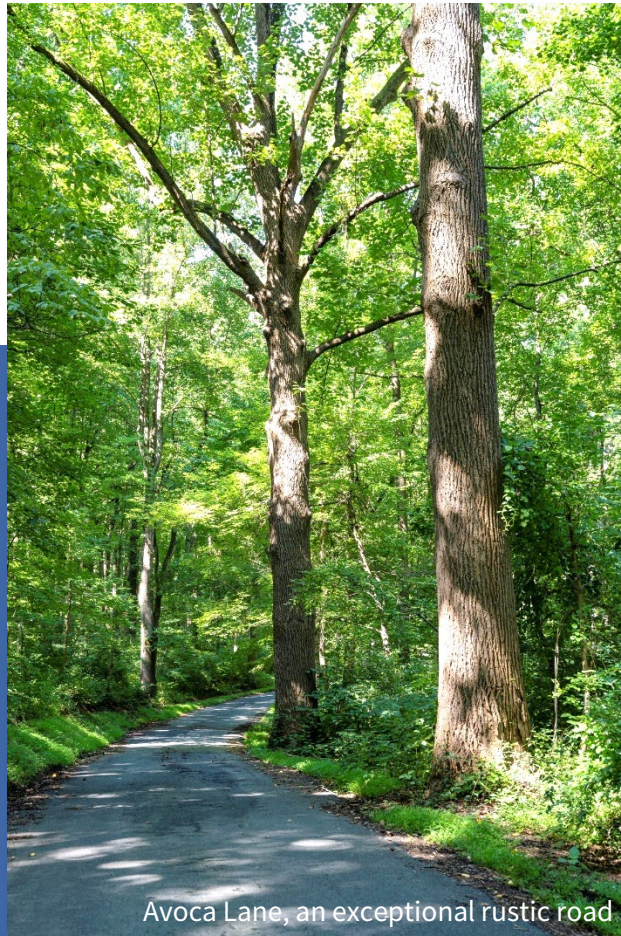


RUSTIC ROADS FUNCTIONAL MASTER PLAN UPDATE WORK SESSION #2



Avoca Lane, an exceptional rustic road

Description

Rustic and exceptional rustic roads are historic and scenic roadways that reflect the agricultural character and rural origins of the county. The roadways provide the county with unique opportunities to promote agritourism, heritage tours, and economic development. The historic and cultural resources near the roads continue to be preserved for county residents and visitors to enjoy and explore. Preserving rustic roads is an important way to relay the county's history to future generations. The *Rustic Roads Functional Master Plan Update* is the first comprehensive update to the *Rustic Roads Functional Master Plan* since the original plan was approved in 1996.

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Montgomery County
Planning Board
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STAFF RECOMMENDATION

The Planning Board will continue discussing public testimony on the *Rustic Roads Functional Master Plan Update*, which includes oral testimony from the Public Hearing and any written comments received before the closing of the public record on December 9, 2022. Planning Staff will ask the Planning Board to confirm existing plan recommendations or revised recommendations based on the testimony.

INTRODUCTION

The Planning Board held a Public Hearing on the *Rustic Roads Functional Master Plan Update* (“Public Hearing Draft”) on November 17, 2022. At the Hearing, the Planning Board approved holding the public record open until December 9, 2022. 104 individuals and organizations testified in person or submitted written comments. Comments from two additional individuals received after the close of the public record as well as comments received from the Maryland Department of Planning have been added to the comment summary table and as attachments. Planning Staff plans to hold a series of work sessions to discuss the testimony received with the Planning Board. The first work session was held on January 5, 2023, and primarily covered recommendations for individual roads. This report outlines discussion items for the second work session.

Work sessions are different than public hearings; they offer the Planning Board an opportunity to review testimony and comments with Planning Staff, agency representatives, and other plan stakeholders to make decisions and final recommendations on the Public Hearing Draft. Ultimately, the work sessions will result in a “final vote out” to create the Planning Board Draft that is sent to the County Council for their review and approval.

The comments received were divided into the following broad categories:

- General support of the Rustic Roads Program
- Support and non-support for adding new roads and significant features to the program
- Plan organization
- Maintenance issues
 - Roadside vegetation and tree trimming
 - Bridges
 - Drainage
- Composition and duties of the Rustic Roads Advisory Committee (RRAC)

Although subject to change by direction from the Planning Board, Staff anticipates three work sessions as follows:

Work session 1 (January 5, 2023)

- **Overview of the categories of road recommendations ✓**
- **General support and opposition for the Rustic Roads Program ✓**
- **Discussion of road recommendations ✓**

Work session 2 (January 26, 2023)

- Plan organization
- Maintenance issues

Work session 3 (proposed for February 9, 2023)

- RRAC membership and membership criteria
- Final vote on the plan

The second work session will primarily focus on public testimony received concerning the Master Plan's organization and maintenance issues along rustic roads. It is expected that the third work session will cover issues relating to the composition and duties of the Rustic Roads Advisory Committee (RRAC) and other topics that may arise during discussions. Planning Staff also intends to ask the Planning Board to approve the plan as the Planning Board Draft at the end of the third work session.

The Public Hearing Draft is available at the following link:

<https://montgomeryplanning.org/planning/transportation/highway-planning/rustic-roads/rustic-roads-functional-master-plan/>

An interactive map is also available on that website for viewing the individual rustic road profiles and road recommendations.

A summary of all comments received and Staff's response to those comments is included in the first attachment to this report. The comments summary has been revised to include two additional comments received after the close of the public record. The new written testimony received has been included as additional attachments. See attachments 2 – 5 included on the [Planning Board agenda website for the January 5, 2023, meeting](#), Item 8, for the complete written testimony included in the public record. For oral comments, see the [November 17, 2022, Public Hearing video](#). The hearing begins at the 4:38 mark in the video.

In the text below, Planning Staff has underlined key words in the text to indicate an action that should be taken, or to indicate that no change is necessary.

CONTINUATION OF WORK SESSION #1 ITEMS

The first section of this report is a continuation of items discussed at the first work session. A few of the items are the result of work session discussions, while others are items inadvertently omitted when discussing individual road recommendations for which comments were submitted. At the end of this section is a discussion of new road classifications for all roads not recommended as rustic or exceptional rustic in the Master Plan.

INDIVIDUAL ROAD RECOMMENDATIONS

AWKARD LANE

The current draft of the Master Plan does not recommend a rustic classification for Awkard Lane. Holly Grove Road south of Norwood Road and Awkard Lane were nominated together as rustic roads primarily due to their shared history as the two roads that make up the Holly Grove community, a historically African American settlement that was established in the post-Civil War era (the segment of Holly Grove Road north of Norwood Road is a modern subdivision and was not considered for the program). Both Holly Grove Road and Awkard Lane were established as 20-foot wide rights-of-way by an 1879 land survey. Over subsequent years, the properties lining the two roads were sold to other African American families who established homes and small farms. Many of the lots continued to be further divided over the years, with many of the divisions given or sold to their children or other family members. The smaller-scale mid-20th-century homes reflect this pattern, and the community is now a mix of the descendants of the original owners and newcomers. There are no designated historic resources in the Holly Grove community and no pre-20th-century homes remain.

As stated in Chapter 49, the purpose of the Rustic Roads Program is “to preserve as rustic roads those historic and scenic roadways that reflect the agricultural character and rural origins of the County.” Planning Staff visited the Holly Grove community to get a sense of whether the two roads had the rustic character necessary to be added to the program. Both streets have a mix of mid-century and newer houses, and many have non-rustic fences (chain link, wrought iron, white vinyl) lining the road. But Holly Grove still has enough older houses, older wooden fences, and occasional glimpses of

agricultural activity such as horse pastures and small farming plots to have the visual character of a rustic road. Although Awkard Lane gradually appears less modern as one descends from Holly Grove Road to the southeast, the public portion of Awkard Lane does not contain features typical of a rustic road; there are no vistas of farm fields, natural features, or historic sites that warrant a rustic designation in its current state. Eventually, one reaches a sign marking the end of county maintenance, and therefore the end of the public section of the road, before the road continues as a one-lane unpaved track through the woods to serve two additional houses and a few undeveloped properties. Although this final segment would likely qualify as a rustic road, it is not a public road and is, therefore, ineligible for the program.

In addition to reflecting the rural origins of the county, County Code requires that the road or road segment:

- (A) has outstanding natural features along its borders, such as native vegetation, stands of trees, stream valleys;
- (B) provides outstanding vistas of farm fields and rural landscape or buildings; or
- (C) provides access to historic resources, follows historic alignments, or highlights historic landscapes; and

Neither road has natural features one might characterize as “outstanding,” and Awkard Lane does not offer interesting vistas of farm fields, landscapes, or farm buildings. Neither road provides access to historic resources nor highlights historic landscapes, leaving only a historic alignment as a potentially qualifying criteria for Awkard Lane.

The question of what it means to have an “historic alignment” was raised by Commissioner Branson during the first work session. Many roads in the county follow a historic alignment and most of them would not be considered “rustic,” especially those in the Mid- or Downcounty areas. Planning Staff examined roads that specified their alignments as significant features in the 1996 RRFMP and found the following roads and the description of their historic alignments:

- Brookville Road: an early east-west route to Brookeville, founded in 1794
- Cattail Road: connected to early major roads (c. 1869) to provide access to offices, mills, churches, and other resources
- Hunting Quarter Road: was part of the original River Road alignment
- Kingstead Road: provided a connection (c. 1865-1879) between a distillery and a store through an old community
- Peach Tree Road: provided access to newly opened railroad stop (c. 1874-1979) and to give general access to farms in the area
- River Road (Exceptional Rustic section): one of the oldest roads in the county that possibly follows a trail established by Native Americans before European settlement in the area
- Schaeffer Road: former politician’s path (c. 1879-1883) to connect farms in the area to the rail station

- Tschiffely Mill Road: provided access from a grist mill to a loading platform on the C&O Canal and stone from a stone mill north to River Road
- Whites Ferry Road: led to a ferry across the Potomac River by 1837

While it is difficult to generalize what is meant by an “historic alignment,” they are generally considered important connections between two communities or between a community and an important transportation facility, such as the railroad or the canal. The original alignments for many of the county’s older roads are recorded in the land records and can be compared to their modern routes. Holly Grove Road appeared on area topological maps by 1908, while the shorter Awkard Lane did not appear on local maps until 1945.

Although Holly Grove Road and Awkard Lane share a common history, based on Planning Staff’s analysis, it is only the cultural and historic significance of the Holly Grove community that merits preservation. As noted above, it is difficult to make the case that Awkard Lane has an historic alignment or any other significant feature that meets the criteria of preservation through the Rustic Roads program. A historic plaque documenting and celebrating the historical significance of the area seems more appropriate.

It was suggested by Commissioner Hill that perhaps part of Awkard Lane could be designated rustic since the part nearest Holly Grove Road only contains modern residences and fences, but for the reasons given above, Staff does not feel a rustic designation is warranted for that part of the road.

HOLSEY ROAD

The current draft of the Master Plan recommends Holsey Road as a rustic road. Warren Fleming and other individuals with family connections to Holsey Road are opposed to a rustic designation for the road. They have stated that a rustic designation will limit upgrades to features like drainage facilities, lighting, and street widening that would be necessary to develop some of the properties along the road. They also expressed concerns that fire truck access is inadequate due to the narrowness of the road, and they have safety concerns about some of the blind curves.

The designation of this road was discussed at the first work session. Mr. Fleming had indicated in his testimony that he had spoken to all the residents of the road and that they were surprised to learn of the nomination as a rustic road. The Planning Board asked Planning Staff if Mr. Fleming has submitted anything showing the support of the residents of Holsey Road and Staff indicated that they had not. The Board then asked Staff to reach out to Mr. Fleming to discuss the issue further. Staff followed up with Mr. Fleming and he provided a list of names of the people he had spoken with, but there’s no indication on the list to indicate whether they were for or against the rustic designation.

During the discussion of both Awkard Lane and Holsey Road, Planning Board Commissioners discussed the idea that perhaps there could be some sort of vote or veto power for the residents of a road regarding their rustic status. The County’s land use planning decision-making, through the Planning Board’s and the County Council’s review processes, already provides opportunities for

community input and feedback in a public setting that provides transparency to the wider community. These processes also are informed by professional staff expertise that can also advise on applicable laws and regulations.

Holsey Road is a clear choice when it comes to designating the road rustic due to its width, alignment, scenic views across farm fields, in addition to the historical and cultural significance. The land through which it passes is zoned RC (Rural Cluster), which only allows one house per five acres, and AR (Ag Reserve), which only allows one house per 25 acres. The development plan is anticipated to remain rural. The current configuration of the road and the long-range plans for the area are consistent with a rural designation.

WEST HUNTER ROAD

At the first work session, we discussed the RRAC's request that we add to the significant features and the map: "roadside vegetation and mature forest east of Hillard Farm on south side of road." Members of the RRAC explained that previous work under the utility lines had taken the vegetation there all the way down to the ground. The Planning Board recommends including deciduous trees along West Hunter Road as a significant feature because they frame the street and are important. The Board recommended that Staff come up with appropriate language to identify this feature. Because the vegetation closest to the road on the south side would not qualify as "mature forest" and there is a matching forest on the north side of the street that was not cleared with the utility work, Staff suggests "forested area on both sides of the road east of Hillard Farm."

INDIVIDUAL ROAD COMMENTS NOT PREVIOUSLY DISCUSSED

BARNESVILLE ROAD

MCDOT suggests that planners verify that Barnesville Road meets the requirement that it predominantly serve local traffic east of MD 109 (Old Hundred Road). 2021 traffic counts indicate a daily traffic volume of approximately 4,000 vehicles, which is a bit higher than the generally recommended threshold of 3,000 trips per day. Traffic counts may have increased slightly since the road was designated rustic in 1996, but not to the point that the road should be removed from the program.

KINGS VALLEY ROAD

The RRAC requested that we change the significant feature that currently is worded simply as "historic alignment" to "historic alignment including a jog in the road at Kingstead Road." The requested change is unnecessary because the jog in the road is part of the historic alignment and the plan also contains a recommendation to not realign the road at the jog.

LEWISDALE ROAD

The RRAC asked that we add hedgerows mentioned in the traveling experience and shown on the map to the road's significant features. The hedgerows in question are a disorganized cluster of roadside plants that do not significantly enhance the traveling experience of the road and actually block views of a meadow on the south side of the road, an historic farmstead (Charles Browning Farm), and Sugarloaf Mountain in the distance. Staff does not recommend adding these hedgerows as a significant feature of the road.

MOUNT CARMEL CEMETERY ROAD

The RRAC requests that we add the mature trees along the south side of Mount Carmel Cemetery Road as a significant feature. Staff appreciates the trees along the road but the trees do not rise to the level of significance.

MOUTH OF MONOCACY ROAD

The RRAC recommends including the Little Monocacy Viaduct as a significant feature of the road similar to the way the railroad bridge has been included as a significant feature of Game Preserve Road. Mouth of Monocacy Road already contains “alignment approaching and under the Little Monocacy Viaduct” as a significant feature. For Game Preserve Road, the significant features is listed as “1906 B&O Railroad bridge.” Significant features are those “that must be preserved when the road is maintained or improved.” Due to the wide span of the viaduct, it is not particularly close to the roadway and therefore is not an element of the road that MCDOT would be able to preserve or not preserve to maintain the road, whereas the railroad bridge on Game Preserve Road is a single lane wide and could easily be impacted by maintenance or improvements by MCDOT.

The original wording of the significant feature for Mouth of Monocacy Road in the 1996 RRFMP is “road surface and alignment under the Monocacy Viaduct.” The RRFMP Update separates the surface and alignment into two separate significant features and corrects the name of the viaduct. Game Preserve Road, on the other hand, has an entirely new road profile with this Master Plan, so the wording of the significant feature is new. Staff also notes that these two bridges are different than the bridge discussion above and at the first work session. The earlier discussion concerns bridge that carry a rustic road *over* something, whereas in these two cases the rustic road travels *under* the feature.

Staff recognizes the slight inconsistency of the wording of these two recommendations, where in once case it is the alignment under the bridge (a.k.a. “viaduct”) and in the other it is the bridge itself. By designating either as a significant feature, Staff is not suggesting that MCDOT is financially responsible for maintaining these railroad bridges, both of which are the responsibility of CSX. Staff is simply implying that any maintenance or improvements of the roads made by MCDOT not impact these features. Staff believes the significant features as currently presented are sufficient but are open to changes if the Planning Board is concerned with the slight inconsistency or finds it confusing.

CLASSIFICATION OF ROADS AND ROAD SEGMENTS BEING REMOVED

Page 83 of the Public Hearing Draft contains a table with recommended classifications for all roads and road segments discussed in the plan that are not recommended as rustic or exceptional rustic. Concurrent with the writing of this master plan, the County Council was debating revisions to Chapter 49 of the County Code (“Streets and Roads”) to implement the recently approved Complete Streets policy. Subsequently, [Bill 24-22](#) was enacted on October 25, 2022 and signed into law on November 7, 2022. The bill includes revised road classifications.

Roads in the Rustic Roads Program are considered part of the Master Plan of Highways and Transitways (MPoHT). The MPoHT only considers streets that would be classified at a Neighborhood Connector level or higher (formerly a “Primary Residential Street”). The RRFMP Update considered several new roads or road segments for the program, but ultimately not all roads were classified rustic or exceptional rustic. In addition, a few roads and road segments are recommended to be removed from the program. This plan recommends new classifications for all roads and road segments considered in this plan, but the current Public Hearing Draft is using the former classification system instead of the recently enacted system from Bill 24-22. To conform to the new street classifications, Planning Staff recommends that the non-rustic road recommendations be updated.

The classification table in the Public Hearing Draft is shown in Table 1; the revised classifications are shown in Table 2. Of special note is Georgia Avenue through Brookeville, which is currently classified as a major highway. After the completion of the ongoing Brookeville Bypass project, the remaining segments of the road will no longer serve as a major highway. In fact, the section of current Georgia Avenue north of Brookeville Road is being removed as part of the project, and therefore will not need a new classification. The section south of the Brookeville Town Limit and the southern Bypass roundabout will be known as “High Street,” which is the current name of MD 97 within the Town Limits.

Table 1. Road Classifications in Public Hearing Draft

Road Designation	Road Name	Limits	Min. ROW Width
Major Highway			
M-8	Georgia Avenue (MD 97)	Segments between Brookeville Bypass and Brookeville Town limits	80'
Primary Residential Street			
P-5	Batchellors Forest Road	Georgia Avenue (MD 97) to Washington Christian Academy entry drive	70'
P-1	Boswell Lane	Entire road: Piney Meetinghouse Road to Glen Mill Road	70'
P-7	Dustin Road	Old Columbia Pike to Columbia Pike (US 29)	70'
P-6	Johnson Road	Norwood Road to high school entry drive	70'
P-4	Kings Valley Road	Ridge Road (MD 27) to Stringtown Road	70'

Road Designation	Road Name	Limits	Min. ROW Width
P-8	Riding Stable Road	Sandy Spring Road (MD 198) to Prince George's County line	70'
P-2	Schaeffer Road	South Germantown Recreation Park entry drive to Burdette Lane	70'
P-3	Stringtown Road	Snowden Farm Parkway to Cedarbrook Community Church entry drive	70'
Country Road			
CR-21	Barnesville Road (MD 117)	Clarksburg Road (MD 121) to Bucklodge Road (MD 117)	62'
CR-23	Brighton Dam Road	Bordly Drive to New Hampshire Avenue (MD 650)	70'
CR-24	Brookeville Road	Brookeville Bypass (new MD 97) to old MD 97	70'
CR-22	Old Hundred Road (MD 109)	Peach Tree Road to Frederick Road (MD 355)	80'
Unclassified			
U-2	Allnutt Road	Private Road	NA
U-6	Awkard Lane	Entire road: Holly Grove Road to end of county maintenance	70'
U-4	Conoy Road	Private Road	NA
U-7	Link Road	Entire road: Ednor Road to end of county maintenance	70'
U-3	Slidell Road	Private Road	NA
U-5	The farm road	Private Road	NA
U-1	Turkey Foot Road	Road has been truncated at new roundabout	NA

Table 2. Revised Road Classifications

Map Key	Road Name	Limits	Min. ROW Width
Area Connector			
AC-12	High Street	Southern segment of old MD 97 between Brookeville Bypass and Brookeville Town limits	80'
Neighborhood Connector			
NC-15	Batchellors Forest Road	Georgia Avenue (MD 97) to Washington Christian Academy entry drive	70'
NC-1	Boswell Lane	Entire road: Piney Meetinghouse Road to Glen Mill Road	70'
NC-16	Johnson Road	Norwood Road to high school entry drive	70'
NC-3	Schaeffer Road	South Germantown Recreation Park entry drive to Burdette Lane	70'
NC-9	Stringtown Road	Snowden Farm Parkway to Cedarbrook Community Church entry drive	70'

Map Key	Road Name	Limits	Min. ROW Width
Country Connector			
CC-5	Barnesville Road (MD 117)	Clarksburg Road (MD 121) to Bucklodge Road (MD 117)	62'
CC-13	Brighton Dam Road	Bordly Drive to New Hampshire Avenue (MD 650)	70'
CC-8	Old Hundred Road (MD 109)	Peach Tree Road to Frederick Road (MD 355)	80'
CC-20	Riding Stable Road	Sandy Spring Road (MD 198) to Prince George's County line	70'
Country Road			
CR-11	Brookeville Road	Brookeville Bypass (new MD 97) to old MD 97	70'
CR-19	Dustin Road	Old Columbia Pike to Columbia Pike (US 29)	70'
CR-10	Kings Valley Road	Ridge Road (MD 27) to Stringtown Road	70'
CR-18	Link Road	Entire road: Ednor Road to end of county maintenance	70'
Neighborhood Street			
NS-17	Awkard Lane	Entire road: Holly Grove Road to end of county maintenance	70'
Unclassified			
U-4	Allnutt Road	Private Road	NA
U-6	Conoy Road	Private Road	NA
U-7	Slidell Road	Private Road	NA
U-14	The farm road	Private Road	NA
U-2	Turkey Foot Road	Road has been truncated at new roundabout	NA

Of all the roads in the plan, only Awkard Lane would be classified at a level that would take it out of the Master Plan of Highways and Transitways. The recommended classification of Neighborhood Street is based on definitions in the newly revised Chapter 49. Private streets will remain unclassified.

The first column in the table above has been changed from "Road Designation" to "Map Key." This is because Montgomery Planning is currently assigning new official road designations for every road in the MPoHT, but this will take a considerable effort and will be completed after the Planning Board Draft of this master plan is expected to be completed. Therefore, only the road designations for the rustic and exceptional rustic roads will be established by this plan (see tables 11 and 12 on pages 78-82 in the plan), while for non-rustic roads the column will only serve as a map key to assist locating the roads on the map in the plan. (Numbers are assigned in a clockwise direction beginning in the Potomac area.) The section of Turkey Foot Road referenced as U-2 as actually an old road segment that has been removed and replaced with a roundabout. It remains in the table only to serve as a map key item.

PLAN CONTENT AND ORGANIZATION

COMMENTS RECEIVED FROM MARYLAND DEPARTMENT OF PLANNING

Charles Boyd, Director of Planning Coordination for the Maryland Department of Planning (MDP), submitted MDP's comments on the plan on December 27, 2022. MDP's review is based on comments they received from the Maryland Historic Trust (MHT). Overall, MDP finds that "[t]he Draft Plan is thorough, supportive of and dedicated to enhancing the Agricultural Reserve." However, MDP offered several suggestions to better address the statutory requirements of the state's [Land Use Article](#) (LUA).

MDP suggests that the plan include a discussion of the 12 visions from Section 1-201 of the LUA and to reference them as appropriate. MDP also suggests addressing two of the five planning elements that are relevant to the plan: a sensitive areas element and a transportation element.

Many of the 12 visions in the LUA are only applicable to a land use plan rather than to a functional master plan that covers roads. However, several of the visions are relevant to the Master Plan and are worth mentioning in the plan's text. Staff recommends an additional subsection of the "Related Plans, Programs, and Policies" section to discuss how the Master Plan addresses the relevant visions. The 12 Visions are included in an attachment to this report.

Regarding the sensitive areas element, MDP recommends that Planning Staff consider whether the Master Plan's recommendations meet the requirement from Section 1-408 of the LUA to "protect sensitive areas from the adverse effects of development." Many rustic roads are in areas which the county has previously identified as those that it wishes to protect. However, this Master Plan is a functional master plan that does not include land use changes. Additional development would only be a component of agritourism activities. The addition of an environment section to each road profile allows for a detailed description of sensitive areas that a road traverses.

MDP's recommendation regarding the Section 1-409 transportation element is that Montgomery Planning make "a careful comparison to the Master Plan of Highways and Transitways as this Draft Plan amends that functional plan. Planning [MDP] also suggests that the county work closely with the MDOT [Maryland Department of Transportation] to address standards and requirements of state roads for both roadway and intersection transitions." All rustic roads are included in the Master Plan of Highways and Transitways (MPoHT), and the Master Plan amends that functional plan. MDOT State Highway Administration (SHA) supported a rustic classification for several state roads to the extent that the designation does not prevent future safety-related or mobility improvements.

ROAD PROFILES AS APPENDIX OR PLAN CHAPTER

Several individuals and organizations submitted testimony suggesting that the road profiles should be included as a plan chapter rather than as a plan appendix, stating that these profiles are the most referenced section of the plan. They point out that the road profiles include the significant features for each road. County Code requires that the significant features of each road be identified when

classifying a road as rustic or exceptional rustic and that these features “must be preserved when the road is maintained or improved.” Plan appendices typically only contain background information that was used to inform the content of the plan, and most appendices have not been part of the approved plan. Since the road profiles are really the heart of the Master Plan and the preservation of their significant features is so important, they argue that they should not be relegated to an appendix.

It was also suggested that the “Individual Road Recommendations” section of the “Road Recommendations” chapter, which summarizes the changes in the Master Plan for each road, will serve little purpose once the plan has been approved with the new road profiles included (as opposed to being in an appendix) and should therefore be moved to an appendix.

In earlier drafts of the road profiles, the recommendations for each road were contained within the profiles, but Planning Staff had been seeking a solution that would result in “cleaner” profiles absent any discussion of how they arrived at the final profiles. Thus, the recommendations were moved out of the profiles and into a separate plan chapter. The explanations and justifications contained in the “Road Recommendations” chapter are an important part of the deliberations that led to the final recommendations, but once the Master Plan has been approved, the recommendations serve more as background information.

M-NCPPC legal counsel has confirmed that a plan appendix approved by the County Council has as much weight as the main plan document. Nevertheless, the road profiles are an integral part of the Master Plan and should be included in the main document or, perhaps, a “volume two” of the plan.

Staff recommends moving the “Individual Road Recommendations” section of the “Road Recommendations” chapter to a plan appendix and moving the road profiles into a plan chapter or as a second volume of the main plan document. Planning Staff also intends to retain the road profile viewer/map that was initially set up for Master Plan feedback. This also allows for additional items of interest to be displayed along with the road profiles.

POSSIBLE V. FEASIBLE

There are several instances throughout the Master Plan where MCDOT has requested that we change the word “possible” to “feasible.” MCDOT’s argument is that “possible” implies something that is generally unconstrained by physical or fiscal limitations, while “feasible” implies both physical and resource constraints. The RRAC objected to this language change in every instance, stating that in some cases the change would give MCDOT too much discretion in making decisions. Examples raised:

- Pgs. 15, 99: *In SPAs, land-use controls such as limiting imperviousness, planting forest buffers, and requiring enhanced erosion control help ensure that impacts from development activities are mitigated as much as **possible**.*
- Pg. 17: *This master plan supports providing for adequate drainage but recommends that a roadway design without drainage ditches be retained wherever **possible**.*

- Pg. 17: *Reduced mowing of roadside edges should not result in impaired driver vision around bends or corners; however, existing plant groupings should be retained whenever **possible**.*
- Pg. 18: *This example shows that it is **possible** to design a bridge that retains a road's character while also providing a safe experience for those using the road.*
- Pg. 42 – Batchellors Forest Road: *The 2005 plan stated that it would be an additional 500 feet, but the entry was built as far west on the site as **possible**.*
- Pg. 76: *The process leading to approval of such construction should include a review directed towards retaining views whenever **possible** and practical.*
- Pg. 88: *Bridges that are rebuilt should be designed to accommodate the appropriate number of vehicle trips and not be overdesigned; to the extent **possible**, these designs should use materials that enhance the rustic quality of the road.*

Planning Staff agrees with MCDOT that the term “feasible” is more precise and should be used in each of the examples cited. The term “possible” does not contain the necessary and appropriate fiscal and physical constraints. A necessary repair or improvement may be possible, but may not be fiscally responsible or feasible. These are the types of discussions that staff recommends occur periodically at regularly scheduled RRAC meetings. The Planning Board, by review of Mandatory Referrals, and the County Executive, by Capital Improvement Projects that are implemented by MCDOT, will have oversight on how this language is ultimately applied in the instances above, with recommendations from staff and the RRAC.

POLICY RECOMMENDATIONS

Two comments were received suggesting that the Planning Board had directed Planning Staff to create a new “policy recommendations” section prior to the “Road Recommendations” chapter, with the idea that the road recommendations would flow logically from the policy recommendations.

Staff reviewed [the video](#) from the Planning Board for Agenda Item 8, Rustic Roads, dated October 6, 2022 (item begins at 2:02:50 in the video). At the outset of that item, before the Staff presentation, Commissioner Rubin expressed concern with the format of the plan because policy recommendations were inserted into the “Implementation” chapter. She suggested that recommendations 1 through 24 in the “Implementation” chapter be moved to the front portion of the plan, ahead of the “Road Recommendations” chapter.

As the formal Staff presentation began, Planning Board Commissioners and Staff agreed that the Planning Board would provide comments on each of the plan's chapters after Staff had completed the part of their presentation on a given chapter of the Working Draft.

At the conclusion of the Staff presentation on the “Implementation” chapter (the final chapter), Planning Board Commissioners and Planning staff went through recommendations 1 – 24 in the “Implementation” chapter one by one to determine if a recommendation in that chapter should be moved up in the plan to a new “Policy” chapter.

The only time it was questioned if a recommendation was a policy item was the first recommendation, which proposes having quarterly or biannual stakeholder meetings to help better facilitate cooperation between stakeholder groups, such as the RRAC, Office of Agriculture, and MCDOT. Commissioner Rubin expressed that this recommendation may be a policy, but said it was up to Staff to determine the exact location in the plan. No other commissioner stated an opinion on the issue.

All other recommendations in the “Implementation” chapter were reviewed and word-smithed in the same manner to make sure that the recommendation would not conflict with County Code. It was not formally suggested that any of the other recommendations (2 – 24) be moved to a “Policy” chapter or section at the beginning of the plan. Because none of the recommendations in the plan’s “Implementation” chapter affect any of the road recommendations, there is no advantage to moving any of the recommendations out of the “Implementation” chapter into an earlier plan chapter. If the plan makes a recommendation to change policy, it is implied that this is a measure that must be implemented, and therefore the “Implementation” chapter seems best suited for such a recommendation. Therefore, Staff has not moved the recommendations from the “Implementation” chapter.

RELATED PLANS, PROGRAMS, AND POLICIES – DBU POLICY

MCDOT suggested that the county’s Dedicated But Unmaintained roads (DBU) policy be included in the “Related Plans, Programs, and Policies” section. MCDOT identified the entire length or portions of the following five roads as being on the DBU list: Aitcheson Lane, Belle Cote Drive, Bentley Road, Old Orchard Road, and Poplar Hill Road. The DBU roads were discussed in work session #1. Staff explained that the segment of Aitcheson Lane recommended as rustic is not the portion of that road that is on the DBU list. The Planning Board agreed with Planning Staff that the other four DBU roads or road segments should remain in the program with a recommendation that the DBU Policy be updated to provide a path by which the rustic roads currently on the DBU list could be improved to a level that would allow MCDOT to accept public maintenance of the roads. It was also agreed that no roads on the DBU list be designated rustic in the future.

Planning Staff will add a section to the Related Plans, Programs, and Policies section to discuss the DBU Policy and will add an item to the “Implementation” chapter to recommend an update to the policy.

ROAD CHARACTERISTICS: LANE MARKINGS AND ROAD WIDTHS

The Master Plan describes the road characteristics table on page 76. This table, which appears in every road profile, shows the extents of the rustic designation as well as the road’s length, width, surface materials, lane markings, and the presence of shoulders or roadside curbing.

MCDOT suggests that road profiles reference the number of lanes on a road rather than noting the presence or absence of lane markings, which they note may change over time for safety reasons. The RRAC requests that the plan retain the lane markings because they serve as a reference point for the

road. The lane markings have been included since the original 1996 plan and Planning Staff finds no compelling reason to change this to number of lanes, which itself is not always clear.

MCDOT also requests that the plan indicate that existing lane widths should be noted as tentative since existing pavement may be buried beneath accumulated soil or foliage or a road's edge may have eroded over time. The RRAC disagrees, noting that the road width references have been very important to the Committee's work in ensuring that inadvertent road widening does not occur. Planning Staff agree with the RRAC that road widths are an important road characteristic that should remain in the plan as is. Road widths typically include a range in the road characteristics table, so Staff will add text to clarify that the width is a range and that changing conditions may lead to different measurements in some places.

PHOTOGRAPHS

The RRAC has offered to work with Staff to identify better photos for the plan, as well as to identify other exhibits, such as the old hand-drawn road plats from the county's land records, that would add historic context to the road profiles.

Planning Staff has captured new photos from a great number of the roads in the plan and has added photos to many of the profiles. Planning Staff intends to continue identifying suitable pictures and acquiring more as the plan continues to make its way through the approval process in hopes of having appropriate photos included in all profiles by the time the plan has been approved and adopted by M-NCPPC. Staff agrees that some other historic exhibits would be a great addition to the plan but recommends that this task be undertaken along with the future limited master plan amendment discussed in the historic preservation recommendations.

SIGNIFICANT FEATURES

At the first work session, Planning Staff and the Planning Board reviewed a list of bridges specified as significant features. When reviewing the Master Plan for that discussion, Staff became aware that significant features are not described in the plan prior to multiple references to them.

Significant features are defined in Section 49-78 of County Code, subitem (d):

Significant features. When the Council classifies a road as a rustic road or an exceptional rustic road, the Council must identify the significant features of each such road that must be preserved when the road is maintained or improved.

Staff will add text defining this term to the "Road Recommendations" chapter of the Master Plan, where other road classification criteria from Section 49-78 are described. An earlier reference in the "Introduction" chapter may also be added.

IMPLEMENTATION CHAPTER

“CONTEXT” SECTION

The RRAC asks that the second sentence of the Context section (page 85) of the “Implementation” chapter be deleted. The section begins:

Part of the attraction of rustic roads is that each one is unique. But this makes it difficult to have a “one size fits all” approach to their preservation and maintenance that always makes sense for all roads.

Staff was trying to convey that each rustic road is unique, and a one size fits all approach to their preservation and maintenance does not work. However, removing the two sentences does not materially alter the rest of the section as written. Thus, Staff recommends either rewording the first two sentences or removing the first two sentences.

“MAINTENANCE AND IMPROVEMENTS” SECTION

Testimony received on maintenance issues are discussed in a separate report section below.

“TRAFFIC CALMING” SECTION

The RRAC states that the first paragraph in this section “seems to be an indictment of the Rustic Roads Program.” The RRAC asks that this section be rewritten to reflect that this is a county-wide problem and not a problem unique to rustic roads. Staff is not opposed to a lead-in sentence about the County’s broader discussion of vehicular speed on roads and our Vision Zero efforts, but the remainder of this section accurately describes issues that occur along rustic roads and provides the context behind the recommendations that follow. Beyond a new introductory sentence, Staff does not recommend any changes to this paragraph.

The RRAC also asks that we mention their recent accomplishment in getting the County Council to set the maximum target speed for rustic and exceptional rustic roads at 30 miles per hour and to allow speed humps on rustic roads where appropriate. Staff will reference the target speed and speed controls as approved/amended by the County Council.

“HISTORIC PRESERVATION” SECTION

Sarah Rogers (Historic Montgomery) and an individual, Robin Ziek, support the historic preservation recommendations in the plan (pages 90-92) but ask that these recommendations be moved to the top of the plan to reflect their importance. Staff does not recommend this change. The “Implementation” chapter of the plan is organized to provide overarching policy recommendations first to emphasize the procedures that will provide for a smoother operation of the program in the future. The “Historic Preservation” section provides next steps on how to continue to refine existing road profiles as more

information is learned about individual roads and to promote the historical nature of the program itself.

The Historic Preservation Commission (HPC) suggests that an audio tour version of the road descriptions be created because it would be more accessible to someone driving the roads than a printed plan document. Planning Staff support this idea, but it is not part of this plan update. It would be better if an organization such as Heritage Montgomery or perhaps another entity could establish an audio tour through a state or federal grant.

The HPC also “encourages the Planning Board to strengthen the plan’s call for inclusive and equitable access to these resources for those without personal vehicles (Recommendation 29). Local historical societies would be valuable partners for planning inclusive programming and coordinating bus tours.” Planning Staff envisions that this issue will be addressed in a future plan amendment along with the other historic preservation recommendations.

RUSTIC ROAD MAINTENANCE CONCERNS

Residents, especially many of the county’s commodity farmers, submitted numerous comments regarding maintenance along rustic roads, suggesting that basic maintenance procedures are not being routinely applied. Their concerns include maintenance of road surfaces, drainage, vegetation, and bridges. Many in the agricultural community believe that the county has “failed the farmers” by not providing proper maintenance. A few cyclists feel that rustic roads could use more maintenance and that they are in worse condition than in any of the surrounding counties, but most cyclists only expressed strong support for the Rustic Roads Program.

Many maintenance issues are interrelated. For example, inadequate drainage can result in the eventual destruction of road surface, leading to potholes or other crumbling roadways. Heavy rains can form channels on gravel roads, making them difficult to traverse.

Michael Jamison, a commodity and sod farmer from Poolesville, in testimony he submitted as an individual (Mr. Jamison is also Chairman of the Agricultural Preservation Advisory Board [APAB] and submitted testimony in that capacity), echoes what we have heard from many in the agricultural community:

More and more people are visiting the Ag Reserve while the maintenance to our roads has virtually ceased to exist. The vegetative overgrowth alongside the roads constantly impedes our ability to safely transport from field to market. The side drains along the roads have silted in creating hazardous driving conditions. When we try to address these issues with MCDOT or RRAC, it seems to fall on deaf ears. We are given the impression that the aesthetics of the overgrown tree canopies and roadsides takes precedent over a safe and navigable transportation network.

This report will address specific maintenance concerns in the sections that follow.

COUNTY CODE AND EXECUTIVE REGULATIONS

At the first work session, Commissioner Branson discussed the testimony regarding lack of maintenance on rustic roads. Whether the public perception of reduced maintenance due to a rustic designation is accurate or not, the Planning Board requested that MCDOT specifically address concerns made by residents. Additionally, the Planning Board requested that MCDOT be prepared to discuss what maintenance has been performed on rustic roads recently and what maintenance is anticipated in the near future.

According to County Code, [Chapter 49 \(“Streets and Roads”\), Section 79 \(“Maintenance and improvements”\)](#):

*Each rustic road and exceptional rustic road must be maintained and improved in a manner that preserves the road’s significant features ..., but this requirement does not preclude improvements to promote safety or movement of farm equipment. The County Executive **must establish guidelines by regulation** ... for maintenance and improvement of rustic roads and exceptional rustic roads.*

The guidelines for maintenance and improvements of rustic roads, referred to as the “Executive Regulations” in the plan and this document ([COMCOR 49.79.01 Rustic Roads](#)) were approved in 1996 a month before the original RRFMP was approved and adopted. The Executive Regulations cover the following subjects: level and regularity of maintenance, road surfaces, drainage, bridges, guardrails, vegetation, and other maintenance and improvement issues. A copy of the Executive Regulations is provided as an attachment to this report.

According to the Executive Regulations:

A rustic or exceptional rustic road will receive the level of maintenance as necessary to assure its continued viability as a transportation facility and to allow for safe travel by motorized vehicles, and agricultural equipment. Maintenance will be provided at a level no lower than existed at the time of designation, while still preserving the rustic qualities of the road.

The combination of the requirements from County Code and the Executive Regulations essentially means that rustic roads should receive the same level of maintenance as any other road in the county. However, the language appears to have some wiggle room to indicate that maintenance only need be provided at the same level that was provided *at the time a road was designated rustic*. In addition to the difficulty that might come from attempting to document the level of maintenance that a road may have had in 1996 so that no maintenance beyond that level need be provided, it is likely that this wording was an attempt to ensure that the roads receive proper maintenance and are not neglected once designated. Staff recommends that the Executive Regulations be amended to clarify that rustic roads are to receive maintenance at the same level as any other road in the county, while preserving the rustic characteristics of the road.

Staff notes that the current regulation quoted above only specifies maintenance adequate to provide safe travel *by motorized vehicles and agricultural equipment*, leaving out cyclists, horse riders, and pedestrian traffic (as well as containing a misplaced comma). Planning Staff suggest adding a plan recommendation to update the Executive Regulations to include provisions for safe travel for all users of the road.

“MAINTENANCE AND IMPROVEMENTS” SECTION

The RRAC suggests strengthening the “Maintenance and Improvements” section (page 86) to fully describe rustic road maintenance procedures versus the single sentence in the plan now, which is only a small part of the maintenance requirement. The first paragraph of this section currently reads:

*Maintenance and improvement regulations for rustic roads are defined in Section 49.79.01 of the County Code (referred to in this document as the “Executive Regulations”). **Under the existing regulations, rustic roads are to receive the same level of maintenance that they received prior to joining the program.** The current regulations are well-designed to implement the required maintenance or improvements of rustic roads; changes to these Executive Regulations are not recommended as part of this plan.*

The RRAC recommends replacing the bolded sentence above with the following two sentences from the Executive Regulations: “A rustic or exceptional rustic road will receive the level of maintenance as necessary to assure its continued viability as a transportation facility and to allow for safe travel by motorized vehicles and agricultural equipment;” and “The rustic or exceptional rustic road classification will not exclude roads from regular maintenance.”

The two sentences from the Executive Regulations suggested by the RRAC are a stronger statement than the single sentence currently in the plan, so Staff will revise the text to substitute the suggested language.

Quentin Remein, president of the Cloverly Civic Association requested that we add a plan “section identifying road maintenance importance.” “Rustic Roads,” he continues, “are like historic homes and often need repairs that are more costly to maintain their appearance as rustic rural roads.” Staff recommends adding language to the “Maintenance and Improvements” section stating the importance of maintenance of rustic roads.

VEGETATION

The text from the “Roadside Vegetation” section of the “Implementation” chapter is repeated here:

Many rustic roads have various types of roadside vegetation as significant features. This includes hedgerows, areas of forest, and individual trees. All rustic roads have some sort of vegetation growing along them, even if it’s just areas of low shrubs or unmown grasses.

The Montgomery County Department of Transportation (MCDOT) and the State Highway Administration (SHA) are responsible for trimming trees along rustic roads, depending on if the road is a county or state road. Additionally, just as in other areas of the county, utility companies, will also have to occasionally trim trees along roads to minimize issues caused by branches interfering with utility lines.

Overhanging vegetation over roads can cause damage to school buses, fire trucks, and other large vehicles. It may cause hazardous conditions for other users because overhanging limbs have been weakened by getting hit or may hang lower when wet or covered in snow. Rustic roads need to be safe for all users traveling along their rights-of-way.

Recommendations:

- 2. Roadside vegetation should be managed using best practices as outlined in the Executive Regulations. When roadside vegetation is pruned, it needs to be done in a manner that respects the significant features of the road to the extent practicable while also providing for safe sightlines and safe passage of vehicles, including farm equipment. Pruning should also not destroy the structural integrity of trees along roadways.*
- 3. Ensure that overhead vegetation hangs no lower than 17 feet above the road surface for any road used to move agricultural equipment or products consistent with the Executive Regulations on “Tree Maintenance.”*

Many members of the farming community who provided testimony have concerns with the tree canopy over some of the rustic roads: it isn’t high enough or trimmed back far enough to allow for safe travel by motorized vehicles and agricultural equipment. According to a few other comments, debris from fallen trees needs to be cleaned up more often.

Farmers expressed concerns about roadside vegetation near road intersections, where it is sometimes very difficult to see if vehicles are coming. Some trucks, especially those hauling farm produce, have long hoods, requiring a driver to blindly pull out into the road just to see if anyone is coming. Dolores Milmo agrees that clear lines of sight are important, but states that “there are many instances of clearing well beyond the roadway edges.” She cited examples where vegetation was cleared down to the bare soil and where overly aggressive vertical tree-trimming techniques have been used.

Similar issues have been raised repeatedly by the commodity farmers for many years. To address these concerns, the RRAC and MCDOT finalized an agreement on September 8, 2021, titled “Guidelines for Foliage and Tree Maintenance on Rustic Roads” (attached to this report and referred to as the “Tree Trimming Guidelines”). The Tree Trimming Guidelines outline a process by which trees and other vegetation along rustic roads are maintained for the safety of all those using the roads while maximizing tree canopy cover in the county.

The Tree Trimming Guidelines contain many provisions within their two pages – the main ones are as follows:

- The MCDOT arborist will review hedgerow and tree trimming requests on rustic roads. No trimming will occur without direction from the arborist other than for emergency situations. Trimmed debris will be removed within 30 days of trimming. The arborist will notify the RRAC at least 30 days in advance of scheduled maintenance on roads with trees or vegetation specified as significant features. A subcommittee of the RRAC will then visit the locations within 30 days.
- The RRAC will review any roads identified by the Office of Agriculture every year between May and July and advise the arborist of locations where they approve tree pruning in advance.
- In emergency situations, such as when a tree falls across a rustic road, the cut-down trees and related debris will be removed within 30 days.
- Desirable vegetation, such as trees along fence lines, hedgerows, mature trees, stands of trees, and forested areas, should be preserved regardless of their status as significant features. There are exceptions for sight-distance requirements after review by RRAC.
- The tree canopy should be pruned to a height of 16 feet on most roads, and up to 18 feet where necessitated by the movement of large farm equipment.
- Grass mowing and brush removal should be done along the edges of the roads no further than six feet from the edge of the road, with exceptions where sight distance is a concern (after review from RRAC). MCDOT can provide notice to the RRAC to review proposals to clear further than six feet. Trees over four inches in diameter that are not dead or diseased should be trimmed upon the recommendation of the MCDOT arborist and only done for safety reasons. Single-sided trimming of evergreens that result in “unnatural forms” are to be avoided. There are also restrictions on the types of equipment that may be used.

Many members of the agricultural community expressed concerns that the agreement between RRAC and MCDOT will delay maintenance of vegetation along rustic roads until the RRAC has had time to evaluate the situation and provide feedback to MCDOT. They contend that MCDOT should be able to perform this maintenance without running it by the RRAC.

In a response, the RRAC states:

The Committee developed guidelines that call for trimming exactly as these farmers asked for. For the last two years, these roads have been trimmed regularly. The farmers speak as though we are standing in their way, but in fact, we have been getting things done for these farmers. We visited the roads and provided the specific details MCDOT needed to get these trees trimmed. The farmers in MAP [Montgomery Agricultural Producers] do not submit the information needed to have their trees trimmed, so we are doing it for them.

Some farmers have suggested that a better program would be for MCDOT to systematically perform tree trimming and other vegetation clearance on a routine basis, whereas the current system appears

to be more complaint-driven and doesn't occur in a timely manner. Some farmers do not believe the RRAC should decide when and where tree trimming should occur, but that it should instead be at the discretion of MCDOT (the roles and composition of the RRAC will be discussed at the next work session).

The Tree Trimming Guidelines are not part of County Code, nor are they included in the Executive Regulations. Planning Staff suggests a new plan recommendation that the guidelines be reviewed at a joint meeting between the RRAC, MCDOT, the Office of Agriculture, and other interested plan stakeholders to develop a revised set of guidelines that can be incorporated into the Executive Regulations. The new guidelines would ideally include a mechanism whereby priority roads for the movement of agricultural equipment are identified.

As a minor matter, the RRAC point out in their testimony that the Tree Trimming Guidelines call for trimming vegetation up to 18 feet rather than the 17 feet specified in the Master Plan, with the intent to ensure the trimming will last for three years. Staff recommends changing the plan's recommendation to 18 feet to be consistent with the Tree Trimming Guidelines. Alternatively, the plan recommendation could simply reference that the clearance height be consistent with the Executive Regulations once the Tree Trimming Guidelines have been incorporated within them, but this presupposes that the guidelines have been so incorporated per the previous recommendation.

ROAD SURFACES

The text from the "Road Surfaces" section of the "Implementation" chapter is repeated here:

Road surfaces can become damaged when potholes form or the edges of the road erode. These are common problems on all roads in the county, but there is a perception that rustic roads receive less attention than other county roads.

There are also several rustic roads that still have a gravel surface. Some of these roads become rutted with every large rainfall, and some get a "washboard effect" from road users going too fast. Asbestos has also been detected in some sections of gravel rustic roads.

Finally, there are a couple of "politician's roads" in the program, with a narrow strip of concrete running down the center surrounded by paved sections.

Recommendations:

5. *MCDOT and SHA should maintain the current surface of a rustic road to preserve the character of the road to the extent practicable, consistent with the Executive Regulations on "Width, Alignment, and Road Surface."*
6. *MCDOT and SHA should ensure that rustic roads receive the same level of maintenance as other classifications of roads consistent with the Executive Regulations on Level of Maintenance.*

7. *Best practices should be used to manage special road surfaces, such as gravel or concrete. If asbestos is found in a gravel road surface, the segment with asbestos will have to be mitigated to ensure that it does not become a health hazard.*

Several of the comments repeat the problems with road surfaces experienced by those who must use the roads. Commenters point out that some of the roads are frequently filled with potholes. Specific to gravel roads, one farmer stated that the dust from a gravel road can make a crop unsellable and another that a rough road surface can bruise fruit on its way to market.

The RRAC states that something like the washboard effect is an “operational issue” that has no place in a Master Plan. The RRAC and Dolores Milmo recommend that we specifically state in the plan that the Penn State University program for Environmentally Sensitive Roads contains the best practices for gravel road maintenance.

Staff disagrees with both suggestions. Describing problems and making recommendations to address those problems have always been part of the master planning process. Best practices and training program recommendations should be determined by MCDOT, and the Penn State University program can be explored in one of the regularly scheduled RRAC meetings. Staff believes the current plan recommendations adequately address the concerns raised by these residents concerning road surfaces.

DRAINAGE

Drainage is a very important feature of rustic roads. As described in the “Roadway Character” section of the “Introduction” chapter in the Master Plan:

One of the most distinctive characteristics of rustic roads is the way drainage is handled. Most rustic roads do not have drainage facilities. The water flows from the road into vegetation adjacent to the edge of the road. An accompanying feature of the appearance of rustic roads in the Agricultural Reserve area is the way the road flows through the landscape with features coming right to the roadway edge. In most cases, this is a very attractive element to the experience of traveling the road and to the interconnectedness of the roadway character and the adjacent land, creating a special feel for the area that is not present elsewhere in the county.

The text from the “Drainage” section of the “Implementation” chapter is repeated here:

The way drainage is handled on these roads is one of their most distinguishing features and sets them apart from modern roads. Rustic roads typically do not have storm drains or ditches, with the water usually flowing off the road onto areas of natural vegetation.

Recommendation:

13. *Drainage, as required by these regulations, should be maintained on a routine basis. Use best practices to manage drainage on roads without storm drains or ditches.*

The alternative to this “sheet-flow” run-off is to provide swales or ditches along a road. Again, from the Master Plan: “The presence of wide, man-made drainage ditches interrupts the flow of the land from the road to the adjacent countryside.” In fact, the presence of roadside ditches has led to several roads not being recommended as rustic and is one of the main reasons two roads have been recommended for removal from the program in this master plan.

The RRAC suggests strengthening the “Drainage” section by stating that drainage is the “single, most distinctive feature of the character,” repeating language from the 1996 RRFMP. Staff does not recommend this change. Each rustic road is unique, with many different features combining to convey the rustic character of the road. Drainage is very important, but it is not necessarily “the most distinctive feature of the character” of every rustic road and it would diminish other features that are equally if not more important on some rustic roads, such as the way they wind through a forested area or beneath an enclosed tree canopy.

Residents provided several examples where rainwater has been allowed to collect on a road because of bad drainage. Such standing water can lead to hydroplaning; when it freezes, it is even more unsafe and very destructive to road surfaces.

The “Drainage” section of the Executive Regulations requires that:

The Department will maintain storm drainage where necessary to prevent damage to the road or to adjacent private property, possible washouts and other problems which may be detrimental to proper safety. Maintaining storm drainage may include the removal of trees if vegetation has been allowed to grow in old drainage ditches.

The Executive Regulations already sufficiently address the concerns about drainage expressed in testimony. Any specific drainage concerns should be raised at the recommended stakeholder meetings.

As another minor matter, Staff will revise recommendation 13 to be more explicit in its reference to the above section of the Executive Regulations.

BRIDGES

“BRIDGES” SECTION OF MASTER PLAN

Bridges are so important to the conversation about rustic roads that there is a plan section dedicated to discussing them (pages 17-18 of the master plan). The discussion in the “Bridges” section of the “Introduction” chapter is distinct from the conversation about which bridges should be specified as significant features, a topic of the first work session. The section instead contains a more general discussion about roadway character and maintenance. Several organizations and individuals submitted testimony regarding bridges on rustic roads.

Perhaps the most critical comment comes from Leslie Saville, who writes that the Bridges section:

“is in blatant conflict with the County Code and Regulations, with guidance from the State Highway Administration’s document, Management Plan for Historic Highways and Bridges, with Federal Highway Administration policies that support the preservation of historic bridges, and very likely with preservation laws.”

Ms. Saville’s testimony will be discussed in greater detail in the sections that follow.

BRIDGE PRESERVATION, REHABILITATION, AND REPLACEMENT

Before discussing the preservation of bridges as historic resources, Staff would like to clarify several key terms used in the plan and in the comments received. The plan frequently references “historic” roads and bridges, but except where specifically noted, this term is used in its simplest sense to mean “old,” and not to indicate that they have been evaluated for historic designation at the local or national level. Designated resources are identified as such. Therefore, Staff recommends removal of the word “historic” from the document, unless a particular feature is actually designated historic.

The RRAC, Montgomery Countryside Alliance (MCA), Heritage Montgomery (HM), and a couple of individuals echoed Ms. Saville’s concerns above. Caroline Taylor (MCA) requested that we remove the following sentence from the plan: “However, all bridges must eventually be replaced.” Ms. Taylor describes how cities throughout the world have managed to retain their historic bridges for hundreds of years, and that even in neighboring Frederick County they promote three historic covered bridges as tourism sites. She requests that we “[w]rite this section to protect and celebrate the unique bridges on these beautiful roads.” The current plan text sufficiently celebrates the bridges on rustic roads.

Sarah Rogers (HM) suggests a general overhaul to the “Bridges” section:

The Bridge section of the Draft Plan beginning on page 17 should have its language greatly strengthened to echo the language in the County Code, that these historic bridges and Significant Features must be preserved. These structures, even more so than the roads themselves, are invaluable and irreplaceable elements, critical to the stories the roads tell, and the most memorable aspect of many of these roads to travelers. Visitors screech to a stop to take photos of them, artists paint pictures of them, and wineries name wines after these special structures.

Laura Van Etten (RRAC), Ms. Rogers (HM), Ms. Saville, Eileen McGuckian (Montgomery Preservation, Inc.), and Ms. Ziek also suggest that the plan incorporate definitions outlined in the Secretary of the Interior’s Standards for the Treatment of Historic Properties. The Standards have specific regulatory meanings as part of the federal regulations governing the work of the National Park Service and Department of the Interior ([36 CFR Part 68](#)) and any work on historic properties undertaken by federal agencies. The Standards have also been adopted by many state and local agencies. They define four distinct treatments for historic resources: Preservation, Rehabilitation, Restoration, and

Reconstruction, and offer guidelines for how each treatment should be applied. The Secretary of the Interior's Standards and Guidelines for Rehabilitation are included in the Executive Regulations for the county's Historic Preservation Commission and are used to evaluate proposed work at designated historic sites and districts only. They are not used elsewhere in County Code and are not generally applied to resources that have not been formally designated or evaluated and determined to be eligible for the National Register of Historic Places.

An important parallel to the Standards for the Treatment of Historic Properties are the Secretary of the Interior's Professional Qualifications Standards, which require that anyone applying the standards to historic preservation work must meet professional qualifications in an appropriate discipline, such as architectural history, history, or architecture.

While many bridges along rustic roads are old and have been identified as significant features along the roads, none are currently locally designated and only four have been found eligible for listing in the National Register: Bucklodge Road (MD 117) (SHA Bridge No. 1501800), Schaeffer Road (#M-0137), West Harris Road (#M-0046), Whites Ferry Road (#M-0186). Other bridges are only "historic" in the sense that they were originally built in the 1920s and 1930s, although most of these older bridges have had substantial work performed on them, such as deck or superstructure replacements. Most bridges have not been evaluated for local designation, a knowledge gap that is already addressed in Recommendation 27, Historic Resource Recognition. This recommendation suggests the need for a formal evaluation of the historic and architectural significance of roads and bridges to better guide this sort of decision-making in the future. Until a formal historic preservation review is conducted, and key design and architectural features are documented in a historic property designation, Staff recommends that the word "historic" be removed from the document, unless a feature is actually designated historic, and Staff does not recommend that the Secretary of the Interior's Standards be applied except where relevant to National Register-eligible resources. At this time, most bridges are more appropriately protected by the existing Regulations.

The comments express concern that the current plan does not sufficiently protect bridges on rustic roads and that MCDOT will be able to replace bridges without regard to retaining their character or the character of the road. In addition to using the Secretary of the Interior's definitions, the RRAC requests that we use the term "preserve and rehabilitate" rather than "reconstruct" when referring to an historic bridge. The RRAC also asks that the appendix list of bridges designated as significant features be moved to the "Bridges" section of the master plan.

Sometimes the replacement of a bridge becomes necessary. The Executive Regulations contains an entry titled "Bridge Replacement" that addresses the issue:

Bridge replacement or rehabilitation must be of a design and material which preserves or enhances the rustic appearance of the road. Bridges must be replaced at a scale and with materials similar to those of the previously existing structure. If a different design is required for environmental, economic, or safety reasons, new bridges must be of a design and material that

complements or enhances the rustic appearance of the roadway. Correction of substandard approach road geometries must be made in character with existing unmodified portions of the roadway. All new or rehabilitated structures must be designed with adequate weight bearing capacity and horizontal clearances to accommodate emergency vehicles and agricultural equipment. Actual roadway surfaces on bridge decks must be compatible in width to the width of the unaltered roadway.

A separate item in the Executive Regulations addresses bridge replacements on exceptional rustic roads:

Bridge replacement or rehabilitation must be of a design and material which preserves or enhances the rustic appearance of the road. Bridges must be replaced at a scale and with materials similar to those of the previously existing structure. If a different design is required for environmental or safety reasons, new bridges must be of a design and material that complements or enhances the rustic appearance of the road. On exceptional rustic roads, a new or rehabilitated deck should be no wider than the existing deck unless improvements are specifically needed for the transportation of agriculture related equipment, in which case the new or rehabilitated deck should be no wider than the existing approaches.

See the Bridge Recommendations section below for a recommended plan change to incorporate this suggested language in place of the word “reconstruct.”

While bridges that have been identified as significant features in the past are typically those with interesting design elements, most of the newly recommended bridges have a more “ordinary” appearance according to MCDOT. At the first work session, the Planning Board recommended retaining the “ordinary” bridges as significant features because they are an important part of the character of the road. MCDOT suggests “that the plan identify what other objectives should be achieved when these less significant bridges are rehabilitated or reconstructed.”

Staff has reviewed the language in the “Bridges” section and believes that it is well-balanced as currently written. However, Staff will revise the text to clearly identify which bridges have been designated or nominated as historic resources and what the objective is when non-historic bridges are identified as significant features.

BRIDGE FUNDING AND DESIGN EXCEPTIONS

Ms. Rogers (Heritage Montgomery) refers to provisions in the 2021 *Infrastructure Investment and Jobs Act* for funding historic bridge preservation and rehabilitation projects. Ms. Rogers suggests that “the older Maryland Department of Transportation interpretations should be removed and replaced with language about the federal guidance and funding,” stating that this is an outdated policy inconsistent with federal funding guidelines.

The RRAC states:

MCDOT and SHA must identify and apply federal design exceptions to the rehabilitation or replacement of rustic bridges that will maintain the rustic character of the road, consistent with County Code and Regulations. Historic and environmental impacts are also factors that can support design exception requests.

The RRAC goes on to say:

The State guidance has been based on policy decisions made by the outgoing Governor's Administration and is subject to change under a new Administration. The reference to guidance should be replaced by a reference to Federal guidance.

Funding mechanisms for bridge projects can change with new federal regulations and shifting political leaders. The discussion of funding challenges in the "Bridges" section of the plan comes from a discussion with MCDOT and remains general enough to apply to the bridges in the program. The Master Plan should not attempt to get overly specific on funding sources.

MCDOT suggested a revision to the text on page 18 where bridge funding is discussed. The current sentence in the plan:

"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."

MCDOT points out that the text omits the option of seeking a different design that does not require an exception. MCDOT's suggestion:

"If a design exception is not granted, the bridge must be designed to meet federal and state standards or 100 percent of costs will come from the county's budget, taking money away from other vital county programs."

This change is appropriate and is a better wording of the sentence to indicate that there is another option besides a design exception or 100 percent county funding, namely a design that meets federal and state requirements.

BRIDGE RECOMMENDATIONS

The text from the "Bridges" section of the "Implementation" chapter is repeated here:

Historic bridges identified as significant features in this plan need to be preserved. To ensure that these structures will continue to be compatible with the agricultural character of the area while also providing safe maneuverability for all modes and types of transportation, the following recommendations should be followed.

Recommendations:

8. *When it becomes necessary to reconstruct a bridge, engineers with expertise in historic bridge preservation should be consulted.*
9. *Key plan stakeholders should work together to develop a set of bridge designs to be used for modifications or reconstruction of bridges identified as significant features.*
10. *Design exceptions, as allowed by the Federal Highway Administration, should allow for funding for compatible bridges.*
11. *MCDOT and SHA should explore and be encouraged to accept appropriate and safe design exceptions for federally funded bridge projects that will maintain the rural character of the road.*
12. *Bridges that are rebuilt should be designed to accommodate the appropriate number of vehicle trips and not be overdesigned; to the extent feasible, these designs should use materials that enhance the rustic quality of the road. Accommodations should be made to ensure safe and efficient movement of agricultural equipment where applicable.*

The bridge recommendations in the plan are intended to address all bridges along rustic roads, regardless of whether a bridge is historic or has even been identified as a significant feature. The current wording in the plan implies that the five bridge recommendations only apply to historic bridges that have been identified as significant features. Staff recommends revising the introductory paragraph as follows:

Bridges designated as historic on rustic and exceptional rustic roads need to be preserved. Other bridges along these roads must be maintained in such a way that the character of the road is not diminished when work is performed on them. To ensure that these structures will continue to be compatible with the agricultural, natural, and historic character of the area while also providing safe maneuverability for all modes and types of transportation, the following recommendations should be followed.

The word “reconstruct” in recommendation 8 was added to the Public Hearing Draft after the Planning Board instructed Staff to review the use of the word “replace” when discussing bridges and substitute the term “reconstruct” in its place where appropriate. After further review of the Secretary of the Interior’s Standards definition, where “reconstruct” refers to building anew a previous historic structure which has been lost, Staff recommends using “rehabilitate” in place of “reconstruct”:

When it becomes necessary to rehabilitate a historic bridge, engineers with expertise in historic preservation should be engaged by MCDOT and SHA as part of the design process.

Similarly, the word “reconstruction” in recommendation 9 is not appropriate. Staff recommends the following revision, which also opens the opportunity to improve on all bridges along rustic roads when work is done, not just those identified as significant features:

Key plan stakeholders should work together to develop a set of bridge designs to be used for modifications or replacement of bridges along rustic and exceptional rustic roads.

Recommendations 10 and 11 speak of design exceptions and should be combined. This also improves recommendation 10, which does not specify an actor to carry out the recommendation. Because of the complexity and interconnectedness of county, state, and federal funding and bridge design standards, it would be safer to speak more generally of funding sources. Staff recommends the following Master Plan recommendation to replace current recommendations 10 and 11:

MCDOT and SHA should explore and be encouraged to accept appropriate and safe design exceptions if necessary to maintain the rural character of the road.

Bridges are an important part of the character of many of the roads in the program. The Executive Regulations already contain numerous provisions to maintain the character of the roads when bridge work is necessary.

At the first work session, the Planning Board agreed with the recommendations in the plan to add or retain numerous bridges as significant features of the roads. The Planning Board asked for legislative clarity for how to treat bridges on rustic roads whether they have been designated significant features or not. Chapter 49 currently only specifies that significant features be identified and that they be *preserved*. Executive Regulations specify *how* they should be preserved. Staff proposes a new Master Plan recommendation:

Amend Chapter 49 to clarify how a bridge on a rustic road should be preserved when maintenance is necessary regardless of whether the bridge has been identified as a significant feature.

CONCLUSION

As indicated previously, the items above will be discussed at this work session. Future work sessions will focus on RRAC membership and criteria, and any other outstanding issues the Planning Board identifies for further discussion, including revisions for Planning Board transmittal to the County Council of the Planning Board Draft Plan.

ATTACHMENTS

- A. Summary of public testimony (revised)
- B. Comments received after the close of the public record
- C. Comments from the Maryland Department of Planning (MDP)
- D. Maryland Land Use Code Section 1-201 – Visions
- E. Rustic Roads Program – Maintenance and Improvements — Executive Regulations (COMCOR 49.79.01 – Article VII.)
- F. “Guidelines for Foliage and Tree Maintenance on Rustic Roads” agreement between MCDOT and RRAC

Rustic Roads Functional Master Plan Update – Summary of Testimony Received on the Public Hearing Draft (revised after first work session)

Introduction

The Planning Board Hearing on the Rustic Roads Functional Master Plan Update was held on November 17, 2022 at the Wheaton Headquarters Auditorium. The Planning Board voted to keep the record open until Friday, December 9, 2022. This second version contains a few comments received after the close of the public record that were not included in the version included as an attachment to the first work session’s staff report. The new comments and commenters are marked with an asterisk. A few minor text edits were also made.

The names of those who submitted written or oral testimony on the Public Hearing Draft are included in the first table below. If the testimony was provided on behalf of an organization, that information has been included in the table.

Following the names of those testifying are several tables summarizing the comments received and Planning staff’s response to those comments.

Individuals Providing Testimony

Name	Group Represented	Resident	Notes
Tiffany Ahalt	National Road Heritage Foundation (NRHF)	No	Board, Vice President of NRHF
Carol Allen	Individual	Germantown	Poplar Hill Road resident
James Russell Allnutt	Individual	Poolesville	Homestead Farm (via Lori Larson)
Francoise "Frankie" Andre and Apostol Vassilev	Individuals		Berryville Road resident
Robert Baker	Individual	Dickerson	Farmer along Mouth of Monocacy Road (Deere Valley Farm); raises beef cows, grows grain and hay on 2500 acres (via Samantha Baker)
Indhu Balasubramaniam	Individual		Farmer along West Harris Road that grows South Asian vegetables, chickens (for eggs), and goats (for meat) for a 40-member CSA
Ginny Barnes	West Montgomery County Citizens Association (WMCCA)		Vice President
Carole and Paul Bergmann	Individuals	Clarksburg	Residents of Prices Distillery Road
David Berman	Individual	Potomac	
Nancy Bliss	League of Women Voters of Montgomery County, MD (LWVMC)		Co-president of LWVMC (see “LWVMC” in lists below instead of individual name)
Bill Branson	Individual		Cyclist
Tina Thieme Brown	Individual	Barnesville	Barnesville Road resident and board member of Sugarloaf Citizens Association
Darcy Buckley	MCDOT		As staff coordinator for the RRAC, submitted testimony from Laura Van Etten, RRAC Chair

Name	Group Represented	Resident	Notes
Wade Butler	Individual		Butler's Orchard (via Lori Larson)
Robert Butts	Individual		Waredaca Farm (via Lori Larson)
Robert Butz	Individual		Farmer along Sugarland Road (via Lori Larson)
David Cammarota	Individual	Gaithersburg	Cyclist
Tina Cappetta	National Park Service (NPS)		Superintendent, Chesapeake & Ohio Canal National Historical Park
Peter Ciferri	Alder Energy Systems, LLC		Intend to build solar array near Zion and Gregg roads (via Helen Pauler, McMillan Metro, P.C.)
Robert (Bob) Cissel	Montgomery Agricultural Producers (MAP)		Director of Association (via Mike Scheffel, Officed of Ag)
Bruce Clarke	Individual	Ashton	Tucker Lane resident
James R. Clifford	Individual	Poolesville	Farmer (Bally Cliff Farm) and land use attorney
Peter Coan	Individual	No	Cyclist from DC
Ed Comer	Individual	Bethesda	Cyclist
Timothy H. Cupples	Montgomery County Department of Transportation (MCDOT)		Deputy Director for Transportation Policy at MCDOT
Anne Davies	Individual		RRAC farmer member
Reid Detchon	Individual		
Bee Ditzler	League of Women Voters of Montgomery County, MD (LWVMC)		Chair, Transportation & Land Use Committee of LWVMC (see "LWVMC" in lists below instead of individual name)
Patricia Douville	Individual	No	Cyclist
Geralyn Drymalski	Individual	Germantown	
Joe Durishin	Individual		Cyclist
Peter Eeg	Individual		Veterinarian and resident of West Old Baltimore Road.
Steven Findlay	Sugarloaf Citizens Association (SCA)	Dickerson	President of SCA
Warren Fleming	Damascus Connection Committee of Montgomery County Maryland (DCC)	Damascus	Relative of the Holsey Family, former Historic Preservation Commissioner, and co-founder of Damascus Heritage Society
Kevin Foster	Individual		
Steve Friedman	Individual	Chevy Chase	Cyclist
Mary Jane Geraci*	Individual	Olney	Tall Timbers Road resident.
Robert Goldberg	Individual	Gaithersburg	Davis Mill Road resident who served two terms on the RRAC
Jack Goldman	Individual	Derwood	Cyclist
Susan Golonka	Washington Women Outdoors (WWO)	Bethesda	Bicycle Chair of WWO

Name	Group Represented	Resident	Notes
Ellen Gordon	Individual	Dickerson	Horse farmer off Comus Road; former member of two agritourism advisory committees
Dwayne Haines	Individual	Brookeville	Cyclist
Susan Hanson	Friends of Rural Roads (FRR)	No	Spokesperson for FRR, a rural roads advocacy group from Frederick County
Thomas Hartsock	Individual	Clarksburg	Beef cattle and hay farmer on 103 acres and former farmer member of the RRAC
Pat Hermans	Individual	Poolesville	
Jessica Hirschhorn	Individual	Yes	Member of five cycling groups.
Ron and Lynda Honberg	Individuals	Rockville	Cyclists
Barbara Hoover	Individual	Potomac	RRAC member representing West Montgomery County Civic Association
Brigid Howe	Individual		
Anne Hyman	Potomac Pedalers Touring Club (PPTC)		
Thomas Isidean	Individual	No	Cyclist from DC
Michael Jamison	Agricultural Preservation Advisory Board (APAB)		Chairman of APAB (via Mike Scheffel, Office of Ag)
Michael Jamison	Individual	Poolesville	Farmer (Jamison Ag and Turf); grows corn, wheat, soybeans, and sod (via Lori Larson)
Patrick Jamison	Individual		Farmer (via Lori Larson)
Susan Jamison	Individual	Poolesville	
Ellen Jimerson	Individual		
Melanie and Steve Kurimchak	Individuals	Clarksburg	Prices Distillery Road residents
Lori Larson	Individual	Potomac	Submitted testimony from numerous farmers (“Rustic Roads from the Eyes of the Farmer”)
Doug Lechliden	Agricultural Advisory Committee (AAC)	Laytonsville	Chair of AAC
Linda Lewis	Individual	Dickerson	Lewis Orchards (via Lori Larson)
Carol Linden	Individual	Bethesda	Cyclist
Paula Linthicum	Individual		(via Lori Larson)
Lonnie Luther	Individual	Damascus	Farmer (via Lori Larson)
Rev. Gloria Lyles	Individual		Born and raised on Holsey Road
Ellen and Endel Mann	Individuals	Silver Spring	
Christopher Marston	Individual	Silver Spring	Former RRAC member

Name	Group Represented	Resident	Notes
Judy Mauldin	Holly Grove Historical Preservation Association (HGHPA)		Founder of HGHPA
Tim McGrath	Individual	Dickerson	One of the Supervisors for Montgomery County Soil Conservation District (via Lori Larson)
Eileen McGuckian	Montgomery Preservation, Inc. (MPI)		President of MPI
Dolores and Gregory Milmoie	Individuals	Poolesville	Farm owners; Dolores was on a task force to create the Rustic Roads Master Plan in the mid-1990s
Jean Thomas Moore	Holly Grove Historical Preservation Association (HGHPA)		2nd signatory on letter from Judy Mauldin; lifelong resident of the Holly Grove community
Sarah Navid	Individual	Rockville	
Joan Oppel	Individual	No	Arlington, VA resident who travels to Montgomery County just to bike along rustic roads and hike on nearby trails
Scott Plumer	Darnestown Civic Association (DCA)		
Jim Quinn	Individual	Damascus	Bikes 100-200 miles a week
Quentin Remein	Cloverly Civic Association (CCA)		Mr. Remein is president of CCA.
Sarah L. Rogers	Heritage Montgomery (HM)		Executive Director of HM
Lawrence Rubey	Individual		Cyclist
Leslie Saville	Individual	Silver Spring	Former M-NCPPC planner and former M-NCPPC member (non-voting) of the Rustic Roads Advisory Committee (RRAC)
Miriam Schoenbaum	Boyds Historical Society (BHS)	Boyds	President of BHS
Dan Seamans	Rustic Roads Advisory Committee (RRAC) And as Individual		Submitted RRAC recommendation on Gregg Road extent change, but also submitted individual testimony; RRAC rural preservation member
Cindy Snow	League of Women Voters of Montgomery County, MD (LWVMC)	Rockville	Office Manager for LWVMC – submitted testimony on behalf of Nancy Bliss, Vicky Strella, and Bee Ditzler
Eric Spates	Individual		Farmer (via Lori Larson)
Randy Stabler	Individual		Farmer and former RRAC member.
Vicky Strella	League of Women Voters of Montgomery County, MD (LWVMC)		Co-president of LWVMC (see “LWVMC” in lists below instead of individual name)
Anne Sturm	Individual		Peach Tree Road resident who has installed a “nest box trail” for Eastern bluebirds along several rustic roads.
Robert K. Sutton	Historic Preservation Commission (HPC)		Chair of HPC (submitted via Kacy Rohn, Historic Preservation staff)
Elizabeth Symonds*	Individual	Olney	Emory Church Road resident.
Caroline Taylor	Montgomery Countryside Alliance (MCA)	Poolesville	Executive Director of MCA and resident of two rustic roads

Name	Group Represented	Resident	Notes
Patricia Thomas	Holly Grove Historical Preservation Association (HGHPA)	Cloverly	One of the directors of HGHPA
Jane Thompson	Individual		
Bev and Dick Thoms	Individuals	Dickerson	Sheep farmer/felt maker with studio along Big Woods Road
Robert J. Tworkowski	Individual	Olney	Batchellors Forest Road resident and former RRAC member
Laura Van Etten	Rustic Roads Advisory Committee (RRAC)	Dickerson	Sheep farmer, owner/operator of commercial farmland, and Chair of the RRAC
Michael Weigand	Individual	Barnesville	West Harris Road resident
Robert W. and Elizabeth R. Wilbur	Individuals	Boyds	Robert is a former RRAC member
Rose Ziegler	Individual		Relative of the Holsey Family
Robin Ziek	Individual	Sandy Spring	Bentley Road resident, former Historic Preservation staff member, and member of the Rustic Roads Advisory Board when the program was being drafted

General Comments

Topic	Name(s)	Comments	Response
General Support of the Rustic Roads Program	Tiffany Ahalt (NRHF) Francoise Andre and Apostol Vassilev Robert Baker Ginny Barnes (WMCCA) Carole and Paul Bergmann David Berman Tina Thieme Brown Ed Comer Timothy H. Cupples (MCDOT) Reid Detchon Peter Eeg Steven Findlay Pat Hermans Barbara Hoover Anne Hyman (PPTC) LWVMC Melanie and Steve Kurimchak Christopher Marston Eileen McGuckian (MPI) Dolores and Gregory Milmoe Sarah Navid Scott Plumer (DCA) Quentin Remein (CCA) Leslie Saville Miriam Schoenbaum (BHS) Robert K. Sutton (HPC) Caroline Taylor (MCA) Jane Thompson Robert J. Tworkowski Robert W. and Elizabeth R. Wilbur	<p>We support the program and would like to see it to be continued, strengthened, and/or expanded. Please continue to protect and maintain these roads. Some reasons provided: One of the county's most significant assets; enhanced quality of life; recreational opportunities (hiking, bicycling, horse riding); historic resources; agricultural resources. These roads are an important part of the Agricultural Reserve and should be preserved.</p> <p>"[I]f our vistas, cultural heritage, farming, tourism are compromised – all of which the rustic roads program supports – these attributes will be lost – and we will have deprived the following generations from these valuable resources/opportunities and choices for the future." (Robert J. Tworkowski)</p>	Acknowledged.

Topic	Name(s)	Comments	Response
General Support (Video Links)	RRAC Jessica Hirschhorn	Recommended videos: <i>Every Road has a Story</i> : https://youtu.be/e1gc4F3LNmM <i>Heritage Montgomery</i> : https://youtu.be/fjAWGz1GGoQ <i>Ride for the Reserve: Metric</i> : https://www.relive.cc/view/vMv8VRRedP6	Acknowledged.
General Opposition on roads included in the Rustic Roads Program	Laura Van Etten (RRAC)	“There has always been opposition expressed by a small and vocal minority of the farming community, but the roads benefit the vast majority of farmers as well as the significant numbers of recreational users.”	Rustic roads must be safe for all users and all modes of transportation. As stated in the 1996 plan and repeated in the current plan, these roads must both be capable of moving farm equipment and products and preserve the rustic characteristics of the roads.
General Support with a Better Balance Between Stakeholders	Lori Larson Robert J. Tworowski	There is currently polarization between stakeholders. Ms. Larson testified her support for the ability of everyone to enjoy rustic roads and our heritage while also supporting our farming community. Mr. Tworowski has observed a “triangulation” between the farming community, MCDOT, and the RRAC and believes the outstanding items that have been consistently discussed for years could be addressed with better and more consistent communication.	The plan provides a recommendation for regular meetings among stakeholder groups that is intended to address this issue, possibly as a recurring agenda item at regularly scheduled RRAC Meetings.
General Support – Plus Offer to Coordinate Efforts	Susan Hanson (FRR)	FRR appreciates the help they were given by (former) Staff and the RRAC in designing Frederick County’s Rural Roads Program. Some initiatives aligned with a strong rural roads program including an effort to plant five million trees, protecting stream buffers, Vision Zero, Complete Streets, and Maryland Byways Context Sensitive Solutions. FRR “look(s) forward to working together to build networks and loops that value and showcase our slow roads.”	Planning staff are happy to help with coordinated efforts between neighboring counties regarding rustic roads and associated programs.
General Support – Vision Zero Darnestown	Scott Plumer (DCA)	The Darnestown Civic Association supports and has been involved with the Rustic Roads Program since the program’s inception. The DCA formed a road task force in 2019, and in 2020, started a project, Vision Zero Darnestown, to promote safe roads in the area of Darnestown.	Acknowledged.

Topic	Name(s)	Comments	Response
General Support – Tranquility / Healing Power	David Cammarota Anne Davies Joe Durishin Geraldyn Drymalski Pat Hermans Anne Sturm Bev Thoms	Rustic roads provide a peaceful experience and have a healing power. “The peacefulness and relaxation associated with riding on these rustic roads is impossible to overvalue.”	Acknowledged.
General Support – Clean Roads	Pat Hermans	Many of these roads are sponsored and are kept clean and free of debris by the sponsoring companies or by those who live along the roads.	Acknowledged.
Attract Customers / Country Charm	Bill Branson Ellen Gordon Pat Hermans Jessica Hirschhorn Joan Oppel Bev Thoms	Rustic roads provide the country charm that attracts customers to businesses in the Ag Reserve. Examples: art studios, restaurants, grocery stores	Acknowledged. Planning staff coordinates regularly with the Office of Ag and Department of Permitting Services to support agricultural activities and agritourism.
Attract Customers / Agritourism	Tina Thieme Brown David Cammarota Reid Detchon Patricia Douville Geraldyn Drymalski Susan Golonka (WWO) Thomas Isidean Carol Linden Christopher Marston Dolores and Gregory Milmoie Sarah L. Rogers (HM) Caroline Taylor (MCA)	Rustic roads strengthen rural businesses. They are a regional asset and economic draw for the region. Examples: farms, farm markets, orchards, stables, wineries, breweries, cideries, art studios, heritage tourism. According to Ms. Taylor, “The Reserve's agricultural demographics are shifting toward more diverse, smaller, sustainable, consumer visited businesses. These businesses benefit from the rustic byways, the getting there and back experience.”	Acknowledged. Planning staff coordinates regularly with the Office of Ag and Department of Permitting Services to support agricultural activities and agritourism.
Important Corridors	Thomas Hartsock	Preservation of the corridors through which the roads pass is more important than preserving the roads in their current condition. Changes to keep the roads useable, especially for farm equipment might be painful from a preservation perspective. There needs to be compromise.	Acknowledged. It is the intent of this plan and County Code that the roads in the program provide for movement of agricultural equipment, preserve the rustic character and features of the roads, while remaining safe for all modes of transportation.

Topic	Name(s)	Comments	Response
Agricultural Transportation Network	Robert Cissel (MAP) Michael Jamison (APAB) Patrick Jamison Tim McGrath	The purpose of these roads is to serve the agricultural community by providing a transportation network for farm goods, allowing the safe movement of large equipment between farms, and safely serving the needs of those who live along them. People coming out for a pleasure drive or a bike ride should not take priority.	It is the intent of this plan and County Code that the roads in the program provide for movement of agricultural equipment, preserve the rustic character and features of the roads, while remaining safe for all modes of transportation.
Bicycling	David Berman Bill Branson David Cammarota Peter Coan Ed Comer Reid Detchon Patricia Douville Joe Durishin Steve Friedman Jack Goldman Susan Golonka (WWO) Dwane Haines Jessica Hirschhorn Anne Hyman (PPTC) Thomas Isidean Carol Linden Joan Oppel Lawrence Rubey	Rustic roads provide outstanding bicycling routes that are beautiful year-round. They are slow and safe and provide an amazing experience, with farm fields and barns; stone walls; historic sites, communities, and bridges; views of Sugarloaf Mountain; and mature trees. Rustic roads offer a safe harbor from aggressive drivers. Bicyclists patronize many of the small business along rustic roads during their travels.	Acknowledged.
Bicycling – Suggested Improvements	Reid Detchon Scott Plumer (DCA)	I recommend additional sign posting, traffic calming measures, and other bicycle-friendly improvements along the rustic roads. 'Perhaps better and standardized signage at major ingress and egress points on all our rustic roads needs to be more emphatic than the standard bicycle "right to use the full lane" signage. Perhaps: "Blind Spots, Pedestrians, Bicycles, beautiful vistas, and rustic interests ahead – please drive slowly and enjoy!" <Fines and points tripled.>'	The plan supports additional traffic calming measures where necessary.
Bicycling – New Roads	Bill Branson	I find the old roads are safer than the new roads, where there is a variety of concrete curbing around intersections and sidewalks that is difficult to navigate while still watching traffic.	Non-rustic roads are not included in this plan, but your comments have been relayed to the bicycle planning team.

Topic	Name(s)	Comments	Response
Bridges – Poor Condition	Patrick Jamison	The weight limit on some bridges won't support fire trucks or school buses. Some of the bridges should be condemned and replaced.	MCDOT has a program in place to inspect and repair/replace bridges as needed.
Bridges – Terminology and Design Exceptions	Barbara Hoover Leslie Saville Laura Van Etten (RRAC) Robin Ziek	<p>Without consistent protection, many existing scenic bridges will be lost to modern replacements that are lacking in character. In relation to bridges, replace the word reconstruct with preserve and rehabilitate. Include the Secretary of the Interior's definition for the preservation of bridges and other resources on roads. https://www.ecfr.gov/current/title-36/chapter-I/part-68</p> <p>Would like MCDOT and SHA to pursue design exceptions for bridges. Design exceptions have not been accepted well by SHA under the current (Hogan) administration.</p>	This plan encourages maintaining the character of the road whenever bridgework is undertaken. It is up to MCDOT to determine the best action to take on any given bridge, even if occasionally this means an entire bridge must be replaced. The Secretary of the Interior's Standards website indicates "reconstruction" as the last option and it is specific to historic structures. It is a technique that "will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property." Very few bridges on rustic roads have been designated historic.
Development in the Agricultural Reserve	Ed Comer Joe Durishin Peter Eeg Steve Friedman Jack Goldman Ron and Lynda Honberg LWVMC Jim Quinn Lawrence Rubey	Continue to restrict development in the Ag Reserve and maintain the commitment to preserve this land for farming, hikers, and bicyclists. Preservation of productive farmland is crucial.	The Ag Reserve has been in place for over 40 years and there is no intent to change the pattern of development activity in the Ag Reserve. The Rustic Roads Functional Master Plan is not a land use plan and it does not determine development activity in the Ag Reserve.

Topic	Name(s)	Comments	Response
Dedicated But Unmaintained Roads Policy	Timothy H. Cupples (MCDOT)	<p>“Dedicated But Unmaintained: 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.</p> <p>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 adjacent property owners bring the road into compliance with current County standards.</p> <p>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.”</p>	<p>The segment of Aitcheson Road that is being recommended as rustic is within the area of county maintenance. Belle Cote Drive is currently rustic and has been recommended as exceptional rustic. Bentley Road, Old Orchard Road, and Poplar Hill Road contain short segments on the DBU list. Staff intends to discuss this item with the Planning Board at a work session.</p>
	Robin Ziek	<p>“The DBU portions of Bentley Road are still open to the public and provide a sense of the past. These are truly ‘rustic.’” Ms. Ziek notes that MCDOT did not bring up the DBU issue when Bentley Road was designated rustic in 2015 and that the County Council gave its approval. Ms. Ziek fears that the rustic roads will become fragmented “and therefore put the entire public experience of our history at risk.”</p>	
	Laura Van Etten (RRAC)	<p>The RRAC argues that the recommended rustic segment of Aitcheson Road is within the area of county maintenance and that Poplar Hill Road receives county maintenance. Roads that were already designated rustic prior to the creation of the DBU policy should never have been put on the DBU list. Since the creation of this policy, no rustic roads have been added to the list. ‘One road, Bentley Road, was confirmed with Randy Paugh (then-Chief, Pavement Management Section, MCDOT) as “publicly maintained to the last house” prior to being added to the Rustic Roads program.’</p>	

Topic	Name(s)	Comments	Response
Drainage / Safety	Robert Cissel (MAP) Michael Jamison Patrick Jamison Linda Lewis Eric Spates	Water runs into and collects on the road because of bad drainage, which can lead to hydroplaning. When it freezes, it is even more unsafe and is destructive to road surfaces.	Current County Code and Executive Regulations are intended to maintain safe roads. Any unsafe conditions should be brought to the attention of MCDOT, who will assess the situation. The plan recommends regular meetings with stakeholders along these roads, and this would be a good example of something that could be discussed.
Farmer Representation	Leslie Saville	Ms. Saville provided a summary of farmers who testified at the public hearing, indicating that several of them are represented by other groups that also testified, including some who testified as both individuals and separately as chair of a committee.	Acknowledged. Staff welcomes feedback on the plan, and we have listed whether individuals testified as an individual or a member of an organization.
Future of Farming	Dolores Milmoe Leslie Saville Laura Van Etten (RRAC)	<p>Ms. Van Etten provided numerous statements regarding the changing demographic of farming in the county. The RRAC feels that making changes to the roads to accommodate a small number of commodity farmers “would produce long-lasting destruction to address a short-term problem.”</p> <p>Ms. Milmoe described how much agriculture has changed in the county in the last 30 years, with the number of commodity farmers falling by more than half and the vast majority of famers producing table crops/products for direct human consumption. “The future of MoCo farming is not for us to compete with Iowa for commodity crops, but rather to serve the large and lucrative local markets and Metro regions with table crops.”</p> <p>Ms. Milmoe and Ms. Saville provided statistics from the Census of Agriculture to make their case about the number of farmers doing commodity farming versus those engaged in other types of agriculture.</p>	As stated in the County Code, rustic roads must be safe for all modes of transportation. It is MCDOT’s responsibility to maintain public roads regardless of road classification. The demographics of the user of the road is not a factor in determining how a road is maintained. The roads need to be able to accommodate the farm equipment needed for all farms in our rural and agricultural areas of the county.
Gravel Dust	Linda Lewis	The dust from a gravel road can make your crop unsellable.	MCDOT is the agency tasked with maintaining roads. MCDOT is expected to address this comment at a work session.

Topic	Name(s)	Comments	Response
Guidelines for Foliage and Tree Maintenance on Rustic Roads	Robert Cissel (MAP) Doug Lechliden (AAC) Randy Stabler	Concerns that the September 8, 2021 “Guidelines for Foliage and Tree Maintenance on Rustic Roads” agreement between RRAC and MCDOT will delay maintenance of vegetation along rustic roads until the RRAC has had time to evaluate the situation and provide feedback to MCDOT. MCDOT should be able to perform this maintenance without running it by the RRAC.	MCDOT is the agency tasked with maintaining roads. Planning staff recommends reviewing these guidelines at a work session with the idea of incorporating them into the Executive Regulations on the maintenance of rustic roads.
	Laura Van Etten (RRAC)	“The Committee developed guidelines that call for trimming exactly as these farmers asked for. For the last two years, these roads have been trimmed regularly. The farmers speak as though we are standing in their way, but in fact, we have been getting things done for these farmers. We visited the roads and provided the specific details MCDOT needed to get these trees trimmed. The farmers in MAP do not submit the information needed to have their trees trimmed, so we are doing it for them.”	
Historic Significance / Heritage Tourism	Tina Thieme Brown Patricia Douville Geraldyn Drymalski Susan Golonka (WWO) Jessica Hirschhorn Barbara Hoover Thomas Isidean Carol Linden Christopher Marston Sarah L. Rogers (HM) Robert K. Sutton (HPC) Laura Van Etten (RRAC)	Rustic roads wind through historically significant areas and past or over historic sites. Examples: communities established by formerly enslaved individuals, one-lane bridges, stone walls lining the roads. There are many benefits to preserving and managing historic roads: heritage tourism, economic development, improved safety and efficiency, restoration of historic structures and features, civic pride. They were identified as heritage resources in the original Heritage Montgomery Management Plan in 2002.	Acknowledged. This plan will help in preserving significant features along rustic roads.
Horse Riders	Laura Van Etten (RRAC)	“328 of the County’s 558 farms are horse farms. Riders are frequently seen along our rustic roads. Boarders at local horse farms stop before and after riding to visit restaurants, markets, and equipment shops, purchasing local food and goods.”	Acknowledged.

Topic	Name(s)	Comments	Response
Intersection Visibility / Roadside Vegetation / Safety	Patrick Jamison Dolores Milmoe	Mr. Jamison expressed concerns about roadside vegetation near road intersections, where it is sometimes very difficult to see if vehicles are coming. Some trucks have long hoods, requiring a driver to blindly pull out into the road just to see if anyone is coming. Ms. Milmoe agrees that clear lines of sight are important, but states that “there are many instances of clearing well beyond the roadway edges.”	MCDOT is responsible for maintaining roadside vegetation. These roads must remain safe for all users. Anyone experiencing a safety issue should contact MCDOT to resolve the problem. Recurring problem areas should be discussed at the recommended stakeholder meetings.
Maintenance / Disconnect on How Regulations are Followed	Robert Cissel (MAP) Michael Jamison Michael Jamison (APAB) Doug Lechliden (AAC) Dolores Milmoe	The farming community is concerned about the lack of maintenance along rustic roads and the failure of the county to provide the maintenance necessary to “allow for safe travel by motorized vehicles and agricultural equipment. Maintenance will be provided at a level no lower than existed at the time of designation, while still preserving the rustic qualities of the road.” County Code Article 49 requires that maintenance of rustic roads “does not preclude improvements to promote safety or movement of farm equipment.” There seems to be a disconnect between the RRAC, MCDOT and the agricultural community regarding how the regulations are to be followed when maintaining rustic roads. Rustic Roads are the “beltway” for the farming community. Trimming along rustic roads needs to be scheduled in a systematic manner rather than by emergency.	As mentioned in the comments, maintenance and safety are both included in County Code as well as the Executive Regulations. It is hoped that the recommended stakeholder meetings will help alleviate the perceived disconnect between the various groups. MCDOT will provide information about maintenance work that will be discussed at a work session.
	Laura Van Etten (RRAC)	“Criticisms heard about the Program are actually about the desire for additional routine maintenance rather than the current complaint-driven maintenance process used by MCDOT on all roads.”	

Topic	Name(s)	Comments	Response
Maintenance – Basic	James Russell Allnutt Wade Butler Robert Butz Michael Jamison Patrick Jamison Lori Larson Linda Lewis Lonnie Luther Dolores Milmoe Scott Plumer (DCA) Quentin Remein (CCA)	<p>Rustic roads lack basic maintenance procedures. This includes the road surfaces, which are frequently filled with potholes, and the tree canopy, which isn't high enough or trimmed back far enough. Debris from fallen trees also needs to be cleaned up. Sometimes the rough road surface can even bruise fruit on its way to market. The county has failed the farmers by not providing proper maintenance.</p> <p>Ms. Milmoe suggests that MCDOT “exchange the word ‘maintenance’ for ‘stewardship’ in their job description.” She provided a photo showing “scorched earth over-clearing” where the vegetation was cleared down to the bare soil and another showing a repaving effort that led to asphalt sliding down a stream bank.</p> <p>The CCA requested that the plan include a section identifying the importance of maintenance on these roads, comparing it to an historic home that often needs costly repairs to maintain its appearance.</p>	See above.
Maintenance – Cyclists	Ed Comer Jack Goldman Anne Hyman (PPTC) Jim Quinn	The roads in Montgomery County are in far worse condition than any of the surrounding counties. Ms. Hyman notes that she agrees with Mr. Cissel that rustic roads need to be maintained better to allow for farm equipment to pass, but also wanted to note that a bottom-up approach needs to be used in maintenance. Cyclists do not need to dodge trash and roadkill.	See above.
Maintenance with Intention	Steven Findlay (SCA)	These roads must be preserved with intention, with adequate maintenance and continued monitoring of traffic patterns and changes.	Acknowledged.
Movement of Farm Equipment / Roadside Vegetation / Road Width / Safety	Robert Butz Michael Jamison Michael Jamison (APAB) Patrick Jamison Susan Jamison Doug Lechliden (AAC) Linda Lewis Paula Linthicum	The Ag Reserve was created to protect farmland and agriculture, not rustic roads. Many of the rustic roads are too narrow to allow for the safe movement of farm equipment, tractor trailers, school buses, and fire trucks, especially when encountering another vehicle on the road. Some drivers get impatient and try to pass, even when it isn't safe. Roadside vegetation must remain trimmed back from the road to allow more room for large vehicles to pull over without causing damage. The lack of shoulders compounds the problem. Repairing damaged parts can cost from hundreds to several thousand dollars.	See discussion above regarding maintenance and safety. Perhaps it would be possible to provide laybys in critical areas. This topic will be discussed at a work session.

Topic	Name(s)	Comments	Response
Maintenance of Roadside Vegetation – Technique	Dolores Milmoe	Montgomery County should ban the use of vertical bush hogs [photo provided in testimony], which can create a “war zone look,” noting that Virginia has banned this technique.	MCDOT and SHA are responsible for maintenance of roadways in the county and determine the appropriate equipment to use.
Native Plants	Indhu Balasubramaniam Dolores Milmoe	Ms. Balasubramaniam suggests that more trees and native plants be planted along rustic roads. Ms. Milmoe suggests MCDOT become familiar with the Federal Highway Administration’s "Roadside Revegetation, An Integrated Approach to Establishing Native Plants" if they are not already.	Although there is not a program specific to planting trees and native plants along rustic roads, M-NCPPC and the county have several programs to promote planting trees.
Nature: Environmental Benefit / Health Benefit / Hiking Opportunity	Patricia Douville Geraldyn Drymalski Barbara Hoover Thomas Isidean Carol Linden Christopher Marston Dolores and Gregory Milmoe Joan Oppel	These narrow roads help protect water quality in our streams and reservoirs. The help preserve the natural environment for the health and enjoyment of all. They provide access to numerous hiking trails.	Acknowledged.
Nature: Wildlife	Tina Thieme Brown Geraldyn Drymalski Pat Hermans Robert Goldberg Susan Golonka (WWO) Anne Sturm	Rustic roads help protect habitat for numerous wild animals. Examples: Eastern bluebirds, tree swallows, barn swallows, eagles, turkeys, herons, piliated woodpeckers, foxes, coyotes, snakes, squirrels, deer, bears, hawks, groundhogs	Acknowledged.
New Rustic Roads	Dwayne Haines LWVMC Sarah L. Rogers (HM)	Support for adding the new roads to the program. Designating additional roads is good for the environment and for quality of life.	Acknowledged.
Notification	Quentin Remein (CCA)	Need more notification to the residents that live on rustic roads.	Notifications were sent to Civic Associations and HOAs in the plan area as required for master plans. We do not send letters to all individuals within a plan area, which in this case covers approximately 50% of the county’s land area. The Planning Board extended the public record closing date by an additional 12 days to allow more time for comments.

Topic	Name(s)	Comments	Response
No New Rustic Roads	Robert Cissel (MAP) Michael Jamison Michael Jamison (APAB) Doug Lechliden (AAC)	Do not add more roads to the Rustic Roads Program until the existing rustic roads are maintained in a way that allows for the safe passage of agricultural equipment and other vehicles. The RRAC should slow down the push to add 19 new roads to the program. If the RRAC is concerned about their growing workload, the addition of these roads will make matters worse.	The status of these roads as rustic or not rustic should have no bearing on maintenance procedures.
Public Hearing Location	Brigid Howe	Request to hold the public hearing in a community that is more accessible to the areas of the county where most of the rustic roads are. Or consider scheduling a second meeting for public input.	Planning Board Chair Zyontz provided a response on November 16, 2022. There are numerous legal and practical limitations that make offsite meetings challenging, such as the staff required for recording and live streaming the meetings and ensuring the meetings are accessible to all.
Public Outreach regarding the Rustic Roads Program	Caroline Taylor (MCA)	More needs to be done in terms of public outreach to promote and enhance the Rustic Roads Program, including videos, newsletters, and public education on how to safely use the roads. This needs to be a collaborative effort.	As part of its duty to promote the program, the RRAC has already developed several relationships with various organizations. The RRAC promotes the program at various events throughout the year, such as the annual Ride the Reserve festivities.
Roads Selected for Inclusion in the Rustic Roads Program	Lori Larson	Why are some roads included in the program when they are connectors? A significant number of roads are being proposed for inclusion in the program. Not all roads seem to meet the criteria for inclusion in the program.	Staff has reviewed all roads recommended as rustic and has determined they meet the criteria.
Roadside Vegetation and Trees (Positive)	Indhu Balasubramaniam Bev and Dick Thoms	Trees provide shade, provide attractive scenery, and minimize the deterioration of the asphalt surface.	Acknowledged.
Rustic Roads Advisory Committee (RRAC) – General Duties	Laura Van Etten (RRAC)	RRAC members are unpaid volunteers who put in an overwhelming number of hours in support of the program. These numbers were increased working on this plan update: driving most of the roads, including all nominated roads; writing traveling experiences; suggesting significant features; making corrections. We also perform the following regular duties: making meeting agendas; doing research; writing letters, statements, testimony, and other documents; hold on-site meetings with development application applicants; hear from applicants at RRAC meetings; provide letters for subdivision and conditional use applications; hold on-site meetings with MCDOT maintenance crews.	Staff intends to discuss the composition and duties of the Committee at a work session as part of the discussion on the request to increase the number of members by two. (See below.)

Topic	Name(s)	Comments	Response
	Robert J. Tworkowski	The Rustic Roads Program needs a full-time paid staff person to handle the program with the support of volunteers. Running the program is a full-time job for several of the Committee's members, and their duties take time, money, and resources to be successful.	This item can be discussed at a work session when discussing the duties and workload of the RRAC.

<p>Rustic Roads Advisory Committee (RRAC) Membership (In Favor)</p>	<p>Ginny Barnes (WMCCA) Timothy H. Cupples (MCDOT) Laura Van Etten (RRAC) Leslie Saville Caroline Taylor (MCA)</p>	<p>Expand membership of the Rustic Roads Advisory Committee from seven to nine members. There is a tremendous amount of work that must be done and the current committee members (volunteers) are stretched thin trying to keep up. Also, remove the requirement that the three farmer members earn at least half their income from farming. It is difficult to find full-time farmers who have time to spend on the Committee. “The current income test favors long-established commodities farmers. Our goal is to be able to attract a diverse group of farmers, particularly drawing from the growing pool of immigrant farmers who are not traditional farmers and who grow vegetables for the ethnic market.” Most of these farmers cannot afford farmland in the county and must have another income source to make a living. Having additional members would help the Committee meet the county’s Racial Equity and Social Justice Goals.</p> <p>Ms. Saville stated that since 1989, there has never been an African American or Latino voting member on the committee.</p> <p>Ms. Taylor stated that in addition to commodity farmers, the Committee needs to include table crop production farmers on the Committee. These farmers may not meet the income requirement, but their voices are needed as a part of the program.</p>	<p>Staff does not support expanding membership from 7 to 9 members, nor do we support removing the income requirement for farmer members.</p> <p>The workload of the Committee will be a topic of discussion at a work session. Some of the RRAC’s duties are defined in county code, while some of the Committee’s current duties are less well defined. The current workload is unusual in large part due to the current planning effort and is unlikely to be repeated in the future because most roads in the county that qualify as rustic have already been identified. While the histories will continue to be updated as more information becomes available, we do not anticipate the same to be true for significant features and travel experiences.</p> <p>However, if membership were to be increased, the proposed language is too vague, and does not ensure additional members would come from underrepresented groups, as suggested.</p> <p>Additionally, the income requirement is consistent with both the Agricultural Advisory Committee and Agricultural Preservation Advisory Board. If the advisory committee is expanded to 9 members, staff recommends retaining the three farmer members that meet the current income requirement and the additional two members be farmer members without an income requirement.</p> <p>Regardless, the existing RRAC membership should also be evaluated to potentially add diversity to the RRAC.</p>
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Topic	Name(s)	Comments	Response
			Any changes to the RRAC's membership will require an update to county code to implement.
Rustic Roads Advisory Committee (RRAC) – Requested Text Change	Leslie Saville Laura Van Etten (RRAC)	Ms. Van Etten stated, “We ask that if language about Committee membership is included in the Plan, that our view be included in the Equity section, describing the lack of diversity that has resulted from the Committee’s current membership requirements, and that the Implementation chapter recommend the changes above.” Ms. Saville echoed Ms. Van Etten’s request.	This request will be considered if it is determined that the membership should be expanded.

Topic	Name(s)	Comments	Response
Rustic Roads Advisory Committee (RRAC) Membership (Opposed)	Robert Cissel (MAP) Kevin Foster Michael Jamison Michael Jamison (APAB) Susan Jamison Doug Lechliden (AAC) Tim McGrath Dan Seamans Randy Stabler Lori Larson	<p>Do not expand the membership of the RRAC or eliminate the income requirement for farmer members. This will further diminish the voice of working farmers to advocate for the needs of the agricultural community. Current RRAC members do not understand the challenges farmers are facing on these roads. It would be better to change the requirements to require that at least one member of the Committee be a commodity farmer who moves large equipment from field to field. As Ms. Jamison states, “Given the large number of acres zoned agriculture, it is imperative that large scale grain farmers be afforded road conditions which make their work as safe as possible for themselves and for the other people on the roads,” and therefore it is imperative that such farmers have a meaningful voice on the Committee.</p> <p>Mr. Cissel pointed out that many committees in the county consists of five members and expressed that it is not the responsibility of the RRAC to conduct site visits to help MCDOT determine the roads that need trimming or maintenance.</p> <p>Mr. Jamison stated that adding 19 rustic roads to the program would be an overburden to the program.</p> <p>Mr. Seamans, a current member of the RRAC, does not agree with the RRAC that membership should be expanded (unless the number of farmers is increased to 4 of 9 members) or the income requirement for farmer members be dropped. He also specifically questions adding text stating that the new members “represent[] the geographical, social, economic, recreational and cultural concerns of the residents of the County” because this precludes having one of the two new members be the 4th farmer member. Mr. Seamans believes “[t]he Committee did not have adequate time to fully review, research or understand the long-term effects of the changes” before making their decision.</p>	Staff does not recommend any changes to the composition of the Committee. We intend to discuss the matter with the Planning Board at a work session.

Topic	Name(s)	Comments	Response
Rustic Roads Advisory Committee (RRAC) – General Support	James R. Clifford	The RRAC protects the roads and viewsheds while balancing their preservation duties with the responsibility of keeping the roads passable by oversized farm equipment.	Acknowledged.
	Eileen McGuckian (MPI) Robert J. Tworkowski	“We commend the RRAC for its foresight, wisdom, and dedication.” “Their time, energy and unwavering commitment – I believe is underappreciated within the County system.”	Acknowledged.
	Robert W. and Elizabeth R. Wilbur	“One of us, Robert, has had the honor of serving on the Rustic Roads Advisory Committee. Based on that experience, we have to say that many of the statements made to the Planning Board by commodity farmers concerning the advisory committee and the rustic roads program do not ring true. Committee members are quite sensitive to the needs of farmers and recognize their importance and value to the county. Many times during his tenure, attempts by the committee to engage commodity farmers in efforts to understand and address their concerns were rebuffed.”	Acknowledged.

Topic	Name(s)	Comments	Response
Rustic Roads Advisory Committee – Response to Opposition to Changes	Laura Van Etten (RRAC)	<p>“Adding two positions has been criticized by a small number of farmers in testimony, based upon a perception that their proportion of representation on the Committee will be diluted. Farmers have many representative groups providing input such as Office of Agriculture, Ag Advisory Committee, Ag Preservation Advisory Board, Soil Conservation District, Montgomery Ag Producers (private lobbying group) and Montgomery County Farm Bureau (private lobbying group), in addition to their representation on RRAC.”</p> <p>The RRAC also provided statistics regarding the number of farms in the county and how many are farmers as a primary occupation. The RRAC believe that expanding membership and eliminating the income requirement for farmers would allow for a more diverse and inclusive group. The RRAC notes, “On the Ag Advisory Committee, the great majority of farmer-members are not required to meet this income test. Only 3 of this Committee’s 12 farmers must meet that test. If the Committee which is established to represent agriculture does not have all farmer-members meeting that test, there is no reason that farmer-members of RRAC should have to meet that test.”</p>	Different committees have different areas of responsibility, and only the RRAC has a direct advisory role on rustic roads. The functioning of these roads is critical for all farmers, including commodity farmers; it is important that they have a voice regarding the maintenance of these transportation corridors and the policies that guide them.
Rustic Roads Advisory Committee (RRAC) Staff Support	Robert Goldberg	It is very important that dedicated and competent staff be assigned to help the RRAC carry out their assigned duties.	Acknowledged.
Rustic Roads Advisory Committee (RRAC) - Promotion	Laura Van Etten (RRAC)	Our logo appears on our letterhead, brown street name signs, hats, and bumper stickers. We have a tent, banner, table covers, and photo-boards to promote the program at events. We partner with Heritage Montgomery to educate the community.	We will consider mentioning the logo to the text and showing the logo.
Brown Signs	Barbara Hoover	The RRAC and MCDOT created a special brown street sign to distinguish rustic roads from others in the county. These signs help travelers and assist farm businesses aiming to attract day visitors.	We will consider adding a photo of the brown street sign.

Topic	Name(s)	Comments	Response
Safety and Speed (Positive)	Ginny Barnes (WMCCA) Tina Thieme Brown Anne Davies Ellen Gordon Thomas Isidean Christopher Marston Dolores and Gregory Milmoe Bev and Dick Thoms Laura Van Etten (RRAC)	These narrow, winding roads encourage slower driving. There are few roads in the county that can be safely shared by cars, bicyclists, and pedestrians. (Combination of narrow widths, curves, roadside vegetation, overhead canopy, driveways)	Acknowledged.
Safety and Speed (Negative)	Wade Butler Bruce Clarke Michael Jamison (APAB)	Increased traffic from expanding agritourism exacerbates an already stressed road network and creates additional safety hazards. Many people drive too fast on the roads, and there is no lighting at night. Police presence should be increased on these roads. You won't find many pedestrians on these roads because they are so unsafe.	Safety issues along a rustic road should be discussed with other stakeholders at the recommended regular meetings. MCDOT will be expected to provide status updates on previous issues raised.
Safety and Speed at Intersections with State Roads	Scott Plumer (DCA)	"We are concerned about our Rustic Roads that terminate on state roads, especially those with high speed limits. The transitions can be difficult, sight limited, and often on grade." Example: Turkey Foot Road at MD 28.	Any safety concerns along any road or intersection in the county should be raised with MCDOT and SHA. According to County Code, safety improvements are allowed along rustic roads.
Safety and Preservation	Laura Van Etten (RRAC)	"There has always been tension within MCDOT about these roads; they are being preserved, and they do not meet modern engineering standards. To address this, from the Program's inception, the roads have been subject to review based upon their crash experience rather than engineering standards."	Crash data is a part of the criteria used to determine if a road should be included in the rustic roads program or if safety issues need to be addressed. From our recent crash data analysis, it has been determined most rustic roads are safe, and if there is a crash history, a vast majority have occurred where a rustic road meets a road with another classification.
Safe Routes to School	Scott Plumer (DCA)	Safe routes to school on rustic roads is one of our top three concerns.	Being designated as rustic does not preclude necessary safety improvements as noted in County Code. MCDOT will be expected to provide status updates at stakeholder meetings.
Scenic Beauty	Robert Baker Ellen Gordon Thomas Isidean Bev Thoms	Rustic roads provide scenic vistas.	Acknowledged.

Topic	Name(s)	Comments	Response
Separate Budget Item	Randy Stabler	There needs to be a separate budget item for the maintenance of rustic roads.	Agreed. Both the RRAC and AAC are submitting letters supporting such action as part of the ongoing budget process. Planning staff has asked the Office of Agriculture to encourage groups it supports to do the same.
Snow Emergency Routes	Patrick Jamison	Snow emergency routes should not be classified rustic.	The classification of a road has no bearing on how it is maintained, so it shouldn't matter if a snow emergency route is rustic.
Support for the Comments of Others	Robert W. and Elizabeth R. Wilbur	"We are writing to express our support for the Rustic Roads Master Plan Update with modifications as outlined in the written submissions and testimony of members of the Rustic Roads Advisory Committee. We also concur with the comments in support of the update offered by Caroline Taylor, Executive Director of Montgomery Countryside Alliance."	Acknowledged.

Comments on Plan Content

Topic	Name(s)	Comments	Response
General Plan Organization – New Chapter for Policy Recommendations	Sarah L. Rogers (HM) Leslie Saville	<p>Create a chapter for policy recommendations and have it placed in the plan before the Individual Road Profiles. Remove policies from the Implementation Section and place them in the Policy Chapter.</p> <p>According to Ms. Rogers and Ms. Saville, the Planning Board directed Planning staff to create this section prior to the Road Recommendations during the presentation of the Working Draft in October. The idea is that the Road Recommendations would logically follow from the policy recommendations. Ms. Rogers is asking when this change will be made.</p>	<p>It is unclear how relocating policy recommendations to an earlier plan chapter improves the organization of the plan. Staff has included any recommendations to change policy in the Implementation chapter because they are items that need to be implemented.</p> <p>Staff reviewed the October 6, 2022, presentation of the Working Draft to the Planning Board and only one item (the recommendation for regular stakeholder meetings) was flagged as potentially being a policy issue, and the Commissioner who raised the question directed staff to consider moving, if it makes sense, but that it was up to staff to determine the best location in the plan for the recommendation.</p>

Topic	Name(s)	Comments	Response
Complaints and Operational Items	Leslie Saville Caroline Taylor (MCA)	Remove complaints and operational items from the plan since they do not belong in a long-range plan. Ms. Taylor provided a recent example where the county's 311 resource was used to efficiently resolve a signage and vegetation issue on Mount Nebo Road.	All master plans discuss existing conditions and typically describe current problems the plan is intended to resolve.
Introduction – Historic Public Assets	Leslie Saville	State at the beginning of the plan and repeat several times in appropriate sections how important these “unique, priceless, outstanding, historic public assets” are.	Staff believes that the plan sufficiently describes the benefits of rustic roads.
Introduction – Heritage Montgomery	Sarah L. Rogers (HM)	We support and appreciate the description of Heritage Montgomery in the plan.	Acknowledged.
Introduction – Related Plans, Programs, and Policies	Timothy H. Cupples (MCDOT)	The DBU policy may be appropriate to discuss in this section.	See comments above on the DBU policy.
Introduction – Special Protection Areas (p. 15)	Timothy H. Cupples (MCDOT)	‘Last word - Change "possible" to "feasible." Possible is fiscally unconstrained, which of course is not practical. Feasible, however, does imply resource constraints.’ [The full sentence in question: “In SPAs, land-use controls such as limiting imperviousness, planting forest buffers, and requiring enhanced erosion control help ensure that impacts from development activities are mitigated as much as possible.”]	Staff will review the language the with Planning Board and make appropriate changes if deemed necessary.
	Laura Van Etten (RRAC)	The RRAC does not agree that this change is appropriate in this context of SPAs, stating, “The use of the word ‘feasible’ would allow MCDOT to use improper maintenance procedures at their own discretion.”	

Topic	Name(s)	Comments	Response
Introduction – Roadway Character (p. 17)	Timothy H. Cupples (MCDOT)	‘2nd Paragraph, 1st Sentence and 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.’ [Sentences in question: “This master plan supports providing for adequate drainage but recommends that a roadway design without drainage ditches be retained wherever possible.” “Reduced mowing of roadside edges should not result in impaired driver vision around bends or corners; however, existing plant groupings should be retained whenever possible.”]	Staff agrees with MCDOT and will make the requested changes. The word “feasible” more precisely describes what actions are reasonable to consider. This one word is not intended to allow MCDOT to circumvent any requirements of this plan.
	Laura Van Etten (RRAC)	The RRAC does not agree with these changes. Regarding drainage, the RRAC states, “Cost constraints are always considered as part of a project's evaluation but this has no place in a master plan. Allowing such drainage to be adversely affected by minor costs savings instead of providing what the Code requires is not acceptable.” As for the plant groupings sentence, the RRAC states that “it would allow developers, MCDOT, and any other party to clear cut roadside plantings indiscriminately (as has been done in the past) by claiming cost savings.” The RRAC continues, “It is more cost effective to use best practices on these and all roads.”	

Topic	Name(s)	Comments	Response
Introduction – Bridges (p. 18)	Timothy H. Cupples (MCDOT)	<p>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, the bridge must be designed to meet federal and state standards or 100 percent of costs will come from the county's budget, taking money away from other vital county programs."</p> <p>'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 and resource constraints.'</p> <p>[Sentence in question: "This example shows that it is possible to design a bridge that retains a road's character while also providing a safe experience for those using the road."]</p> <p>See also list of bridges as significant features below.</p>	<p>Staff intends to discuss bridges with the Planning Board at a work session, where such text changes will be determined.</p> <p>Staff will review the plan language regarding bridge funding as part of the work session discussion. The 2022 Infrastructure Investment and Jobs Act is a very complex piece of federal legislation that would be difficult to summarize in a local master plan.</p> <p>Staff agrees with MCDOT and will make the requested change regarding the word "possible." The word "feasible" more precisely describes what actions are reasonable to consider. Again, this one word is not intended to allow MCDOT to circumvent any requirements of this plan.</p>
	Laura Van Etten (RRAC)	<p>The RRAC strongly supports the current use of the word "possible" in the 4th paragraph, last sentence, as opposed to MCDOT's recommendation of the word "feasible." They state, "Replacing the word 'possible' with 'feasible' in this context is changing the meaning of the example and we do not support it."</p>	

Topic	Name(s)	Comments	Response
	Laura Van Etten (RRAC)	<p>“MCDOT and SHA must identify and apply federal design exceptions to the rehabilitation or replacement of rustic bridges that will maintain the rustic character of the road, consistent with County Code and Regulations. Historic and environmental impacts are also factors that can support design exception requests.”</p> <p>The RRAC also states that it has only been in recent years that MCDOT has sought federal aid for bridges on rustic roads and that their policy change “has created an inaccurate perception that the County will receive more federal aid if these bridges are brought up to modern standards.” Montgomery County has so many bridge projects that federal funding is exhausted before all necessary projects can be scheduled, so MCDOT should use federal funding for the non-rustic road bridge projects and continue to use county funding for bridges on rustic roads. But there will be some rustic road bridge projects that can use federal aid and still maintain their features and scale.</p> <p>The RRAC also provided background information indicating that “[b]ridge replacement proposals on Glen Road and Montevideo Road were instrumental to the creation of the Rustic Roads Program.”</p>	<p>MCDOT is the agency best positioned to determine the appropriate actions to take and funding to use for bridge projects in the county.</p> <p>Staff will review the language in the plan to determine if changes are appropriate regarding bridge funding. If a bridge has been designated historic, staff agrees that it is important to retain the essential elements of the bridge when maintenance is required. Bridges will be discussed in detail with the Planning Board at a work session.</p>

Topic	Name(s)	Comments	Response
	Sarah L. Rogers (HM) Leslie Saville Caroline Taylor (MCA) Robin Ziek	<p>Plan language should be “greatly strengthened to echo the language in the County Code, that these historic bridges and Significant Features must be preserved.” The bridges are invaluable and irreplaceable elements of these roads that are critical to the stories they tell and are frequently the most memorable aspect of a road. “Reconstruction may be appropriate on non-historic bridges.”</p> <p>Language in the plan about Maryland Department of Transportation interpretations should be updated with language about federal guidance and funding from the 2022 Infrastructure Investment and Jobs Act.</p> <p>“[T]he bridge section of the master plan appears to have been written to assure that historic bridges are all replaced with standard highway bridges! ... Historic bridges can be preserved and rehabilitated (and with the assistance of federal funding). New bridges can be designed to match the scale of the rustic roads.”</p> <p>Ms. Taylor requests that we remove the sentence on page 18 stating, “However, all bridges must eventually be replaced,” noting that cities throughout the world have managed to retain historic bridges for hundreds of years.</p> <p>Ms. Saville states that the bridge section “is in blatant conflict with the County Code and Regulations, with guidance from the State Highway Administration’s document, Management Plan for Historic Highways and Bridges, with Federal Highway Administration policies that support the preservation of historic bridges, and very likely with preservation laws.”</p>	

Topic	Name(s)	Comments	Response
Introduction – Bridges	Timothy H. Cupples (MCDOT)	<p>“Mouth of Monocacy 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.</p> <p>The fact that everyone agrees that the new bridge is a significant feature point to the fact that replacement bridges need not 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.</p> <p>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.”</p>	This suggestion will be discussed at a work session, but staff agrees with the RRAC that this would not be in keeping with current Executive Regulations.
	Laura Van Etten (RRAC)	The RRAC states that it “would be inconsistent with Regulations to realign the road during the replacement of the bridge.”	
Introduction – Bridges and Roads within Historic Districts	Sarah L. Rogers (HM) Leslie Saville	<p>Ms. Rogers stated, “For both bridges and designated roads such as Martinsburg Road and other roads that fall within designated National or Montgomery County historic districts, it is important to reference the Secretary of the Interior definitions for Preservation, Rehabilitation, Restoration and Reconstruction.”</p> <p>Ms. Saville stated that the Planning Board asked for references to bridge replacements to be removed and use the Secretary of the Interior’s words instead.</p>	<p>Staff does not intend to make recommendations to MCDOT on the best practices for maintaining the county’s bridges.</p> <p>Staff will review the text to see if improvements can be made, but the guidance from the Secretary of the Interior relates to preservation of historic sites and structures, and very few bridges along rustic roads have been designated historic. The Secretary’s usage of the term “reconstruction” is used only in the case where an historic structure no longer remains. Staff uses the word “replacement” to reflect the reality that some bridges must be completely rebuilt.</p>

Topic	Name(s)	Comments	Response
Road Recommendations – Bridges as Significant Features Road Recommendations – Bridges as Significant Features	Timothy H. Cupples (MCDOT)	<p>“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. 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.”</p> <p>Bridges that MCDOT describe as “ordinary” and do not rise to the level of “significant feature:”</p> <ul style="list-style-type: none"> • 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-0123) • Martinsburg Road (M-0042) • Mouth of Monocacy Road (M-0043) • Query Mill Road (M-0020, M-0329) • River Road (M-0038, M-0039, M-0040) • Sugarland Road (M-0034, M-0035) • Swains Lock Road (M-0022) • Sycamore Landing Road (M-0031, M-0032) • White Ground Road (M-0048) • Wildcat Road (M-0068) 	<p>MCDOT has a list of bridges that are considered significant features on rustic roads. There are many factors that need to be considered as a bridge is being preserved, rehabilitated, or rebuilt, including federal funding. As the agency that provides maintenance along rustic roads, MCDOT makes the final determination as to the course of action to take when a bridge needs to be preserved, rehabilitated, or rebuilt for safety purposes. It is expected that MCDOT will inform stakeholders of any anticipated road/bridge projects well in advance at the regularly scheduled meetings to solicit input throughout the entire process of any improvements to roads/bridges.</p> <p>The plan already contains a recommendation that “[k]ey plan stakeholders should work together to develop a set of bridge designs to be used for modifications or reconstruction of bridges identified as significant features.”</p> <p>Staff intends to discuss at bridges at a work session. Staff will set up a meeting with appropriate stakeholders if directed by the Planning Board.</p>

Topic	Name(s)	Comments	Response
	Sarah L. Rogers (HM)	“MCDOT’s comments and the Public Hearing Draft Master Plan both contain damaging language and recommendations about the small, historic bridges along these roads. These bridges are arguably the most valuable aspect of the Rustic Roads. They MUST be protected.” Ms. Rogers has offered to host a joint meeting with Planning staff to work through the bridge issues and suggests that members from the following groups be included: RRAC representatives, Historic Preservation staff and representatives, MCDOT, and other stakeholders. “The intended outcome would be a list of bridges that must be preserved, and for those bridges that are not historic, unusual or narrow, a menu of acceptable recommendations.”	
	Laura Van Etten (RRAC)	“Every bridge listed in the MCDOT chart which they view as “Ordinary” should remain as a Significant Feature in the Master Plan as proposed by Staff.” The RRAC supports preserving narrow and one-lane bridges as significant features. “Wider two-lane bridges also do not slow traffic the way the narrower bridges do, and thus they do not serve the safety and ‘traffic calming’ function that the smaller bridges naturally provide. Roadway realignment, leaving an original bridge as a pedestrian bridge, or destroying it after documenting it are not acceptable alternatives.” “The Committee would like to work with MCDOT to find sets of acceptable designs for these narrow bridges rather than have the Master Plan set such objectives. This should be an Implementation step.”	
Road Recommendations – Rustic Road Criteria	Timothy H. Cupples (MCDOT) Laura Van Etten (RRAC)	‘In the line for #5, change “accidents” to “crashes.”’	Staff will make this change to reflect recent changes to Chapter 49.
Road Recommendations - Summary of Criteria Evaluation (p. 32)	Timothy H. Cupples (MCDOT) Laura Van Etten (RRAC)	‘In the header row, change the word "accident" to "crash.”’	Staff will make the requested change.
Road Profiles – Traveling Experience (p. 75)	Timothy H. Cupples (MCDOT)	‘2nd Sentence, Last Word - Change "possible" to "permitted.”’	Staff will make the requested change.

Topic	Name(s)	Comments	Response
Road Profiles – Map (p. 76)	Timothy H. Cupples (MCDOT)	‘2nd Paragraph, Last Sentence - Change "whenever possible and practical" to "whenever feasible." [Sentence in question: “The process leading to approval of such construction should include a review directed towards retaining views whenever possible and practical.”]	Staff agrees with MCDOT and will make the requested change. The word “possible” could be interpreted to mean there is no limit. However, this one-word change is not intended to allow MCDOT to ignore recommendations and requirements of this plan.
	Laura Van Etten (RRAC)	RRAC strongly supports the current language in the plan.	
Road Profiles – Road Characteristics Table – Lane Markings	Timothy H. Cupples (MCDOT)	“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 over time for safety reasons.”	The markings have no bearing on the number of lanes. We can briefly bring this question up at a work session and ask the Planning Board whether to keep this characteristic in the plan.
	Leslie Saville Laura Van Etten (RRAC)	The RRAC requests “that the calling out of current lane markings be kept in the Master Plan for each road, as it will serve as a reference point going forward. Committee members should not have to be the source of personal recollection regarding this important information about all the roads. That information was contained in the 1996 plan, and should be contained in this Update.”	
Road Profiles – Road Characteristics Table – Road Widths	Timothy H. Cupples (MCDOT)	“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.”	Road widths on rustic roads typically have a range. Staff will review the description of the road characteristics table to see if improvement can be made to clarify that the road width is a range.
	Leslie Saville Laura Van Etten (RRAC)	The RRAC “do[es] not agree that road widths should be referenced as “tentative.” While it may be a snapshot in time, the Committee has worked successfully with MCDOT over the last 3 years to ensure that inadvertent road widening does not occur with patching and paving operations. The references in the Master Plan are very important to the Committee’s work.”	
Road Profiles – Modified Roads	Leslie Saville Caroline Taylor (MCA)	Do not remove modified roads from the program.	If roads or road segments no longer meet the criteria for a rustic road, they should not remain in the program. Moving forward, more frequent and consistent coordination at regularly scheduled meetings needs to occur to avoid situations like this.

Topic	Name(s)	Comments	Response
Road Profiles as Appendix	Sarah L. Rogers (HM) Leslie Saville Caroline Taylor (MCA) Laura Van Etten (RRAC) Robin Ziek	<p>Appendices are not part of an approved and adopted master plan. The Road Profiles should be part of the approved and adopted plan in order to be enforced and implemented.</p> <p>Ms. Ziek suggests moving the Road Recommendations chapter to an appendix and moving the Road Profiles to where that chapter currently is instead.</p>	<p>If the individual road profiles with all its sections is included in the body of the main Plan, the document will be well over 600 pages in length. This will make the Plan costly, environmentally wasteful, and difficult to distribute.</p> <p>Planning legal counsel confirmed that plan appendices that are approved by the County Council are as much a part of an approved master plan as the main plan document.</p> <p>The Road Recommendations were included in the main body of the plan so that it is clear what changes are included in the master plan.</p> <p>This issue will be discussed at a work session.</p>
Road Profiles – New	LWVMC Laura Van Etten (RRAC)	The RRAC supports the expanded road descriptions, histories, and maps. The new road profiles contain through and specific information.	Acknowledged.
Road Profiles – Significant Features	Laura Van Etten (RRAC)	We request that newly identified significant features, such as bridges, roadside trees, and hedgerows, remain in the plan and that some others be added (see individual roads).	Planning staff has reviewed the additional significant features and will discuss those still in question with the Planning Board at a work session.
Road Profiles – History	Sarah L. Rogers (HM)	The new road histories help bring forward some of the county’s previously under-told stories, such as those of African American communities and women’s history.	Acknowledged.
Road Profiles – Maps	Sarah L. Rogers (HM) Laura Van Etten (RRAC)	The new maps for individual roads are very attractive.	Staff appreciates the comment.
Road Profiles – Photos	Laura Van Etten (RRAC)	Some of the photographs are not very attractive. The RRAC offers to work with staff to identify better photos for the plan.	Staff will accept photos from all stakeholders and will consider adding them to the plan.
	Sarah L. Rogers (HM)	The new photos help readers visualize the roads.	Acknowledged.

Topic	Name(s)	Comments	Response
Road Profiles – Other Images	Laura Van Etten (RRAC)	The RRAC would like to work with staff to identify historic hand-drawn road plats to include in the plan.	Planning staff considered adding other exhibits such as these to the plan. Given the already voluminous amount of information included in the plan, staff will consider additions like these for any future amendments and updates to historical information.
Implementation – Context	Laura Van Etten (RRAC)	Remove text about it being difficult to have a “one size fits all” approach.	Staff will delete the first two sentences of the Context section.
Implementation – Rustic Roads Advisory Committee – Other Duties	Laura Van Etten (RRAC)	Staff language regarding the duties of the Committee says that, “The Committee also reviews applications along and within the rights-of-way of rustic roads.” In fact, under Ch. 50, of County Code, Subdivision of Land, we review applications for possible effects to the roads both within the rights-of-way and for affected features like views, vistas and scenic easements; we then provide you with our advice. This is how we interact with you, the Planning Board, during the Development Review process. We would like a reference to these requirements from Ch. 50 added to the Master Plan.	Staff does not believe additional language is necessary. We currently rely on the Master Plan Conformance finding in Chapter 50 to apply recommendations and requirements from the Rustic Roads Functional Master Plan to regulatory applications. Additionally, we apply the Rustic Roads paragraph in Chapter 50 to road improvements associated with subdivisions. We have all the tools necessary in code and in the Master Plan to review regulatory applications, and to coordinate our review with the RRAC.
Implementation – Rustic Roads Advisory Committee – Equity	Dan Seamans Laura Van Etten (RRAC)	As part of RRAC’s recommendation to add two members to the committee, they “recommend that these members be considered ‘at-large,’ and language regarding the membership qualifications be stated as ‘representing the geographical, social, economic, recreational and cultural concerns of the residents of the County.’” Examples of potential groups from which to draw new members: residents outside areas with rustic roads, members of Black churches on the roads, bicyclists or others who come to the roads for recreation, or someone with expertise in tourism or historic sites. Mr. Seamans does not agree for reasons given in the General Comments section above.	See discussion regarding the composition of the RRAC under General Comments above. Regardless of expansion, current membership should also be evaluated to form a more diverse RRAC.

Topic	Name(s)	Comments	Response
Implementation – Staff Coordinator to the RRAC	Laura Van Etten (RRAC)	Please clarify the text where the language states that MCDOT provides staff, offices and supplies. The statute actually states that the Chief Administrative Officer will provide those things. So, at the request of our County Executive, we have an MCDOT staffer providing us with what is called “coordination,” meaning that person sets up virtual meetings, serves as a point of contact for the Committee, and often can provide technical information.	Staff is referencing the same language and interpret that to mean that MCDOT has been designated as staff responsible for providing those services for your meetings and duties on behalf of the Chief Administrative Officer.
Implementation – RRAC as Stakeholders	Laura Van Etten (RRAC)	‘We request that the Draft Plan be corrected where it inaccurately lumps us in with other groups who are “Stakeholders.” We are not Stakeholders. We “oversee and promote” the program as mentioned earlier in the Draft.’	Staff recommends the language remain as written. Albeit an important stakeholder, the RRAC meets any standard definition of “stakeholder.” MCDOT per the County Executive and planning staff per the Planning Board oversee the Rustic Roads Program (MCDOT/County Executive for capital improvements and planning staff/Planning Board for regulatory applications). We coordinate with and take into consideration recommendations and advice from the RRAC when making recommendations to the County Executive and Planning Board on respective projects related to rustic roads.
Implementation – Maintenance and Improvements	Laura Van Etten (RRAC)	Strengthen language in this section to more fully describe rustic road maintenance procedures versus the single sentence in the plan now, which is only a small part of the maintenance requirement. We recommend including “A rustic or exceptional rustic road will receive the level of maintenance as necessary to assure its continued viability as a transportation facility and to allow for safe travel by motorized vehicles, and agricultural equipment.” And, “The rustic or exceptional rustic road classification will not exclude roads from regular maintenance.”	Staff will consider ways to clarify the maintenance procedures of rustic roads. We will also add the current Executive Regulations as a plan appendix.
Implementation – Maintenance – Roadside Vegetation	Laura Van Etten (RRAC)	Clarify language in the plan to make it clear that the problems described are common to all roads and not just rustic roads.	Staff will review the language and clarify the text if necessary.

Topic	Name(s)	Comments	Response
Implementation – Maintenance – Roadside Vegetation	Laura Van Etten (RRAC)	Revise suggested clearance height for trimming overhanging vegetation from 17 feet to 18 feet, per current RRAC-MCDOT agreement. “We recommend that the Master Plan refer to the Tree Trimming Guidelines and that those be posted on the Rustic Roads website maintained by the Planning Department.”	Staff will change this to 18 feet and add text to account for the introduction of future agricultural equipment that may require additional clearance. Staff will also update the plan to recommend that the “Tree Trimming Guidelines” be reviewed and added to the maintenance procedures. (Will also need to include as a plan appendix.)
Implementation – Maintenance – Road Widths	Laura Van Etten (RRAC)	‘[W]e support the Draft in recommending “Continue to maintain narrow road widths and narrow bridges that encourage slower speeds and thus increase safety as users travel along rustic roads....”’	Acknowledged.
Implementation – Maintenance – Road Surfaces	Laura Van Etten (RRAC)	“In this section, the Draft language complains about potholes, at least this time acknowledging that it is not a rustic roads problem. However, the odd description of something they call a washboard effect really has no place in a Master Plan. Again, these are operational issues that do not belong in a Master Plan. They should be removed.”	Staff does not recommend this change. Master plans are designed to identify problems and solutions to those problems. If potholes and the washboard effect are problems on rustic roads that road users complain about, it is appropriate to include them in the plan.
Implementation – Maintenance – Road Surfaces	Dolores Milmoe Laura Van Etten (RRAC)	MCDOT staff dealing with Rustic Roads should take the training program from the Penn State Center for Dirt and Gravel Roads Studies as part of best practices. “We ask that the Master Plan specifically call out the Penn State University program for Environmentally Sensitive Roads, which has a highly regarded training process for maintaining gravel roads.”	Staff defers to MCDOT to determine best practices for road maintenance and relevant training. Perhaps a discussion at the regularly scheduled meetings.
Implementation – Maintenance – Bridges (p. 88)	Timothy H. Cupples (MCDOT)	‘Under #12 - Change "possible" to "feasible." [Sentence in question: “Bridges that are rebuilt should be designed to accommodate the appropriate number of vehicle trips and not be overdesigned; to the extent possible, these designs should use materials that enhance the rustic quality of the road.”	Staff agrees with MCDOT and will make the suggested change.
	Laura Van Etten (RRAC)	The RRAC does not agree with this change, stating that it is inconsistent with County Code.	

Topic	Name(s)	Comments	Response
Implementation – Maintenance – Bridges – Terminology	Barbara Hoover Leslie Saville Laura Van Etten (RRAC)	Without consistent protection, many existing scenic bridges will be lost to modern replacements that are lacking in character. In relation to bridges, replace the word “reconstruct” with “preserve and rehabilitate.” Include the Secretary of the Interior definition for the preservation of bridges and other resources on roads.	The Secretary of the Interior’s language also includes reconstruction as an option. Staff will review the guidance and may suggest edits to the text. But some bridges will need to be reconstructed in their entirety. The suggested guidance applies to structures which have been designated historic, and very few of the bridges along rustic roads have been designated historic. Staff will consider revising the language to apply special treatment to bridges designated historic.
Implementation – Maintenance – Bridge List	Laura Van Etten (RRAC)	“To assure the standing of the list and for the reader’s ease of use, we ask that the appendix list of roads with bridges as significant features be moved into the bridge section of the Master Plan.”	Bridges that are significant features are included in the road profiles along with the other significant features of the road. The appendix containing the list of roads with bridges that are significant features is listed in the table of contents and is already easy to access. Other significant features aren’t listed separately within the plan.
Implementation – Maintenance – Bridges – Design Exceptions	Barbara Hoover Leslie Saville Laura Van Etten (RRAC)	Would like MCDOT and SHA to pursue design exceptions for bridges. Design exceptions have not been accepted well by SHA under the current administration. “The State guidance has been based on policy decisions made by the outgoing Governor’s Administration and is subject to change under a new Administration. The reference to guidance should be replaced by a reference to Federal guidance. We understand that funding for historic bridges is included in the recent Federal infrastructure legislation. We request that MCDOT be asked to engage an engineer with historic preservation experience to lead these projects.”	This should be discussed at the recommended stakeholder meetings, but it is beyond the scope of the master plan based on ever-changing county, state, and federal administrations.
Implementation – Maintenance – Drainage	Laura Van Etten (RRAC)	‘In the section called Drainage, we support the language but ask that it be improved from the current sentence, “The way drainage is handled on these roads is one of their most distinguishing features....” To state that this is the “single, most distinctive feature of the character” of the roads, which is the language from the 1996 Master Plan.’	Staff does not recommend this change. Each rustic road is unique, with many different features combining to convey the rustic character of the road. Drainage is very important, but it is not necessarily the “most distinctive feature of the character” of every rustic road.

Topic	Name(s)	Comments	Response
Implementation – Traffic Calming	Laura Van Etten (RRAC)	“The first paragraph in this section seems to be an indictment of the Rustic Roads Program. In fact, speeding is a County-wide problem, as we all know from Vision Zero efforts. We request that this section be rewritten to reflect that this is a County-wide problem.”	Staff is not opposed to a broader discussion of vehicular speed on roads and our Vision Zero efforts. This section describes issues that occur along rustic roads and provides the context behind the recommendations that follow.
Implementation – Traffic Calming	Laura Van Etten (RRAC)	“Our Committee recently proposed a change to Code setting the maximum target speed for rustic and exceptional rustic roads at 30 miles per hour. We were successful and Council adopted that change on Nov. 7. We would like the Master Plan to mention this accomplishment. Similarly, the Committee was successful in getting a change to Code to allow the use of speed humps where appropriate on rustic roads. Up until our intervention, speed humps were only allowed on roads designated residential. We would like the Master Plan to mention this accomplishment.”	Staff recommends we echo language related to slow speeds and Vision Zero. Staff will reference the target speed and speed controls as approved/amended during review of the Complete Streets Design Guide.
Implementation Chapter – Historic Preservation	Sarah L. Rogers (HM) Robin Ziek	Support for the recommendations under the Historic Preservation heading. These recommendations should be moved to the top of the plan to reflect their importance.	Staff does not recommend this change. The Implementation Chapter of the plan is organized to provide overarching policy recommendations first to emphasize the procedures that will provide for a smoother operation of the program in the future. The Historic Preservation Section of the Implementation Chapter provides next steps on how to continue to refine existing road profiles as more information is learned about individual roads and to promote the historical nature of the program itself.
Implementation – Recommendation to Partner with Heritage Montgomery	Laura Van Etten (RRAC)	We support the recommendation to continue partnering with Heritage Montgomery as they update their interpretive plan to highlight rustic roads.	Acknowledged.

Topic	Name(s)	Comments	Response
Implementation – Recommendation to Identify Historic African American Settlements	Eileen McGuckian (MPI) Laura Van Etten (RRAC)	“We especially support the Plan’s recommendation to reevaluate the county’s historically Black rural communities to identify rustic roads with historic and cultural significance tied to African American settlements.”	Staff agrees. Staff envisions the Rustic Roads Functional Master Plan, in the future, being a living document that will need minor updates on a more consistent basis rather than every 25 years. A critical part of any minor update is to update the histories of road profiles as more information about the roads is discovered. This includes histories regarding underrepresented groups and communities.
Implementation – Quarterly or Biannual Meetings with MCDOT and Office of Ag	Laura Van Etten (RRAC)	RRAC Meetings are subject to the Open Meetings Act. We ask that MCDOT and the Montgomery County Office of Agriculture come to our meetings and be placed on the agenda to discuss any issues rather than setting up another set of meetings that may not be subject to the Open Meetings Act.	Staff is recommending that recurring coordination meetings with stakeholders occur at selected, regularly scheduled RRAC meetings. We will revise the language to clarify that ideally these stakeholder meetings would be integrated into the regularly scheduled RRAC meetings.
Implementation – Awareness Promotion	Robert K. Sutton (HPC)	“In addition to the tools for awareness promotion and heritage tourism already identified in Recommendation #25, the HPC supports the production of an audio-tour version of the road descriptions which would be more accessible than the plan document for anyone driving.”	Staff supports this comment. However, this is not part of this plan update or a future planning work program. Perhaps an audio tour may be established by Heritage Montgomery or another entity through a state or federal grant.
Implementation - Historic Resource Recognition	Robert K. Sutton (HPC)	“[W]e are concerned for the many historic bridges found along the rustic roads. These bridges contribute significantly to the historic character of these roadways and should be protected wherever safety and agricultural needs allow. We support the plan’s call for bridges with identified historic value to be formally documented in the Maryland Inventory of Historic Properties and to be considered for potential designation in the Master Plan for Historic Preservation or nomination to the National Register of Historic Places (Recommendation #27).”	Acknowledged.
Implementation - Inclusive and Equitable Access	Robert K. Sutton (HPC)	“[T]he HPC encourages the Planning Board to strengthen the plan’s call for inclusive and equitable access to these resources for those without personal vehicles (Recommendation #29). Local historical societies would be valuable partners for planning inclusive programming and coordinating bus tours.”	Planners envision that this issue will be addressed in a future plan amendment along with the other historic preservation recommendations.

Topic	Name(s)	Comments	Response
Plan Appendixes – Environment – Special Protection Areas	Timothy H. Cupples (MCDOT)	‘3rd Sentence, Last Word - Change “possible” to “feasible.”’ [Sentence in question: “In SPAs, land-use controls and management techniques help ensure that impacts from development activities are mitigated as much as possible.”]	Staff will review the language and make appropriate changes if necessary. Perhaps something like: “In SPAs, land-use controls such as limiting imperviousness, planting forest buffers, and requiring enhanced erosion control help mitigate the impacts of development activities.”
	Laura Van Etten (RRAC)	The RRAC does not agree with this change, and state, “The use of the word ‘feasible’ would allow MCDOT to use improper maintenance procedures at their own discretion. ‘Feasible’ is an inappropriate change in this context for SPAs.”	
Plan Appendixes – Rustic Roads with County-Maintained Bridges as Significant Features	Timothy H. Cupples (MCDOT)	‘Modify this list accordingly if changes are made to which bridges are retained as significant features. See discussion on bridges above.’	Acknowledged.
Traffic and Crash Analysis – Report	Timothy H. Cupples (MCDOT)	<p>p. 3: ‘Typo in the parenthetical sentence: “from the intersections use in this analysis” should be “from the intersections used in this analysis.”’</p> <p>p. 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 I).’</p> <p>p. 18: ‘The asterisk footnote for Table 15 should use the word “Exceptional” instead of “Exceptionally.”’</p>	Staff will make the suggested changes.

Comments on Groups of Roads

Topic	Name(s)	Comments	Response
Bicycling Roads	Susan Golonka (WWO) Carol Linden	A list of roads bicyclists ride regularly: Big Woods Road, Cattail Road, Club Hollow Road, Comus Road, Edwards Ferry Road, Elmer School Road, Hughes Road, Jerusalem Road, Martinsburg Road, Mount Ephraim Road, Mount Nebo Road, Old Bucklodge Lane, Peach Tree Road, Schaeffer Road, Sugarland Road, Wasche Road, West Willard Road, Westerly Road, White Ground Road, Whites Store Road	Acknowledged.
Dedicated But Unmaintained (DBU) Roads	Timothy H. Cupples (MCDOT)	See comment on MCDOT's DBU policy above. Includes parts or all of: Aitcheson Lane, Belle Cote Drive, Bentley Road, Old Orchard Road, and Poplar Hill Road. 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	See discussion of DBU roads in the General Comments section above.
	Laura Van Etten (RRAC)	See RRAC's comments on DBUs above.	
"Glen" Roads	Ginny Barnes (WMCCA)	Support the exceptional rustic designation of the three roads in the Glen: Glen Road, Glen Mill Road, and South Glen Road. These roads help limit stormwater run-off and enhance the adjacent forest canopy. The two bridges in the Glen and the history along these roads is also important.	Acknowledged.
Lock Roads	Tina Cappetta (NPS)	Support designation of multiple rustic and exceptional rustic roads that lead to or through the C&O National Historical Park. They protect cultural landscapes and viewsheds and support NPS's work in interpreting the C&O Canal.	Acknowledged.
M-NCPPC Park Roads	Timothy H. Cupples (MCDOT)	"There may be some roads that may arguably not really function as roads. Two examples appear to include Hoyles Mill Road and Hyattstown Mill Road/ Prescott Road, which are mostly closed within gates and may be more akin to park trails."	Montgomery Parks strongly supports the exceptional rustic road designation for these roads. The designation helps "ensure their bucolic and park-like nature and historicity" and "speaks to the cultural and historic significance of these roads."
	Laura Van Etten (RRAC)	"All of these roads are clearly qualified to be included in the Rustic Roads Program."	

Topic	Name(s)	Comments	Response
State Roads	Timothy H. Cupples (MCDOT)	“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.”	<p>SHA and Montgomery Parks supported the inclusion of their roads in the program. While there isn’t a large effect from naming a state or Parks road rustic because they are not maintained by MCDOT, if a road meets the criteria, it should be named rustic.</p> <p>Sec. 49-79. Maintenance and improvements. (b) of County Code states: “State and park roads. The Executive must encourage the State Highway Administration and the County Parks Department to maintain and improve rustic roads owned by the State or Park Commission in a manner consistent with this Article.”</p> <p>Staff intends to include this as a discussion item at a work session.</p>
	Laura Van Etten (RRAC)	“Parts of all of these roads are Maryland Scenic Byways, and clearly meet the criteria to be included in the Rustic Roads Program. These programs complement one another, bringing heritage tourism to the roads for multiple purposes. See their maintenance guidelines https://www.roads.maryland.gov/OED/CSS-3.pdf . There is no reason to remove these historic roads from the Program.”	

Comments on Individual Roads

Road Name	Name(s)	Comments	Response
General comment on some “before” and “after” photos shown at the Public Hearing.	Laura Van Etten (RRAC)	“Testimony presented about road maintenance issues showed “Before” pictures of issues already being addressed. The Rustic Roads Advisory Committee has actively worked to ensure that they were addressed.”	Acknowledged.
Aitcheson Lane	Timothy H. Cupples (MCDOT)	Part of Aitcheson Lane is on the DBU list. MCDOT does not believe roads on the DBU list should be rustic roads.	The nominated section of Aitcheson Lane does not include the segment on the DBU list.
Avoca Lane	Quentin Remein (CCA)	The CCA supports changing the entire length to exceptional rustic.	Acknowledged.
Awkard Lane	Ellen and Endel Mann Judy Mauldin (HGHPA) Jean Thomas Moore (HGHPA) Quentin Remein (CCA) Patricia Thomas (HGHPA)	Designate Awkard Lane a rustic road. Awkard Lane is part of the community of Holly Grove, a significant historic community established c. 1880 after Quakers sold land to formerly enslaved individuals. Several descendants of the original inhabitants still live on Holly Grove Road and Awkard Lane.	While Awkard Lane meets most of the criteria to be designated rustic, it does not retain the visual character that distinguishes these roads.

Road Name	Name(s)	Comments	Response
Barnesville Road	Timothy H. Cupples (MCDOT)	“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 predominantly local traffic.”	Plan stakeholders should work together to come up with an appropriate design for the bridge that maintains the road’s current alignment.
	Laura Van Etten (RRAC)	“We support MCDOT being required to contract with an historic bridge expert to lead any project regarding the bridge on this rustic road. We would look to that expert to advise about retention of existing railings for this bridge. The MDOT Management Plan for Historic Highway Bridges provides guidance for Appropriate Railing Treatments. We recommend that this resource be used. Realigning the road is inconsistent with the Regulations.”	
Batchellors Forest Road	Laura Van Etten (RRAC)	<p>The RRAC recommends replacing the last paragraph of the Traveling Experience which reads as following:</p> <p>“The Bicycle Master Plan recommends a sidepath along Batchellors Forest Road from an existing off-street trail just south of Batchellors Run to Farquhar Middle School.”</p> <p>With the following text:</p> <p>“A natural surface trail extends north from Farquhar Middle School to connect the residential area to the school. Extending the trail across the school frontage to the entry sidewalk would allow students living to the north to walk to school. The Bicycle Master Plan recommends a sidepath along Batchellors Forest Road from an existing off-street trail just south of Batchellors Run stream crossing to Farquhar Middle School. Due to mature trees and forest beside the roadway, conservation easements, steep grades and limited right-of-way, a continuation of this natural surface trail has been recommended.”</p>	<p>The natural surface trail that extends north from the school is non-existent. It appears that it was a grassy stretch that someone kept mowed for a brief period and then stopped, and there doesn’t appear to be any effort to continue providing a path in that location.</p> <p>Regardless, a grassy path is not sufficient for providing a safe route for children to get to school on all but the sunniest days and would be difficult to navigate on a bicycle or other wheeled transportation options. It is important that a well-built, safe path be provided to help students in the area reach the school and also provide a recreational amenity for residents of the road. The short stretch of the former Trotter’s Glen Golf Course golfcart path that parallels the road does not detract from the character of the road and serves as a good example of what a sidepath could look like.</p>

Road Name	Name(s)	Comments	Response
	Timothy H. Cupples (MCDOT)	<p>“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.”</p> <p>“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.”</p> <p>p. 42: ‘1st Paragraph, Last Word - Change “possible” to “feasible.”’</p>	<p>MCDOT presents a very good case. Planning staff will discuss this issue at a work session with the Planning Board.</p> <p>Staff agrees with MCDOT regarding changing the text from “possible” to “feasible” even though the project has been completed. Staff notes that the criteria for low traffic volumes and for predominantly local use must be considered separately.</p>
	Laura Van Etten (RRAC)	<p>“This road was evaluated based upon current information regarding crashes and traffic volumes and was well within the criteria for rustic designation. There are restrictions in place for travel by Good Counsel school students which is strictly enforced by the school. Farquhar Middle school busses should be exclusively using Old Vic Blvd. access unless students live on Batchellors Forest Road. Through traffic is limited at the south end at Georgia Avenue which only allows right hand turns traveling northward. According to MCDOT traffic counts, there are 1,000 – 1,500 trips per day on this road, which is well within appropriate levels for a rustic road. Little future development is expected on the road. The Committee has noted that in front of Farquhar Middle School, excess pavement between utility poles may be contributing to automobile crashes into those poles. We recommend removal of the excess pavement.”</p> <p>The RRAC does not support changing “possible” to “feasible” because the referenced entry drive has already been built.</p>	

Road Name	Name(s)	Comments	Response
Batson Road	Quentin Remein (CCA)	The CCA supports the rustic designation of Batson Road.	Acknowledged.
Beallsville Road (MD 109)	Timothy H. Cupples (MCDOT)	MCDOT does not believe that state roads should be rustic roads.	See discussion under State Roads above.
Belle Cote Drive	Timothy H. Cupples (MCDOT)	All of Belle Cote Drive is on the DBU list. MCDOT does not believe roads on the DBU list should be rustic roads.	The road was added to the program before the DBU policy was created. Planning staff suggest the policy be updated to clarify how the road can be improved to be accepted for maintenance.
Bentley Road	Timothy H. Cupples (MCDOT)	<p>“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.”</p> <p>The end of Bentley Road is on the DBU list. MCDOT does not believe roads on the DBU list should be rustic roads.</p>	<p>Planning staff agrees that the extent of the rustic designation of Bentley Road should not be changed. Bentley Road is a short, dead-end road with a low traffic volume. The appearance of the adjacent Sandy Spring Museum is enhanced by the rustic nature of the road. This recommendation will be discussed at a work session.</p> <p>The segment of Bentley Road on the DBU list was already on the list when the road was designated rustic by the County Council in 2015. Planning staff suggest the policy be updated to clarify how the road can be improved to be accepted for maintenance.</p>
	Sarah L. Rogers (HM) Robin Ziek	<p>Responding to recommendation from MCDOT to reduce extent of Bentley and Meeting House roads, Ms. Rogers states, “These roads are included in the Heritage Montgomery African American History Driving Tours and other tour site descriptions. These highly historic and outstanding roads should remain in the program for their entire lengths and continue to be fully protected by it.”</p> <p>“This will further degrade the historic character of both Bentley and Meeting House Roads.”</p>	

Road Name	Name(s)	Comments	Response
	Laura Van Etten (RRAC)	“The CRN zoning covers a commercial operation that was in place at the time of designation and is anticipated to continue. The zoning is not expected to have any additional impact on the road. The driveway access for the Sandy Spring Museum is on Bentley Road. At the time of designation, the Museum wrote in favor of the designation. Pedestrian and bicycle access comes from the shared use path along Olney Sandy Spring Road (MD-108) and connects to the Museum’s front door, which provides ADA access.”	
Berryville Road	Francoise "Frankie" Andre and Apostol Vassilev	Stated that Berryville Road is a beautiful Road that crossing through Seneca Creek State Park. Described the features along the road, and also showed photos of the road.	Acknowledged.
	Barbara Hoover	[Provided aerial photo of the road and Seneca Creek.]	
	Ellen Jimerson	Provided testimony on her experiences along the road as a resident in support of the program.	
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridges M-0028 and M-0029 should be significant features.	The bridges make a significant contribution to the character of the road.
Big Woods Road	Bev Thoms	Rustic designation keeps road beautiful and speeds down.	Acknowledged.
Black Rock Road	Miriam Schoenbaum (BHS)	[Provided photo.]	Acknowledged.
Brookeville Road	Barbara Hoover	In her Planning Board testimony, Ms. Hoover provided a brief history of the road and included photos. [Provided description and photo of Oakley Cabin as example of historic African American community.]	Acknowledged.
	Leslie Saville Caroline Taylor (MCA)	<p>Ms. Taylor requests that we not remove the recommended section of Brookeville Road from the program. It is a very early road and should remain. The changes being made by MCDOT and SHA as part of the Brookeville Bypass project “do[] not constitute a reason to remove it from the program.” “These changes, it should be noted, were taken in defiance of staff recommendations and the rustic roads program's clear requirements.”</p> <p>Ms. Saville states that MCDOT approved changes to the road without consulting with RRAC and in opposition to direction from Planning staff. She states that the road still meets the criteria of a rustic road, despite the “slightly revised alignment” referred to in the plan.</p>	The section being removed from the program is being partially realigned and entirely rebuilt as part of the project. It will essentially be a new road built to modern standards, including a very modern looking roundabout. This segment of the road should not remain in the program, despite the deep history of the area.

Road Name	Name(s)	Comments	Response
Bryants Nursery Road	Quentin Remein (CCA)	The CCA supports the rustic designation of Bryants Nursery Road.	Acknowledged.
Bucklodge Road	Lori Larson	Bucklodge Road is a snow emergency route between two major roads and serves as a connector road. Is it appropriate to be included in the program?	The status of a road as a snow emergency route has no bearing on how the road is maintained.
	Miriam Schoenbaum (BHS) Anne Hyman (PPTC)	Designate Bucklodge Road (MD 117) rustic. [Provided photos.]	Acknowledged.
Burnt Hill Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0157 should be a significant feature.	The bridge makes a significant contribution to the character of the road.
Clopper Road	Miriam Schoenbaum (BHS)	[Provided photo.]	Acknowledged.
Comus Road	Ellen Gordon	Uses Comus Road for her horse trailer, hay deliver, feed pick-up. Sees large farm tractors and grain trailers successfully navigate the road.	Acknowledged.
	Steven Findlay (SCA)	We urge you to pay especially close attention to the preservation of this road, which is one of the “key bucolic pathways in the Ag Reserve.”	
Davis Mill Road	Robert Goldberg	Support retaining classification as a rustic and exceptional rustic road. [Provided photos taken along Davis Mill Road.]	Acknowledged.
Elton Farm Road	Barbara Hoover	In her Planning Board testimony, Ms. Hoover provided a brief history of the road and included photos. [Provided description of important historic features accessed from road. Included photo.]	Acknowledged.
Edwards Ferry Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0181 should be a significant feature.	The bridge makes a significant contribution to the character of the road.
Emory Church Road*	Elizabeth Symonds	Resident of road who supports rustic designation.	Acknowledged.
Frederick Road (MD 355)	Timothy H. Cupples (MCDOT)	<p>“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.”</p> <p>MCDOT does not believe state roads should be rustic roads.</p>	The 1994 Clarksburg Master Plan and Hyattstown Special Study Area included several reasons for designating this segment of MD 355 rustic. The plan suggested several changes to the road network in support of this recommendation, which was intended to preserve the road in its current state through this historic district. To be discussed at a work session.

Road Name	Name(s)	Comments	Response
	Laura Van Etten (RRAC)	The RRAC supports retaining the rustic designation. It is in a historic district, the County Council has approved a future bypass, and the interchange at I-270 is approved for eventual closure to remove cut-through traffic from the historic district. The RRAC does not feel that it is appropriate for MCDOT to express an opinion since this is a state road. The RRAC also states that MCDOT misunderstands that the program does not protect buildings, but instead calls out alignments and features that make the road unique.	See discussion under State Roads above.
	Leslie Saville Laura Van Etten (RRAC)	Consider adding the segment of Frederick Road from Old Hundred Road to Hyattstown Mill Road to the Program. It is within the Hyattstown Historic District just like the existing rustic segment of the road.	The section of Frederick Road that the RRAC is proposing to add to the program has large section of front in parking and multiple curb cuts. This part of Frederick Road is south of the recommended bypass and will therefore continue to carry too much traffic even when the bypass has been completed.
Game Preserve Road	Timothy H. Cupples (MCDOT)	“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.”	This road will be discussed at a work session.
	Laura Van Etten (RRAC)	The RRAC states that the road meets the criteria for a rustic road. According to the RRAC, “[t]raffic volumes and crashes dropped precipitously with the opening of Watkins Mill Road.” It is unclear if the proposed assisted living facility will proceed, and even if so, a single such facility will not “impair the rustic nature and qualifications of this road.”	
Glen Mill Road (Rustic)	Laura Van Etten (RRAC)	In the rustic section of the road, please add the hedgerows mentioned in the Environment section as a significant feature and also show them on the accompanying profile map.	Planning staff does not agree that the vegetation rises to the level of significant.
Glen Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridges M-0013, M-0014, and M-0015 should be significant features.	The bridges make significant contributions to the character of the road.

Road Name	Name(s)	Comments	Response
Gregg Road	Peter Ciferri (Alder Energy) Dan Seamans (RRAC)	Designate Gregg Road rustic between Zion Road and Riggs Road. The rest of Gregg Road is already rustic (and recommended as exceptional rustic), and the undesignated section is surrounded by other rustic roads (Zion, Riggs, Gregg).	Staff supports this recommendation, as does the RRAC. The current non-rustic portion of Gregg Road has similar characteristics exceptional rustic portion of the road. Additionally, the two ends of the non-rustic portion of Gregg Road are intersected by Zion Road (rustic road) and Riggs Road (exceptional rustic road).
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0119 should be a significant features.	The bridge makes a significant contribution to the character of the road.
Haviland Mill Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0098 should be a significant features.	The bridge makes a significant contribution to the character of the road.
Holly Grove Road	Ellen and Endel Mann Judy Mauldin (HGHPA) Jean Thomas Moore (HGHPA) Quentin Remein (CCA) Patricia Thomas (HGHPA)	Designate Holly Grove Road south of Norwood Road a rustic road. Holly Grove is a significant historic community established c. 1880 after Quakers sold land to formerly enslaved individuals. Several descendants of the original inhabitants still live on Holly Grove Road and Awkard Lane. HGHPA requests to correct a misstatement in the 1997 Cloverly Master Plan that states the road has no historical significance or rural characteristics. HGHPA also notes the undisturbed streams along Holly Grove and Awkard that eventually feed into the Northwest Branch and provide habitat for fish. HGHPA provided details of the early inhabitants of the Holly Grove community.	Staff agrees and the current plan draft includes this recommendation.
Holsey Road	Warren Fleming (DCC) Rev. Gloria Lyles Rose Ziegler	Oppose designating Holsey Road as a rustic road because it will limit the necessary upgrades to the road (drainage features, lights, widening, etc.) with the development to properties nearby. The main concern is inadequate fire truck access because of the narrow road. There are also safety concerns because of the blind curves.	Holsey Road is surrounded by the 5-acre RC zone and, at the end, the 25-acre Ag Reserve zone. Furthermore, the properties along this road are in sewer category S-6 due to the distance from existing sewer infrastructure and the environmental sensitivity of being in the Patuxent PMA. Substantial development is not possible along this road. The concerns laid out are common to all rustic roads and have not presented obstacles to additional houses being built or prevented first responders from reaching houses along the road.
	Laura Van Etten (RRAC)	The RRAC respects the position of the former residents of Holsey Road and is disappointed that the community does not support the designation.	

Road Name	Name(s)	Comments	Response
Howard Chapel Road	Robert Butts (Waradaca)	The road has become a busy commuter route, with morning backups common. It is also a popular bike route and safety is a concern, with the road's blind corners, lack of shoulders, and standing water on the south end with any heavy rain.	See discussion of maintenance issues discussed above.
	Jim Quinn	Howard Chapel Road needs better maintenance.	See discussion of maintenance issues discussed above.
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0123 should be a significant feature.	The bridge makes a significant contribution to the character of the road.
Hoyles Mill Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe that park roads should be rustic roads because they are closed to traffic and function more as park trails.	See discussion under M-NCPPC Park Roads above.
Hughes Road	Barbara Hoover	[Provided photo of road with fall colors after a rainfall.]	Acknowledged.
Hyattstown Mill Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe that park roads should be rustic roads because they are closed to traffic and function more as park trails.	See discussion under M-NCPPC Park Roads above.
Johnson Road	Quentin Remein (CCA)	The CCA supports the rustic designation of Johnson Road.	Acknowledged.
Kings Valley Road	Laura Van Etten (RRAC)	Please add "historic alignment including a jog in the road at Kingstead Road" to the significant features.	Planning staff will review the plan's language and make revisions if necessary, but the jog is part of the historic alignment and the plan also contains a recommendation to not realign the road at the jog.
Lewisdale Road	Laura Van Etten (RRAC)	Please add hedgerows to significant features as mentioned in traveling experience and as located on map.	The hedgerows in question appear to be a disorganized growth of trees and shrubs along the road and not worthy of preservation as significant features.
Link Road	Timothy H. Cupples (MCDOT)	<p>"Link Road is proposed to be removed from the program. As the recent update to Chapter 49 does not provide a new default classification for Rustic Roads, I suggest including a new classification here. 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." (Applies to text on page 31.)</p> <p>p. 58: '1st Paragraph, Last Sentence - Change "accident" to "crash."'</p>	<p>Staff will review and propose a classification. Staff has followed proper noticing procedures for the functional master plan, which does not include notifying individual residents of changes along the roads that they live on.</p> <p>Staff will change the word "accident" to "crash" to align with recent changes to County Code.</p>

Road Name	Name(s)	Comments	Response
	Laura Van Etten (RRAC)	The RRAC asks whether the residents of Link Road have been informed of our recommendation to remove it from the program. They support changing “accident” to “crash.”	
	Quentin Remein (CCA)	The Cloverly Civic Association does not object to Link Road being removed from the program.	
Martinsburg Road	Anne Sturm	As you drive along the road, you can see numerous birds from the comfort of your car, which is great for an eighty-year-old birder.	Acknowledged.
	Barbara Hoover	In her Planning Board testimony, Ms. Hoover provided a brief history of the road and included photos. [Provided as example of road designated in the Master Plan for Historic Preservation. Included photo.]	
	Steven Findlay (SCA)	Historic Linden Farm is on Martinsburg Road and people truly appreciate the location on this historic road. The road is also frequently used by bicyclists and local farmers.	
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0042 should be a significant feature.	The bridge makes a significant contribution to the character of the road.
Meeting House Road	Timothy H. Cupples (MCDOT)	“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.”	Meeting House Road is a short, dead-end, low-volume road within a Master Plan Historic District. Staff supports maintaining the current extent of the road. This recommendation will be discussed at a work session.
	Sarah L. Rogers (HM) Robin Ziek	Responding to recommendation from MCDOT to reduce extent of Bentley and Meeting House roads, Ms. Rogers states, “These roads are included in the Heritage Montgomery African American History Driving Tours and other tour site descriptions. These highly historic and outstanding roads should remain in the program for their entire lengths and continue to be fully protected by it.” “This will further degrade the historic character of both Bentley and Meeting House Roads.”	

Road Name	Name(s)	Comments	Response
	Laura Van Etten (RRAC)	The combination of being within an historic district and an overlay zone “assures comprehensive reviews of all changes and compatibility with the exceptional rustic road designation.” Ms. Van Etten provided numerous reasons why this road should remain rustic.	
Montevideo Road	Christopher Marston Eileen McGuckian (MPI)	The c. 1910 truss bridge on Montevideo Road is a great example of preserving an historic bridge rather than replacing it with a modern structure. The recent Michael Dwyer Award for Rehabilitation from Montgomery Preservation is a great example of the partnership between the RRAC and MCDOT.	Acknowledged.
Moore Road	Lori Larson	[Provided photos showing water running into and across Moore Road after a rainstorm.]	Acknowledged. Roads in the Rustic Roads Program need to be maintained so that they are safe in all types of weather events.
Mount Carmel Cemetery Road	Kevin Foster	In support of the staff designation of the entire length of Mount Carmel Cemetery Road as a rustic road.	Acknowledged.
	Laura Van Etten (RRAC)	Please add the mature trees along the south side of Mount Carmel Cemetery Road as a significant feature.	While staff appreciates trees along roads, staff does not believe they rise to the level of significance.
Mount Ephraim Road	Michael Jamison	[Provided photo showing vegetation encroaching into the roadway.]	Acknowledged.
	Steven Findlay (SCA)	We urge you to pay especially close attention to the preservation of this road, which is one of the “key bucolic pathways in the Ag Reserve.”	
Mount Nebo Road	Michael Jamison	[Provided photos showing the difficulties of moving large equipment due to the road’s narrowness and overhanging trees.]	Acknowledged.
	Laura Van Etten (RRAC)	Please include two one-lane culverts as significant features that are not listed in the bridge book.	Staff does not agree that culverts are significant features.
Mouth of Monocacy Road	Robert Baker	“Mouth of Monocacy road provides a scenic perimeter to the boundary of our farm.” (Adopt-A-Rustic-Road participant.)	Acknowledged.
	Laura Van Etten (RRAC)	The RRAC recommends including the B&O Railroad Viaduct as a significant feature.	Significant features are those “that must be preserved when the road is maintained or improved.” The B&O viaduct is not an element of the road that MCDOT would be able to preserve or not preserve to maintain the road.
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0043 should be a significant feature.	The bridge makes a significant contribution to the character of the road. Staff recommends this designation remain.

Road Name	Name(s)	Comments	Response
Oak Hill Road	Laura Van Etten (RRAC)	Please add mature trees to the map northwest of the power lines.	2019 aerial photographs were used to create the forested layer on the profile maps. The forested areas of the Oak Hill Road map align with the latest aerial photography.
	Quentin Remein (CCA)	The CCA supports the rustic designation of Johnson Road.	Acknowledged.
Old Bucklodge Lane	Miriam Schoenbaum (BHS)	Supports reclassifying Old Bucklodge Lane exceptional rustic. [Provided photos.]	Acknowledged.
	Barbara Hoover	[Provided photo of hunting dogs and equestrians on road.]	
Old Hundred Road (MD 109)	Leslie Saville Caroline Taylor (MCA)	Ms. Taylor requests that we not remove the recommended section of Old Hundred Road from the program. The crashes on this road are in the vicinity of the I-270 interchange, which the Clarksburg master plan recommends closing. Instead, “[a]dd language indicating support for changes to the interchange area to improve safety and reduce crashes.” Ms. Saville suggests that the road remain rustic unless the master plan specifically changes the recommendations from the 1994 Clarksburg plan regarding closing the interchange. As an interim measure, she suggests that we “add language to the plan supporting safety improvements in the vicinity of the interchange.”	Planning staff will raise these concerns at a work session.
	Laura Van Etten (RRAC)	RRAC does not agree this segment should be removed from the program because of the intersections with I-270. It currently meets the criteria of a rustic road.	
	Timothy H. Cupples (MCDOT)	MCDOT does not believe that state roads should be rustic roads.	See discussion under State Roads above.
Old Orchard Road	Quentin Remein (CCA)	The CCA supports the rustic designation of Old Orchard Road.	Acknowledged.
	Timothy H. Cupples (MCDOT)	The end of Old Orchard Road is on the DBU list. MCDOT does not believe roads on the DBU list should be rustic roads	The road was added to the program before the DBU policy was created. Planning staff suggest the policy be updated to clarify how the road can be improved to be accepted for maintenance.
Peachtree Road	Steven Findlay (SCA)	We urge you to pay especially close attention to the preservation of this road, which is one of the “key bucolic pathways in the Ag Reserve.”	Acknowledged.
Poplar Hill Road	Carol Allen	Support continuance of road as rustic. Likes history of the road; wildlife sightings; natural beauty; enjoyment by cyclists, dog walkers, and joggers.	Acknowledged.

Road Name	Name(s)	Comments	Response
	Timothy H. Cupples (MCDOT)	All of Poplar Hill Road is on the DBU list. MCDOT does not believe roads on the DBU list should be rustic roads	The road was added to the program before the DBU policy was created. Planning staff suggest the policy be updated to clarify how the road can be improved to be accepted for maintenance. Planning staff suggests removing the rustic designation of the part of the road that has been removed.
Prescott Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe that park roads should be rustic roads because they are closed to traffic and function more as park trails.	See discussion under M-NCPPC Park Roads above.
Prices Distillery Road	Carole and Paul Bergmann	[Provided photos of road, farm field, and view of Sugarloaf Mountain at sunset.]	Acknowledged.
	Melanie and Steve Kurimchak	[Provided photos of a corn field at sunset and a rainbow over a cornfield.]	
Query Mill Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridges M-0020 and M-0329 should be significant features.	The bridges make a significant contribution to the character of the road. Staff recommends these designations remain.
River Road (Exceptional Rustic Segment)	Linda Lewis	River Road is currently unhealthy and unsafe. The gravel creates dust and contains asbestos. In Fall 2021, MCDOT tilled the road and added chemical to try to solve the dust problem, but the problem persists. Article 7 of Chapter 49 in the code states that “The Director of the Department of Public Works and Transportation may waive the maintenance and improvement guidelines above in the event of an emergency representing urgent and imminent threat to public safety.” [Provided photos showing muddy road, water standing on road, and ice forming on road because of bad drainage.]	MCDOT is currently addressing this issue. County Code states that rustic roads must remain safe.
	Laura Van Etten (RRAC)	Ms. Van Etten provided additional background information on this issue.	
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0040 should be a significant feature.	The bridge makes a significant contribution to the character of the road. Staff recommends the designation remain.
River Road (Non-Rustic Segment)	Scott Plumer (DCA)	“The section of River Road from just west of the bridge over Seneca Creek to the junction of MD-190 River Road and MD-112 Seneca Road needs bikeable shoulders.”	This segment of River Road is not a rustic or exceptional rustic road.

Road Name	Name(s)	Comments	Response
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridges M-0038 and M-0039 should be significant features.	The bridges make a significant contribution to the character of the road. Staff recommends the designations remain.
Rocky Road	Paula Linthicum	[Provided photo showing vegetation encroaching into road.]	Acknowledged.
Schaeffer Road	Miriam Schoenbaum (BHS)	Maintain the eastern extent of Schaeffer Road between Burdette Lane and Central Park Circle/Germantown Park Drive. [Provided photo of one-lane bridge and Osage orange.]	This segment of Schaeffer Road has a very modern road design and should not remain in the program.
	Caroline Taylor (MCA)	Ms. Taylor requests that we not remove the easternmost block of Schaeffer Road from the program. Although the road was widened and drainage added, the road continues to meet the criteria for designation in the program, “and retaining this section helps to protect Burdette Lane and the nearby historic African American community of Brownstown.” Ms. Saville agrees, stating that it still meets the criteria for a rustic designation. She is concerned that removing roads from the program that were “improved” despite their rustic status would set a bad precedent and encourage program detractors to continue changing these roads.	The section of Schaeffer Road recommended to be removed from the program does not have the visual character that defines rustic roads. This recommendation will be discussed at a work session.
Sugarland Lane / Sugarland Road	Dolores and Gregory Milmoe	[Provided photo of St. Paul Community Church / Sugarland Ethno History Project / cemetery.]	Acknowledged.
Sugarland Road	Robert Butz	[Provided photos showing patchwork pavement repairs, vegetation encroaching into the road, and damaged agricultural transport truck.]	Acknowledged.
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridges M-0034 and M-0035 should be significant features.	The bridges make a significant contribution to the character of the road. Staff recommends the designation remain.
Swains Lock Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0022 should be a significant feature.	The bridge makes a significant contribution to the character of the road. Staff recommends the designation remain.
Sycamore Landing Road	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridges M-0031 and M-0032 should be significant features.	The bridges make a significant contribution to the character of the road. Staff recommends the designation remain.

Road Name	Name(s)	Comments	Response
Tall Timbers Road*	Mary Jane Geraci	Resident of Tall Timbers Road (a gravel road in Olney) who suggests that we consider the road for the program.	While the gravel surface is certainly unusual, the road doesn't meet the criteria for a rustic road that it be "located in an area where natural, agricultural, or historic features are predominant." While there is one small wooded section on one side of the road, the road doesn't rise to the level of "outstanding" (another criterion for designation) and it is not an area where natural features are predominant.
Tucker Lane	Bruce Clarke	People treat Tucker Lane like a speedway, making it very unsafe. Request for more police presence to patrol this road.	A master plan cannot dictate police procedures; any safety issues should be raised with MCPD. This plan supports traffic calming measures where necessary and should be discussed at a future stakeholder meeting to determine appropriate action.
Turkey Foot Road	Scott Plumer (DCA)	The termination of Turkey Foot Road at Darnestown Road (MD 28) is one of our main concerns. The historic Darnestown Presbyterian Church is at this intersection and adjacent to that is the area elementary school. These two properties are within the rural community civic and commercial core walkshed. We would like to see reduced conflicts along Turkey Foot Road in this area, including safer egress onto MD 28.	Any safety concerns along any road or intersection in the county should be raised with MCDOT and SHA. According to County Code, safety improvements are allowed along rustic roads.
Wasche Road	Eric Spates	[Provided photos showing ice patches where water has not drained from the road.]	Acknowledged.
West Harris Road	Indhu Balasubramaniam Jane Thompson	Support continuance of road as exceptional rustic, with its gravel surface, trees lining the road, and native plants.	Acknowledged.
	Barbara Hoover	[Provided photo of cyclists on the road.]	
	Michael Weigand	Mr. Weigand recommends that M-NCPPC and Montgomery County initiate a study of how to mitigate problems of gravel dust (health and visibility issues), erosion, drainage, and excessive potholes. He requests that solutions "be implemented in a manner that is sensitive to the desire for historic preservation, to the extent possible without compromising these paramount concerns."	Safety issues on rustic roads, by County Code, must be addressed. The issues raised should be discussed with MCDOT, who may decide the issue should be discussed with the RRAC to determine the best solution.

Road Name	Name(s)	Comments	Response
West Hunter Road	Laura Van Etten (RRAC)	Please add language to the significant features and also add to the map: “roadside vegetation and mature forest east of Hilliard Farm on south side of road” (the forest does appear on the map)	Planning staff has reviewed this request and believes that the roadside vegetation does not rise to the level of making it a significant feature. 2019 aerial photographs were used to create the forested layer on the profile maps. The forested areas of the West Hunter Road map align with the latest aerial photography.
West Old Baltimore Road	Barbara Hoover	[Provided as example in testimony, including photo.]	Acknowledged.
	Steven Findlay (SCA)	We urge you to pay especially close attention to the preservation of this road, which is one of the “key bucolic pathways in the Ag Reserve.”	Acknowledged.
	Robert W. and Elizabeth R. Wilbur	We use this road regularly for walks and as a connector to trails. We appreciate its historic significance, tree canopy, views, and the gravel section that includes the last remaining ford in the county.	
West Willard Road	Michael Jamison	[Provided photos showing how difficult it can be to move large agricultural equipment down the road because of its narrowness and encroaching vegetation.]	Acknowledged.
White Ground Road	Eric Spates	[Provided photo showing ice patches where water has not drained from the road.]	Acknowledged.
	Miriam Schoenbaum (BHS)	[Provided photos of historic and natural sites and features along the road.]	
	Steven Findlay (SCA)	We urge you to pay especially close attention to the preservation of this road, which is one of the “key bucolic pathways in the Ag Reserve.”	
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0048 should be a significant feature.	The bridge makes a significant contribution to the character of the road. Staff recommends the designation remain.
Whites Ferry Road	Sarah L. Rogers (HM)	The Warren Historic site in Martinsburg is a great example of a historic site that can be reached from rustic roads. It is an early post-Civil War freedmen’s community, with a one-room schoolhouse, church, and a benefit society lodge hall.	Acknowledged.
Wildcat Road	Wade Butler	[Provided photos showing crashes, a dump truck parked along the road at night with no lights, and a section near the creek in need of maintenance.]	Acknowledged.

Road Name	Name(s)	Comments	Response
	Laura Van Etten (RRAC)	Please add Bridge No. M-0068 in traveling experience.	This bridge is already mentioned in the traveling experience.
	Timothy H. Cupples (MCDOT)	MCDOT does not believe bridge M-0068 should be a significant feature.	The bridge makes a significant contribution to the character of the road. Staff recommends the designation remain.


* Comment received after close of public record.

Email


Rustic Roads




Owner

 MCP...



Email

From  Mary Jane Geraci

To  <MCP-Chair MCP-Chair>;  MCP-Chair #;  MCP-Chair@mncppc-mc.org

Cc

Bcc

Subject Rustic Roads

Date Sent

Date Received

12/20/2022 11:23 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good morning,

I just received an email regarding rustic roads in Montgomery County. I realize the official deadline has past, but since this is the first I'm learning of the plan, I would like to nominate Tall Timbers Road for consideration.

Please let me know if there is anything else I can do. Our road is gravel. For some reason back when yhe road was first built, the County didn't have regulations for builders to pave the road. The five houses on the street have to maintain the road which just doesn't seem right. All of the homeowners, with the possible exception of a home owned by Medstar Montgomery are owners who arrived on Tall Timbers within the last 8 to 20 years. Much after the road was first installed.

Any help or guidance you can provide would be greatly appreciated. Thank you.

Sincerely,
Mary Jane Geraci
2500 Tall Timbers Road
Olney, MD

Attachments

File Name	File Size (Bytes)	
0 - 0 of 0 (0 selected)		
		Page 1

From: [WIRELESS CALLER](#)
To: [Pratt, Jamey](#)
Subject: Voice Mail (52 seconds)
Date: Thursday, January 5, 2023 12:13:56 PM
Attachments: [audio.mp3](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi, my name is Elizabeth Simons. I live in Oneida. Question about 2 Local Matters 1. The designation of Emory Church Road is a rustic Rd. I live on Emory Church. I would love to have it designated as such and I didn't know if there is a chance for Community input on that. That's my first question. Second question is I thought I had period that there was a proposal to put sidewalks on part of Old Baltimore Rd near Hollowell and Georgia Ave and again I would be in favor of that and wondered if there was a chance for Community input. Could you please give me a ring back or text me and let me know about these two issues? Again, my name is Elizabeth Simmons live at 2800 Emery Church Road and only 3016412039. If I don't pick up. Please feel free just to leave a voice message. Thank you.

You received a voice mail from [WIRELESS CALLER](#).

Thank you for using Transcription! If you don't see a transcript above, it's because the audio quality was not clear enough to transcribe.

[Set Up Voice Mail](#)



Maryland DEPARTMENT OF PLANNING

December 22, 2022

Tanya Stern, Acting Planning Director
Montgomery County Planning Department
2425 Reddie Drive, 14th Floor
Wheaton, MD 20902

Re: Review of Montgomery County Planning Board Draft Rustic Roads Functional Master Plan Update

Dear Director Stern:

Thank you for reaching out to Maryland Department of Planning (Planning) to provide comments on the Montgomery County Planning Board Draft Rustic Roads Functional Master Plan Update (Draft Plan). It is our understanding that this Draft Plan is the basis for public workshops to begin in January 2023 with the Montgomery County Planning Board.

As a charter county, a formal 60-day Clearinghouse review is not required. However, the Maryland Department of Planning (Planning) agreed to facilitate informal comments to relevant state agencies. The plan was circulated to the Maryland Department of Transportation (MDOT); the Maryland Historical Trust (MHT); and Planning's Local Technical Assistance and Training, Resource Conservation and Infrastructure and Development Units. Planning did not receive comments from any state agencies other than MHT, whose comments are included below. Any comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by Planning, they will be forwarded to the county in a timely manner.

If you have any questions or concerns regarding these comments, please email the Maryland Capital Regional Planner, Susan Llareus at susan.llareus@maryland.gov.

Sincerely,

Charles Boyd, AICP, Director
Planning Coordination

cc: Tanya Stern, Acting Planning Director, Montgomery County
Robert Kronenberg, Deputy Planning Director, Montgomery County
Joseph Griffiths, Local Assistance and Training Manager, Maryland Department of Planning
Susan Llareus, Regional Planner for Maryland Capital Region, Maryland Department of Planning



**Maryland Department of Planning
Review Comments
December 2022**

Montgomery County Planning Board Draft Rustic Roads Functional Master Plan Update

The Montgomery County Planning Board Draft Rustic Roads Functional Master Plan Update (Draft Plan) was sent to The Maryland Department of Planning (Planning) on November 1, 2022 and Planning sent the Draft Plan to two state agencies including the Maryland Department of Transportation (MDOT) and Maryland Historic Trust (MHT) for comment on November 15, 2022. As of the writing of this report we have only received comments from MHT. These comments are offered as suggestions to improve the Draft Plan and better address the statutory requirements of the Land Use Article (LUA). Other state agencies have not yet contributed comments. If comments from other agencies are subsequently received by Planning, they will be forwarded to the city in a timely manner.

Summary of the Draft Plan

As stated on page 6 of the Draft Plan:

“This update to the 1996 Rustic Roads Functional Master Plan has two main purposes:

1. to consider roads that have been nominated for inclusion in the Rustic Roads Program, and
2. to provide the necessary details for several roads that are currently in the program but have incomplete descriptions.”

Further, this Draft Plan “contains the text and supporting maps for a comprehensive amendment to the approved and adopted 1996 Rustic Roads Functional Master Plan, as amended. It also amends the Master Plan of Highways & Transitways, as amended and the General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George’s Counties, as amended.” (Abstract)

Planning recommends that the Draft Plan include reference to the newly updated general plan Thrive Montgomery 2050 which was adopted shortly after the publication of the Draft Plan. The Draft Plan is also an amendment of numerous previously approved plans, which is explained in the Abstract. Planning recommends a careful comparison to the Master Plan of Highways and Transitways as this Draft Plan amends that functional plan.

The area of Draft Plan covers the entirety of Montgomery County, and the plan boundary is coterminous with the county boundary but emphasizes that nearly all the roadways (except one) are within the Upcounty Planning Area. Upcounty covers the Agricultural Reserve and the outer ring of land beyond Midcounty. It is noted that “Rustic roads also border three municipalities—Gaithersburg, Poolesville, and Brookeville—that have independent planning and zoning powers and are not included within Montgomery County master plans. The segments of the roads that run through the Town of Barnesville, which also has independent planning and zoning authority, are included in the Rustic Roads Program at the request of the town, both with the 1996 RRFMP and this update.” (page 4)

Planning commends the county for the careful and extensive public participation process. County residents and local community members are the best ones who can provide meaningful insights on specific roadway conceptions and future planning of the specific roadways.

Minimum State Law Requirements for Charter Counties

Division II of the Land Use Article, Title 21, Regional District Plan, Subtitle 1, Section 21-104(a)(3) sets forth the requirement for certain elements within a general plan in Prince George's County.

Section 21-104 (a) Required elements. -- The general plan and any amendment to the general plan shall contain:

(3) the elements required under Title 1, Subtitle 4 of this article.

Sections 406(a) and (b) of this article require the inclusion of the certain elements within the general plan, and those elements should also be part of a smaller master plan or sub-area or sector plan as refined and applicable to the purpose of the plan.

Title 1, Subtitle 4, § 1-406. Elements -- Charter counties

(a) Required elements. --

(1) The planning commission for a charter county shall include in the comprehensive or general plan the visions under § 1-201 of this title and the following elements:

- (i) a development regulations element;**
- (ii) a housing element;**
- (iii) a sensitive areas element;**
- (iv) a transportation element; and**
- (v) a water resources element.**

(2) If current geological information is available, the plan shall include a mineral resources element.

(b) Permissive element. -- The planning commission for a charter county may include in the plan a priority preservation area element developed in accordance with § 2-518 of the Agriculture Article.

Maryland State Visions (Section 1-201. Visions) of the Land Use Article (LUA)

The Planning Commission must also implement the 12 Maryland State Visions (12 Visions) through the general plan, and those visions should be reflected in subsequent underlying amendments to plans, such as a functional plan. The Draft Plan lists the Visions on page 1 within the Introduction Section of the plan. Planning suggests that the plan explains how the functional plan reflects the 12 Visions of the LUA. Planning encourages the county to keep the 12 Visions in mind as amendments are made to the general plan and provide justification in the functional, master and sector plans as they are developed and reference them as appropriate.

Maryland State Elements

Maryland's Land Use Article sets forth the required components of a charter county comprehensive plan but does not mandate a specific format. As such, local governments have addressed these required elements in a manner that fits the needs of their community and the resources available to respond to the issues explored during the planning process.

Conformance to Section 1-406 (a) and (b) of the LUA

The following is an analysis of the submitted Sector Plan regarding the required elements, as stated in the LUA for a charter county in accordance with Division II, Title 21, Section 104(a) Required elements.

(1) The planning commission for a charter county shall include in the comprehensive or general plan the visions under § 1-201 of this title and the following elements:

(i) a development regulations element;

The Implementation and Next Steps Chapter explains the following relating to this update:

“Regardless of their classification, roads in the county must be maintained in a manner that provides safe travel for all modes. Additionally, many roads in the Upcounty area, and more specifically in the Agricultural Reserve, need to provide for the adequate movement of farm equipment. The rustic roads laws and regulations recognize the importance of maintaining the integrity of the natural, cultural, and historic character of rustic roads while sustaining the economic viability for agricultural production along them. The scope of work for this master plan describes it as a technical update to assess new roads that have been recommended as rustic, to provide complete road profiles for those roads currently in the program lacking a full description, to consider changing the classification of existing rustic roads, and to make other minor corrections to existing road profiles. The scope of work also included an examination of current policies and related programs that together form or impact the Rustic Roads Program. This chapter contains recommendations and suggests next steps to ensure the continued successful implementation of the program in accordance with County Code.”

The Rustic Roads Program in County Code is explained on page 6 of the document, for example, scenic vistas along rustic roads must also appear on subdivision drawings. The plan includes 30 recommendations in Chapter 1 and some of which could lead to future legislation in the form of development regulations. (pages 86-93

(ii) a housing element; N/A

(iii) a sensitive areas element;

Planning recommends that the county consider if the Draft Plan recommendations meet the LUA § 1-201 requirement to “protect sensitive areas from the adverse effects of development”, as many of the rustic roads described are in areas which the county has previously, and in many other plans, identified as those that it wishes to protect.

(iv) a transportation element;

Planning recommends a careful comparison to the Master Plan of Highways and Transitways as this Draft Plan amends that functional plan. Planning also suggests that the county work closely with the MDOT to address standards and requirements of state roads for both roadway and intersection transitions.

(v) a water resources element.

The Draft Plan also mentions that rustic roads serve low-density areas, which in turn protect water quality in the Patuxent River watershed—presumably by keeping low-density areas from becoming higher density areas.

(2) If current geological information is available, the plan shall include a mineral resources element.

It is unclear if there is any mining occurring along any rustic roadways and if so, the plan could provide for special treatment to address views into the land use area.

(b) Priority Preservation Area

The Priority Preservation plan in Montgomery County was adopted in 1980. That plan provides for implementation techniques to protect and preserve agriculture and rural open space in Montgomery County. The Draft plan should be reviewed and compared to this plan for its effects on agricultural land. Since the plan shows the county's dedication to locating, evaluating, and preserving "rustic" and "exceptional rustic" roads, it supports agriculture both in letter and in spirit.

Growth Tiers

Planning recognizes that the majority of the roadways are located within the Growth Tiers 3 and 4.

General Comments

At present, according to the plan, Montgomery is home to 80 rustic roads, 13 exceptional rustic roads, "and six roads that have segments that are both rustic and exceptional rustic. Twenty-five additional nominated roads were evaluated with this plan update" (page 3). Six of the 25 were removed from further consideration and two more were removed after further consideration, for reasons described on page 22.

Also, "All currently designated rustic and exceptional rustic roads were reviewed as part of this planning effort. Many roads were lacking a complete road profile. For each of these roads, a complete road description was developed, including an introductory statement, a list of the road's significant features, the history of the road and/or of sites along the road, a traveling experience, environmental features, and technical road characteristics" (page 24). Most of the pages in the plan are dedicated to these topics.

Background

According to page 5 of the 1996 plan (repeated in this update),

The rustic roads designation is not intended to affect the use of adjoining land except in the design of access to subdivision. It is also not intended to prevent needed improvements to adjoining land uses or to the roads and bridges themselves. Because many of these roads are located in the Agricultural Reserve and serve primarily agricultural uses, it is important that their designation as rustic roads not preclude providing adequate roads for the farming community, either for moving farm equipment or getting products to market. Many of these roads already do not meet the needs of farmers for [moving] farm machinery and equipment between farms. The Master Plan acknowledges the importance of maintaining agriculture as a viable industry in the County's economy and, for this reason, supports improvements that are necessary to support the business of farming and land use patterns within the Agricultural Reserve now and in the future.

Rustic Roads Support the Agricultural Reserve

Page 10 describes how the Rustic Roads program supports the Agricultural Reserve (as well as complementing other county plans). Early county highway plans called for many roads to become four-or-six lane highways to serve expected development. The Functional Master Plan for the Preservation of Agriculture and Rural Open Space in Montgomery County (AROS), adopted in 1980, called for leaving rural roads alone for 15-20 years to discourage the conversion of farmland. (AROS also introduced many of the current features of Montgomery County's farmland preservation program.) As protection of the Ag Reserve has evolved, the maintenance of rustic roads has supported agriculture while discouraging residential development.

Forests and Trees

This section describes other benefits of rustic roads.

Page 14:

Rustic roads often form the edge of forest stands. Others pass through forested areas and provide the exceptional experience of moving through a tunnel of forest. Rustic roads can also be lined by hedgerows, ranging from scattered individual trees to hedges so thick that they appear to be forest from the road. Though not considered forest, they can also create a closed overhanging canopy. In a variety of forms, roadside vegetation can be one of the defining characteristics of the rustic road travel experience.

Conclusion

The Draft Plan is thorough, supportive of and dedicated to enhancing the Agricultural Reserve. Planning suggests that if the plan has not been sent to the Montgomery County Office of Agriculture that their input may provide further insight.

Attachment D

2013 Maryland Code – Land Use Article

<https://law.justia.com/codes/maryland/2013/article-glu/> (Retrieved January 18, 2023)

MD Land Use Code § 1-201 (2013) – Visions

In addition to the requirements of § 3-201(a) and (b) of this article, a planning commission shall implement the following visions through the comprehensive plan described in Title 3 of this article:

- (1) quality of life and sustainability: a high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment;
- (2) public participation: citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals;
- (3) growth areas: growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers;
- (4) community design: compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archaeological resources;
- (5) infrastructure: growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;
- (6) transportation: a well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers;
- (7) housing: a range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes;
- (8) economic development: economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged;
- (9) environmental protection: land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources;
- (10) resource conservation: waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved;

(11) stewardship: government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection; and

(12) implementation: strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, State, and interstate levels to achieve these visions.

COMCOR - Code of Montgomery County Regulations

ARTICLE VII. RUSTIC ROADS PROGRAM, SEC. 49-79 MAINTENANCE AND IMPROVEMENTS — REGULATIONS

COMCOR 49.79.01 Rustic Roads

49.79.01.01 Authority

Chapter 49, Article VII, of the Montgomery County Code, 1994, as amended entitled “Rustic Roads,” at Section 49-79 authorizes the following guidelines for maintenance and improvements within the rights-of-way of roads designated as rustic roads or exceptional rustic roads in the Approved and Adopted Rustic Roads Functional Master Plan, or any other Approved and Adopted Master Plan.

49.79.01.02 Definitions

Agricultural Equipment means all farm equipment including equipment owned or utilized by non-farmers to service farms and farm related operations. This includes transport and supply trucks

Master Plan means any Approved and Adopted Master Plan.

Permittee means any organization, individual or entity which as been granted a permit by the Department of Permitting Services to perform work within the public right-of-way.

Significant features means those features identified as significant by the County Council when classifying the road as a rustic road or exceptional rustic road.

49.79.01.03 Application Process and Eligibility Analysis

A. Application

A request for maintenance of, or improvements to a rustic or exceptional rustic road may be made by a farmer or other business operator, Public Agency, local citizen association, or resident in any area which is served by a rustic road. Requests must be made in writing, on an application form supplied by the Department, to the Department of Public Works and Transportation, Division of Engineering Services. Additionally, the Department may implement safety improvements to rustic roads, consistent with these guidelines. Finally, the County may require safety improvements, consistent with these guidelines, in conjunction with the development approval process.

B. Eligibility and Project Development

This regulation applies to any road that is designated in a master plan or shown on the Rustic Roads Interim List, Exhibit A of the Rustic Roads legislation as amended.

1. Citizen or Department of Public Works and Transportation Initiated Improvements

Upon receipt of a request for improvements to a rustic or exceptional rustic road, or whenever improvements are initiated by the Department of Public Works and Transportation, the Department must assess the area proposed for improvements by conducting an engineering study. The study will identify possible improvements consistent with these regulations, that are appropriate for the road.

The Rustic Roads Advisory Committee will review the Department of Public Works and Transportation proposal at their next scheduled meeting and forward comments to the Director, Department of Public Works and Transportation. Upon approval of the project by the Director of Department of Public Works and Transportation, the project will follow the current Capital Improvements Project process, including Mandatory Referral requirements.

2. Improvements in Conjunction with the Development Approval Process

When the County requires improvements to rustic or exceptional rustic roads in conjunction with the Development Approval Process, they must be done in accordance with these regulations. Roads on the Interim List must be submitted to the Rustic Roads Advisory Committee for their identification of significant features. As part of the Preliminary Plan submittal, an applicant must use these regulations to identify proposed modifications to rustic roads that have been identified in the Master Plan. In reviewing the Preliminary Plan, the Department of Public Works and Transportation will evaluate the proposed improvements and set requirements consistent with these regulations. Planning Board approval of the Preliminary Plan constitutes approval of the Department of Public Works and Transportation's required rustic road improvements.

Following approval of the Preliminary Plan, the applicant must apply to the Department of Permitting Services for a permit to perform work within the right-of-way of a rustic road. The Department of Permitting Services must utilize these regulations in reviewing the proposed work.

Compatibility with master plans - The Department of Public Works and Transportation must evaluate whether the proposed plan complies with approved and adopted master plans. Any "Planning Board Draft" master plan for the area must also be considered.

Reclassification of Roads

Roads designated by Master Plan as rustic or exceptional rustic must be improved in accordance with these regulations. Removal of a road from or addition of a road to the rustic roads program, or reclassification of an exceptional rustic road to a rustic road, or vice versa, must be done by an amendment to the Master Plan of Highways.

49.79.01.04 Maintenance and improvement guidelines

I. Maintenance of Rustic and Exceptional Rustic Roads

A. Roadway and Bridge Maintenance

1. Level of Maintenance

A rustic or exceptional rustic road will receive the level of maintenance as necessary to assure its continued viability as a transportation facility and to allow for safe travel by motorized vehicles, and agricultural equipment. Maintenance will be provided at a level no lower than existed at the time of designation, while still preserving the rustic qualities of the road.

2. Regular Maintenance

The rustic or exceptional rustic road classification will not exclude roads from regular maintenance.

3. Winter Maintenance

Normal winter maintenance practices will be performed by the Department of Public Works and Transportation on rustic and exceptional rustic roads.

4. Drainage

The Department will maintain storm drainage where necessary to prevent damage to the road or to adjacent private property, possible washouts and other problems which may be detrimental to proper safety. Maintaining storm drainage may include the removal of trees if vegetation has been allowed to grow in old drainage ditches.

5. Bridge Repairs

The Department of Public Works and Transportation must make bridge repairs in a manner that preserves the rural characteristics of the roadway and the bridge structure.

6. Guardrail Replacement

If a guardrail is to be replaced, the Department must use a material that maintains the existing rustic appearance of the roadway. Guardrails must meet all applicable safety standards.

B. Right-of-Way Maintenance

1. Undesirable Vegetation

The Department will control undesirable vegetation in the right-of-way, as needed to assure proper maintenance and safety, through mowing, or selective cutting. When necessary, herbicides will be used in a judicious and prudent manner. Any vegetation classified as noxious

vegetation under County or State law is considered undesirable and may be removed without regard to its impact on rustic roads.

2. Mowing

The Department will perform right-of-way mowing as necessary for health, safety and ecological reasons such as controlling noxious weeds. Where appropriate and feasible, maintenance activity will protect desirable vegetation adjacent to a rustic or exceptional rustic road.

3. Tree Maintenance

The Department will perform or permit tree maintenance or removal along rustic roads as necessary to allow safe travel by motorized vehicles and agricultural equipment. Maintenance will be provided at a level no lower than existed at the time of designation, while still preserving the rustic qualities of the road. Right-of-way tree removal and/or pruning will be selective and will follow good forestry and landscaping practices. To the degree possible, consistent with safety and agricultural utility, the tree canopy along a rustic road should be allowed to remain undisturbed. If pruning is not sufficient, tree removal to provide adequate sight distances and for adequate farm vehicle clearance is permitted. All tree maintenance and tree removal will be in accordance with applicable State and County tree laws.

4. Litter Control

The Department will perform litter control along rustic roads, including coordination of volunteer efforts, where feasible.

C. Signs

1. Identification of Rustic Roads and Exceptional Rustic Roads

Free standing signs identifying roads as rustic or exceptional rustic roads will not be permitted in the right-of-way. The Department of Permitting Services will submit any proposal for special signs within the right-of-way, such as those identifying a historic site or scenic opportunity, to the Rustic Roads Advisory Committee for review and comment and to the Agricultural Advisory Committee for review and comment on impacts to agricultural operations.

2. Roadway Signs

Regulatory, warning, informational and other necessary road signs will be posted as needed on rustic roads.

D. Major Maintenance to Rustic Roads

Whenever major maintenance, such as roadway resurfacing, bridge deck replacement, major drainage reconstruction, or removal of a significant tree is proposed for a rustic road, the

Department of Public Works and Transportation must post public notice of such maintenance at the project site at least 30 days prior to the proposed start of work. A significant tree is defined as being greater than 30 inches in diameter at breast height.

II. Improvements to Rustic Roads

A. General Guidelines

1. Uses

When designing improvements for rustic roads, the Department of Public Works and Transportation must consider the varying transportation needs of farmers operating agricultural equipment and transporting produce to market, as well as the needs of other motorists.

When applying for a permit to perform work within the right-of-way of rustic roads, the permit applicant must consider the varying transportation needs of farmers operating agricultural equipment and transporting produce to market, as well as the needs of other motorists.

2. Safety

No changes may be made that would diminish the safety of a rustic road below the level that existed at the time of its designation

B. Modification of Road Pavement and Related Structures

1. Width Alignment and Road Surface

The width, alignment and road surface of rustic roads may only be altered to provide adequate safety, to reduce maintenance problems, to provide reasonable improvements to allow for adequate vertical or horizontal clearance or roadway pull off areas for farm equipment. Should the width, alignment or road surface of a rustic road be altered, all work shall be done in a manner as to protect the significant features which made the road eligible for its rustic designation, and design techniques and materials used shall be compatible with adjacent unaltered portions of the road. In case of relocation, the new section shall be designed to maintain compatibility with the connecting road segments.

2. Shoulders

When improving rustic roads, shoulders will be provided only if required for safety or environmental considerations, such as paving shoulders to avoid erosion.

3. Minimum Sight Distance for New Driveways, Intersections and Spot Safety Improvements

Sight distances for new driveways, intersecting roadways and safety improvements must meet the minimum standards recommended by the American Association of State Highway and Transportation Officials (AASHTO). Minimum sight distances will be 150 feet but a greater sight distance may be required based on actual roadway operating speeds. The applicant must site new driveways or intersections at a location which minimizes disturbance to significant features. In all cases, adequate sight distances will be required. In order to preserve the rustic character of the road, the Department of Permitting Services may require the permit applicant to replant trees outside the line of sight and restore other features altered to provide safe sight distances

4. Minimum Sight Distances - Alignment Adjustments

Vertical or horizontal roadway alignment adjustments to achieve adequate sight distances on rustic roads may be performed as needed to maintain existing safety levels. If such adjustments are required they must be designed compatible with adjacent unmodified roadway sections. The Department may waive or modify geometric criteria not directly relating to safety. In general, relocated rustic roads must have the same configuration, width and roadway surface as adjacent unaltered sections.

5. Bridge Replacement

Bridge replacement or rehabilitation must be of a design and material which preserves or enhances the rustic appearance of the road. Bridges must be replaced at a scale and with materials similar to those of the previously existing structure. If a different design is required for environmental, economic, or safety reasons, new bridges must be of a design and material that complements or enhances the rustic appearance of the roadway. Correction of substandard approach road geometries must be made in character with existing unmodified portions of the roadway. All new or rehabilitated structures must be designed with adequate weight bearing capacity and horizontal clearances to accommodate emergency vehicles and agricultural equipment. Actual roadway surfaces on bridge decks must be compatible in width to the width of the unaltered roadway.

6. New Guardrails

New guardrails must be of a material that maintains or enhances the rustic appearance of the roadway. Placement of new guardrails must not restrict access and movement of agricultural equipment.

C. Right-of-way Improvements

1. Utilities

Utility work within a rustic road right-of-way must conform with guidelines in this Executive Regulation. Whenever practical, roadside areas will be restored to their original condition. Pavement cutting must be minimized. If cutting is unavoidable, pavement patching must utilize materials similar to the original pavement.

2. Street Lights and Traffic Signals

Street lights and traffic signals if required, must be designed to complement the rustic nature of the road.

III. Additional Guidelines for Improvements to Exceptional Rustic Roads

A. Purpose

In order to be classified as an exceptional rustic road, a road or road segment must meet additional criteria as identified in Article VIII Section 49-78 (c) of the County Code. Since exceptional rustic roads would be more negatively affected than rustic roads by improvements or modifications to their physical characteristics, the following additional guidelines apply to improvements to exceptional rustic roads.

B. General Guidelines

All improvements to exceptional rustic roads must protect the significant features while not limiting or restricting its primary function as a transportation facility designed to meet the needs of the approved land use of the area.

C. Modification of Road Pavement and Related Structures

1. Width Alignment and Road Surface

The width, alignment and road surface of exceptional rustic roads must not be altered, except to provide adequate safety, to reduce maintenance problems, or to provide roadway pull off area for farm equipment or for a scenic opportunity.

2. Minimum Sight Distances - Alignment Adjustments

Vertical or horizontal roadway alignment adjustments to achieve adequate sight distances on exceptional rustic roads shall not be done unless the Department determines that no other alternative to achieving adequate sight distance is feasible. If such adjustments are required they shall be done in such a manner as to replicate the characteristics of the adjacent unmodified roadway sections. The Department may waive or modify geometric criteria not directly relating to safety. Realigned exceptional rustic roads must have the same configuration, width and roadway surface as adjacent unaltered sections.

3. Bridge Replacement

Bridge replacement or rehabilitation must be of a design and material which preserves or enhances the rustic appearance of the road. Bridges must be replaced at a scale and with materials similar to those of the previously existing structure. If a different design is required for environmental or safety reasons, new bridges must be of a design and material that complements or enhances the rustic appearance of the road. On exceptional rustic roads, a new or rehabilitated deck should be no wider than the existing deck unless improvements are specifically needed for the transportation of agriculture related equipment, in which case the new or rehabilitated deck should be no wider than the existing approaches.

IV. Waiver

The Director of the Department of Public Works and Transportation may waive the maintenance and improvement guidelines above in the event of an emergency representing urgent and imminent threat to public safety.

V. Implementation of Guidelines

A. Responsible Agencies

The Montgomery County Department of Public Works and Transportation and Department of Permitting Services are responsible for implementation of these guidelines. All public agencies must use these guidelines when developing plans for public facilities on rustic or exceptional rustic roads.

B. Rustic Roads Advisory Committee

The Rustic Road Advisory Committee will provide comments to the Department of Public Works and Transportation on rustic road and exceptional rustic roads maintenance and improvement procedures.

VI. Effective Date

This regulation becomes effective November 26, 1996.

(Administrative History: Reg. No. 21-96AM (Method 2); Dept.: Public Works and Transportation)



RUSTIC ROADS ADVISORY COMMITTEE



Guidelines for Foliage and Tree Maintenance on Rustic Roads

In order to protect the natural beauty of Montgomery County's Rustic and Exceptional Rustic roads, the Montgomery County Department of Transportation (MCDOT) and the Rustic Roads Advisory Committee (RRAC) commit to work together on foliage and tree maintenance on rustic roads. Both parties agree that the top MCDOT priority must be the safety of the citizenry, and the next important focus is maximizing tree canopy cover in Montgomery County.

- Roadside and tree trimming process -- The MCDOT arborist will review and assign all hedgerow and tree trimming requests on rustic roads, regardless of the existence of significant features. No other MCDOT offices or parties should undertake hedgerow or tree trimming on rustic roads without direction from the MCDOT arborist. No routine trimming will be performed through 311. Emergency situations may precipitate immediate action and, in those situations, it may not be practical or safe to wait for an arborist inspection before the hazard is abated. Trees cut down and other trimming debris will be removed within 30 days of the trimming.
- Notification -- The MCDOT arborist will notify RRAC at least 30 days in advance of scheduled maintenance on a rustic road with protected tree and vegetation features so that the Committee may offer guidance on protected significant features. A subcommittee will conduct a site visit to the specific location within 30 days or as soon as possible after notification; it is understood that the planned maintenance work may occur later than that. A list of rustic roads is found here which can be checked for significant features: <https://montgomeryplanning.org/wp-content/uploads/2020/03/RRFMP-combined-roads-list-20200317.pdf> (this online resource will be updated as appropriate). RRAC will review roads identified by the Office of Agriculture as frequently used for the passage of farm equipment every year between May and July and will advise the MCDOT arborist of specific locations where tree pruning is approved in advance by RRAC.
- Emergency removal of downed or dangerous trees -- If tree or brush removal is done on an emergency basis in response to a 311 request for a tree down across a rustic road, and not through the office of the MCDOT arborist, the trees cut down and other debris as trimmed by the Depot crew or other MCDOT staff during the emergency will be removed within 30 days of the trimming. RRAC recognizes that emergency situations will not proceed on the normal basis of notice and review and may arise through 311, MCPD, or FRS Personal Injury Collision.

- Desirable vegetation -- Natural fence lines and hedgerows should be preserved. Mature and specimen trees, stands of trees, and forested areas should be preserved, even if not protected features. Exceptions may be made for sight distance requirements after review by RRAC. RRAC will submit a list of locations with these features and will update the information as appropriate.
- Tree canopy -- This should remain as undisturbed as possible and may be pruned up to a height of 16 feet. On roads where the movement of farm equipment necessitates it, tree canopies should be trimmed up to a height of 18 feet overhead, and to 16 feet at the edges of the road.
- Road edge and shoulders -- Grass mowing and brush removal of specimens under 4 inches in diameter should be done within a zone no further than 6 feet from the edge of the pavement. Exceptions may be made for sight distance requirements after review by RRAC. If MCDOT intends to trim in a greater area than these measurements, notice will be provided to the Committee and the Committee will review the area within 30 days.
- Tree removal -- Removal of trees over 4 inches in diameter not dead or diseased should be upon the recommendation of the MCDOT arborist and reserved for safety reasons, such as trees at the edge of pavement on curves where there is a clear danger of vehicular impact or sight impairment, except in emergency situations.
- Evergreens -- Avoid single-sided trimming where unnatural forms are created where possible based upon rights-of-way limits and the need to maintain safe passage.
- Equipment -- The use of a brush cutting machine or vertical bush hog or brush hog will only be used where a hazardous situation must be abated. Hand trimming to clean up unsightly brush cutting will be undertaken in the following spring and summer.
- Visual impact -- Branches and tree debris from roadside pruning will be removed.

September 8, 2021