## Item , - 5HLWa Ybh6%



Marc Elrich County Executive Christopher R. Conklin Director

DEPARTMENT OF TRANSPORTATION

## M E M O R A N D U M

November 30, 2022

ТО:	Jeffrey Zyontz, Chair Planning Board
FROM:	Timothy H. Cupples, PE, Deputy Director for Transportation Policy Department of Transportation (MCDOT)
SUBJECT:	Rustic Roads Functional Master Plan Update

Public Hearing Draft – MCDOT Comments

Thank you for the opportunity to review the October 2022 Public Hearing Draft of the Rustic Roads Functional Master Plan Update ("the Plan"). MCDOT strongly supports the vision of the Plan and welcomes the opportunity to maintain these roads in a context-sensitive manner while supporting our agricultural and tourism industries.

This Plan provides excellent history, narrative, and descriptions of the evaluated roads, including thoughtful traffic and collision data analysis. We are grateful for the responsiveness of staff throughout this process and believe the success of this partnership can be seen in the quality of the Plan.

The comments below summarize MCDOT's most significant remaining concerns regarding the Plan:

 <u>Dedicated But Unmaintained</u>: Roads appearing both in the plan and on the list of Dedicated But Unmaintained roads (DBU) include the entire length or portions of Aitcheson Lane, Belle Cote Drive, Bentley Road, Old Orchard Road, and Poplar Hill Road.

According to the DBU Policy adopted by Council, the County does not maintain roads on the DBU list. The adjacent property owners, as the successors of those who originally built the road, are responsible for their maintenance. This can represent a financial burden for the adjacent property owners. Under the DBU Policy, the County can only assume maintenance responsibility for those roads after those

**Office of the Director** 

101 Monroe Street, 10<sup>th</sup> Floor, Rockville, MD 20850 · 240-777-7170 · 240-777-7178 Fax www.montgomerycountymd.gov/mcdot



adjacent property owners bring the road into compliance with current County standards.

The continued inclusion of these roads in the Rustic Roads program could limit the property owners' ability to bring the roads up to County standards, hindering them from transferring maintenance responsibilities to the County.

- 2) <u>State Roads</u>: Several State roads are included in the program, including MD 109 (Beallsville Road and Old Hundred Road), MD 117 (Bucklodge Road), and MD 355 (Frederick Road). We note that State roads are inherently regional in nature, and the State is not subject to County laws, potentially limiting the effectiveness of the Rustic designations.
- 3) <u>Batchellors Forest Road:</u> Batchellors Forest Road has experienced significant suburban growth, serves as a regional connector, and provides access to numerous schools and cultural and recreational destinations. Portions of this roadway do not appear to meet the Local Use and Traffic Volumes parameters of a Rustic Road. We recommend that the Planning Department reconsider the physical extents of the Rustic designation for this road.
- 4) <u>Frederick Road:</u> Frederick Road (MD 355), a State road providing regional connectivity, has the highest traffic volume in the program and a substantive history of crashes. It does not appear to meet the criteria of a Rustic Road and risks diluting the program's integrity. Furthermore, the road's significant features are buildings and views, which are better protected by the existing Hyattstown Historic District.
- 5) <u>Game Preserve Road:</u> Game Preserve Road, a well-traveled cut-through, has a substantive history of crashes. This road is seeing new development, particularly along the more suburban area at its western end, including a proposed assisted living facility. We recommend that staff review development patterns and collision history in the context of the Rustic Road criteria and consider refining the length of the Rustic Road designation.
- 6) <u>Meeting House Road & Bentley Road</u>: Meeting House Road and Bentley Road, both in the Sandy Spring area, partially run alongside CRN zoning. Bentley Road also provides access to the Sandy Spring Museum, and Meeting House Road has a large, proposed age-restricted, multi-family development. Reiterating comments made during the 2015 Sandy Spring Rural Village Plan: we note that the first 500 feet from MD 108 (Olney Sandy Spring Road) along each road does not appear to meet the criteria for inclusion as Rustic Roads and these segments should be reconsidered.
- 7) **Bridges:** We have attached our assessment of bridges that are unique and significant. Bridges not identified as such tend to be more modern or standard bridges with little structural significance. We suggest that the plan identify what other objectives should be achieved when these less significant bridges are rehabilitated or reconstructed.

Jeffrey Zyontz, Chair November 30, 2022 Page **3** of **3** 

We agree that bridge replacements should preserve the existing aesthetic to the extent feasible. When modern safety standards preclude maintaining a particular aesthetic, other options must be considered. This could include realigning the road and constructing a new bridge that complies with current standards while preserving the existing bridge in-place for pedestrian and bicycle use. Another option may be to thoroughly document the existing/previous bridge to preserve its history before replacing it.

Although not presently addressed in the Public Hearing Draft, we understand that the Rustic Roads Advisory Committee (RRAC) proposes two changes to the RRAC based on Council deliberations associated with updates to Chapter 49 under Bill 24-22 (Streets and Roads). We support adding two at-large members, bringing the total membership of the RRAC to nine. We also support removing the requirement that the members who are owner-operators of commercial farmland must "earn 50 percent or more of their income from farming".

Should you have any questions regarding our comments on the Plan, please feel free to contact me or Mr. Andrew Bossi, Senior Engineer, at <u>andrew.bossi@montgomerycountymd.gov</u>.

THC:ab

Attachments: Detailed technical comments

cc: Dale Tibbitts, CEX Chris Conklin, MCDOT Darcy Buckley, MCDOT Gary Erenrich, MCDOT Andrew Bossi, MCDOT

0	Team	Comme nter	Document	Page	Road / Section	Comment	Priority Action / Response
1	Policy	тнс	General	General		Several State roads are included in the program: - MD 109 (Beallsville Road) - MD 109 (Old Hundred Road) - MD 109 (Old Hundred Road) - MD 117 (Bucklodge Road) - MD 355 (Frederick Road) - MD 355 (Frederick Road) Note that as State roads these are inherently regional in nature and the State is not subject to County laws, potentially limiting the effectiveness of the Rustic designations. There may be some roads that may arguably not really function as roads. Two examples appear to include Hoyles Mill Road and Hyattstown	
2	Policy	THC	General	General	General	Mill Road / Prescott Road, which are mostly closed within gates and may be more akin to park trails.	
3	DTE	DMS	General	11-12	Related Plans, Programs, and Policies	Dedicated But Unmaintained Roads         The full length of or portions of the following roads are on the DBU list:         - Aitcheson Lane         - Belle Cote Dr         - Bentley Rd         - Old Orchard Rd         - Poplar Hill Rd         It is the responsibility of the adjacent properties, as the successors of those who originally built the roads and by policy adopted by council, to bring these roads into compliance with County standards before it will be accepted by the County for maintenance.         By adding one of these streets into the Rustic Roads program: this would limit the ability for these property owners to bring the roads at the roads and by policy adopted by to County standards, making it more difficult for property owners from ever being relieved from their maintenance responsibilities & transferring the roads to the County.         DBU Website:       https://www.montgomerycountymd.gov/dot-dte/projects/dedicated/index.html         Direct Link to DBU List:       https://www.montgomerycountymd.gov/dot-dte/Resources/Files/DBU/120121%20DBU_List.pdf	1
4	Policy	ADB	Public Hearing Draft	t 15	Special Protection Areas	Last word - Change "possible" to "feasible" Possible is fiscally unconstrained, which of course is not practical. Feasible, however, does imply resource constraints.	3
5	Policy	ADB	Public Hearing Draft	t 17	Roadway Character	2nd Paragraph, 1st Sentence - Change "possible" to "feasible"	3
6	Policy	ADB	Public Hearing Draft	t 17	Roadway Character	Last Paragraph, Last Word - Change "possible" to "feasible" , Possible is generally unconstrained by physical or fiscal limitations, which of course is not practical. Feasible, however, implies both physical and resource constraints.	3
7	DO	DBB	Public Hearing Draft	t 18	Bridges	RE: "Design exceptions are possible in some cases, but if a design exception is not granted, then 100 percent of costs will come from the county's budget, taking money away from other vital county programs." The way this sentence is phrased makes it sound like the only option is to pay using county funds, but the other option is to use a design that meets federal and state requirements. Master plans should not dictate how projects are paid for. Rephrase: "If a design exception is not granted, <b>the bridge must be designed to meet federal and state standards or</b> 100 percent of costs will come from the county's budget, taking money away from other vital county programs."	

0	Team	Comme nter	Document	Page	Road / Section	Comment	Priority Action / Response
3		тнс	Public Hearing Draft		Bridges	[the same comment is also made on p101-102]         Included in this spreadsheet is a tab denoting bridges that we agree are significant as well as bridges that are perhaps less so, often more modern or standard bridges with little structurally significant about them. Those bridges include:         - Berryville Road (M-0028, M-0029)         - Burnt Hill Road (M-0157)         - Edwards Ferry Road (M-0181)         - Glen Road (M-0119)         - Haviland Mill Road (M-0028)         - Howard Chapel Road (M-0123)         - Mouth of Monocacy Road (M-0042)         - Mouth of Monocacy Road (M-0043)         - Query Mill Road (M-0022)         - Systand Road (M-0022)         - Swains Lock Road (M-0022)         - Systand Road (M-0048)         - White Ground Road (M-0031, M-0032)         - White Ground Road (M-0048)         - White Ground Road (M-0048)         - White Ground Road (M-0048)         - Witte Ground Road (M-0048)         - White Ground Road (M-0048)         - W	1
2	) Policy	тнс	Public Hearing Draft	18	Bridges	Penultimate parapragh - MOM Road Bridge - the new structure built in 2007 is entirely prefab. We should also note that it is completely different from the concrete framed structure that it replaced. This is great example of how a new replacement structure can differ, sometimes significantly, from the one it replaced and still be a significant feature. The fact that everyone agrees that the new bridge is a significant feature point to the fact that replacement bridges need no match the original to contribute to the value of the road. The bridges section should point out that an approach such as this is an acceptable outcome when a bridge must be replaced. The bridges section should also point out that consideration can be given to realigning the road to build a new bridge that complies with current standards adjacent to an existing bridge, and preserving the existing bridge for ped or bike use. Or another option may be to replace the bridge, but documenting the existing/previous bridge to preserve its history.	1
1	0 Policy	ADB	Public Hearing Draft	18	Bridges	4th Paragraph, Last Sentence - Change "possible" to "feasible" Possible is generally unconstrained by physical or fiscal limitations, which of course is not practical. Feasible, however, implies both physical	3
1	1 Policy	ADB	Public Hearing Draft	20	Rustic Road Criteria Checklist	and resource constraints. In the line for #5, change "accidents" to "crashes"	3

		Comme					
0	Team	nter	Document	Page	Road / Section	Comment Link Road is proposed to be removed from the program. As the recent update to Chapter 49 does not provide a new default classification	Priority Action / Response
						for Rustic Roads, I suggest including a new classification here.	
12	Policy	ADB	Public Hearing Draft	31	Link Road	The choice would be between either Country Road or Neighborhood Street.	
						Country Road fits the context of the general area, but Neighborhood Street fits the immediate land uses. I have no strong opinion as to which should be applied.	
13	Policy	ADB	Public Hearing Draft	32-39	Summary of Criteria Evaluation	In the header row, change the word "accident" to "crash"	3
					Batchellors Forest	1st Paragraph, Last Word - Change "possible" to "feasible"	
14	Policy	ADB	Public Hearing Draft	42	Road	Possible is generally unconstrained by regulatory, physical, or fiscal limitations, which of course is not practical. Feasible, however, implies these constraints.	3
15	Policy	ADB	Public Hearing Draft	58	Link Road	1st Paragraph, Last Sentence - Change "accident" to "crash"	3
16	Policy	ADB	Public Hearing Draft	75	Traveling Experience	2nd Sentence, Last Word - Change "possible" to "permitted"	3
						2nd Paragraph, Last Sentence - Change "whenver possible and practical" to "whenever feasible"	
17	Policy	ADB	Public Hearing Draft	76	Мар	Possible is fiscally unconstrained, which of course is not practical. Feasible addresses what appears to be intended by the inclusion of the word "practical"	3
18	Policy	ADB	Public Hearing Draft	88	Bridges	Under #12 - Change "possible" to "feasible"	3
10	FOILCY	ADB	Fublic field fing Drait	00	Bridges	Possible is fiscally unconstrained, which of course is not practical. Feasible, however, does imply resource constraints.	
10	Delieu	ADB	Dublic Lleaving Duch	99	Special Protection	3rd Sentence, Last Word - Change "possible" to "feasible"	3
19	Policy	ADB	Public Hearing Draft	33	Areas	Possible is fiscally unconstrained, which of course is not practical. Feasible, however, does imply resource constraints.	5

0	Team	Comme nter	Document	Page	Road / Section	Comment	Priority Action / Response
0	Team	nter	Document	Page	Road / Section	Comment         [the same comment is also made on p17-18]         Included in this spreadsheet is a tab denoting bridges that we agree are significant as well as bridges that are perhaps less so, often more modern or standard bridges with little structurally significant about them. Those bridges include:         - Berryville Road (M-0028, M-0029)         - Burnt Hill Road (M-0157)         - Edwards Ferry Road (M-0181)         - Glen Road (M-0013, M-0014, M-0015)         - Gregg Road (M-0119)         - Haviland Mill Road (M-0098)         - Howard Chapel Road (M-0042)	Priority Action / Response
20	Policy	тнс	Public Hearing Draft	101-102	Bridges	<ul> <li>Mouth of Monocacy Road (M-0043)</li> <li>Query Mill Road (M-0020, M-0329)</li> <li>River Road (M-0038, M-0039, M-0040).</li> <li>Sugarland Road (M-0034, M-0035)</li> <li>Swains Lock Road (M-0022)</li> <li>Sycamore Landing Road (M-0031, M-0032)</li> <li>White Ground Road (M-0048)</li> <li>Wildcat Road (M-0068)</li> <li>We suggest that the plan identify what other objectives should be achieved when these less significant bridges are rehabilitated or reconstructed.</li> <li>We agree that bridge replacements, when necessary, should to the extent feasible preserve to the existing aesthetic. When it is not feasible to achieve current safety standards, however, other options may be necessary to consider. This could include realigning the road and constructing new bridge that complies with current standards, preserving the existing bridge in-place for pedestrian and bicycle use. Another option may be to replace</li> </ul>	1
21	Policy	ADB	Traffic and Crash	3		the bridge with a modern bridge but thoroughly documenting the existing/previous bridge to preserve its history. Typo in the parenthetical sentence: "from the intersections use in this analysis" should be "from the intersections used in this analysis"	3
21	POIICy	ADB	Analysis Report	5			5
22	Policy	ADB	Traffic and Crash Analysis Report	16		Consider rephrasing "pedestrians dare only use the least traveled of the roads" with something like: "due to either the distance from destinations or caution about safety: pedestrian volumes tend to be low along rustic roads." This softens the language slightly but also opens up another likely reason why pedestrian volumes are low. This also gets away from saying that pedestrians only use the least traveled roads, as I'm not sure we have good ped volume data to support that claim (but if we do, feel free to keep your language!).	
23	Policy	ADB	Traffic and Crash Analysis Report	18		The asterisk footnote for Table 15 should use the word "Exceptional" instead of "Exceptionally"	3
24	Policy	тнс	Road Profiles	General	General	Profiles should reference the # of lanes, rather than presence or absence of lane markings. The presence or lack of markings is not a significant feature, and markings may change overtime for safety reasons.	
25	Policy	THC	Road Profiles	General	General	Measurements of existing lane widths should be noted as tentative, as along some roads there may be existing pavement buried beneath foliage or accumulated soil, or the edge may have eroded over time.	
26	Policy	тнс	Road Profiles	9	Barnesville Road	There is no feasible way to rehab or preserve the railings of the bridge over Little Monocacy River. They do not meet current standards for crashworthiness. Given the ADT and speed limit, the only feasible approach if/when this bridge needs to be replaced will be to realign the road if it is desired to keep the existing bridge, or document it and replace it in compliance with current standards. Should verify that this road meets the local traffic criteria. The segment east of MD-109 may not carry predomininantly local traffic.	

		Comme					
27	Policy	nter ADB	Document Road Profiles	Page 14-16	Road / Section Batchellors Forest Road	Comment We have substantial safety concerns with increasing development and traffic along this street, noting that the street has been substantively redeveloped with suburban-type development patterns and includes multiple civic destinations: a high school, a middle school, an Academy, a park at the southern end, and a major theatre center at the northern end. The street also sees substantial school traffic (particularly among buses and students traveling by foot or bike) as well as cut-through traffic, exceeding the intent of rustic roads as being for local use. There have been several crashes, a fatality in 2013, and longstanding student safety concerns along this street. We request that the Planning Department reconsider the limits of what falls within the Rustic Road program on the basis that portions of this roadway do not appear to meet the #2 (Local Use) and #3 (Traffic Volumes Consisted w/ Rustic) parameters of a Rustic Road.	Priority Action / Response
28	Policy	ADB	Road Profiles	29-31	Bentley Road	The first 500' from MD 108 runs along CRN zoning and also includes the Sandy Spring Museum. We suggest this initial 500' be reconsidered as to whether it complies with #1 of the Rustic Roads criteria (Zoning). This should support ped/bike, roadway, intersection, and access treatments associated with potential expansion of the Museum or land uses on the west side of Bentley Road.	1
29	Policy	ADB	Road Profiles	107-109	Frederick Road (MD 355)	This is a State road providing regional connectivity and has the highest traffic volumes of any of the evaluated roads, as well as a substantive history of crashes. It does not appear to meet criteria #1 (Local Use), #2 (Traffic Volumes), and #5 (Safety) of a Rustic Road and risks diluting the integrity of the program. The significant features appear to focus on the buildings and views, both of which appear to already be protected by the Hyattstown Historic District.	
30	Policy	ADB	Road Profiles	110-113	Game Preserve Road	This street is seeing a development on its west end. It also has significant traffic volumes as a cut-through road, considering also the lack of ped/bike facilities, as well as a high number and rate of crashes. Consider whether this street meets the Rustic Roads checklist on the basis of #1 (Land Use & Zoning), #2 (Local Use), and #3 (Traffic Volumes Consistent w/ Rustic), and #5 (Safety) of the Rustic Roads Checklist. Consider refining the limits of the Rustic designation accordingly.	1
31	Policy	ADB	Road Profiles	202-204	Meeting House Road	The first 500' from MD 108 runs along CRN zoning and also includes a substantial proposed age-restricted multi-family development. We suggest this initial 500' be reconsidered as to whether it complies with Rustic Roads criteria #1 (Zoning) and #5 (Safety). This should support ped/bike, roadway, intersection, and access treatments associated with potential development of the CRN zones.	1

Road	PDF Page #	Bridge #	Bridge Description	DTE Feedback	Coords
Barnesville Road	15	M-0045	Concrete and pipe rail bridge over the Little Monocacy River	Significant	39.227071,-77.405598
Berryville Road	38	M-0028	Two narrow bridges over tributaries to Seneca Creek	Ordinary	39.090679,-77.32677
Berryville Road	38	M-0029	Two narrow bridges over tributaries to Seneca Creek	Ordinary	
Black Rock Road	45	M-0047	A one-lane steel bridge over Great Seneca Creek, one of the longest rustic bridges in the county	Significant	
Bucklodge Road	63		National Register-eligible two-lane bridge over Bucklodge Branch	No bridges listed in County Inventory (Rte 117 maintained by MSHA- MDOT)	
Bucklodge Road	63		One-lane bridge over Bucklodge Branch tributary	No bridges listed in County Inventory (Rte 117 maintained by MSHA- MDOT)	
Burnt Hill Road	71	M-0157	Narrow bridge near Kingstead Road	Ordinary	
Comus Road	84		Two concrete bridges (between Comus and the county line)	Significant	
Edwards Ferry Road	100	M-0181	Narrow bridge over Broad Run	Ordinary	
Game Preserve Road	116		1906 B&O Railroad bridge	Significant	
Glen Road	124	M-0014	One-lane bridge over Watts Branch	Ordinary	
Glen Road	124	M-0013	Narrow bridge over Kilgour Branch	Ordinary	
Glen Road	124	M-0015	Narrow bridge over Piney Branch	Ordinary	
Gregg Road	135	M-0119	Narrow bridge over Hawlings River tributary	Ordinary	
Haviland Mill Road	145	M-0098	One-lane bridge over the Hawlings River	Ordinary	
Howard Chapel Road	160	M-0123	Narrow bridge over Haights Branch	Ordinary	39.249406,-77.066085
Martinsburg Road	203	M-0164	Concrete paneled bridge over direct Potomac tributary	Significant	
Martinsburg Road	203	M-0042	Narrow bridge over direct Potomac tributary	Ordinary	
Montevideo Road	211	M-0030	Truss bridge over Dry Seneca Creek	Significant	39.093655,-77.347162
Mouth of Monocacy Road	233	M-0135	One-lane timber deck bridge across the railroad	Significant	33.033033, 77.3 17102
Mouth of Monocacy Road	233	M-0043	One-lane bridge across the Little Monocacy River	Ordinary	
Pennyfield Lock Road	268	M-0198	One lane bridge over the Pennyfield tributary to Muddy Branch	Significant	
Query Mill Road	283	M-0020	Two one-lane bridges over the reinitiated that any terminated the state of the stat	Ordinary	
Query Mill Road	283	M-0329	Two one-lane bridges over tributaries to Muddy Branch	Ordinary	
River Road	293	WF0329	Open vista of iron bridge and sandstone culvert	N/A	
River Road		M 0040	· · ·		
	293	M-0040	One-lane bridge over Broad Run	Ordinary	
River Road	296	M-0038	Two one-lane bridges over Horsepen Branch and one of its tributaries	Ordinary	
River Road	296	M-0039	Two one-lane bridges over Horsepen Branch and one of its tributaries	Ordinary	
Schaeffer Road	306	M-0137	National Register-eligible pipe rail bridge across Little Seneca Creek	Significant	
Sugarland Road	331	M-0034	Two narrow bridges over tributaries of Dry Seneca Creek and the Potomac River	Ordinary	
Sugarland Road	331	M-0035	Two narrow bridges over tributaries of Dry Seneca Creek and the Potomac River	Ordinary	
Swains Lock Road	339	M-0022	One-lane bridge just north of the C&O Canal parking lot	Ordinary	
Sycamore Landing Road	342	M-0031	Two one-lane bridges over Horsepen Branch and one of its tributaries	Ordinary	
Sycamore Landing Road	342	M-0032	Two one-lane bridges over Horsepen Branch and one of its tributaries	Ordinary	
West Harris Road	373	M-0046	National Register-eligible, seven-ton pipe railing bridge surrounded by sycamore trees	Significant	
White Ground Road	394	M-0138	One-lane [prestressed concrete slab] bridge over Bucklodge Branch near Schaeffer Road	Significant	
White Ground Road	394	M-0048	One-lane bridge over Little Seneca Creek tributary near Edward U. Taylor School	Ordinary	
White Ground Road	394	M-0299	Two narrow bridges over Little Seneca Creek tributaries near the south end of the road	Significant	
White Ground Road	394	M-0300	Two narrow bridges over Little Seneca Creek tributaries near the south end of the road	Significant	
Whites Ferry Road	399	M-0186	National Register-eligible, concrete-paneled bridge west of Wasche Road	Significant	
Wildcat Road	404	M-0180	One-lane bridge over Wildcat Branch	Ordinary	
Wildcat Noau	404	101-0008		oruniary	