STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

MEMORANDUM OF UNDERSTANDING

Between the N.C. Board of Transportation and the Town of Blowing Rock
Relating to the
US 321 Improvements Project
From Blackberry Road (SR 1500) to Possum Hollow Road (SR 1632)
Watauga and Caldwell Counties
TIP Project R-2237C

Whereas, the Widening Alternative is the Preferred Alternative for proposed improvements to US 321 between Blackberry Road (SR 1500) and Possum Hollow Road (SR 1632) in Blowing Rock, North Carolina (Transportation Improvement Project R-2237C);

Whereas, this Memorandum of Understanding applies only if NCDOT decides to construct the Preferred Alternative;

Whereas, the Town of Blowing Rock is a unique destination community with rural mountain resort character and timeless small-town charm that will be affected by the proposed Widening Alternative;

Whereas, the Town of Blowing Rock is the home of The Blowing Rock - North Carolina's oldest travel attraction since 1933;

Whereas, the Green Park Inn, the State's second oldest surviving resort hotel, has played an important role in the early development of the tourist industry in western North Carolina;

Whereas, the Green Park Inn, the Blowing Rock Country Club Golf Course, and the surrounding residential area is listed as an historic district in the National Register of Historic Places;

Whereas, the Widening Project will adversely affect the Green Park Historic District and consequently will be the subject of a Memorandum of Agreement between the U.S. Army Corps of Engineers, the State Historic Preservation Officer, and the NCDOT in compliance with Section 106 of the National Historic Preservation Act;

Whereas, no stipulation in this Memorandum of Understanding can override any stipulation of the Section 106 Memorandum of Agreement;

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NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
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LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

Whereas, the Green Park Historic District contains the following contributing elements:

- the Queen Anne-style Green Park Inn, which was an integral feature in the development of this mountain-top area for resort estates and cottages in the late nineteenth and early twentieth centuries;
- the Blowing Rock Country Club golf course, constructed shortly after 1915 increased the recreational opportunities of the area which in turn supported the continued success of the hotel and the marketability of residential properties in the Green Park area; and
- residential neighborhoods that display variations on vernacular architectural designs that have in common many design and decorative features, were constructed for similar purposes (i.e., as resort housing), and during a specific period (i.e., 1920 to 1930), and had a common social focus on the Green Park Inn and the golf course/country club;

Now, therefore, the North Carolina Board of Transportation and the Town of Blowing Rock do hereby agree to implement the following measures related to the design, implementation, and mitigation of the subject project, if the Widening Alternative is selected as the final, approved alternative by NCDOT:

NCDOT shall construct 11-foot lanes within the Green Park Historic District; 12-foot lanes will be constructed elsewhere along the project.

NCDOT shall fund and construct sidewalks on the east side of US 321 from Green Hill Road/Rock Road to US 321 Business. NCDOT shall fund and construct sidewalks on both sides of US 321 from US 321 Business to Possum Hollow Road.

NCDOT shall terminate Goforth Road just east of US 321 rather than re-build its intersection with US 321.

NCDOT shall not construct a median between Green Hill Road and US 321 Business in order to narrow the footprint of the proposed improvement. The median in front of the Green Park Inn that was shown on the Corridor Public Hearing Map shall be eliminated.

NCDOT shall rebuild the emergency vehicle access at The Pines (a residential subdivision), or replace it with something that will serve the same function. The goal is to insure that emergency vehicles can access the subdivision directly from US 321 since the neighborhood streets and turning radii are too narrow for emergency vehicles to navigate.

If the Town wants highway lighting outside of the Green Park Historic District, it shall purchase, install, and maintain the roadway lighting equipment of its choice. NCDOT shall reimburse the Town for the cost of said roadway lights. NCDOT will not participate in providing highway lighting within the limits of the Green Park Historic District. NCDOT shall coordinate with the Town to insure AASHTO lighting requirements are met. NCDOT's Utility Agent will handle any right of way encroachment associated with Town lighting. If right of way and berm widths are not wide enough to accommodate poles outside the clear zone, breakaway poles will be required. Any breakaway or non-breakaway light poles will be placed behind the sidewalk.

NCDOT shall replace all existing stone walls within the Town limits removed by the project with new in-kind stone walls. All other retaining walls along the project within the Town limits will be formed concrete walls with simulated masonry surface treatment. The surface treatment will be designed to resemble the existing stone walls in the historic district (e.g., the low wall in front of the Green Park Inn). The appearance of the surface treatment will be coordinated with the Town of Blowing Rock, and a sample of the surface treatment shall be fabricated for the Town's review and comment and the Department's approval prior to permanent installation on the project.

Where guardrail is required, NCDOT shall install approved wooden-faced guardrail where it can be installed and meet safety requirements. If, during final design, locations are identified where wooden-faced guardrail cannot be installed, or where installation of wooden-faced guardrail would cause an undesirable increase in project right of way in order to provide necessary roadside clear areas, NCDOT will coordinate with the Town of Blowing Rock (and the State Historic Preservation Officer if any locations within the Green Park Historic District are involved) to find an acceptable alternative prior to finalizing the plans.

NCDOT shall place existing overhead utilities (electrical, telephone, and cable television) underground between Green Hill Road and Possum Hollow Road.

NCDOT shall design and implement a post-construction landscape plan that will include the following elements:

- a median on US 321 from US 321 Business to the project terminal at Possum Hollow Road. The median shall either be vegetated or decorative concrete (Town's choice). If the median is vegetated, it will be planted with vegetation of NCDOT's choosing that is both cold-hardy and salt-hardy where safety conditions allow. If the median is to be decorative concrete, then the aesthetic details will be coordinated with the Town of Blowing Rock, and a sample will be fabricated for the Town's review and comment and the Department's approval prior to permanent installation on the project.
- decorative pedestrian lights (i.e., "coach" lights), the style of which is to be agreed to by both the Town of Blowing Rock and the NCDOT, at selected locations within the Town limits. All decorative pedestrian light locations within NCDOT right of way (e.g., in areas of more concentrated landscaping) must be approved the Special Design Section of NCDOT's Roadway Design Unit. NCDOT will pay for the lighting equipment and installation, and NCDOT will install the lights as part of the landscape plan implementation. (NCDOT may choose to do a two-phase post-construction landscape implementation. The first phase would be the hardscape elements, which would include pedestrian lights, to be overseen by the Resident Engineer. The second phase would be the landscape design and development, which would be overseen by the Roadside Environmental Unit.) The Town will assume ownership of the lights and will pay for utility (electricity) costs;
- broader areas of more concentrated landscaping where right of way, roadway elements, terrain, and safety conditions allow.

NCDOT shall make a special effort to preserve trees of particular value identified by the Town that are outside the clear recovery area. Any trees within 14 feet of the face of curb would need to meet NCDOT guidelines for plantings before they could be preserved.

NCDOT shall design and construct, as part of the post-construction landscape plan, a park on the uneconomic right of way remnant remaining following the realignment of US 321 Business/Main Street at US 321 (near Shoppes on the Parkway). (The park construction will be part of the landscape contract, which will be awarded to a landscape contractor after the roadway construction contract is complete.) NCDOT will convey the Department's interest in this property to the Town, and the Town will assume maintenance for the park.

NCDOT shall provide a set of preliminary right of way plans to the Town of Blowing Rock for their review and comment at the following milestones:

- Approximately 25% design (horizontal and vertical alignments complete, approximately six months prior to submittal of the plans to the Right of Way Branch)
- Approximately 50% plans at the time of the preliminary field inspection (drainage added, construction limits defined, right of way and easements defined prior to right of way submittal)
- Approximately 80% at the time of the final field inspection (prior to finalizing plans for turn in)

NCDOT shall submit a set of preliminary signing plans to the Town of Blowing Rock for their review and comment. The Town will identify locations where proposed signs may create an aesthetic concern. NCDOT will coordinate with the Town to establish the number, size, and placement of signs to the degree that the Manual on Uniform Traffic Control Devices allows.

NCDOT shall submit preliminary pavement marking plans to the Town of Blowing Rock for review and comment.

NCDOT shall submit preliminary traffic control plans to the Town of Blowing Rock for review and comment.

NCDOT shall submit a preliminary set of Sedimentation and Erosion Control Plans to the Town of Blowing Rock for review and comment.

NCDOT shall submit preliminary post-construction landscape plans to the Town of Blowing Rock for review and comment.

NCDOT 's Geotechnical Engineering Unit, in consultation with Division 11, shall develop a vibration monitoring plan for the project, to include on-site research during final design as well as monitoring during construction. The recommendations of the plan shall be provided to the Town of Blowing Rock for review prior to adoption of the plan.

NCDOT will use "Smart Zone" techniques in the maintenance of traffic during construction. These techniques could include items such as advance notification of

delays, lane closures, real time monitoring, and the use of Digital Message Systems. In addition, NCDOT will maintain a website that will provide information on anticipated delays based on scheduled construction activities.

NCDOT will evaluate flashing warning lights, pavement markers, rumble strips and/or stripes, delineation, warning signs, and/or lighting that would be appropriate to increase safety and improve driver behavior during fog occurrences. The plans submitted by NCDOT to the State Historic Preservation Office and the Town of Blowing Rock for review would show the results of NCDOT's evaluation and the resulting recommendations.

NCDOT shall design and install a coordinated traffic signal system.

NCDOT shall use standard mast arm signal poles for traffic signals. If the Town chooses a decorative mast-arm pole that exceeds the cost of the NCDOT-standard mast-arm pole, then the Town will pay the incremental cost difference.

NCDOT shall provide an emergency crossover (with pavers that will allow grass to grow through them) at the planned Fire/EMS station (parcel no. 1504 on the Corridor Public Hearing Map). This crossover will permit volunteer fire fighters to turn left into the station and fire trucks to turn left out of the station. No signal of any kind will be provided at this location, but it will be signed for emergency use only. It is imperative that the Town or County enforce the appropriate use of this crossover; under no circumstances should anyone use it in a non-emergency situation.

NCDOT will construct a retaining wall at the Bollinger-Hartley House to minimize the project's impact on that property. Landscaping on the Bollinger-Hartley House property will be discussed with the SHPO and the property owners and will be included in the post-construction landscape plan.

NCDOT's Construction Unit IMPACT Public Information Program will work with the Town of Blowing Rock to develop an appropriate public information plan (PIP). As part of the PIP, NCDOT will hold a pre-construction "kick-off" meeting to introduce the contractor and the construction process to area residents.

NCDOT will develop, maintain, and consistently update a project website to provide current information about the schedule and development of the project, project progress, project contact information, and notification of any anticipated delays based on scheduled construction activities.

NCDOT and the contractor will limit blasting to specific times and those times will be posted on the aforementioned project website. In addition, blasting activities will be announced to the media as to be outlined in the PIP.

NCDOT will conduct pre-construction surveys of all structures adjacent to US 321 within the historic district to record a "before" condition so that any construction-related damage can be accurately identified.

NCDOT shall require that all construction trucks traveling at speeds greater than 25 mph will cover their truck beds in order to reduce the amount of dust and debris.

NCDOT shall not permit staging areas within the Green Park Historic District. NCDOT will permit overnight parking of equipment and storage of materials associated with current construction needs within the construction right-of-way limits along any part of the project corridor.

NCDOT shall not permit waste deposits, borrow pits, or construction offices within the Green Park Historic District.

NCDOT and the Town recognize that engineering constraints may arise and engineering standards may change between the date of this Understanding and the time of project completion. Should an engineering issue arise that complicates the fulfillment of any of these measures, NCDOT will initiate discussions with the Town to resolve the issue.

In witness whereof, this Memorandum of Understanding has been executed as of the last day written below on the part of the North Carolina Department of Transportation and the Town of Blowing Rock, by authority duly given, as evidenced by the attached certified copy of Resolution, Ordinance or Charter Provision, as the case may be.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

L A Sanderson

State Highway Administrator

Approved by the Board of Transportation: October 7, 2004

TOWN OF BLOWING ROCK

Jerry D. Lest

Mayor

Attest: Sharon H. Greene

Clerk

MUNICIPAL SEAL

Approved by the Town Board of Blowing Rock: Oct. 12, 2004

Town of Blowing Rock

1036 Main Street • Post Office Box 47 • Blowing Rock, NC 28605

Resolution #2004-__

RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING
Between the N.C. Board of Transportation and the Town of Blowing Rock Relating to the US 321 Improvements Project in Blowing Rock, NC

Whereas, the Widening Alternative has been identified by the NC Department of Transportation as the Preferred Alternative for proposed improvements to the US 321 Improvements Project between Blackberry Road (SR 1500) and Possum Hollow Road (SR 1632R) in Blowing Rock, North Carolina (Transportation Improvement Project R-2237C); and

Whereas, over the past several years the Town of Blowing Rock and the NC Department of Transportation have worked closely on the planning and design of the proposed U.S. 321 Improvements Project; and

Whereas, the Town of Blowing Rock desires that the road widening project minimize and mitigate project impacts, preserve and enhance the unique village atmosphere characteristics of Blowing Rock and include "parkway" amenities that are aesthetically pleasing as well as safety conscience; and

Whereas, a Memorandum of Understanding has been drafted based on these discussions and negotiations between the Town of Blowing Rock and NC Department of Transportation, with input from citizens and interested parties; and

Whereas, this agreement consists of the improvements of US 321 from Blackberry Road to Possum Hollow Road in Blowing Rock and lists measures that relate to minimizing and mitigating project impacts to both the Green Park Historic District and to the Town of Blowing Rock by preserving and enhancing the community character of the Town, including sidewalks, lighting, wall treatment, guardrail, utilities, landscaping, emergency access, review of plans, construction management (including blasting), traffic maintenance during construction, and post-construction traffic management, which includes a coordinated signal system; and

Whereas, the NC Department of Transportation Board formally adopted this MOU at their regular meeting on October 7, 2004;

Now, Therefore, Be It Resolved, by the Town Council of the Town of Blowing Rock that, in order to minimize and mitigate project impacts and preserve and enhance community character, the Memorandum of Understanding between the N.C. Board of Transportation and the Town of Blowing Rock, relating to the US 321 Improvements Project (R-2237C), be ratified upon adoption of this Resolution.

Approved this the 12th day of October, 2004.

Terry D. Lentz
Terry Lentz, Mayor Pro-tem

Attest: Sharon H. Greene
Sharon H. Greene, Town Clerk

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