

Additional measures of traffic calming, such as speed bumps, speed tables, and chicanes, may be investigated at site plan or requested by residents at any time from DPWT to further restrict non-local traffic, if needed.

Transportation Planning staff recommends four access points to the site. These access points include two primary residential and two secondary residential streets. They are as follows:

1. Primary residential access from Layhill Road (MD 182). The existing Indian Spring Access Road is a private drive that connects Layhill Road to the existing Indian Spring Country Club's parking area. Indian Spring Access Road is buffered from the residential neighborhoods to the north and south by physical barriers, different vertical grades, and existing trees and vegetation. Therefore, it cannot be connected to the adjacent residential streets of Wagon Way and Middlevale Lane on the northeast and Middlebridge Drive to the southeast. The existing Indian Spring Access Road will be upgraded to a two lane primary residential street. The applicant is providing additional right-of-way along Indian Spring Access Road at Layhill Road for an eastbound lane, for a total of three lanes at the intersection with Layhill Road: two westbound lanes and one eastbound lane. The available right-of-way varies from 60.5 feet to 70 feet. Since the existing property width does not meet minimum right-of-way width requirements, DPWT will accept a road built to an environmental primary residential standard with a sidewalk on one side and minor storm water management structures within the available right-of-way. In addition, a detailed storm drain and/or flood plain study for this road must be reviewed and approved by DPWT.

Indian Spring Access Road (P-13) is designated in the Kensington/Wheaton Master Plan as a 36-foot-wide primary residential street with a 70-foot right-of-way. The Master Plan states (page 98):

"If and when redeveloped with another use, the Country Club should be provided with access from Layhill Road and Randolph Road. Access from Layhill Road should be provided by reconstructing the existing access road to the typical primary residential street standard. Access from East Randolph Road should be provided by extending the primary street named Tivoli Lake Boulevard. The internal street network of any such development should be continuous but designed with the idea of preventing cut-through traffic movement between Layhill Road and Randolph Road."

As part of the LATR, the future traffic condition at the intersection of Layhill Road and the Indian Spring Access Road was analyzed. The applicant's transportation engineer submitted a traffic signal warrant study to SHA to determine if installation of a traffic signal is warranted for the intersection of Indian Spring Road and Layhill Road. SHA, which has the sole authority to approve a traffic signal at this location, has reviewed the traffic study and recommends that an additional (second) westbound approach lane be constructed at Layhill Road. SHA also supports extension of Tivoli Lake Boulevard into the site for better distribution of site traffic to the surrounding roadway network.

Transportation Planning staff also recommends the applicant design and install a traffic signal at the intersection of Layhill Road and Indian Spring Access Road if SHA determines in the future, based on a warrant analysis, the need for a traffic signal at this location. SHA recommends that a traffic signal warrant analysis for this location be prepared and submitted to SHA when the proposed development reaches 75% completion. In this case, a 75% occupancy (580 units) is needed before a traffic signal analysis is done to assess the impact of actual site generated traffic at this location.

2. Primary residential access from Randolph Road via Tivoli Lake Boulevard. Tivoli Lake Boulevard currently provides primary access to more than 500 residential units of the Tivoli Community. At the current northern terminus, it is built consistent with primary residential roadway standard, having a 36-foot typical paving width and sidewalks. It terminates near the southern property line of the proposed site near Hugo Circle. Parking exists on both sides of the road. Staff recommends extending Tivoli Lake Boulevard into the proposed site, based on the Kensington/Wheaton Master Plan recommendation to provide for a needed second point of primary access into the site.

The proposed road should be tapered from the existing road section to a section design that is recommended for an environmental primary residential roadway. This design calls for 26 feet of pavement and a shared-use path on the west side. This recommendation is intended to reduce the limit of disturbance as the road crosses Bel Pre Creek.

In addition to the guidance in the approved and adopted Master Plan, staff believes that the Tivoli Lake Boulevard connection is needed for the following reasons:

- The Tivoli Lake Boulevard extension is needed to provide a second point of access via primary residential streets for the proposed community of 773 homes and a potential elementary school site. The proposed 773 single-family detached and attached units will generate approximately 585 peak-hour trips. According to Section 49-34(d) of the Montgomery County Code, a primary residential street serves as a principal outlet to major highways or arterial roads from a residential development for 200 or more families. According to the Master Plan, a primary residential street is a local traffic collector for vehicles traveling between higher-level streets (Page 89).
- To offer emergency, transit, delivery, and service vehicles, as well as the motoring public an alternate point of ingress/egress to a significant sized community. It provides an alternative primary route for emergency response from the south, and could potentially reduce the response time of emergency fire, rescue, and police vehicles.

Staff believes that the scenario without the Tivoli Lake boulevard connection could put the proposed development at risk, should the Indian Spring Access Road be closed due to fallen power line, fallen trees, a car crash or any number of unforeseen hazards. Restricting the community of 773 homes plus a potential school to a single point of primary residential street access must not be allowed.

- To support public transit. Transit routes work more efficiently on a connected network than on a series of cul-de-sacs. In a letter dated June 2, 2006 Ride-On Transit Services states support for extension of the existing bus route 31 to serve the new Indian Spring development, contingent upon the Tivoli Lake Boulevard connection.

The Indian Spring Access Road-Tivoli Lake Boulevard connection, as designed with the public square and traffic circles, provides the benefits of a primary residential road that collects vehicular traffic from residential subdivisions and distributes traffic to arterials while discouraging non-local traffic.

Regarding the condition to extend Tivoli Lake Boulevard, the Director of DPWT submitted a letter dated January 27, 2006 (Attachment B), stating that master planned primary residential roadways and specifically the Tivoli Lake Boulevard connection, be required as condition of subdivision approval. The Director of DPWT cites numerous consequences of not making the connection at time of subdivision, including:

- Postponing planned and necessary access (including public safety access) improvements to nearby communities.
- Hindering community connectivity.
- Concentrating excess travel demand on other system links not envisioned to carrying such traffic.
- Shifting the financial responsibility for the roadway construction from private developers to taxpayers throughout the county.
- Deferring construction to a much later date, given constraints on capital spending and the need to prioritize expenditures to higher classification projects.
- Result in significantly higher construction costs due to inflation during the period of the deferment.

At this time DPWT, Ride-On, SHA, and M-NCPPC staff all agree on the need for Tivoli Lake Boulevard to be constructed by the applicant.

3. Secondary residential access from future Alderton Road. Within the Kensington/Wheaton plan area, Alderton Road has been constructed as a secondary residential roadway that terminates at a private drive for four privately owned lots approximately 300 feet north of the site. Alderton Road is interrupted at Mathew Henson State Park before continuing on north to Bonifant Road. Alderton Road is classified as a Primary Residential road in the Aspen Hill master plan. Both built segments have approximately 15 residential driveways. Staff recommends that a secondary roadway be built on the site to stub out at the property limits to the north where the roadway will continue upon redevelopment of the properties north of this site.

The segment of Alderton Road extending south from the Matthew Henson Greenway is not specifically mentioned in the 1989 *Master Plan for the Communities of Kensington-Wheaton*. The 1994 *Aspen Hill Master Plan* designates Alderton Road as a primary residential street north of the Matthew Henson Greenway. Alderton Road, if extended to the site, could connect to the Indian Spring Access Road. The applicant has shown a 60-foot right-of-way for the future connection of Alderton Road in the northwest corner of the development.

Potential MCPS school site and Alderton Road. MCPS intends to reserve an area on this site to locate an elementary school. MCPS staff expressed an interest in the inclusion of Alderton Road to provide a secondary means of access to the school and improved access to neighborhoods from the north. MCPS staff also notes that schools located on corner lots function better for drop-off and pick-up operations. If the Planning Board chooses to support reservation or partial dedication of a school site, then Alderton Road should be built perpendicular to and between the Indian Spring Access Road and the northern property limit. Trips generated by the potential school would need to be addressed as part of a Mandatory Referral submitted to the Planning Board for the new school.

4. Secondary residential access from the existing terminus of Foggy Glen Drive. Foggy Glen Drive currently terminates at the northern property line of the proposed site. It has been constructed as a secondary residential roadway with a 60-foot-wide right-of-way. It provides a circuitous connection to Layhill Road via Wagon Way, Huxley Cove Court/Sullivan Lane, or Middlevale Lane. Foggy Glen Drive is shown to continue onto the proposed site as a secondary residential roadway with a 60-foot-wide right-of-way, a 26-foot-wide paving section and sidewalks on both sides. In order to be consistent with the existing network, staff believes the roadway on the site should also be called Foggy Glen Drive.

Citizen Input

Numerous stakeholders have contributed their view for this preliminary plan. Staff characterizes the input from adjacent communities as generally opposing any connectivity to their existing neighborhoods via existing stubbed out roads. The three contested connections include Tivoli Lake Boulevard, Alderton Road, and Foggy Glen Drive.

The Tivoli Community, adjacent to the site to the south, consists of more than 500 homes with their primary access provided on Tivoli Lake Boulevard. A circuitous route by means of Hutchinson Lane/Way to Middlevale Lane or Briggs Road provides a secondary access. The letters from the Tivoli Community express opposition to the extension of Tivoli Lake Boulevard into the Indian Spring development. Collectively, the letters declared the increase in traffic created by allowing the extension would have negative effects on their community including increased crashes from new cars, lack of need for the connection, increased congestion at the intersection of Tivoli Lake Boulevard and Randolph Road, reduced parking in their neighborhood, and increase in non-local traffic. In response to the citizen's input, Transportation Planning staff has included sections in this memo addressing safety, access, congestion, parking, and non-local traffic.

Local Area Transportation Review

A traffic study was submitted to determine the impact of this application on the local transportation network and was reviewed under the *LATR Guidelines*, adopted and approved July 1, 2004.

The proposed development is expected to generate 471 and 585 additional peak-hour trips during the morning and evening weekday peak periods, respectively. These site-generated trips were added to the existing and background traffic (from approved but unbuilt developments) to form the total future traffic. Traffic was distributed and assigned to the eight intersections in the study area according to the LATR guidelines. The critical lane volume (CLV) results were then compared to the applicable congestion standards for the Kensington/Wheaton and Glenmont Metro Policy Areas. Table 1 shows the intersection congestion standards and the CLV results for existing, background, and two total future traffic conditions: 1) Total future traffic **without** Tivoli Lake Boulevard connection and 2) Total future traffic **with** Tivoli Lake Boulevard connection to the site. The scenario without Tivoli Lake Boulevard is included for reference purposes only.

Table 1 – Results of Intersection Capacity Analysis

Intersection	Congestion Standard ¹	Peak Hour	Traffic Condition			
			Existing	Background	Total w/o Tivoli Lake Blvd ²	Total w/ Tivoli Lake Blvd
Layhill Road & Bonifant Road	1,500 Aspen Hill	Morning	1,304	1,365	1,429	1,429
		Evening	1,189	1,353	1,407	1,407
Layhill Road & Indian Spring Road	1,600 Kensington/Wheaton	Morning	1,155	1,263	1,556	1,289
		Evening	865	952	1,353	1,056
Layhill Road & Glenallen Avenue	1,800 Glenmont	Morning	828	947	1,043	956
		Evening	980	1,145	1,281	1,155
Layhill Road & Georgia Avenue	1,800 Glenmont	Morning	1,200	1,246	1,384	1,260
		Evening	1,071	1,120	1,326	1,127
Georgia Avenue & Randolph Road	1,800 Glenmont	Morning	1,762	1,810	1,925	1,861
		With improvements			1,720	1,672
		Evening	1,684	1,705	1,759	1,837
		With improvements			1,759	1,692
Randolph Road & Glenallen Avenue	1,800 Glenmont	Morning	1,250	1,290	1,311	1,377
		Evening	962	1,001	1,010	1,091
Randolph Road & Tivoli Lake Boulevard	1,600 Kensington/Wheaton	Morning	1,040	1,077	1,080	1,310
		Evening	789	814	821	950
Randolph Road & Kemp Mill Road	1,600 Kensington/Wheaton	Morning	1,263	1,265	1,277	1,277
		Evening	1,270	1,296	1,303	1,303

¹ Congestion Standards for the Aspen Hill, and Kensington/Wheaton Policy Areas.

² Condition does not meet the recommendation of the Master Plan for two points of primary access.

Three intersections in the study area, as noted in Table 1, are located in the Kensington/Wheaton Policy Area and have a CLV standard of 1,600. One intersection is located in the Aspen Hill Policy Area and has a CLV standard of 1,500. Four intersections are in the Glenmont Metro Policy Area, which is situated near Metro, has a higher policy standard of 1,800 CLVs than the others where transit alternatives are not as strong. The developer's traffic study (dated 10/19/05) shows seven of the eight intersections projected to pass the policy area standards in a total traffic condition.

The Georgia Avenue (MD 97) and Randolph Road intersection, however, is not projected to pass the Glenmont policy area standard. The traffic study identifies potential improvements to the intersection that would be needed to pass the LATR test by adding turn lanes. According to the traffic study, Georgia Avenue would need an additional southbound through-right turn lane and a receiving lane on the south side of Randolph Road. A northbound right-turn lane would also be needed on Georgia Avenue. Combined, these improvements would reduce the CLV to below the background traffic condition and could satisfy LATR. The County could require these improvements to satisfy the APF test. However, staff believes that these improvements at this location are not feasible due to right-of way constraints and park impacts. Additionally, at the time of the Pre-Preliminary Plan (7-03058, Hearing on 4/11/04) the Planning Board found that, should improvement of the intersection capacity at Georgia Avenue and Randolph Road be required, the developer would be required to pay a pro-rata share of the project cost at Preliminary Plan review.

The State Highway Administration (SHA) has planned and designed a grade separated interchange at the intersection of Georgia Avenue (MD 97) and Randolph Road. The project is scheduled for bid for construction in May of 2008. When it is complete, Randolph Road will have two travel lanes in each direction under Georgia Avenue. The Planning Board commented on the 35% completion design as a Mandatory Referral (MR 04815-SHA-1) in December 9, 2004. Staff calculates that an Indian Spring development of 773 single-family units will contribute approximately 3.45% of the future traffic volume of the interchange. As a result, Staff recommends that a pro-rata contribution of the project costs is an appropriate alternative to at grade improvements to satisfy LATR. According to SHA, the total project cost is estimated to be \$62,000,000. The applicant's share is therefore \$2,139,000 (based on 773 units). Staff recommends a schedule of payment, divided in thirds and linked to benchmarks in the development phasing as follows:

1. \$713,000 prior to recordation of the first plat.
2. \$713,000 before release of the 150th building permit.
3. \$713,000 before release of the 350th building permit.

Based on information from SHA and the applicant, staff forecasts that this payment schedule would deliver approximately two thirds of the total payment, tied to the progress of the development, prior to construction of the project.

Transportation Planning staff concludes that the applicant's site-generated traffic would not exceed the congestion policy standard once the identified improvements are made.

Pedestrian Facilities

The applicant is proposing a network of new sidewalks and pathways throughout the development. Secondary and tertiary residential streets are proposed to have sidewalks on both sides, with Americans for Disabilities Act ramps at intersections and marked crosswalks (locations to be determined at site plan). The Indian Spring access road is to have a continuous sidewalk, separated from traffic, on the north side. Tivoli Lake Boulevard is to have a shared-use-path on the west side of the road. Both of these entrance roads are proposed with reduced cross sections to accomplish environmental goals noted above. Part of the waiver package submitted to DPWT for the reduced cross section includes proposing sidewalk along only one side of these two roads. Staff finds that while providing pedestrian facilities on one side of the entrance roads is not ideal for pedestrian access, it does accomplish environmental goals of reduced grading, impervious surface, and reduced tree loss where one sidewalk may be sufficient. Existing sidewalks that intersect the property will be continued onto the site, connecting the pedestrian network where practical. The proposed preliminary plan will not adversely affect the existing pedestrian access.

Master Plan Roadways and Bikeways

In accordance with the approved and adopted 1989 *Master Plan for the Communities of Kensington-Wheaton*, the Master Plan designations are as follows:

- Layhill Road (MD 182) is designated as a four-to-six-lane divided, major highway (M-16) with a 120-foot right-of-way and existing bike lanes on both sides. The *Countywide Bikeways Functional Master Plan* also recommends bike lanes (BL-18) between Georgia Avenue (MD 97) and Norbeck Road (MD 28).
- Tivoli Lake Boulevard (at the southern end) and Indian Spring Access Road (at the western end) is designated as a 36-foot-wide primary residential street (P-13) with a 70-foot right-of-way.
- Georgia Avenue (MD 97) is designated as a six-lane divided major highway (M-8) with a 120-foot right-of-way. The Georgia Avenue Busway was recommended within the right-of-way running between the Glenmont Metrorail Station and Spartan Road in Olney. The Busway includes the *Countywide Bikeways Functional Master Plan*'s shared-use-path (SP-29) between the Glenmont Metrorail Station and MD 108.
- Randolph Road is designated as a six-lane divided major highway (M-17) with a 120-foot right-of-way and an adjacent shared-use-path bikeway. The *Countywide Bikeways Functional Master Plan* recommends a shared-use path (SP-26)

between Veirs Mill Road and Kemp Mill Road/Northwest Branch Trail. The shared-use path exists east of Middlevale lane, serving JFK High School. The portion west of JFK High School is not built.

- Alderton Road and Foggy Glen Drive are not classified in the master plan.

In accordance with the approved and adopted 1994 *Aspen Hill Master Plan*:

- The Intercountry Connector is designated as a freeway, (F-9) with a 300-foot right-of-way. The State Highway Administration plans to construct the Intercountry Connector (ICC) between Interstate 270 in Montgomery County and Interstate 95/Route 1 in Prince George's County. The new limited access, toll facility will pass the site to the north. According to the May 2006 Record of Decision, the nearest point of access for the ICC is proposed to be at an interchange on Layhill Road (MD 182) 3,500 feet north of Bonifant Road.
- Alderton Road is designated as a primary residential street (P-15) between Bonifant Road and the Matthew Henson Greenway (was Rockville Facility) with a 70-foot right-of-way.
- Bonifant Road is designated as a two-lane arterial (A-40) with an 80-foot right-of-way and existing bike lanes on the road shoulder. The *Countywide Bikeways Functional Master Plan* recommends bike lanes (BL-17) between Layhill Road and Good Hope Road.

DP:gw
Attachment

mmo to weaver re 1-06051 Indian Spring



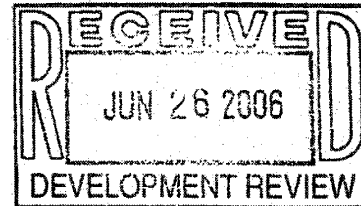
DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

June 20, 2006

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



RE: Preliminary Plan # 1-20060510
Indian Spring Country Club

Dear Ms. Conlon:

We have completed our review of the revised four sheet preliminary plan dated October 21, 2005 (and amended details subsequently received on June 14, 2006). This latest plan was reviewed by the Development Review Committee at its meeting on November 21, 2005. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to MCDPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

Our conditional approval of this plan is predicated on the need to provide the master-planned primary classification roadway "P-13" [Street "A" - extension of Tivoli Lake Boulevard out to Layhill Road (MD 182)] through this development - as noted in Mr. Arthur Holmes, Jr.'s letter of January 27, 2006 (copy attached). We are not aware of any decisions or actions which would invalidate the master planned connection. As a result, we believe the applicant should be required to implement the vehicular connection proposed on Sheet 3A of 4 - or - obtain approval from the County Council (to delete this roadway connection) prior to development approval by the Planning Board.

1. Previous comments contained in our February 10, 2005 letter (for the original preliminary plan for this site, file no. 1-04108) remain applicable unless modified below.



Division of Operations

Attachment A

2. General – provide a minimum of one hundred (100) feet of tangent space (not including curb returns) between all proposed intersections with alleys; any reductions of this policy will need a site specific justification statement with an analysis of other options considered and their respective impacts.

We reserve the right to prohibit on-street parking throughout the development as needed for traffic operations and safety.

3. Sheets 1 and 4 – we recommend the typical section and plan view for “Tivoli Lake Boulevard” be revised to read “Foggy Glen Drive” between the community square and the northern limit of the development – to differentiate this section of secondary residential street from the master planned primary roadway through the development.
4. Sheet 2 – given the constraints due to nearby adjacent development, topography, and landscaping, we support approval of the modified roadway typical sections and non-standard design features proposed within the right-of-way for Street A between Layhill Road (MD 182) and Street D. Those features include:

- reducing the pavement width on Street A down to twenty six (26) feet – instead of the thirty six (36) foot wide section proposed in the master plan [narrowed from 36 feet between its intersection with Layhill Road (MD 182) and centerline station 5+30];
- allowing the introduction of “Stormfilter” (or approved equivalent canister-style) stormwater management structures within the right-of-way – subject to providing thirty six (36) foot wide pavement section from MD 182 through the area of those structures, all stormwater management structures to be located entirely behind the curblines, and final approval of the structures by the Department of Permitting Services (DPS) Right-of-Way Permitting and Plan Review Section at the permit stage;
- eliminating sidewalk on one side of the roadway and street trees on both sides of the right-of-way; and
- allowing the introduction of retaining walls within the right-of-way to constrain the disturbed area to the public right-of-way

It appears that there will not be sufficient room in the area of the thirty six wide pavement on Street A to install underground public utilities (other than conduit for electric street lights) due to the proposed encumbrances in the shelf behind the curb (due to the proposed stormwater management structures and retaining walls). We will not allow underground public utilities to be located longitudinally under the roadway pavement. At this time, it appears that underground public utilities will need to access this site from other roadways and that it will not be feasible to locate them in the right-of-way for Street A between Layhill Road (MD 182) and Street D. We are willing to revisit this situation with the applicant, your Office, and DPS at the Site Plan and/or permit stages.

5. Also on Sheet 2, dedicate the right-of-way and grant the necessary easements for the proposed "60' Fut. R/W" intersecting Street B near centerline station 9+25. Also, if a secondary street is needed to access the adjacent property, does Street B need to be upgraded to a secondary roadway (which would affect the street design and lot layout)?
6. Ensure a minimum of two hundred fifty (250) feet of sight distance in each direction at side street intersections with Street A/Tivoli Lake Boulevard Extended. The visibility at its proposed intersection with Street D appears questionable.

Ensure a minimum of one hundred fifty (150) feet of sight distance along all tertiary streets and two hundred (200) feet along all secondary residential streets.

7. Sheet 3A – as noted on page 1, our conditional approval of this plan is predicated on constructing the master planned extension of Tivoli Lake Boulevard into this site.

Given the constraints due to nearby adjacent development, topography, and landscaping, we support approval of the alternative (environmental) primary roadway typical section and non-standard design features proposed within the right-of-way for the extension of Tivoli Lake Boulevard between existing Hugo Circle and the intersection with proposed Street K. Those features include:

- reducing the pavement width on Street A down to twenty six (26) feet;
- constructing an environmentally sensitive stream crossing structure; and
- allowing the introduction of public utilities in a manhole and conduit system within that right-of-way, within the stream crossing area, for a maximum distance of two hundred (200) feet.

We note the plan view does not delineate a sidewalk on the east side of this roadway – although one is shown on the typical section on Sheet 1. Sidewalk (and/or off-road bikepath) is required of the streets within this subdivision per Section 49-35(e). We do not believe this street will qualify for a sidewalk waiver under Section 49-43 (b.1). We are willing to work the applicant, your Office, and DPS at the Site Plan and/or permit stages to identify alternative sidewalk location(s) within the right-of-way in an effort to minimize the limits of grading in the stream crossing area.

8. Sheet 4 - the public "square" proposed (at the intersection of Tivoli Lake Boulevard with Street "A") should be designed to accommodate the turning movements of a fire truck.

Will the Community Square be dedicated to public use? If not (and it is intended to be a parcel in private ownership), we will need the applicant to grant a ten (10) foot wide Public Improvements Easement around its perimeter. The executed Declaration of Public Improvements Easement document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat.

The proposed alleys on Street K (approximately one hundred and one hundred thirty feet east of proposed Tivoli Lake Boulevard) need to be realigned to intersect opposite one another.

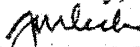
No driveway access or on-street parking will be permitted around the traffic circle at the north end of the property (near the connection with Foggy Glen Drive). For that reason (and because this traffic circle will have a limited affect on traffic calming), we recommend that traffic circle be removed from the plans.

Waiver from the Montgomery County Planning Board for overlength cul-de-sac on Street G.

9. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
10. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Traffic Systems Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
11. Coordinate with our Mr. Philip McLaughlin of our Division of Transit Services, at 240-777-5825, for provision of on-site Ride On bus route(s) and related amenities.

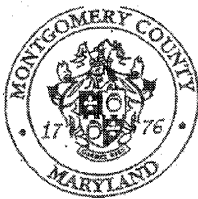
Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at greg.leck@montgomerycountymd.gov or (240) 777-2190.

Sincerely,


Gregory M. Leck, Manager
Development Review Group
Traffic Engineering and Operations Section

m:/subd/gml/docs/1-20060510, Indian Spring Country Club
Enclosures (2)

cc: Michael Lemon; Winchester Homes, Inc.
Edward C. Wallington; Loiederman Soltesz Associates, Inc.
Steven A. Robins; Lerch, Early & Brewer, Chartered
Richard Weaver; M-NCPPC Development Review
Shahriar Etemadi; M-NCPPC Transportation Planning
Mark Etheridge; DPS Water Resources
Raymond Burns; MSHA EAPD
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Sarah Navid; DPS RWPPR
Philip McLaughlin; DPWT DTS



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

January 27, 2006

Arthur Holmes, Jr.
Director

Douglas M. Duncan
County Executive

Mr. Derick P. Berlage, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Dear Chairman Berlage:

It has come to my attention that several pending preliminary plans have been prepared in an effort to persuade the Planning Board not to require the applicants to construct Master Planned Primary Residential roadways through their developments as a condition of their subdivision approvals. Two projects which readily come to mind are the Mitchell Property (file no. 1-05107) and Indian Springs Country Club (file no. 1-20060510). The Mitchell Property project pertains to the master planned connection of Kingshouse Road through that development while the Indian Springs plan concerns the master planned extension of Tivoli Lake Boulevard into that site.

We understand that some Planning Board staff, in response to input from nearby communities and/or environmental groups, are considering recommendations to require those applicants to dedicate the rights-of-way, but not to build these roadways. DPWT is very concerned with this approach to community building. We believe that such proposals, if they were to be approved by the Planning Board, would have several negative consequences including but not limited to:

- postpone planned and necessary access (including public safety access) improvements to nearby communities
- hinder community connectivity
- concentrate excess travel demand on other system links not envisioned to carry such traffic
- shift the financial responsibility for the roadway construction from the private developers to taxpayers throughout the County, if these roads are ever built
- defer the construction to a much later date, given the constraints on capital spending and the need to prioritize expenditures to much higher classification projects
- result in much higher construction costs due to inflation during the period of the deferment
- more likely result in eliminating the construction of these roads — since any opposition today will be magnified for a future capital improvements program project - once the proposed homes have been occupied
- set a seriously negative precedent by which citizen opponents would have yet another mechanism to obviate the intentions of adopted master plans.



Office of the Director

101 Monroe Street, 10th Floor • Rockville, Maryland 20850-2540 • 240/777-7170, FAX 240/777-7178
Located one block west of the Rockville Metro Station

Mr. Derick P. Berlage
January 27, 2006
Page 2

Since the streets under consideration are primary residential roadways, it is our Department's position that they were planned to provide local traffic circulation and site access to the nearby communities. We believe the County Council envisioned the applicants would be required to dedicate and construct these master planned roadways within their developments as a condition of subdivision approval. Any proposal to postpone construction will result in de-facto elimination of such facilities and therefore would constitute an amendment to the Master Plan. Therefore, we believe that such decisions would need the approval of the County Council - *as a prerequisite of subdivision approval.*

Private sector advocates of postponing the implementation of these master planned roadways should be required to satisfactorily demonstrate the impact of the diverted trips. Likewise, if it is Planning Board staff that is advocating deferral of this construction, they should substantiate their position through similar public safety access and transportation analyses, along with a thorough evaluation of the fiscal repercussions of the funding shift.

The time for narrow consideration of only environmental concerns and opposition by neighbors, without equal consideration of the more global social and economic implications, is past. As the stewards of the master plans, both of our agencies need to evaluate all aspects of these controversial ideas fully, carefully, and without bias.

Our preliminary plan review letters will continue to require the applicants to dedicate and construct these roadways within the proposed developments so long as they remain in the affected Master Plans. We urge the Planning Board to uphold the intent of those documents as well by supporting and enforcing this position.

Thank you for your cooperation and assistance.

Sincerely,

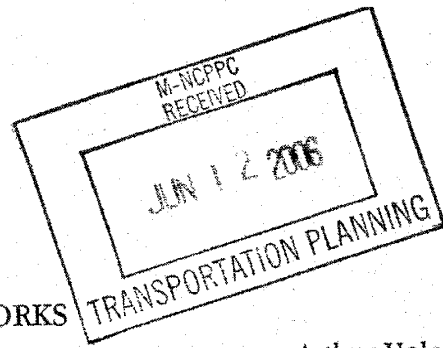


Arthur Holmes, Jr.
Director

AH/pc

cc: Bruce Romer
Robert C. Hubbard
Thomas W. Carr, Jr.
Faroll Hamer
Richard C. Hawthorne
Rose Krasnow

bcc: Michael C. Hoyt
Edgar A. González
Al R. Roshdieh
Bruce E. Johnston
Emil J. Wolanin (M:\subdivision\GML\GML\DOCS\M-NCPPC\AH to DB ltr re objecting to allowing developers to not build MP roads, 013106 final DRAFT.doc)



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

June 2, 2006

Mr. Steven A. Robins
Attorney at Law
Suite 460
3 Bethesda Metro Center
Bethesda, Maryland 20814-5367

Ref: Winchester Homes/Indian Spring Preliminary Plan

Dear Mr. Robins:

This letter acknowledges the meeting that was held with you and Michael Lemon of Winchester Homes regarding the preliminary plan of the subdivision for Indian Spring Country Club property. We likewise, thought the discussion was positive.

To recap our discussion and understanding, Winchester's proposal for a new subdivision on the site of the Indian Spring Country Club will entail 773 dwelling units. There was discussion as to the possibility of Ride On providing direct service to this new development.

Ride On is amenable to providing regularly scheduled service linking Wheaton and Glenmont MetroRail Stations with the condition that road access is permitted between your development and Tivoli Lakes Blvd. This access allows for seamless transit service on the existing route 31 while providing service to this community. Funding for this additional service will also be contingent upon county budget approval (the estimated cost for this service is \$100,000 annually plus the capital cost of a vehicle).

Solely accessing this development from Layhill Rd presents operational and fiscal challenges for Ride On. Without access to Tivoli Lakes Blvd from this development, Ride On is unable to commit to regularly scheduled future transit service at this time.



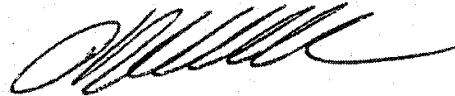
Attachment B

Office of the Director

Mr. Steven A. Robins
June 2, 2006
Page 2 of 2

We are encouraged by this high density development. Ride On supports the growth in this community and looks forward to providing efficient and effective service via Tivoli Lakes Blvd. on the route 31. This project further supports our partnership in mitigating traffic in Montgomery County. It has been a pleasure working with you and if you have additional comments or questions, feel free to contact me at 240-777-5825.

Sincerely,

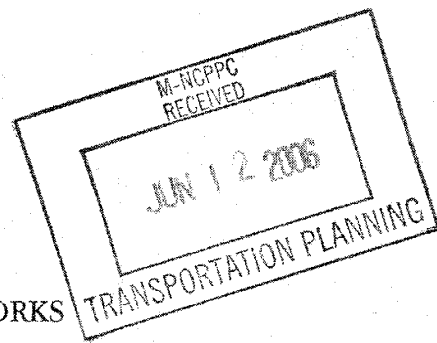


Philip McLaughlin
Manager, Operations Planning

PM/jm/Indian Spring Development

cc: Shahriar Etemadi
David Paine
Michael Lemon
Carolyn Biggins
Howard Benn
Greg Leck
Deanna B. Archey

*Point & Planning 8787 Georgia Av.
SS MD. 20910-3760*



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

June 2, 2006

Mr. Steven A. Robins
Attorney at Law
Suite 460
3 Bethesda Metro Center
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Office of the Director

MEMORANDUM

July 6, 2006

**TO: Richard Weaver, Subdivision Review, Development Review Division
Cathy Conlon, Subdivision Supervisor, Development Review Division**

**FROM: Doug Powell, Plan Review Coordinator, Park Planning and Resource
Analysis Unit, Countywide Planning Division**

RE: Preliminary Plan 1-04108, Indian Spring

The Countywide Park Trails Master Plan that was approved by the Planning Board in 1998 provides for a hard surface trail from Alderton Drive south to Wheaton Regional Park. This trail has major regional significance by linking the Matthew Henson Trail to the Northwest Branch trail system thereby ultimately enabling users to travel on bicycle or foot along the entire Northwest Branch Stream Valley Park hard surface trail system to the Master Planned Matthew Henson Trail and then west to connect with the Rock Creek Trail system. This trail connection is recommended in the Plan to be located outside the Northwest Branch stream valley to best protect the natural resources. Consequently, the Applicant is dedicating a green corridor through the development for the trail that is outside stream buffers and will best serve the residents of the proposed development as well as other trail users passing through. This alignment will also provide the most logical trail crossing of Bell Pre Creek. To enhance protection of the existing parkland and aquatic resources therein, the Applicant will be dedicating considerable additional parkland along both Northwest Branch and Bell Pre Creek.

In addition, this subdivision offers an ideal opportunity to link the proposed community, as well as existing nearby residents, to Northwest Branch Stream Valley Park and the master planned natural surface trail that lies on the east side of Northwest Branch. This plan includes the proposed construction by Applicant of a natural surface trail from the development to the master planned natural surface trail along the east side of Northwest Branch, including a pedestrian bridge over Northwest Branch.

Park Planning and Resource Analysis Unit would thereby request the following **Conditions of Approval** for this Plan:

- Applicant to establish and dedicate to M-NCPPC, a 35' minimum width green corridor, as shown on the Preliminary Plan, through the subject property from

the existing Foggy Glen Drive terminus on the north side of the subject property, to the existing Tivoli Lake Boulevard on the south side. The green corridor should be primarily located away from roads, outside of the floodplain and stream buffers, and away from private residences and fences wherever possible, and give the impression and feel to the user of a park like setting.

- Applicant to construct within the dedicated parkland, an 8' minimum width hard surface trail from the existing Foggy Glen Drive terminus on the north side of the proposed development, to the existing Tivoli Lake Boulevard terminus located south of Bel Pre Creek. Exact trail alignment, width and signage to be determined in coordination with M-NCPPC staff by time of site plan. Trail to be constructed to park standards and specifications and include necessary bridges, stream crossings and adequate signage. Trail to cross Bel Pre Creek on the same bridge as the proposed road crossing if such road crossing is constructed, but should be adequately separated from the roadway for user safety. If the road is not constructed, Applicant to construct the trail bridge crossing of Bel Pre Creek at the same location within the road right of way or adjacent parkland.
- Applicant to provide a natural surface trail connection from the community to the master planned natural surface trail system on the east side of Northwest Branch. Trail to include necessary boardwalk and bridge across Northwest Branch. Location of trail and bridge to be acceptable to M-NCPPC staff. Trail and bridge to be constructed to park standards and specifications within existing and dedicated parkland to allow adequate public access to the trail.
- Applicant to dedicate to M-NCPPC all land as indicated on the Preliminary Plan along Northwest Branch and Bel Pre Creek to be added to current stream valley parkland. Land to be conveyed at time of record plat and to be free of trash and unnatural debris with boundaries staked and signed to delineate between parkland and private property. Existing ponds within the dedicated parkland to be removed, if M-NCPPC staff determines such removal to be desirable, by Applicant prior to conveyance.

AAW:
Candy Bunnas
1 - Page Sent

Attachment # 9
P. 1/1
Maryland Office
225 Lowe House Office Building
Annapolis, Maryland 21401-1991
301-858-3001
1-800-492-7122 Ext. 3001
E-Mail carol_petzold@house.state.md.us



Criminal Justice Subcommittee

THE MARYLAND HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

CAROL S. PETZOLD

April 12, 2006

RECEIVED

APR 18 2006

NONTIDAL WETLANDS & WATERWAYS
WATER MANAGEMENT ADMIN., MDE

Robert Cooper, Chief, Southern Division
Maryland Department of the Environment
1800 Washington Boulevard, Ste. 430
Baltimore, MD 21230-1702

Dear Mr. Cooper:

It is my understanding that development plans for the Indian Spring Country Club residential community have changed since 2004 to increase the number of homes built in the community. The Tivoli Community Association contacted me with concerns about this change. The Association is concerned that the increase in the number of homes will adversely impact the environment if the planned extension of Tivoli Lake Boulevard to Randolph Road continues. In addition, the Association raises many other concerns about the extension, including traffic congestion and safety hazards.

Before issuing the permits for construction of the extension, I would respectfully request a review to evaluate the environmental impact from the extension, given the increase in the number of homes in the community and the traffic generated by a new "cut-through" route.

Thank you for your consideration of my request.

Sincerely yours,

Carol S. Petzold

cc: U.S. Army Corps of Engineers
Operations Division
Attn: Jack Dinne
P.O. Box 1715
Baltimore, MD 21203-1715