

COUNCIL OF THE TOWN OF LA PLATA
Resolution 07-9

Introduced By:	Mayor Gene Ambrogio
Date Introduced:	July 24, 2007
Date Adopted:	July 24, 2007
Date Effective:	July 24, 2007

1 **A RESOLUTION** concerning

2
3 **Support for a new rail crossing for Heritage Green Parkway**

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5 **FOR** the purpose of urging federal, state and local elected representatives and railroad officials
6 to support and assist the Town of La Plata’s effort in obtaining a new rail crossing for
7 Heritage Green Parkway in the Town of La Plata.

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9 **WHEREAS**, on March 20, 1990, the Town of La Plata adopted Resolution 89-11, which
10 annexed 805.691 acres of land into the corporate boundaries of the Town of La Plata, subject to
11 an Annexation Agreement which specifies the terms, conditions and circumstances of the
12 annexation; and

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14 **WHEREAS**, the Annexation Agreement specifies the design and implementation of a
15 variety of amenities for the Town including:
16 construction of the Northern Bypass (Heritage Green Parkway) and the Caroline Drive
17 extension;
18 a twenty-acre site for an elementary school;
19 construction of a softball field and soccer field on the elementary school/park site;
20 construction of two neighborhood recreational centers;
21 dedication of two acres for civic uses;
22 dedication of two sites for public works; and
23 an eighteen hole golf course; and

24
25 **WHEREAS**, a key part of the Annexation Agreement entered into between the Town of
26 La Plata and the Petitioners was the requirement obligating the developer to construct a 4-lane
27 urban boulevard (the “Northern Bypass”) and to apply to Consolidated Rail Corporation
28 (“Conrail”), who operated the rail line at the time of the annexation, for permission to construct an
29 at-grade crossing over the railroad right-of-way; and

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31 **WHEREAS**, Conrail agreed to allow the previous developer to open a new crossing if the
32 existing at-grade crossing was closed, and the Town ceased using one existing rail crossing within

33 the development, near Washington Avenue and Shining Willow Way; however, the new crossing
34 was not constructed due to the previous developer's financial difficulties; and
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36 **WHEREAS**, the current Heritage Green developer has agreed to upgrade three rail
37 crossings in Charles County near La Plata, with lights and bars, that are currently under-protected;
38 and

39
40 **WHEREAS**, providing three newly-protected rail crossings will greatly enhance driver and
41 rail safety in Charles County; and

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43 **WHEREAS**, the at-grade crossing is necessary and integral to the ultimate function and
44 success of the Northern Bypass, a roadway constructed specifically to relieve traffic congestion on
45 Maryland Route 6/Charles Street through La Plata’s downtown and on Washington Avenue
46 leading to Charles Street; and

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48 **WHEREAS**, a failure to obtain the new crossing will not reduce the railroad’s exposure to
49 potential accidents; rather, such circumstance would result in increased traffic over the existing
50 Maryland Route 6/Charles Street and Rosewick Road crossings; and

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52 **WHEREAS**, the location of the crossing was planned for and committed with the
53 construction of the first phase of Heritage Green Parkway leading east from U. S. Route 301/Crain
54 Highway; and

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56 **WHEREAS**, an above grade or below grade crossing cannot be engineered due to the
57 proximity of Washington Avenue to the rail line; and

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59 **WHEREAS**, the proposed Heritage Green Parkway railroad crossing is related to core
60 quality of life issues in the Town, including traffic management, public safety, and emergency
61 services; and

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63 **WHEREAS**, Heritage Green Parkway is vital to the future of the Town of La Plata and
64 has been part of the Comprehensive Transportation Plan for the Town since 1974; and

65
66 **WHEREAS**, the Town of La Plata adopted a Vision Plan for Greater La Plata in March,
67 2000 and Heritage Green Parkway is essential for implementing the Vision Plan; and

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69 **WHEREAS**, the proposed development for this property is a Traditional Neighborhood
70 Development, implementing the State’s Smart Growth directives, and designated as such by the
71 Mayor and Town Council, having met the criteria of base zoning, preservation of outstanding
72 natural features, superior land planning and superior architecture; and

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74 **WHEREAS**, the project has obtained all preliminary subdivision approvals from the
75 La Plata Planning Commission and only lacks final plat approval before building of the Northern
76 Bypass may commence;

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78 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF**
 79 **LA PLATA** that the Town of La Plata hereby urges the Federal Railroad Administration to
 80 support and assist the Town of La Plata’s effort in obtaining a new rail crossing for Heritage
 81 Green Parkway in the Town of La Plata; and be it further

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 83 **RESOLVED** that the Town of La Plata hereby requests the United States Department of
 84 Transportation, the Federal Railroad Administration, the Maryland Department of Transportation,
 85 and our federal, state and local elected representatives to support the Town of La Plata’s efforts
 86 and hereby urges the CSX Corporation to cooperate with the Town of La Plata in obtaining a new
 87 rail crossing for Heritage Green Parkway; and be it further

88
 89 **RESOLVED** that the Town Clerk of the Town of La Plata send copies of this Resolution
 90 to U. S. Senator Barbara A. Mikulski; U. S. Senator Benjamin L. Cardin, U. S. Congressman
 91 Steny Hoyer; our Maryland elected representatives: Senator Thomas McLain (Mac) Middleton,
 92 Delegate Sally Y. Jameson, Delegate Murray D. Levy, and Delegate Peter F. Murphy; County
 93 Commissioners of Charles County: President Wayne Cooper and Commissioners Samuel N.
 94 Graves, Jr., Dr. Edith J. Patterson, Reuben B. Collins, II, and Gary V. Hodge; Mary E. Peters,
 95 United States Secretary of Transportation; Joseph H. Boardman, Administrator, Federal Railroad
 96 Administration; John D. Porcari, Maryland Secretary of Transportation; Michael J. Ward,
 97 Chairman, President and CEO, CSX Corporation; Carl Roe, Principal Engineer, CSX Corporation;
 98 and to such other persons as the Clerk, in her discretion, may deem proper in order to effectuate
 99 the purpose of this resolution.

100
 101 **ADOPTED** by the Council of the Town of La Plata on July 24, 2007.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Gene Ambrogio, Mayor

James Goldsmith, Councilman

Scot D. Lucas, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Judith T. Frazier, Town Clerk
Date: _____

Vic E. Newman, Councilman