

# ATTACHMENT 4

**Tettelbaum, Emily**

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**From:** Fran and Rich Kauffunger <frankauffunger@hotmail.com>  
**Sent:** Monday, February 11, 2019 6:28 PM  
**To:** MCP-Chair  
**Cc:** Tettelbaum, Emily; Erica Rigby  
**Subject:** Fw: Traffic Safety Should Matter  
**Attachments:** PrimroseExistingTraffic--B4.png; PrimroseTotalTraffic--B6.png

Casey Anderson, Chairman  
Montgomery County Planning Board

Dear Mr. Anderson:

RE: Preliminary Plan of Subdivision No. 120180250  
Primrose at Layhill

The Layhill community and people who participate in the programs at the Mid County Recreation Center and the adjacent playing fields are very concerned about traffic safety issues at the intersection of Queensguard Road and state highway MD182 (Layhill Road). They are even more alarmed that the proposed Primrose Daycare Center would exacerbate these existing traffic problems to an unacceptable level of risk. This threat is due to the fact that the Daycare will almost double the volume of vehicles traveling in and out of Queensguard at MD182 during AM and PM peak hours (see attached Primrose Google Map).

Under Maryland law, these traffic safety issues shall be addressed at time of preliminary plan of subdivision. And preliminary plan can only be supported as a valid enactment of the police power when it is in the general public interest for the promotion of the health, safety and welfare of the community.

The authority of a planning commission to determine at time of subdivision whether a proposed use would create a public safety hazard was upheld in *Southland Corporation 7-11 Stores v. Mayor & City Council of Laurel*, 75Md App.375, 541 A.2d 653 (1988). In the instant case of Primrose, the applicant's traffic expert did not substantially address traffic safety issues despite evidence in the record that the proposal would greatly exacerbate traffic flow and accident problems.

The Planing Board is assisted in their review of subdivision by staffs at Park and Planning, The MD State Highway Administration and the Montgomery County Department of Transportation. Unfortunately, the focus of each agency regarding traffic is on traffic congestion....not on traffic safety.

Below is an analysis of the Applicant's October 2, 2018 Traffic Impact Study (TIS) prepared by The Traffic Group:

TURNING MOVEMENT COUNTS - In Appendix B, Page 4 (B4) of the TIS, the traffic analyst presents the Turning Movement data under "Existing Traffic" at the Queensguard/MD182 Intersection. A copy of this page is attached. The Turning Movements are shaded with boxes drawn around them.

In Appendix B, Page 6 (B6), the traffic analyst provides his estimated turning movement counts under "Total Traffic", at the same intersection. Total Traffic is the sum of Existing Traffic plus Background Traffic (there is none) plus the Trips Generated by the proposed use.

The percentage (%) figures on attached B6 illustrate the huge impact that the proposed Primrose Daycare will have on Turning Movements at the intersection. The percentage increase is calculated by dividing the new "Total Traffic" figures by the "Existing Traffic" figures. The result of this analysis is that the Turning Movement counts almost double, greatly exacerbating traffic flow, delay, and the risk to the general public.

DELAY AND QUEUEING- A major problem existing today on westbound(WB) Queensguard Road at MD182 is the delay and queue in the AM peak hour. The applicant analyzed these problems using the HCM methodology for unsignalized intersections. Their study verified the current experience of the community -- the WB Approach LOS (level of service) is a failing "F" with a lengthy Approach Delay of 79.4 s/veh. and a substantial Queue Length.

The existing travel experience on westbound Queensguard at MD182 in the PM peak hour is also very poor. The Approach LOS is "E".

The addition of traffic from the proposed Daycare will have a disastrous impact on the WB Approach LOS "F" in both the AM and PM peak hours. The Approach Delay would be 242.0 s/veh in the AM and 114.8 s/veh in the PM, huge increases in waiting times and queues.

The analysis of the westbound approach with the proposed improvement of restriping to 3 lanes on Queensguard helps to improve future conditions with the Primrose. BUT, the addition of the Daycare continues to worsen the current Approach LOS in both the AM and PM peak hours to failing "F" levels and increases both the delay and queueing substantially. In the TIS, the Applicant even brags that with the proposed improvement, "the queue would not extend beyond Punch St/site access, which is about 195 feet."

This degradation in delay, queue length and level of service with Primrose is definitely not in the public interest.

NOTE: It is important to point out that the traffic analyst understated the results of the HCM methodology through improper use of Policy Area and Pass-by Trip adjustments in developing the "Trip Generation for Primrose" in Exhibit 10 (see attached). Those adjustments are approved for use in CLV analysis for traffic congestion under LATR. They are highly suspect for use in a HCS7 Two-Way Stop-Control analysis for this intersection and significantly prejudice the results.

GAP STUDY - The summary portion of the TIS (p.18) paints a "rosy" picture on their evaluation of the number of gaps available to each turning movement at the unsignalized intersection of Queensguard at MD182. But a close review of the data on "Critical Gaps" for the "Left from Minor" in Appendix A, Page 55 shows significant limitations during peak periods of vehicle activity at the Daycare Center. Three "Critical Gaps" in a 15 minute period screams "danger".

Also, the traffic analyst's evaluation is premised on a belief that westbound Queensguard left turning vehicles will enter a "median storage area" and then complete the left turn maneuver. In many jurisdictions, the Median is considered sufficiently wide for a vehicle to pause only if it is wider than the length of the vehicle plus six feet. The median on MD182 is 20 feet at its widest, which is why motorists feel very uncomfortable making left turns, especially at peak hours.

In addition, the geometrics of the medians on MD182 at Queensguard create a traffic hazard. The median just to then north of the intersection was constructed short of the intersection (see Primrose Google Map). This allows some southbound drivers to make a diagonal left turn at higher speeds into Queensguard. Drivers making left turns out of Queensguard feel highly threatened by this maneuver and accidents have been reported.

TRAFFIC SIGNAL WARRANT ANALYSIS - We accept the reality that the Maryland State Highway Administration is highly unlikely to place a traffic signal at the MD182 and Queensguard intersection since the signalized intersection to the north is so close. However, the applicant's traffic signal warrant analysis does indicate that Warrant #3 is satisfied and there is a demonstrated need for a traffic signal due to peak hour volume.

Once again, evidence in the record proves that there are existing traffic safety problems at the MD182/Queensguard intersection which will be grossly exacerbated when traffic generated by the proposed Daycare is added. This will directly threaten the health, safety and welfare of the general public.

CONFORMANCE WITH THE MASTER PLAN - In subdivision matters, it is well established that recommendations of a master plan are binding to the extent that there is an ordinance or regulation requiring that a proposed subdivision be in "substantial conformance" with the master plan.

The proposed site is regulated by the Aspen Hill Master Plan. In the wisdom of the County Council which approved the Plan, they included a section headed "Special Exception" which provided the guidance below:

- "Avoid excessive concentration of special exception and other nonresidential land uses along major transportation corridors....Minimize uses that might diminish the safety and reduce the capacity of the roadway by creating too many access points and conflicting turning movements"

This is exactly the situation that exists on MD182 at Queensguard. The Mid County Rec Center and adjoining playing fields generate substantial peak hour traffic in addition to the hundreds of residential units in Layhill Village East and Audubon Woods communities. The addition of the Primrose Daycare Center would be the straw that breaks the camel's back, and a violation of the recommendation of the Aspen Hill Master Plan.

SITE DISTANCE AT QUEENSGUARD & MD182 - The most overlooked traffic safety issue is the inability of motorists at the Stop sign on westbound Queensguard Road to safely observe traffic moving northbound on Layhill Road before making left, right, or thru movements.

The sight line to the south is severely obstructed by a Metro bus shelter and a variety of heavy vegetation - - ground covers, trunked plants and trees. It is slightly less restricted in the winter months, but a clear sight corridor is extremely limited. I made multiple requests for sight distance studies with Park and Planning, MC DOT, and MD SHA, but to my knowledge, not one was ever performed. Lacking that study, I have attached photos taken at the height of 3 1/2 feet from a car in the middle of Queensguard Road:

**\*\*Photo #1** is a motorist's sight line down MD182 from the westbound Queensguard Road. In this photo, the front bumper is even with the STOP sign, the usual position to check for oncoming traffic.

**\*\*Photo #2** illustrates the motorist's sight line down MD182 if the vehicle is moved ahead a car's length. In this photo, the rear bumper is even with the STOP sign. The photos clearly demonstrate the insufficient sight line and sight distance for westbound motorists on Queensguard.

IMPACT OF ATHLETIC FIELDS - In a telephone call to the Parks Department at MNCPPC, a representative stated that the adjacent playing fields on Queensguard Road are heavily used in season and peak traffic flows are between 5:30 and 6:30 PM on weekdays. The traffic was not even considered in the TIS or in the reports by MCDOT and MD SHA. But it does have a very significant impact on delay, queueing and LOS at the MD182/Queensguard intersection during the playing seasons.

SUMMATION - Under current conditions, the MD182/Queensguard intersection is recognized as hazardous with significant delays, queueing and a failing "F" Level of Service in the AM peak hour and only slightly better in the PM peak hour. Nearby residents report that these factors, combined with heavy traffic and the limited sight corridor/distance to the south, results in many accidents. And this is the intersection that all of the traffic generated by the proposed use will travel through, as reported in the TIS.

The recognized traffic safety problems must be addressed at this time of preliminary plan for a proposed use which will almost double the volume of turning movements at the critical intersection with the state highway. Plus the Planning Board should follow the recommendation of the Master Plan, particularly with a use that is a unusually high generator of traffic in both the AM and PM peak hours.

Considering the general public interest and the health, safety and welfare of the community, the Planning Board should reject the proposed use of the property which is generally permitted under the zoning ordinance. In addition, it would be in conformance with the stated goal of our County Council to improve traffic and pedestrian safety along State highways in Montgomery County.

Thank you in advance for your careful consideration of the seven traffic safety concerns raised and your rejection of the application.

Sincerely,

Richard A. Kauffunger  
2309 East Gate Drive  
Silver Spring, MD 20906  
301-871-1369

Six Attachments.

**NO ONE EVER DIED FROM OVEREXPOSURE TO EDUCATION.**



# Primrose Google Map

## MD 182 at Queensguard

### Legend

- Argyle Middle School
- Faith Embassy Church
- Layhill Rd &
- Layhill Village Park
- Mid-County Community Recreation Center
- Queensguard Rd



Google Earth

© 2018 Google

700 ft  
SCALE



# Primrose "Existing Traffic" ---B4

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## CRITICAL LANE VOLUME (CLV) METHODOLOGY for Montgomery County

E/W Road: Queensguard Road

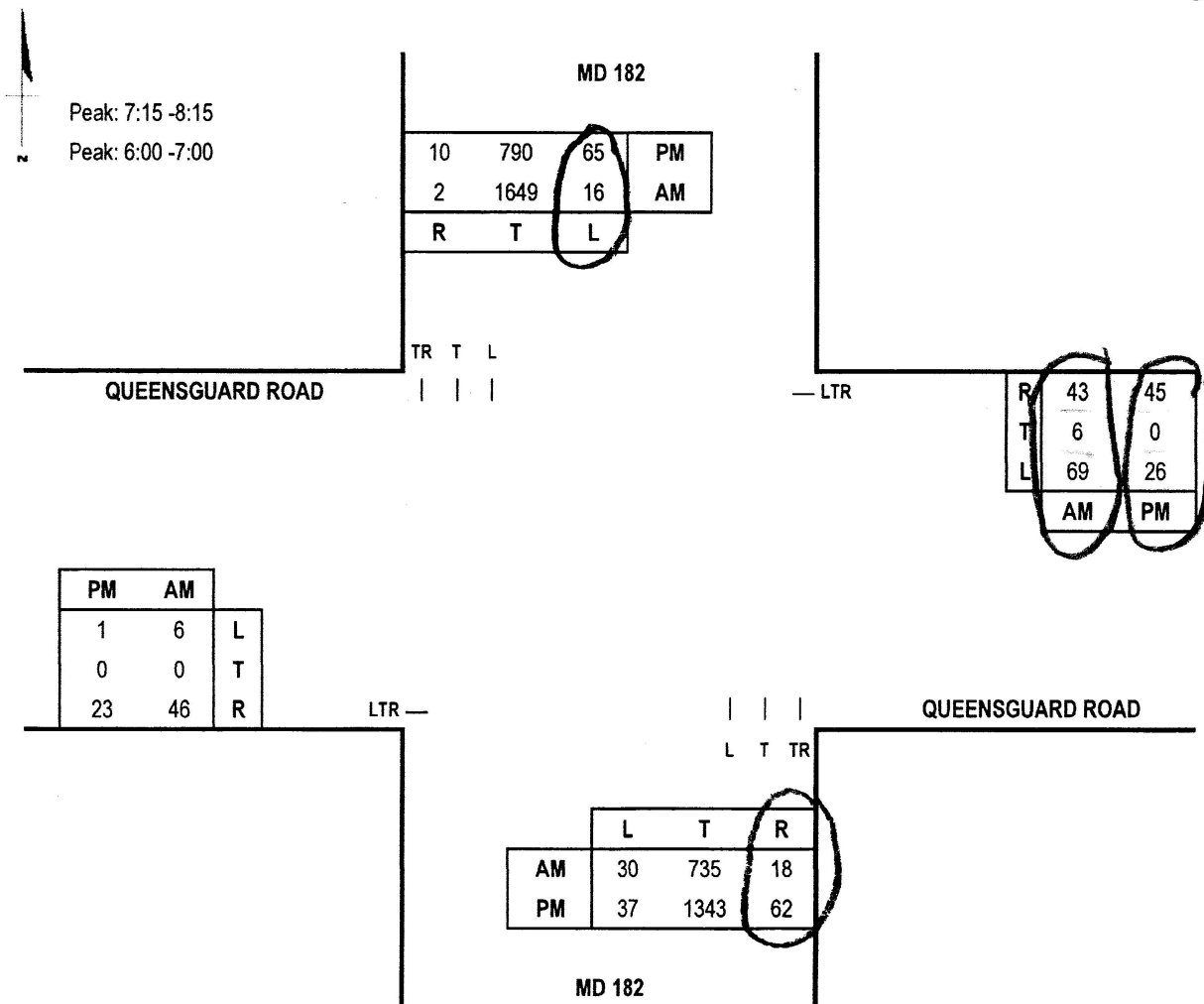
Date of Count: 9/12/2018

N/S Road: MD 182

Day of Count: Wednesday

Conditions: Existing Traffic

Analyst: Ming-Yu Chien



The Turning Movements  
into and out-of Queensguard  
Road are shaded and  
surrounded by drawn boxes.

WB	118	1.00	118	6	1.00	6	124
CLV TOTAL=							1,029

WB	71	1.00	71	1	1.00	1	72
CLV TOTAL=							882

Scenario ID - EXIST2

# CRITICAL LANE VOLUME (CLV) METHODOLOGY for Montgomery County

E/W Road: Queensguard Road

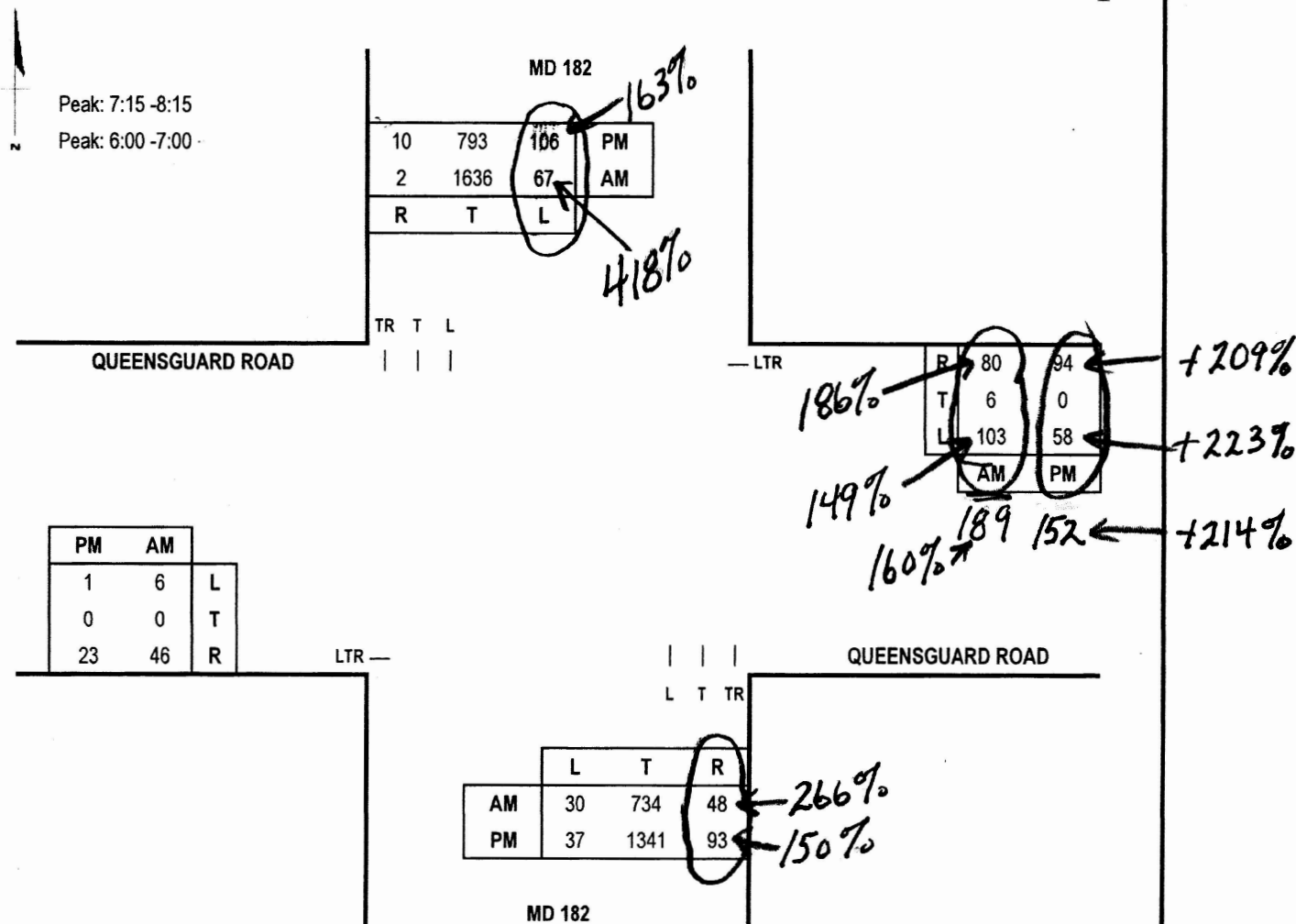
Date of Count: 9/12/2018

N/S Road: MD 182

Day of Count: Wednesday

Conditions: Total Traffic

Analyst: Ming-Yu Chien



The Turning Movements  
Into and out-of Queensguard  
Road are shaded and  
Surrounded by drawn boxes.

% means the percentage  
increase of each movement  
comparing 'Total Traffic' to  
'Existing Traffic'.

# Trip Generation for Primrose Daycare

## Trip Generation Rates

Land Use (Source)	Formula/Rate	Directional Distribution			
		AM Peak Hour		PM Peak Hour	
		In	Out	In	Out
Day Care Center (ITE-565)					
	Morning Trips = 0.78 x Students	53%	47%	47%	53%
	Evening Trips = 0.79 x Students				

Note: Trip rates based on ITE Trip Generation Manual, 10th Edition, 2017.

## Trip Generation for Primrose at Layhill Road

Land Use	Size	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Day Care Center	200 Students	83	73	156	74	84	158
N/A	<del>Adjusted Vehicle Trips by Policy Area (97%)</del>	<del>81</del>	<del>71</del>	<del>152</del>	<del>72</del>	<del>81</del>	<del>153</del>
N/A	<del>Pass-by Trips (AM-27%, PM-12%)</del>	<del>-22</del>	<del>-19</del>	<del>-41</del>	<del>-9</del>	<del>-10</del>	<del>-19</del>
	<b>ACTUAL New Trips</b>	<b>59 83</b>	<b>52 73</b>	<b>111 156</b>	<b>63 74</b>	<b>71 84</b>	<b>134 158</b>

## Calculations for Multimodal Trips

Total Person Trips (Vehicle Trips / 74%)	205	207
Auto Passenger Trips (Person Trips x 18.2%)	37	38
Transit Trips (Person Trips x 2.5%)	5	5
Non-Motorized Trips (Person Trips x 5.2%)	11	11
Pedestrian Trips (Transit + Non-Motorized Trips)	16	16

### \* Notes:

1. Trip adjustment factors and mode split percentages for Aspen Hill Policy Area were obtained from M-NCPPC 2017 LATR Guidelines Appendix Tables 1a & 1b.
2. Pass-by trip percentages were obtained from previous LATR Guidelines.



**NOTE: N/A refers to the fact that these adjustments are used for CLV Methodology under LATR Guidelines but not for HCS7 Two-Way Stop-Control analysis. However, the adjusted numbers were used!**



myc,F:\2016\2016-0704\_Primrose at Layhill Road\ENG\REV2\TRIPS-Site,9/24/2018

EXHIBIT 10  
TRIP GENERATION FOR  
SUBJECT SITE



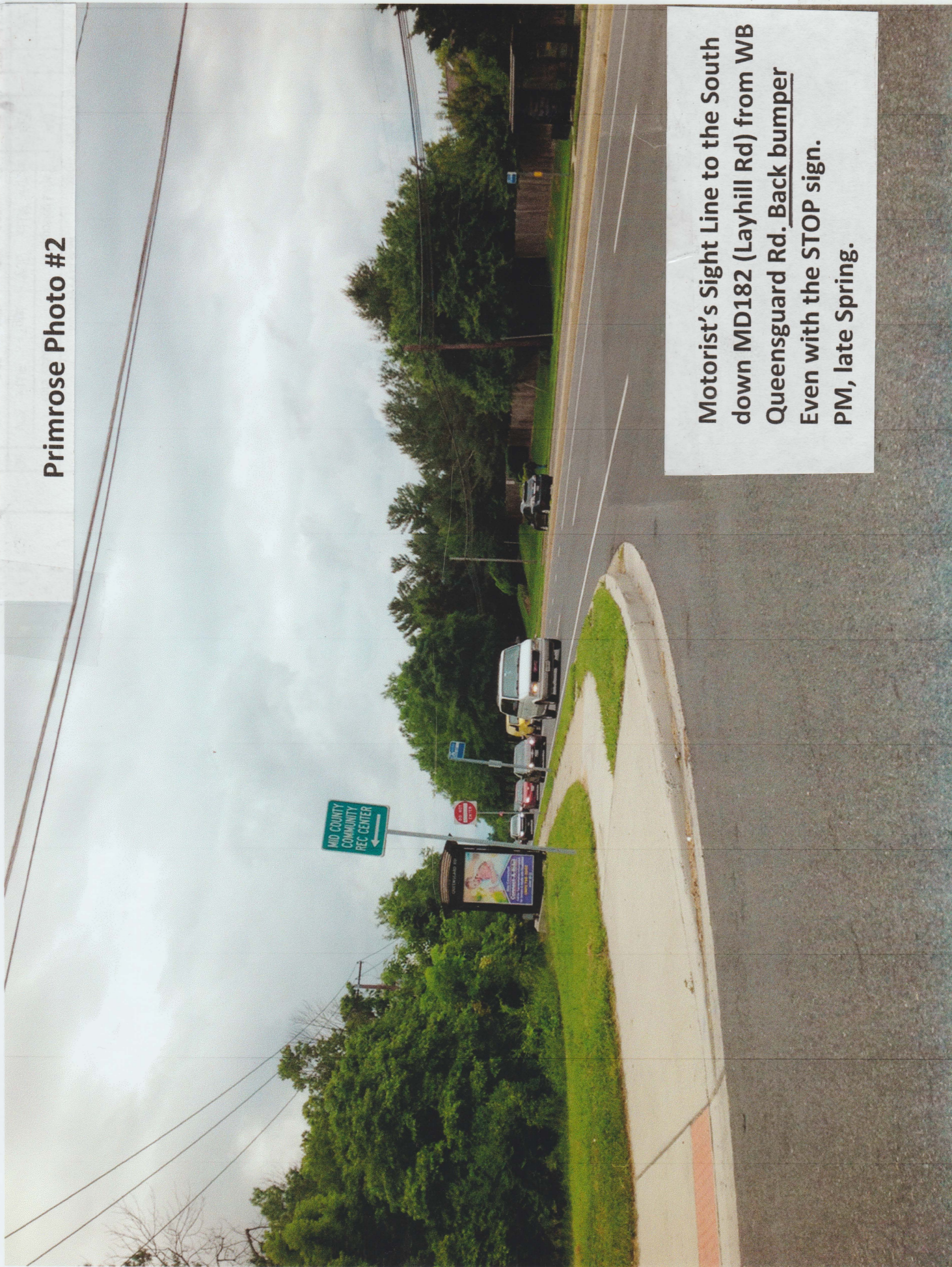
Primrose Photo #1



Motorist's Sight Line to the south  
down MD182 (Layhill Rd.) from WB  
Queensguard Rd. Front bumper  
even with the STOP sign.  
PM, late Spring.



Primrose Photo #2



Motorist's Sight Line to the South  
down MD182 (Layhill Rd) from WB  
Queensguard Rd. Back bumper  
Even with the STOP sign.  
PM, late Spring.



As residents of Layhill Village East living on Queensguard Road, we strongly oppose addition of the Primrose School at the location proposed to an already unwholesome situation. The traffic impact on Queensguard Road posed by ANY additional traffic of any kind can be a setup for tragedy. The converging roads linking Layhill Road to the neighboring community(s) are narrow and are already overused and poorly suited to the everyday needs of the local traffic. The impact of all the construction and development up until now off the intersection of Queensguard Road and Layhill has proven problematic and can only become more dangerous.

First, the development (called Nicholson Farm) off Queensguard Road at Punch Street provides a usual steady stream of around 75 cars that must already dodge one another repeatedly through the neighborhood. Punch Street is an undersized road for its own regular traffic. To exit their section of the neighborhood, they must enter onto Queensguard Road, which is only slightly wider. Within less than 300 feet from the intersection, the confluence of heavy traffic out of Punch Street onto Queensguard Road with those who are already using Queensguard, leaves residents at a standstill waiting to enter Layhill Road. These Nicholson Farm residents, by the way, exit Punch Street without even a STOP sign (though the addition of such a sign will do next to nothing to improve the situation). The Punch Street drivers coming with the school buses, Mid-County Recreation Center users, and the other residents of Layhill Village East (LVE) most of whom are also headed toward Layhill Road.

Second, the Mid-County Recreation Center puts added stress on an already dangerous section of road. Residents of the LVE neighborhood often have to wait as much as eight minutes to exit their own driveways along Queensguard. Further, when there are larger events than the usual recreational schedules, the impact is gridlock as all traffic waits to enter Layhill in either direction. On top of that, the overflow parking needs from the Center when these larger gatherings attract crowds, cause unbroken lines of parked cars on both sides of Queensguard Road and Punch Street resulting in a greater narrowing of already dangerously



narrow streets. And when these events are over, the massive traffic exodus is truly paralyzing.

A street light at the Layhill/Queensguard corner would be almost useless, since there is so little distance to the intersection at Bel Pre and Layhill where there is already a traffic light. In addition, the corner has a bus stop whose shelter and stopped buses obstruct a clear view of traffic coming up Layhill Road. Moving this stop to the other corner only complicates things for those who wish to proceed north on Layhill.

Third, construction traffic (whether it enters Queensguard Road or makes any other entrance off Layhill Road), will seriously endanger all involved--pedestrians, bus riders, drivers that are LVE residents, the construction vehicles, the Metro buses, the MCPS school buses, and the drivers travelling on Layhill Road to access the ICC to the north or the Glenmont Metro station to the south.

Fourth, and most important, if and when construction is completed, the most vulnerable citizens (children) will be put in extreme danger of harm every time they approach, enter or exit the school. Entrances and egresses along Layhill Road, Queensguard Road, or even Sullivan Lane will be insufficient to keep ANYONE safe.

As residents, we witness "near misses" or "accidents" on a continual basis already. We would be appalled to find that it would take fatalities in this area for those in responsible positions in this decision-making process to grasp the gravity of the situation.

**TRAFFIC SAFETY MATTERS!!** All the residents of the Layhill Village East community suffer negative effects of the situation as it already exists. The potential of citizens risking their lives to pursue their normal activities is frightening at best and morbidly horrifying at worst!!

In the view of many of the LVE residents, the project poses more detrimental effects on the quality of their lives than positive benefits for anyone in the community.

Roland and Jacquelyn Shaw  
14101 Layhill Road  
Silver Spring, MD 20906