referred to Baltimore County. For State Highway purposes, this Administration cannot condemn land for parking

lots or maintain parking lots for businesses. Building a lot as a compensation for the loss of on-street parking is a proposal only.

11. Ms. Debra Crouse, antique dealer (tenant) at 10811 York Road and resident on Sherwood Road.

Comment:

Ms. Crouse questioned when the property would be acquired and her business closed. She voiced concern that other antique stores would be put out of business as well, because the building owners would refuse to provide and maintain the parking lot.

SHA Response:

The property at 10811 York Road has been sold to a Jiffy Lube business, and it is not known when it plans to remove the building.

12. Mr. Bill Cullum, 33 Sherwood Road.

Comment:

Mr. Cullum wanted to know why approach from Sherwood Road to York Road was being changed. He questioned whether consideration had been given to a yield situation or signal from Sherwood Road to northbound York Road. He also questioned the rationale for the project.

SHA Response:

Sherwood Road will be realigned in order to modify the existing 12 percent grade on Sherwood Road, which would pose a safety problem when York Road is widened, especially during winter driving conditions. The realignment is designed so that drivers approach York Road at a right angle.

Providing safe access to northbound York Road by means of a yield lane is not possible without encroaching upon the retaining wall on the east side of York Road and upon the historic Queen Anne House property.

Signalization will be studied. The roadway improvements are required in order that traffic flows in an acceptable manner in the design year 2015. Despite the existence of I-83, the traffic capacity problems are projected to increase.

13. Mr. Robert Carter, 36 Sherwood Road.

Comment:

Mr. Carter questioned how the 12 percent grade on Sherwood Road would be reduced.

SHA Response:

The side of the hill would be cut.

14. Mr. Steve Rhine, owner of 10722 York Road.

Comment:

Mr. Rhine was concerned that he will lose 12 to 15 parking spaces if this plan is implemented. He also stated that Cockeysville Road was not designed for the heavy traffic flow that exists. He feels that the flooding problem will not be addressed adequately by the project. He suggested a widening of Beaverdam Road as an alternative solution.

SHA Response:

The widening of York Road from Cockeysville Road to Industry Lane will begin in approximately three years and will occur entirely within SHA right-of-way. No right-of-way will be acquired.

The Administration will contact property owners to discuss parking alternatives if on-street parking is affected. Even though projects in the vicinity, such as the Industry Lane connection and Warren Road Extended are moving toward construction, traffic on York Road is projected to double in the design year. Baltimore County is currently studying the feasibility of widening Beaverdam Road.

15. Ms. Ruth McLaughlin, 10818 York Road, owner of Abundant Treasures Antique Shop.

Comment:

Ms. McLaughlin commented that the project will require all of the parking places currently located in front of the antique shops on the west side of York Road. The front of the buildings serve as loading areas, which will also be removed. Therefore, customers will not be inclined to buy from them because of the need to cart their purchases so much further. She stated that some of the shops did not have rear entrances.

SHA Response:

SHA representatives will meet with affected business owners to discuss alternate ways to address their concerns.

V.
CORRESPONDENCE

A. Elected Officials



BALTIMORE COUNTY
EXECUTIVE OFFICE
TOWSON, MARYLAND 21204
(301)494-2450

DONALD P. HUTCHINSON
COUNTY EXECUTIVE

March 5, 1985

Mr. Hal Kassoff, Administrator
State Highway Administration
P.O. Box 717
Baltimore, Maryland 21203

Re: Contract No. B 769-101-471
Elimination of the Cockeysville Underpass
Maryland Route 45
PDMS No. 033025

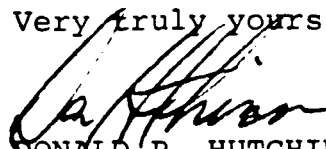
Dear Mr. Kassoff:

Your letter of February 13, 1985 addresses the study scope to remove the inactive Conrail Bridge over York Road in conjunction with widening and upgrading the roadway for a distance of approximately 0.5 mile. It is my understanding an Alternates Public Meeting was held on December 6, 1984 to present initial studies to the public.

The State Highway Administration is now ready to proceed with the Final Project Planning for this project and as part of this effort flood plain analysis will be conducted of Beaver Dam Run. I strongly support this effort.

Therefore, in accordance with Section 8-612 of the 1980 Annotated Code of the Public General Laws of Maryland, my concurrence is given to proceed with the Final Project Planning for the Maryland Route 45 project.

Very truly yours,

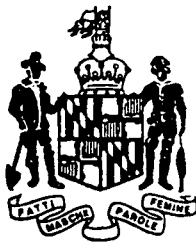

DONALD P. HUTCHINSON
County Executive

TATE HWY ADM

DPH:hbm

COPY TO [unclear]

55 1:31



42

SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401-1991

JOHN C. COOLAHAN
12TH LEGISLATIVE DISTRICT
BALTIMORE COUNTY
COMMITTEES:
BUDGET AND TAXATION
EXECUTIVE NOMINATIONS
CHAIRMAN
SENATE SELECT COMMITTEE # 4
BALTIMORE COUNTY

DISTRICT OFFICE:
1330 SULPHUR SPRING ROAD
ARBUTUS, MARYLAND 21227
242-5699
ANNAPOLIS OFFICE:
SENATE OFFICE BUILDING
SUITE 205
ANNAPOLIS, MARYLAND 21401-1991
841-3653

March 1, 1985

Hal Kassoff, Administrator
Maryland Department of Transportation
State Highway Administration
Post Office Box 717
Baltimore, Maryland 21203-0717

Re: Contract No. B 769-101-471
Elimination of the Cockeysville
Underpass
Maryland Route 45
PDMS No. 033025

Dear Mr. Kassoff:

Your letter of February 13, 1985 and the information booklet from the Alternates Public Meeting with regard to the above-captioned contract has been read by each member of the Baltimore County Senate Delegation.

There was unanimous agreement by the Delegation for support of this project as indicated on the enclosed signature sheet.

Thank you for notifying me of the Final Project Planning for the Maryland Route 45 project.

Very truly yours,

John C. Coolahan
Chairman
Baltimore County Senate Delegation

TATE HWY ADM

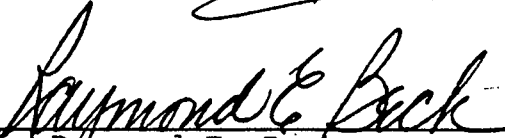
MAR 05 1985 JCC:acs
Enclosure

MAR 06 1985 9 05 AM '85

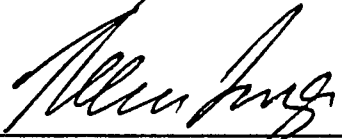
February 19, 1985

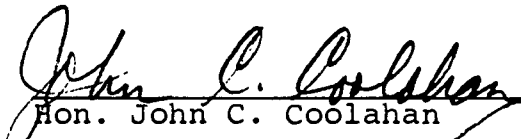
I have read the attached letter from Hal Kassoff, Administrator, State Highway Administration and indicate my support by my signature below.

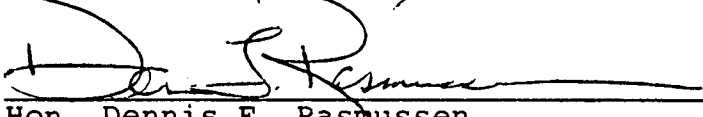

Hon. Francis X. Kelly



Hon. Raymond E. Beck

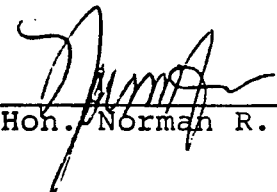

Hon. Thomas L. Bromwell


Hon. F. Vernon Booser


Hon. John C. Coolahan


Hon. Dennis F. Rasmussen


Hon. Melvin A. Steinberg


Hon. Norman R. Stone, Jr.

Please return to John C. Coolahan, Room 205 S.O.B.

B. Agency Coordination

TORREY C. BROWN, M.D.
SECRETARY

JOHN R. GRIFFIN
DEPUTY SECRETARY



JAMES W. PECK
DIRECTOR

45

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
WATER RESOURCES ADMINISTRATION
TAWES STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

PROJECT DEVELOPMENT DIVISION
MAY 21 3 29 PM '86

May 22, 1986

Mr. Louis H. Ege, Jr.
Deputy Director
Project Development Division
State Highway Administration
707 N. Calvert Street - Room 310
Baltimore, MD 21202

Re: WRA No. 86-WC-0045
SHA No. B-769-101-471
Environmental Assessment for MD 45
from Cockeysville Lane to North of
Beaver Run Lane in Baltimore
County

Dear Mr. Ege:

The above referenced document has received necessary review by the Water Resources Administration and other agencies within the Department of Natural Resources. The following is a summary of comments by this office and the ones provided by the Forest, Park and Wildlife Service, the Coastal Resources Division of the Tidewater Administration, and the Flood Management Division of WRA.

In accordance with Section 8-803, Natural Resources Article, Annotated Code of Maryland, a Waterway Construction Permit will be required by this Administration should the selected alternative alter the course, current, or cross-section of Beaverdam Run. Please be advised that application has been received within this office for the Beaverdam Run crossing and is under review. Beaverdam Run is a Class III waterway and any in-stream construction will be prohibited for the period October 1 - April 30, inclusive.

Additionally, in accordance with Section 8-1105 and Section 8-11A-05, Natural Resources Article, Annotated Code of Maryland, the subject project requires necessary review and approval for sediment control and stormwater management requirements by the Sediment and Stormwater Division of this Administration.

1

V-6

(301) 269-2265

Telephone: _____

Mr. Louis H. Ege, Jr.
May 22, 1986
Page Two

Panel 235 of the Baltimore County Flood Boundary and Floodway Map indicates that the floodplain is approximately 1600' wide and the floodway is 1500' wide. Buildings are located within the floodway as well as the floodplain fringe. SHA is responsible as per Executive Order 11988 for avoiding floodways or submitting computations which support the changes.

2

Removal of the underground fuel tanks will require a permit from the Baltimore County Health Department. Any saturated materials must be disposed of in a manner consistent with Section 8-1405, Natural Resources Article, Annotated Code of Maryland.

3

No descriptions are given of the flora and fauna of the area, nor specific evaluations of habitat value. Site specific tabulations of the observed and expected wildlife and aquatic survey results should be given as well as that of the vegetative communities. Changes and effects to both the terrestrial and aquatic systems should be quantified.

4

The floodplain acreage falls within the U. S. Fish and Wildlife Service wetlands definition (Cowardin 1979). A field delineation should be performed by someone familiar with the Cowardin (U. S. Fish and Wildlife Service) wetland classification system and field techniques for identification of hydric soils and wetland vegetation. This is necessary because of the large scale of National Wetland inventory maps and the potential for wetlands which are not indicated on the maps. The NWI maps should be used as a guide and not as a final reference. Accurate delineation and description of the wetlands impacted would allow for accurate design of the mitigation for wetlands impacts.

5

Page I-6 states, "Beaverdam Run has been identified on the National Wetland Inventory as Riverine - Lower Perennial - Open Water - Permanent." However, page IV-6 states that, "No tidal or non-tidal wetlands will be affected by the proposed project." Since activity will occur in the floodplain, the aforementioned statements appear contradictory and should be clarified.

6

Sincerely,

Randy L. Harrill
Chief, Waterway Permits Division

RLH:WDCA:das

cc: Rebecca Q. Hughes
Edwin Weber
Elder Ghigiarelli

SHA Response to Department of Natural Resouces-Water Resoures Administration
letter of May 22, 1986.

1. SHA will submit the sediment control and stormwater management plan for final approval when appropriate.
2. SHA is presently conducting detailed hydraulic studies that will be subject to WRA approval and in compliance with Executive Order 11988.
3. SHA will acquire the necessary permit from the Baltimore County Health Department for the removal of the underground fuel tanks and disposal of any contents.
4. Wooded portions of the Maryland Route 45 study area can be classified as either the Tulip Poplar Association or the Sycamore Green Ash-Box Elder-Silver Maple Association.

Species such as deer, rabbit, squirrel, racoon, dove, waterfowl, reptiles, amphibians, and fish are representative of wildlife population in the study area but not in the immediate project vicinity which is highway urbanized.

The existing study area is predominately commercial in nature and as such any wooded areas required are widely scattered and are of minimal value as wildlife habitat.

The September 4, 1985, letter from Fisheries Division of DNR indicates that while both brook and brown trout are found in the Beaverdam Run watershed none were found during their survey in the vicinity of the existing Maryland Route 45 bridge. The Fisheries Division also indicated that they had no objection to the replacement of the bridge provided certain measures, outlined in their letter, are followed.

5. & 6. The riverine wetlands in question were field checked. The extent of these wetlands includes the stream channel itself and vegetation up to the top of stream banks. According to FWS/OBS-79/31, not all floodplains have attributes that are characteristic of wetlands. Less than 0.1 acres of rivreine wetlands will be affected by the selected alternate.



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

May 14, 1986

MAY 26 12 27 PM '86

PROJECT
DEVELOPMENT
DIVISION

Mr. Louis H. Ege, Jr.
Deputy Director
Project Development Division
State Highway Administration
Room 310
707 North Calvert Street
Baltimore, Maryland 21203-0717

Dear Mr. Ege:

My staff has reviewed the Environmental Assessment for York Road, Maryland Route 45, from Cockeysville Lane to north of Beaver Run Lane. With the exception of the few points below, the document seems to be an adequate discussion of the potential effects that might be expected to follow from the project.

At the public hearing on this project held on May 7, 1986, there was much testimony regarding traffic and, perhaps, the need for signal controls at the intersections of Cockeysville Road, Sherwood Road, and Beaver Run Lane with York Road. I think it would be helpful for you to present directional traffic estimates with turning movements for these intersections morning and evening peak periods rather than mere ADT. This data will be important for discussions about the need for signals as well as the need for removal of parking on York Road in the heart of Cockeysville.

1

Relative to parking, I think each of the three potential schemes to replace the existing parking on York Road should be detailed. In addition, I think you should consider granting permission to stop on York Road for loading and unloading in off-peak hours or, perhaps, on weekends. There was testimony at the public hearing that many of the antique stores, whose parking would be eliminated or relocated to the rear of the shops, do not have adequate rear entrances.

2

3

Lastly, I think it would be good to add some more discussion regarding the need for this important project. Flooding of the existing roadway under the bridge should be mentioned. You might also point out that the old NCRR right-of-way from Ashland to Monkton is now a trail for hiking, biking, and horseback riding. It is owned and operated by the Maryland Department of Natural Resources.

4

5

Mr. Louis H. Ege, Jr.
Page 2

May 14, 1986

I trust that you will be able to make the changes I have requested. If you have any questions or if we may be of further service, please call me or Mr. William A. Irgens at 494-3495.

We support the expeditious completion of this project.

Sincerely,


Norman E. Gerber, AICP

NEG:WAI:vh

cy: Mr. B. Melvin Cole
Administrative Officer

Harry J. Pistel, Director
Dept. of Public Works

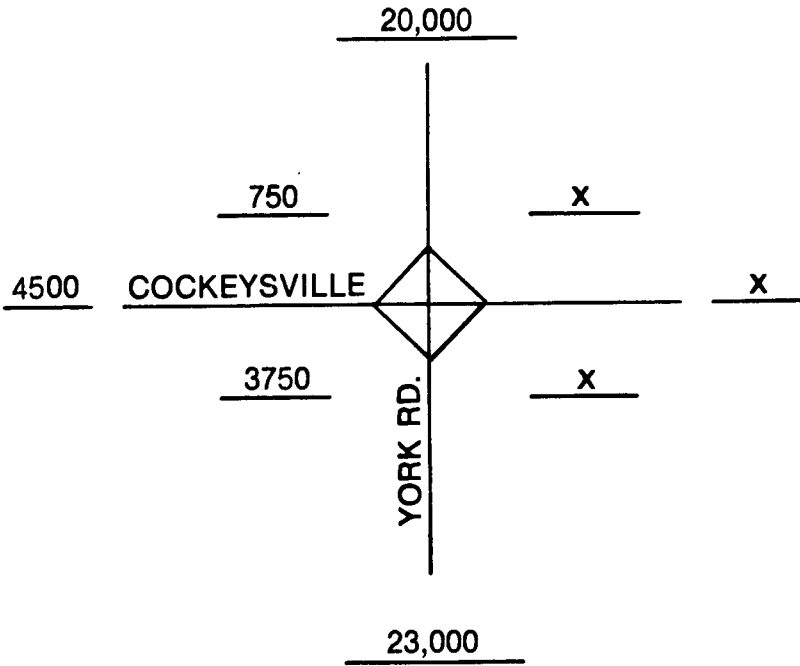
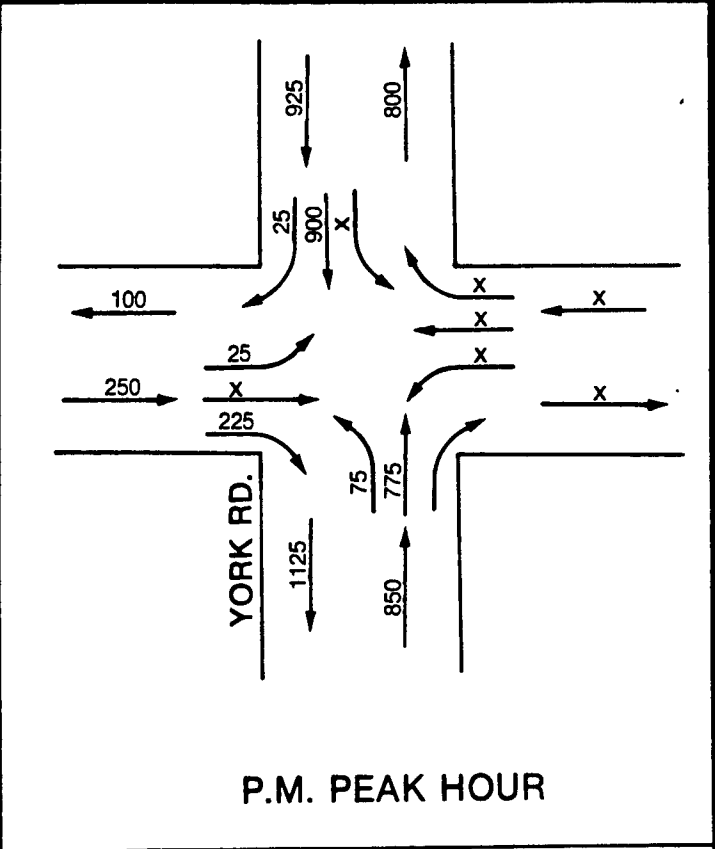
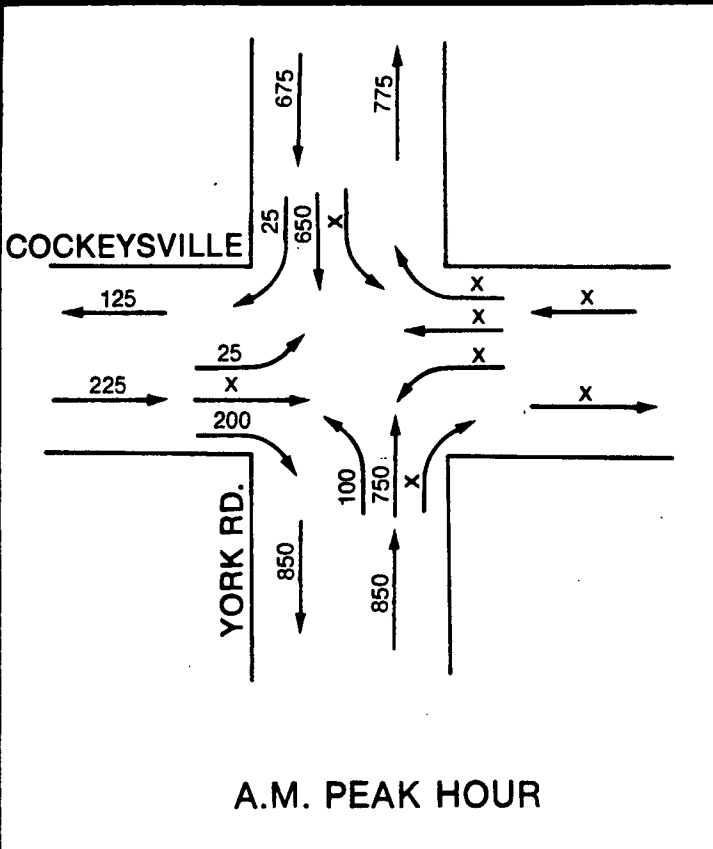
Robert L. Hannon, Director
Economic Development Commission

C. Richard Moore, Deputy Director
Dept. of Traffic Engineering

Jaak Pedak
Transportation Planner
Administrative Office

SHA Response to Baltimore County of Planning and Zoning letter of May 14, 1986.

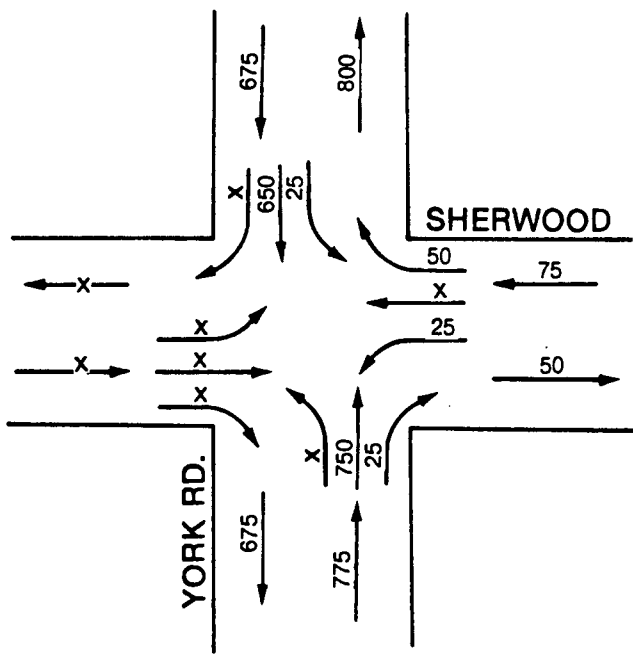
1. Though the directional traffic estimates with turning movements for specific intersections during the morning and evening peak periods are usually retained as part of the project's background data, we have provided the 1985 directional traffic counts for the intersection of Maryland Route 45 with Cockeysville and Sherwood Roads on the following pages. No data is currently available for the intersection of Maryland Route 45 and Beaver Run Lane.
2. Concerning the parking lot schemes, it is not possible to further develop the plans at this time. The final plan is contingent upon gaining the consent of property owners and further coordination between them and County staff.
3. The SHA will address the possibility of allowing traffic to stop on York Road for unloading and loading in off-peak hours during the process of developing the parking lot scheme.
4. The project is, in part, necessitated by the flooding of the roadway under the bridge. Providing much additional information is not possible until a hydraulic study is completed. This is expected by January 1987.
5. The hiker and biker trail utilizing the old NCRR right-of-way is located considerably east of Maryland Route 45 outside of the project limits.



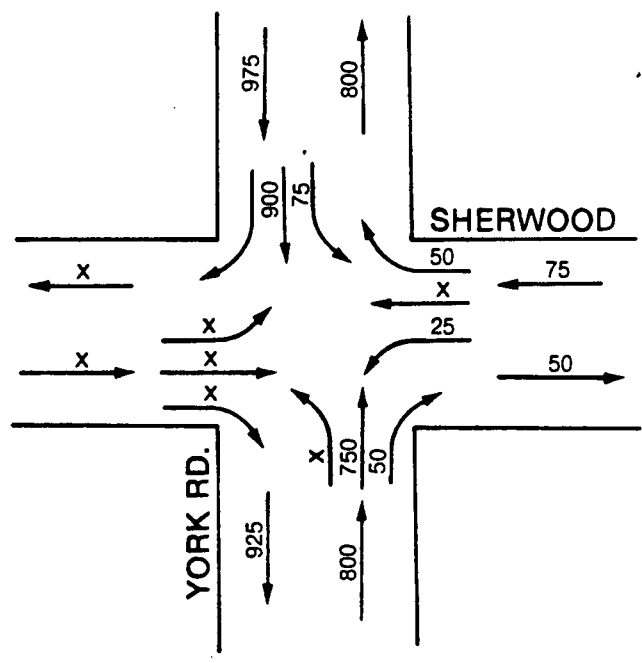
**BUREAU OF HIGHWAY STATISTICS
TRAFFIC FORECASTING SECTION**

ALTERNATE: EXISTING
LOCATION: MD 45/COCKEYSVILLE
YEAR OF TRAFFIC: 1985

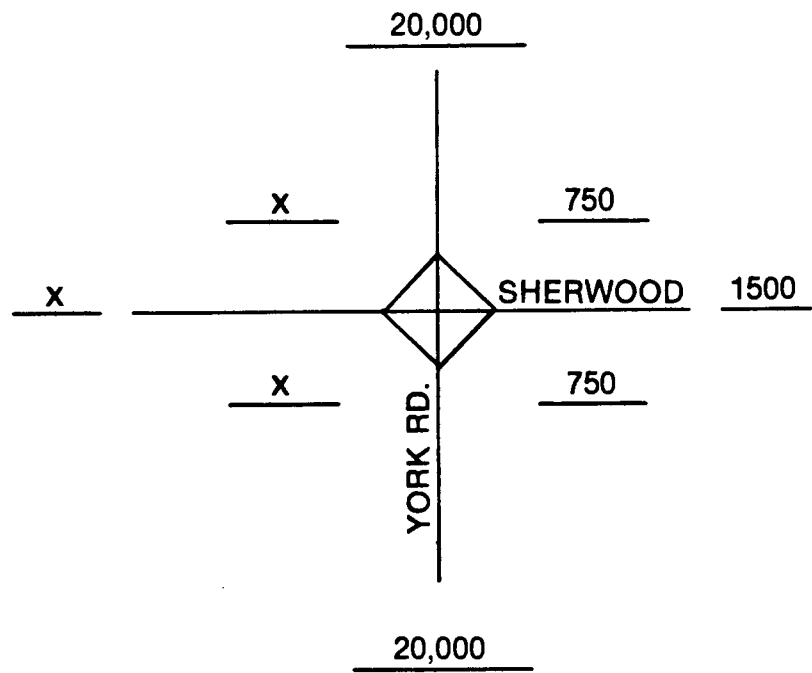




A.M. PEAK HOUR



P.M. PEAK HOUR



**BUREAU OF HIGHWAY STATISTICS
TRAFFIC FORECASTING SECTION**

ALTERNATE: EXISTING
LOCATION: MD 45/SHERWOOD
YEAR OF TRAFFIC: 1985





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

53
PROJECT DEVELOPMENT DIVISION
AUG 11 9 55 AM '86

Cynthia D. Simpson, Chief
Environmental Management
Project Development Division (Room 310)
State Highway Administration
707 North Calvert Street
Baltimore, Md. 21202

JUN 10 1986

Re: Cockeysville Underpass: MD-45 Baltimore County, MD
Air Quality Analysis

Dear Ms. Simpson,

Pursuant to the responsibilities granted to the USEPA within Section 309 of the Clean Air Act (P.L. 91-604), this Regional Office has completed its analysis of the referenced document. The following comments are noted.

The consideration of "No-Build" versus "Build" alternatives clearly resulted in the selection of the "Build" alternative as a practical and cost-effective means of alleviating the traffic congestion along the Maryland Route 45. We have not reached a preference for either Alternative 2 or Alternative 3, although Alternative 2 does present a slightly safer alignment by eliminating the center turning lane.

The air quality analysis does not indicate a problem with either "Build" alternative from elevated CO levels. In fact, the "Build" alternatives present slightly lower CO values over the duration of the new project. Consequently, we agree with the air quality analysis and the projections through year 2015.

Thank you for submitting this document for our review. Further correspondence regarding this project should be submitted to Jeffrey Alper at 215/597-7817.

Sincerely,

for Jeffrey Alper
Richard V. Pepino, Chief
NEPA Compliance Section



54

MARYLAND
DEPARTMENT OF STATE PLANNING
301 W. PRESTON STREET
BALTIMORE, MARYLAND 21201-2365

HARRY HUGHES
GOVERNOR

CONSTANCE LIEBER
SECRETARY

APR 26 1986

RECEIVED
PROJECT DEVELOPMENT DIVISION
APR 26 7 12 AM '86

Mr. Neil J. Pedersen, Director
Office of Planning and Preliminary Engineering
Department of Transportation - SHA
707 North Calvert Street
Baltimore, Maryland 21203-0717

State Identification Number: MD860411-0268

State Clearinghouse Contact: Samuel Baker

RE: EA - Md. Route 45 (York Road) from Cockeysville Lane
to North of Beaver Run Lane - B769-101-471

Dear Mr. Pedersen:

This is to acknowledge receipt of the referenced subject. We will provide notice to State and local public officials of the subject via the Inter-governmental Monitor.

Thank you for your cooperation.

Sincerely,

Guy W. Hager
Director, Maryland State Clearinghouse
for Intergovernmental Assistance

GWH/cw

cc: Daryl Rawlings (RPC)



Maryland Historical Trust

January 16, 1985

Ms. Cynthia Simpson, Acting Chief
Environmental Management
Maryland Department of Transportation
State Highway Administration
P.O. Box 717
707 North Calvert Street
Baltimore, Maryland 21203-0717

Re: Contract No. B 769-101-471
Maryland Route 45 - From north of
Beaver Dam Run Bridge to Cockeysville Road
PDMS No. 033025
Baltimore County, Maryland

Dear Ms. Simpson:

Thank you for your letter of 14 November 1984, regarding the above-referenced project.

We concur that the proposed project - within the study area, as shown on the attached map, will have no effect upon National Register eligible archeological resources.

If you have any questions or require additional information, please contact Ms. Beth Brown or myself at (301) 269-2438.

Sincerely,

Richard B. Hughes
State Administrator of Archeology

Enclosure
RBH/BCB/bjs

JAN 21 1985

cc: Ms. Rita Suffness
Mr. Tyler Bastian
Mr. Charles L. Wagandt
Mr. Paul McKean

V-17

56



TORREY C. BROWN, M.D.
SECRETARY

JOHN R. GRIFFIN
DEPUTY SECRETARY

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
MARYLAND GEOLOGICAL SURVEY

THE ROTUNDA
711 W. 40TH STREET, SUITE 440
BALTIMORE, MARYLAND 21211

KENNETH N. WEAVER
DIRECTOR
MARYLAND GEOLOGICAL SURVEY
EMERY T. CLEAVES
DEPUTY DIRECTOR

Division of Archeology
338-7236

18 October 1984

Mr. Louis H. Ege, Jr.
Bureau of Project Planning
State Highway Administration
707 N. Calvert Street, 3rd Floor
Baltimore, Maryland 21203

RE: MD 45 Bridge Removal
Baltimore County

Dear Lou:

In response to your 26 September 1984 letter, there are no known archeological sites in the subject study area. Furthermore, as a result of prior disturbance due to the high degree of urbanization in the Cockeysville area in general, and in the study area specifically, the archeological potential is very low. Given the lack of known sites and the low potential for sites in the study area, an actual field reconnaissance appears unwarranted for this project. If I may be of further assistance on this matter, please let me know.

Sincerely,

Tyler Bastian
State Archeologist

TB:DCC:lw

cc: Cynthia D. Simpson
Rita M. Suffness

12 6 1984 01 100 4001



U.S. Department
of Transportation
**Federal Highway
Administration**

Region 3
Maryland Division

The Rotunda
Suite 220
711 West 40th Street
Baltimore, Maryland 21211-2187

August 5, 1986

IN REPLY REFER TO:

Maryland Route 45 (York Road)
Baltimore County, Maryland

STAMPED: OFFICE OF THE STATE HISTORIC PRESERVATION OFFICER

AUG 21 1986

Mr. John Fowler
Acting Executive Director
Advisory Council on Historic Preservation
The Old Post Office Building
1100 Pennsylvania Avenue, Suite 809
Washington, D.C. 20004

ADVISORY COUNCIL
ON HISTORIC PRESERVATION
BY Donald W. Johnson
for Chief, EOPR

Dear Mr. Fowler:

In accordance with 36 CFR 800.4, we are requesting the comments of the Advisory Council on the No Adverse Effect determinations for the National Bank of Cockeysville and the Sherwood Episcopal Church and Rectory.

These are the only affected National Register listed or eligible resources within the immediate impact area of the Selected Alternate.

1. Title 23 U.S.C. vests the Federal Highway Administration with the responsibility of carrying out the Federal-aid Highway Program, and FHWA is the lead agency for Maryland Route 30 Relocated.
2. The enclosed Environmental Assessment (Enclosure B) identifies Alternate 3 which is the Selected Alternate.
3. The National Bank of Cockeysville and the Sherwood Episcopal Church are described and pictured in Enclosure C. Both the State Historic Preservation Officer and this Administration agree that the sites are eligible for the National Register. This Administration also concurs with the SHPO's determination of No Adverse Effect for the National Bank of Cockeysville and conditional No Adverse Effect (with landscaping) for the Sherwood Episcopal Church and Rectory.

-more-

- 4. The criteria of adverse effect were examined and determined inapplicable to both sites for the following reasons:
 - a. No part of the properties will be destroyed or altered by the Selected Alternate.
 - b. The sites will not be isolated from their surroundings. Neither will these surroundings be altered to a significant degree.
 - c. No visual, audible or atmospheric elements which are out of character with the properties will be introduced or alter their settings.
 - d. This item is not applicable as the sites will remain in private ownership.
 - e. Inapplicable for the reasons cited above.
- 5. The total estimated cost of construction is \$5,100,000 of which 75% is eligible for Federal participation.

We look forward to receiving your comments. Should you have any questions, please contact Mr. Paul Wettlaufer of my staff at (FTS) 922-4132.

Sincerely yours,

Emil Elinsky
Division Administrator



By: Fred J. Hempel
Assistant Division
Administrator

Enclosures



TORREY C. BROWN, M.D.
SECRETARY
JOHN R. GRIFFIN
DEPUTY SECRETARY

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
CAPITAL PROGRAMS ADMINISTRATION
TAWES STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

FRED L. ESKEW
ASSISTANT SECRETARY
FOR CAPITAL PROGRAMS

September 10, 1984

Louis H. Ege, Jr.
Bureau of Project Planning
State Highway Administration
707 North Calvert Street
Baltimore, MD 21203

Subject: Maryland Route 45 from Bosley Avenue to Noxell
Corporation Access Road, Contract No. B 769-101-471

Dear Mr. Ege:

The Natural Heritage Program's data base contains no record of any rare species, unusual community, or other significant natural feature along MD Route 45, within the study area for this project. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Arnold Norden
MD Natural Heritage Program

AN/lgt



United States Department of the Interior

FISH AND WILDLIFE SERVICE
DIVISION OF ECOLOGICAL SERVICES
1825B VIRGINIA STREET
ANNAPOLIS, MARYLAND 21401

September 10, 1984

Ms. Cynthia D. Simpson
Acting Chief, Environmental Management
State Highway Administration
P.O. Box 717
707 N. Calvert
Baltimore, MD 21203

Dear Ms. Simpson:

This responds to your September 5, 1984, request for information on the presence of Federally listed endangered or threatened species within the area of Maryland Route 45 from Bosley Avenue to Noxwell Corporation Access Road, Baltimore County, Maryland.

Except for occasional transient individuals, no Federally listed or proposed endangered or threatened species are known to exist in the project impact area. Therefore, no Biological Assessment or further Section 7 Consultation is required with the Fish and Wildlife Service (FWS). Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

This response relates only to endangered species under our jurisdiction. It does not address other FWS concerns under the Fish and Wildlife Coordination Act or other legislation.

Thank you for your interest in endangered species. If you have any questions or need further assistance, please contact Andy Moser of our Endangered Species staff at (301) 269-6324.

Sincerely yours,

Glenn Kinser
for Glenn Kinser
Supervisor
Annapolis Field Office



DEPARTMENT OF NATURAL RESOURCES
Maryland Forest, Park & Wildlife Service

TORREY C. BROWN, M.D.
SECRETARY

TAWES OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

DONALD E. MacLAUCHLAN
DIRECTOR

September 10, 1984

Mr. Louis H. Ege, Jr.
Bureau of Project Planning
State Highway Administration
P.O. Box 717/707 N. Calvert Street
Baltimore, Maryland 21203-0717

Dear Mr. Ege:

There are no known populations of listed threatened or endangered species within the area of project limits for the proposed reconstruction of MD Rt. 45 from Bosley Avenue to Noxell Corporation Access Road, Baltimore county, as described to me in your letter of August 28, 1984.

Sincerely,

Gary J. Taylor
Nongame & Endangered
Species Program Manager

GJT:ba
cc: Carlo Brunori

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Maryland Historical Trust

August 5, 1985

Ms. Cynthia D. Simpson
Acting Chief, Environmental Management
State Highway Administration
P.O. Box 717, 707 N. Calvert Street
Baltimore, Maryland 21203-0717

Re: Md. Rt. 45 from north of
Beaver Run Lane to south
of Cockeyville Road
Contract No. B 769-101-471

Dear Ms. Simpson:

Thank you for your letter of July 8, 1985, regarding this project. We have reviewed the proposed plans and have made the following determinations of effect:

1. National Bank of Cockeyville (BA 887) - no adverse effect.
2. Cockey Homestead (BA 76) - no effect.
3. Queen Anne House - no effect.
4. Sherwood Episcopal Church and Rectory - no adverse effect provided that the landscaping plan for the right-of way is reviewed and receives concurrence by our office prior to implementation.

Sincerely,

George J. Andreve
Environmental Review Administrator

GJA/bjs

cc: Ms. Rita Suffness
Mr. Charles L. Wagandt
Mr. Paul McKean



ORREY C. BROWN, M.D.
SECRETARY

JOHN R. GRIFFIN
DEPUTY SECRETARY

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
TIDEWATER ADMINISTRATION
TAWES STATE OFFICE BUILDING
ANNAPOLIS 21401
FISHERIES DIVISION

9/25/85

Mr. Frank DeSantis
Project Manager
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Re: Md. Rt. 45 (York Road)
Cockeysville Underpass
Project B-769-101-471
P.D.M.S.
Ref. No. 033015

Dear Mr. DeSantis,

The attached notes from our district fishery biologist bear upon the subject project. Please regard them as our comment on the project at this time. Planning for your construction should take note of the no-instream-work period of 10/1 through 4/30 that applies to Class III (natural trout) waters, as this will be a condition of the WRA permit issued for the work.

Thank you for the opportunity to comment on this project.

Sincerely,

W. R. Carter, III
Chief
Environmental Review



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TORREY C. BROWN, M.D.
SECRETARY

JOHN R. GRIFFIN
DEPUTY SECRETARY

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
TIDEWATER ADMINISTRATION
TAWES STATE OFFICE BUILDING
ANNAPOLIS 21401
September 4, 1985

MEMORANDUM

TO: Nick Carter

FROM: Charles Gougeon

SUBJECT: Contract No. B 769-101-471. Removal of the Conrail Bridge and upgrading of Maryland Rte. 45 (York Road) from Cockeysville Road to Beaverdam Run Lane. Replacement of Bridge No. 3043 carrying York Road over Beaverdam Run

Fisheries Division has reviewed the subject permit applications. We have the following comments which were prepared by Charles R. Gougeon. Additional information concerning the removal of the Conrail Bridge was obtained August 29, 1985 in a telephone conversation with M. Q. Taherian (WRA). During the telephone conversation of August 29, 1985 M. Q. Taherian also requested that Fisheries Division prepare a list of recommendations relative to the proposed removal and replacement of Bridge No. 3043 over Beaverdam Run. The recommendations were requested by WRA so that they could be used as directional data for future project design objectives for the proposed project.

A review of our fish survey files indicate that both brook and brown trout exist within the Beaverdam watershed. In anticipation of the proposed rehabilitation of Maryland Route 45 (York Road) in Baltimore County, Cold Water Fisheries personnel have conducted a series of physical, chemical and

biological investigations. General observations, water temperature data and water quality data were collected July 11, 1985 for Beaverdam Run mainstem at Route 45, and for two unnamed tributary feeders (near Bosley Avenue and along Texas Landfill Road) on Route 45 southeast of the Route 45 bridge over Beaverdam Run. In addition, fisheries personnel Charles R. Gougeon and Greg Golden conducted electrofishing surveys on September 4, 1985 at the Route 45 bridge crossing over Beaverdam Run and on the unnamed tributary to Beaverdam Run at Texas Landfill Road.

Findings:

1) Route 45 bridge over Beaverdam Run: Due to existing conditions, no trout were found existing in the proposed study area - it should be noted that our sampling equipment (electrofisher) was designed to be most effective on "smaller" streams. In addition, the equipment on the day of sampling appeared to be operating at sub-optimal efficiency. Further sampling will be conducted as necessary. A stream section approximately 300 yards long (extending from 200 yards below Route 45 to 100 yards above Route 45 bridge) was sampled. With few exceptions, most of the instream habitat observed was very shallow with a uniformly smooth sand substrate. These conditions made it easy to detect escaping fish, but no fish were seen escaping the electric field during the sampling procedure. Fish species collected included: common shiner, white shucker, tessellated darter, green sunfish, bluegill sunfish, american eel, yellow bullhead and largemouth bass. Overall, the instream habitat at the proposed study site was considered poor for trout aquatic macroinvertebrates. Habitat for trout and macroinvertebrates improved a short distance above the Route 45 bridge. Water temperatures and water quality parameters investigated appeared to fall within acceptable ranges needed for trout survival. The warm water fish species collected (i.e. sunfish, bass, yellow bullhead) were found

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to be scarce and were most probably transients from Loch Raven Reservoir.

2) Unnamed tributary at Texas Landfill Road: no trout were found to exist in the tributary. Fish species collected included blacknose ~~stee~~^{dace}, white sucker, green sunfish and creek chub. All fish were considered to be scarce. Overall, fish habitat in this tributary was poor for trout. Substrate observations for macroinvertebrates indicated a degraded situation (few insects observed). There is evidence of frequent flooding. The degradation of the system is probably the result of the surrounding heavy development upstream off Route 45. Limited water temperature and water quality samplings indicate these parameters to be within acceptable ranges needed for trout survival.

3) Unnamed territory at Route 45 and Bosley Avenue: fish sampling was not collected at this site because of a lack of flowing water (intermittent nature) as of September 4, 1985. Observations conducted July 11, 1985 indicated near stagnant water at that time. Overall, the stream would have little potential for holding trout in dry years, but could possibly serve as a temporary fish refuge during periods of high flow or during wet years. In addition, the lower reaches of the streams may provide adequate habitat for aquatic macroinvertebrates important to the overall stream ecosystem.

Conclusions:

The Beaverdam Run watershed represents an important trout fishery resource, although it is degraded in its lower reaches. Every effort to provide protection to this resource and to maintain a high quality status. It is recognized that the overall quality of the stream (with respect to trout habitat etc.) is reduced as the stream nears Loch Raven Reservoir, but it appears that the entire length of the stream is capable of holding trout.

Rehabilitation potential of the currently degraded reaches should be investigated.

Recommendations:

A. Fisheries has no objection to the proposed removal of the existing Conrail Bridge. After speaking on the telephone with M. Q. Taherian (WRA) on August 29, 1985, it is my understanding that the proposed bridge removal will not involve instream disturbance to Beaverdam Run. The Conrail Bridge is located over Route 45 but crosses it some distance to the southeast of Beaverdam Run mainstem. Therefore, bridge demolition activities will be well removed from the stream.

B) Beaverdam Run

- 1) Fisheries Division has no objection to the proposed replacement of Route 45 bridge over Beaverdam Run provided the structure is replaced by another bridge rather than by a culvert or pipe.
- 2) The non-construction dates for Class III waters (October 1 - April 30) must be followed.
- 3) Construction should be completed as quickly as possible during low flow conditions.
- 4) Strict sediment and environmental control plans and enforcement will be critical elements for this project.
- 5) Fisheries will provide additional detailed comments as needed as project design and construction plans are developed.

C) Tributaries to Beaverdam Run

Because these tributaries contribute to the overall quality of lower Beaverdam Run, it is necessary to provide these two tributaries with the same protection as the mainstem.

Therefore:

- 1) in the event that rehabilitation plans for Route 45 call for the of either bridge/culvert over these two tributaries, each should be replaced with a similar structure that allows for fish passage (ie, depress culverts 1 foot below streams invert)
- 2) strict sediment and erosion control plans and enforcement will be necessary to avoid further degradation
- 3) the non-construction dates for Class III waters must be followed
- 4) fisheries will provide more detailed comments as needed, as project design and construction plans are developed

CRG/cj

cc: Dave Woronecki

SHA Response to comments found on p. 4 of the Department of Natural Resources, Tidewater Administration's letter of September 4, 1985.

1. SHA will replace the existing bridge over Beaverdam Run with a new bridge which will be 68 feet wide including two 5-foot sidewalks.
2. SHA will conduct any instream work as required under the conditions of the waterway construction permit.
3. Instream construction will be undertaken during the low flow conditions and completed as soon as possible. This work will include stream bank revegetation and erosion control.
4. SHA will strictly adhere to and enforce sediment and erosion control plans which must be approved by the Department of Natural Resources.

C. Written Comments Submitted by the Public



Maryland Department of Transportation

State Highway Administration

May 15, 1986

71
William K. Hellmann
Secretary

Hal Kassoff
Administrator

RE: Contract No. B 769-101-471
Maryland Route 45
Cockeysville Underpass
PDMS No. 033025

Mr. F. J. Eilers
Master Adjusting Co., Inc.
Certified Public Adjusters
P.O. Box 433
Cockeysville, Maryland 21030

Dear Mr. Eilers:

Thank you for your April 9, 1986 letter in which you offered suggestions concerning commercial properties contained within the floodplain at the Cockeysville Underpass.

Periodic flooding of Beaver Dam Run has been an ongoing problem in this area for many years. Flood impact studies are underway and will be completed in about 6 to 12 months. We will be discussing the issue further upon completion of studies.

I will review your letter with appropriate technical and legal staff. In any event, no decisions will be made until after we have addressed citizen and agency comments and flood studies have been completed.

Contact my office if you wish further discussion. Thank you for your interest in the study.

Very truly yours,

Neil J. Pedersen

Neil J. Pedersen, Director
Office of Planning and
Preliminary Engineering

NJP:ds

cc: Senator Francis X. Kelly
Mr. Louis H. Ege, Jr.
Mr. C. Robert Olsen (w/incoming)
Mr. William Irgens
Mr. Nolan Rogers
Mr. Steve Sharar

My telephone number is (301) 659-1110

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

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MASTER ADJUSTING CO., INC.
MAC INC.
CERTIFIED PUBLIC ADJUSTERS
P. O. BOX 433
COCKEYSVILLE, MARYLAND 21030
PHONE: 771-4877

RECEIVED
#588
APR 14 1986
DIRECTOR, OFFICE OF
PLANNING & PRELIMINARY ENGINEERING

April 9, 1986

Mr Neil J. Pedersen, Director
Office of Planning and Preliminary Engineering
State Highway Administration
P.O. Box 717
Baltimore, Maryland 21203-0717

RE: Md Rte 45
Remove inactive conrail
bridge over York Rd.
Upgrade and widen Md Rte
45 and replace bridge over
Beaver Dam Run.

Dear Mr. Pedersen,

As a Certified Public (insurance) Adjuster I have represented Veneers, Inc, Veneers of Maryland, Beaver Dam Realty Co., Markdowns, Inc. Herbert and Betty Rosen, Stenersen Corporation, William E. Gerber, Gerbers Garage, OS&A Partnership, Craftwoods, Inc. John Tyrie and Son and Tried But True in conjunction with various flood losses over the years. This representation has involved flood damage covered by the National Flood Insurance Policies covering buildings, furniture, fixtures and equipment and stock.

All of the above mentioned businesses are adjacent to the north end of the captioned Conrail Bridge in Cockeysville, and primarily on York Road, Md Rte 45.

I have been familiar with the law which created the National Flood Insurance Program since its inception. When the U.S. Congress funded the Federal Emergency Management Agency (FEMA) to purchase properties subject to repetitive flooding, I discussed the matter with my clients enumerated above.

These clients have suffered financial losses not only not covered under the National Flood Insurance Policies but also losses far in excess of available policy limits.

I inquired of my clients whether they wished to submit an application to FEMA under what is known as the 1362 Program to have FEMA purchase their properties. All of the above named clients expressed such a desire and are represented by Michael B. Sauer, Esquire, 802 Equitable Towson Building, Towson, Maryland, 21204, in such an application.

I have been assisting Mr. Sauer in this matter. FEMA is well acquainted with the involved buildings and their owners through the payment of very substantial losses in the area and have inspected the area. FEMA expressed considerable interest in this area toward its purchase. We were ably assisted by Congressman Long and Congresswoman Helen J. Bentley.

The advantages to this purchase would be multifold to the involved property owners, Baltimore County, the State of Maryland Highway Administration, and the taxpayers.

Under the 1362 Program, which is a voluntary offering for FEMA to purchase, and not condemnation, FEMA will purchase the land and buildings at fair market value, as if the properties were not in the flood plain. FEMA pays no relocations expense. Fair market value, as if not in the flood plain, is a vast difference from condemnation value which would consider its location in the flood plain or fair market value considering its location in the flood plain.

1. Under the FEMA 1362 Program the owner voluntarily submits an application, through the community to FEMA to purchase the land and buildings.
2. FEMA evaluates its eligibility and its priorities.
3. If the property fits the eligibility and priorities it has established, FEMA engages, at their expense, local appraisers.
4. FEMA offers the owner the appraised value. If it is acceptable the process continues as set forth below. If the owner feels the offer is inequitable, he may, at his own expense, engage an appraiser. There is a meeting of appraisers to reach an agreed evaluation. If the agreed valuation does not meet the property owners approval, the matter dies there.
5. If the initial offer or compromise offer is acceptable to the owner, an agreement is signed with FEMA as to its acceptability, at that point FEMA under takes title search and the preparation of the necessary associated paper work to the purchase. The owner can walk away from the deal even at the settlement table, but must reimburse the Government for the title search and preparation of the acquisition papers. If the purchase is consummated there is no title search or legal documentation preparation of the property owner.

You will note that under Number 1 above it is stated that the application must be submitted "Through the Community". This means the application must be submitted by the community, whether it be town, city, borough, county, or whatever, on behalf of the property owner or the community must agree to accept obligations imposed on it by the 1362 Program if the application is individually submitted.

1. The community must agree to accept the property from FEMA upon its acquisition from the owner, at no cost to the community, payable to FEMA or anyone else.
2. The community must accept the pay from its own coffers for the demolition of any buildings and to restore the property to open space land and maintain it as such forevermore. There are certain uses acceptable to FEMA regarding this land use such as Parking Areas, Ball Fields, and things of such nature.

The 1362 Program does have a provision for the community to apply for consideration for federal funds for demolition, however, FEMA policy seems to be quite clear that if the community will not bear the expense of demolition, the chances of a FEMA purchase are slight. First priority will be shown to communities which agree to pay for the demolition.

The apparent benefits of the acquisition of these properties by FEMA are as follows:

- A. The property owners would receive fair market value for their land and buildings on the basis as if it were not in the flood plain.
- B. This would eliminate for these business owners uninsured financial losses, and enable them to relocate and survive.
 Note: Such uninsured financial losses, even with the assistance of S.B.A. low interest catastrophe loans did not prevent the demise of the Stenersen Corporation veneer mill operations, at the cost of the loss of approximately 75 jobs in the area.
- C. The County would receive the land from FEMA at no charge.(It still has the demolition cost)
- D. The County would gain open space land for recreational purposes, or other uses acceptable to FEMA.
- E. If the County received this land, it could work with the State Highway Administration to provide right of way on the north end of the Conrail bridge, on both sides of the road.

Through my activities in conjunction with the flood losses I am aware of the State Highway Administrations right of way in relation to the Tyrie property. I am not aware of the State Highway Administration's plans, but conceivably the Tyrie property could be involved in condemnation and the other expense ramifications in such an action, including demolition of structures.

The Gerber property could possibly be adversely effected to put it in the same category as the Tyrie property.

We are aware of the Highway Administrations study of the flooding of Beaver Run and its effect on Rte 45 and the surrounding property.

You are no doubt aware of the relationship of the elevation of York Road, (Rte 45), at the north end of the underpass to the height of Loch Raven Dam, from the Corps of Engineers study.

The State Highway Administrations study has no doubt revealed that the ultimate correction of the flooding condition or at least its minimization lies within the Baltimore City water shed of Loch Raven. Some of the problems your study has no doubt revealed are:

- 1. The siltation of Beaver Run primarily in the water shed area.

2. The accelerated runoff which is constantly increasing through development.
3. The problem at the convergence point of Beaver Run with Western Run.
4. The relationship of the water level in Loch Raven at the time of heavy storms and the ability of Western Run and Beaver Run to discharge into Loch Raven.
5. That a lake, a half mile square and 3 1/2 feet deep, occurs on the west side of Rte 45 before the water runs over Rte 45 at which time the current bridge over Beaver Run is still approximately 1 foot below its top. (I have pictures)
6. No amount of widening of the Beaver Run bridge will prevent the flooding of York Road under the present down stream conditions to the east of Rte 45.
7. There are many other conditions and circumstances which are no doubt covered in your study and of which we are aware.

The purpose of making mention of these seven items mentioned above is to point out that a simple widening of Rte 45 north of the underpass and the eliminating of the underpass will not prevent the flooding of Rte 45 in the area currently north of the underpass. The flooding has cost one life and on July 1, 1984, we almost lost 2 more lives. The ideal situation would be that in the elimination of the Conrail Bridge and its underpass that the grade of Rte 45 fall from the south end of the current underpass to the entrance to Noxell on the north end. This would allow the elevation of Rte 45 on concrete pilasters for a distance of approximately 600 feet maximum. This would eliminate the construction of the Beaver Run bridge. In times of flooding, Rte 45 being elevated would allow the flood waters to flow around the pilasters, eliminating the daming effect of the current Rte 45 elevation in this area and Rte 45 would not be subjected to flooding.

To accomplish this would require the State purchase of the Tyrie and Gerber properties on the west side of Rte 45 and the 5 buildings on the east side, from the 3 owners. It would also entail their demolition.

It becomes obvious that if FEMA purchased these properties and gave them to Baltimore County, the only expense would be the demolition, and the Rte 45 problem could be corrected once and for all. We both are aware that correct plans leave the problem to be corrected in the future. The flooding potential increases daily. Of course we had 5' over Rte 45 in 1975 and again in 1979. In 1984 we had 4' over Rte 45. In 1985 we had 2 occasions of 2 feet over Rte 45. These are only the occasions of which I am aware.

What have been the results of our 1984 and 1985 efforts with FEMA and our 1986 prospects?

Our stumbling block has been and still is the money for the demolition. We have submitted the application with the County agreeable to accept the land and abide by the FEMA requirements relative to the land use. Mr. Hutchinson said the County had no money for demolition. In 1984 FEMA looked over the Cockeysville Program but our application was not acceptable because the County would not accept to pay for the demolition.

In 1985 our chances were excellent from the political climate and FEMA's interest. Congresswoman Helen Bentley went to the fore front in Washington for the project and our contacts with FEMA indicated they were looking forward to receipt of the application. Again Mr. Hutchinson said Baltimore County had no money for the demolition. Again the County was agreeable to accept the land and maintain it per FEMA requirements. The County would be agreeable to apply for Federal Funds for demolition. Our efforts to set up a joint meeting between Baltimore County and the State Highway administration to discuss some possible joint solution of this demolition problem could not be accomplished. Mrs. Bentley received a lengthy letter from FEMA and had personal conversations in Washington, all of which indicate, no county demolition, no FEMA money.

If an application is to be re-submitted in 1986, it must be in by June 1, 1986. If demolition money is not available it is useless to submit the application. 1986 is the last year of eligibility for this project under FEMA guidelines. Mr. Hutchinson advises Baltimore County has no money for demolition, again this year. The Graham-Rudman Budget cutting act may reduce FEMA money available. We engaged a nationally know demolition company for an evaluation of the potential demolition cost of the structures involved in the application as submitted. This was not a formal bid but an evaluation. The figures was slightly on the low side of one million dollars.

It is obvious that to bring out what is contained herein serves no purpose at a Public Hearing on May 7, 1986, with the June 1, 1986 deadline approaching, too little time remains.

The purpose of this letter is:

1. To acquaint the State Highway Administration of this project and its status.
2. To ascertain if the State Highway Administration would consider pledging to supply to Baltimore County the demolition money if FEMA would give approval to the purchase of the properties. In exchange the County would have to give from the property received any right of ways needed in conjunction with Rte 45 construction in the areas of these properties to enable the State Highway Administration to correct the Rte 45 flooding problem at the same time as the reconstruction.
3. FEMA's answering time as to acceptance or rejection of the application based on past experience would probably be by 2/1/87. This means that if the project is not accepted by FEMA, the pledge of the State money to the County for the demolition ends with rejection.

- 4. If the State would pledge the demoliton money to Baltimore County it would have to be in time for the Baltimore County Council to pass a resolution, which has to accompany the application to FEMA, stating that Baltimore County will accept the demolition costs if FEMA accepts the application.

Mr. Pedersen, we do not know what personnel or departments within the State Highway Administration would be involved in consideration of what has been set forth above. Mr. Sauer and myself would be available for discussion with you or any other persons of any other departments within the State Highway Administration to explore the potential of the State Highway Administration's involvement.

If after reading this letter, and checking with the powers that be, would you be so kind as to call me as to whether there is any possibility of the State Highway Administration's consideration of involvement in this matter or not, at 301-771-4877.

Thanking you for your cooperation, I remain,

Very truly yours,

F. J. Eilers
F. J. Eilers

FJE/btg

cc: M. B. Sauer, Esquire
Senator Francis X. Kelly



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

May 19, 1986

RE: Contract No. B 769-101-471 N
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to north of
Beaver Run Lane
PDMS No. 033025

Mr. William R. Bentley
10854 York Road
Cockeysville, Maryland 21030

Dear Mr. Bentley:

Thank you for your letter of April 24, 1986 concerning the Maryland Route 45 Cockeysville Underpass Elimination.

In reference to your specific questions, I would like to provide the following information:

- 1. After choosing an alternate, when will the project begin?

At the present time, the project is funded for project planning and final design. No funding is currently programmed for right-of-way acquisition or construction. It is anticipated that when funding becomes available, the earliest that construction could begin would be 1991.

- 2. Will traffic be detoured during construction?

During construction traffic will not be detoured. It is anticipated that traffic will be continued through the area. Final design plans will require that the contractor maintain two-way traffic through the project area.

My telephone number is 659-1109

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

3. How long after construction begins will buildings be razed?

The buildings requiring displacement will most likely be razed prior to actual roadway construction.

We will continue to keep you informed of any significant new project developments through our mailing list. Thank you for your interest in the project study.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Project Development Division

by: Frank DeSantis
Frank DeSantis
Project Manager

LHE:FDS:ds
cc: Mr. Neil J. Pedersen
Mr. Robert Olsen

**STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS**

PROJECT DEVELOPMENT DIVISION
APR 29 4 13 PM '86

LOCATION/DESIGN PUBLIC HEARING
Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to north of Beaver Run Lane
May 7, 1986

NAME William R. Bentley (Antiques Mart) DATE 4/24/86

PLEASE PRINT

ADDRESS 10854 York Road

CITY/TOWN Cockeysville STATE Maryland ZIP CODE 21030

I/We wish to comment or inquire about the following aspects of this project:

1. After one of the three alternates has been approved by the FHA and SHA (Summer 1986), when will the project begin?

2. Will traffic be detoured to bypass the business establishments located within the construction area as the Project is being completed--Relating to Alternate Two or Three?

3. How much time, after the Project begins, until the buildings involved are razed? (Alternate ~~One~~² or ~~Two~~³)

I am currently on the Mailing List.

Please add my/our name(s) to the Mailing List.

81



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

May 22, 1986

RE: Contract No. 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to
Beaver Run Lane
PDMS No. 033025

Mr. Randy M. Stoler
232 Cockeysville Road, Suite C-2
Cockeysville, Maryland 21030

Dear Mr. Stoler:

Thank you for your letter supporting the Maryland Route 45
Cockeysville Underpass Elimination.

It is not anticipated at this time that a traffic signal will
be needed for Sherwood Hill Road or Cockeysville Road. The geo-
metrics implemented by new construction would provide adequate sight
distance and would be in accordance with the latest design stand-
ards.

Secondly, traffic turning movements for these two County roads
do not at this time warrant traffic control devices. During the
final design stage of this project, a detailed traffic analysis
will be performed to verify our preliminary studies.

Thank you for your kind words about the conduct of the Public
Hearing and for your interest in the project.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Project Development Division

by: Frank DeSantis
Frank DeSantis
Project Manager

LHE:CEK:cd

My telephone number is 659-1109

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 · 0717

**STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS**

LOCATION/DESIGN PUBLIC HEARING
Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to north of Beaver Run Lane
May 7, 1986

NAME Randy M. Stoler DATE 5-8-86

PLEASE PRINT ADDRESS 232 Cockeysville Rd, Suite C-2

CITY/TOWN Cockeysville STATE Md ZIP CODE 21030

I/We wish to comment or inquire about the following aspects of this project:

A traffic control device will be needed
for Sherwood Hill Rd & Cockeysville Rd.

I thought that the person directing the
hearing did a very fine job in the face
of understandable but illogical opposition.

I am currently on the Mailing List.

Please add my/our name(s) to the Mailing List.



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

May 23, 1986

RE: Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to
north of Beaver Run Lane
PDMS No. 033025

Mr. George J. Hillenbrand
110 Northwood Drive
Timonium, Maryland 21093

Dear Mr. Hillenbrand:

Thank you for your letter supporting the proposed improvement for Maryland Route 45 (York Road) Cockeysville Underpass elimination. We also believe the five (5) lane roadway is the best solution and is much needed through this heavily traveled corridor.

I have added your name to the project mailing list, as you requested. You will be notified of any future project developments.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Project Development Division

by: Frank DeSantis
Frank DeSantis
Project Manager

LHE:FDS:bh

659-1109

My telephone number is _____

**STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS**

LOCATION/DESIGN PUBLIC HEARING
Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to north of Beaver Run Lane
May 7, 1986

NAME George J. Hillenbrand DATE 5/5/86

PLEASE PRINT

ADDRESS 110 Northwood Dr

CITY/TOWN Timonium STATE Md. ZIP CODE 21093

I/We wish to comment or inquire about the following aspects of this project:

I think both plans are excellent. I like
the 5 lane best. something we really
need in the area.

I am currently on the Mailing List.

Please add my/our name(s) to the Mailing List.



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

May 23, 1986

RE: Contract No. B 659-101-471`
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to
north of Beaver Run Lane
PDMS No. 033025

The Right Reverend Monsignor Paul G. Cook
Pastor, St. Joseph Church
101 Church Lane
Cockeysville, Maryland 21030

Dear Monsignor Cook:

Thank you for your letter concerning the Maryland Route 45 (York Road) Underpass elimination.

As mentioned at the Public Hearing, the contractor will be required to maintain two lanes of traffic on York Road at all times during construction. However, if the need arises for a very short term detour route, one is available by way of Wright Avenue, McCormick Road, and Cockeysville Road. The detour route will be signed to minimize detouring traffic utilizing Beaver Dam Road to Church Lane. Attached is a map indicating the route.

The Industry Lane project is the responsibility of Baltimore County. Every effort will be made to coordinate all the projects in the Cockeysville area to minimize congestion and detour routes during construction.

Again, I would like to thank you for taking the time to express your support and concerns.

Very truly yours,

Louis H. Ege, Jr.
Deputy Director
Project Development Division

by: *Frank DeSantis*
Frank DeSantis
Project Manager

LHE:FDS:bh
Attachment
cc: Mr. C. R. Olsen

V-47

My telephone number is 659-1109

**STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS**

LOCATION/DESIGN PUBLIC HEARING
Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to north of Beaver Run Lane
May 7, 1986

NAME Rev. Msgr. Paul G. Cook **DATE** 5/5/86

PLEASE PRINT ADDRESS 101 Church Lane

CITY/TOWN Cockeysville **STATE** MD **ZIP CODE** 21030

I/We wish to comment or inquire about the following aspects of this project:

I am Pastor of St. Joseph Church located at 101 Church Lane in Cockeysville.

I agree to the need for improving traffic conditions on York Road and the necessity to correct the bottleneck caused by the Cockeysville Underpass.

I want to call attention to the lack of alternate roads north and south which can effectively serve as detours during construction on York Rd. at the underpass. Unless traffic is maintained on York Rd. motorists have only Beaver Dam Rd. and I-83 as north-south alternate routes.

Speaking for our parish and our school which are located on both sides of Church Lane at the lower end of Beaver Dam Rd., I must emphasize: 1)our school children must cross Church Lane frequently each day for class and library work. We are already endangered by the traffic to and from Beaver Dam Rd. on Church lane. We cannot tolerate a further increase resulting from detouring motorists. 2)The Industry Lane extension to Beaver Dam Rd. should be completed prior to work on the underpass. This will allow 2 parallel ways of access to Beaver Dam Road. 3)Two lanes of traffic should be maintained on York Road at all times during construction.

Please give this matter your most careful consideration in developing the construction schedule for the Cockeysville Underpass removal.

- I am currently on the Mailing List.
- Please add my/our name(s) to the Mailing List.



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

May 27, 1986

RE: Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to
north of Beaver Run Lane
PDMS No. 033025

Mr. John Stackus
Packard Fence Company
11013 York Road
Cockeysville, Maryland 21030

Dear Mr. Stackus:

Thank you for your letter concerning the Maryland Route 45 (York Road) Underpass Elimination.

Mr. Edward Karas of my staff spoke to your wife by telephone on May 16th in reference to your concerns. He indicated that a portion of the railroad property that you rent from Conrail would be needed for the York Road widening. An aerial map is attached indicating the approximate right-of-way required.

It does not appear at this time that the acquisition would result in your business being relocated. During the final design phase, detailed plats will enable us to determine our exact needs. It is anticipated that construction would not begin until 1991.

We would suggest that you contact your local Post Office to resolve the discrepancies in your mailing address. Again, thank you for your interest in this project.

Very truly yours,

Louis H. Ege, Jr., Deputy Director
Project Development Division

by: *Frank DeSantis*
Frank DeSantis
Project Manager

LHE:CEK:bh
Attachment

cc: Mr. Chris Larsen

My telephone number is 659-1109

**STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS**

LOCATION/DESIGN PUBLIC HEARING
Contract No. B 769-101-471
Maryland Route 45 (York Road)
Cockeysville Underpass
From Cockeysville Road to north of Beaver Run Lane
May 7, 1986

NAME PACKARD FENCE Co. DATE 5/8/86

PLEASE PRINT ADDRESS 11013 York Road

CITY/TOWN Cockeysville STATE Md ZIP CODE 21030

I/We wish to comment or inquire about the following aspects of this project:

- Will we have to move? no not,
- Will any of the property we rent be used in widening the road?
- We have (2) addresses:
11013 & 10901 York Rd
Could that be straightened out?

I am currently on the Mailing List.

Please add my/our name(s) to the Mailing List.

D. Written Comments Submitted by Civic Groups



BALTIMORE COUNTY CHAMBER of COMMERCE
100 West Pennsylvania Avenue . Towson, Maryland 21204 (301)825-6200

January 4, 1985

Maryland Department of Transportation
State Highway Administration
Office of Planning & Preliminary Engineering
Box 717
Baltimore, MD 21203-0717

Attention: Mr. Frank DeSantis
Project Manager

Gentlemen:

Representatives of the Baltimore County Chamber of Commerce's Transportation Committee attended the recent public meeting on the Cockeysville underpass and offer the following comments:

- We support a coordinated transportation system for the entire Cockeysville - Hunt Valley area.
- We support the basic improvement concept of removing the existing underpass and widening of York Road to accommodate both current and future traffic demands.
- We suggest that the alignment be shifted slightly to the North to avoid the heavy impacts to area businesses. It appears that this can be accomplished without encroaching on the outlined historic properties. | 1
- We are concerned about the impacts to business that will occur during construction. Patron access and parking will be disrupted and deliveries will be very difficult. We suggest that the State consider developing a public parking lot West of York Road on the existing Conrail Property. In addition, we suggest that the State provide direct access to the rear of the businesses via Railroad Avenue. | 2
- We wonder whether on-street parking would be feasible during off peak hours once the project is completed. | 3


Maryland DOT
State Highway Administration
Office of Planning & Preliminary Engineering
January 4, 1985
Page No. 2

- We also note with some concern that Mayor Schaefer recently spoke to the Mayor of York, Pennsylvania about the possibility of reestablishing a rail line between the two cities.

| 4

We would like to thank the Department of Transportation for providing the public with the opportunity to participate in the development of this most needed project. I hope that our comments will be helpful defining the project needs. If the Chamber can be of any assistance, please do not hesitate to call.

Very truly yours,



Edward Seidel
Executive Vice President

njp

SHA Response to January 4, 1985 letter from the Baltimore County Chamber of Commerce.

1. The alignment does not require the acquisition of any businesses on the west side of Maryland Route 45, nor does it require encroachment on the historic properties on the east side of Maryland Route 45.
2. Parking and access to the rear of the shops on the west side of Maryland Route 45 will be provided should the property owners agree to maintain the lot and said access once the State Highway Administration has constructed them. The planning for this lot and access will be accomplished by the property owners in concert with the staff of the Baltimore County Office of Planning and Zoning during the design phase of the project.
3. The feasibility of on-street parking during off peak hours will be explored during the design phase of the project.
4. The Conrail Railroad operations through Cockeysville are minimal, being confined to a "tail track" and rail storage for the surrounding area. The bridge over York Road and the rail north and east of Western Run are inoperative due to the destruction of the railroad crossing by tropical storm "Agnes". Conrail has not plans to rebuild a rail line from Cockeysville to the north.

VI.
APPENDIX

"SUMMARY OF THE RELOCATION ASSISTANCE PROGRAM OF THE
STATE HIGHWAY ADMINISTRATION OF MARYLAND"

All State Highway Administration projects must comply with the provisions of the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" (Public Law 91-646) and/or the Annotated Code of Maryland, Real Property, Title 12, Subtitle 2, Sections 12-201 thru 12-212. The Maryland Department of Transportation, State Highway Administration, Bureau of Relocation Assistance, administers the Relocation Assistance Program in the State of Maryland.

The provisions of the Federal and State Law require the State Highway Administration to provide payments and services to persons displaced by a public project. The payments that are provided include replacement housing payments and/or moving costs. The maximum limits of the replacement housing payments are \$15,000 for owner-occupants and \$4,000 for tenant-occupants. Certain payments may also be made for increased mortgage interest costs and/or incidental expenses, provided that the total of all housing benefits does not exceed the above mentioned limits. In order to receive these payments, the displaced person must occupy decent, safe and sanitary replacement housing. In addition to the replacement housing payments described above, there are also moving cost payments to persons, businesses, farms and non-profit organizations. Actual moving costs for residences include actual moving costs up to 50 miles or a schedule moving cost payment, including a dislocation allowance, up to \$500.

The moving cost payments to businesses are broken down into several categories, which include actual moving expenses and payments "in lieu of" actual moving expenses. The owner of a displaced business is entitled to receive a payment for actual reasonable moving and related expenses in moving his business, or personal property; actual direct losses of tangible personal property; and actual reasonable expenses for searching for a replacement site.

The actual reasonable moving expenses may be paid for a move by a commercial mover or for a self-move. Generally, payments for the actual reasonable expenses are limited to a 50 mile radius. The expenses claimed for actual cost commercial moves must be supported by receipted bills. An inventory of the items to be moved must be prepared in all cases. In self-moves, the State will negotiate an amount for payment, not to exceed the lowest acceptable bid obtained. The allowable expenses of a self-move may include amounts paid for equipment hired, the cost of using the business' own vehicles or equipment, wages paid to persons who physically participate in the move, the cost of actual supervision of the move, replacement insurance for the personal property moved, costs of licenses or permits required, and other related expenses.

In addition to the actual moving expenses mentioned above, the displaced business is entitled to receive a payment for the actual direct losses of tangible personal property that the business is entitled to relocate but elects not to move. These payments may only be made after an effort by the owner to sell the personal property involved. The costs of the sale are also reimbursable moving expenses. If the business is to be reestablished, and the personal property is not moved but is replaced at the new location, the payment would be the lesser of the replacement cost minus the net proceeds of sale (or trade-in value) or the estimated cost of moving the item. If the business is being discontinued or the item is not to be replaced in the reestablished business, the payment will be the lesser of the difference between the value of the item for continued use in place and the net proceeds of the sale or the estimated cost of moving the item. When personal property is abandoned without an effort by the owner to dispose of the property for sale, unless permitted by the State, the owner will not be entitled to moving expenses, or losses for the item involved.

The owner of a displaced business may be reimbursed for the actual reasonable expenses in searching for a replacement business up to \$1,000. All expenses must be supported by receipted bills. Time spent in the actual search may be reimbursed on an hourly basis, within the maximum limit.

In lieu of the payments described above, the business may elect to receive a payment equal to the average annual net earnings of the business. Such payment shall not be less than \$2,500 nor more than \$10,000. In order to be entitled to this payment, the State must determine that the business cannot be relocated without a substantial loss of its existing patronage, the business is not part of a commercial enterprise having at least one other establishment in the same or similar business that is not being acquired, and the business contributes materially to the income of a displaced owner during the two taxable years prior to displacement.

Considerations in the State's determination of loss of existing patronage are the type of business conducted by the displaced business and the nature of the clientele. The relative importance of the present and proposed locations to the displaced business, and the availability of suitable replacement sites are also factors.

In order to determine the amount of the "in lieu of" moving expenses payment, the average annual net earnings of the business is considered to be one-half of the net earnings, before taxes, during the two taxable years immediately preceding the taxable year in which the business is relocated. If the two taxable years are not representative, the State may use another two-year period that would be more representative. Average annual net earnings include any compensation paid by the business to the owner, his spouse, or his dependents during the period. Should a business be in operation less than two years, the owner of the business may still be eligible to receive the "in lieu of" payment. In all cases, the owner of the business must provide information to support its net earnings, such as income tax returns, for the tax years in question.

For displaced farms and non-profit organizations, the actual reasonable moving costs generally up to 50 miles, actual direct losses of tangible personal property, and searching costs are paid. The "in lieu of" actual moving cost payments provide that the State may determine that a displaced farm may be paid from a minimum of \$2,500 to a maximum of \$10,000, based upon the net income of the farm, provided that the farm has been discontinued or relocated. In some cases, payments "in lieu of" actual moving costs may be made to farm operations that are affected by a partial acquisition. A non-profit organization is eligible to receive "in lieu of" actual moving cost payments, in the amount of \$2,500.

A more detailed explanation of the benefits and payments available to displaced persons, businesses, farms, and non-profit organizations is available in Relocation Brochures that will be distributed at the public hearings for this project and will also be given to displaced persons individually in the future along with required preliminary notice of possible displacement.

In the event comparable replacement housing is not available to rehouse persons displaced by public projects or that available replacement housing is beyond their financial means, replacement "housing as a last resort" will be utilized to accomplish the rehousing. Detailed studies must be completed by the State Highway Administration before "housing as a last resort" can be utilized.

The "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" requires that the State Highway Administration shall not proceed with any phase of any project which will cause the relocation of any persons, or proceed with any construction project, until it has furnished satisfactory assurances that the above payments will be provided and that all displaced persons will be satisfactorily relocated to comparable decent, safe, and sanitary housing within their financial means or that such housing is in place and has been made available to the displaced person.