

RUSTIC ROADS FUNCTIONAL MASTER PLAN UPDATE WORK SESSION #3



Cedar hedgerow on Hughes Road, a rustic road

Description

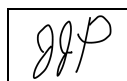
Rustic and exceptional rustic roads are historic and scenic roadways that reflect the agricultural character and rural origins of the county. The roadways provide the county with unique opportunities to promote agritourism, heritage tours, and economic development. The historic and cultural resources 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.

Completed: 02-06-2023

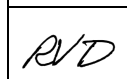
MCPB
Item No. 6
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Montgomery County
Planning Board
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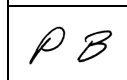
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STAFF RECOMMENDATION

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. Additional comments received immediately prior to the second worksession (Attachment A) from the Rustic Roads Advisory Committee (RRAC) and Judy Mauldin, an individual, were also considered. Planning Staff will ask the Planning Board to confirm existing plan recommendations or revised recommendations based on the testimony. At the end of the work session, Staff intends to ask the Planning Board to approve the draft plan, with all changes agreed to by the Planning Board at the work sessions, as the Planning Board Draft and to approve transmittal of the Master Plan to the County Council.

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 received during the public record period or well in advance of the second work session were summarized in the comments summary table (Attachment B); the comments received immediately prior to the second work session (Attachment A) are not included in the summary table. This is the last of the work sessions Planning Staff plans to hold to discuss the testimony received. This report outlines discussion items for the third 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 anticipated three work sessions as follows, where since-completed items have been marked with a checkmark:

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 (February 9, 2023)

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

The third work session will primarily focus on public testimony received concerning the composition and duties of the Rustic Roads Advisory Committee (RRAC), although there is also a sizable discussion about bridges carried over from the previous work sessions. Planning Staff also intends to ask the Planning Board to approve the plan as the Planning Board Draft at the end of the 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 the website for viewing the individual rustic road profiles and road recommendations.

A summary of all comments received and Staff's response to those comments was included as an attachment to the staff reports for the first two work sessions and is also attached to this report. The

full written testimony can be found as Attachments 2 – 5 included on the [Planning Board agenda website for the January 5, 2023, meeting](#), Item 8, although two minor comments received after the close of the public record were also included as an attachment to the second work session’s staff report. For oral testimony, 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 AND #2 ITEMS

The first section of this report is a continuation of items discussed at the first and second work sessions.

AWKARD LANE

At the first two work sessions, the question of whether Awkard Lane should be designated rustic was discussed. Shortly prior to the second work session, the Planning Board received new testimony from Judy Mauldin in support of a rustic designation of the road. Planning Staff agreed to review the testimony and to continue the discussion at the third work session.

Ms. Mauldin’s testimony included an analysis of the criteria to be designated a rustic road as well as several photos to support a rustic designation. She contends that the road is in an area where natural, agricultural, or historic features are predominant. Ms. Mauldin also states that the road meets the criteria of having “outstanding natural features along its borders, such as native vegetation, stands of trees, stream valleys.” Ms. Mauldin included pictures showing a one-lane gravel road passing between trees and over a small stream, but these photos were taken beyond the publicly maintained portion of the road, and therefore not eligible for inclusion in the Program. Staff agreed in the staff report for the second work session that the end of the road, beyond public maintenance, would likely qualify as rustic, but it is ineligible because it is not a public road. She also states that the stream valley presents an “outstanding rural vista,” but a stream valley is not a rural vista, which is a term used to describe various views of farmland. Ms. Mauldin also states that Awkard Lane’s location in the Holly Grove community show that it “provides access to historic resources, follows historic alignments, or highlights historic landscapes.”

Planning Staff and the Planning Board reached a consensus during the second work session that the road meets some of the criteria necessary for a rustic designation, primarily because it is within the historic Holly Grove community, but to be designated, a road must meet all the criteria. Staff does not agree that any of the natural, agricultural, or historic features are “predominant” on Awkard Lane, and therefore the road is not eligible for a rustic designation. The additional photos provided by Ms. Mauldin on the public portion of the road show a street with a typical suburban character and improvements. Therefore, Staff continues to recommend that Awkard Lane not be designated rustic.

Other programs to memorialize the historical and cultural significance of the Holly Grove community are more appropriate.

BRIDGES

BRIDGES AS SIGNIFICANT FEATURES

In the staff report for the second work session, Staff stated that they would 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. Staff recommends removing the current second sentence of the Bridges section of the Introduction chapter and replacing it with revised text. The sentence to be removed:

Many of the bridges on rustic roads have been identified as significant features.

New text to insert after the first paragraph:

While many bridges along rustic roads have been identified as significant features, none are currently locally designated historic resources, although four have been found eligible for listing in the National Register of Historic Places:

- *Bucklodge Road (MD 117) (SHA Bridge #1501800)*
- *Schaeffer Road (Mont. Co. Bridge #M-0137)*
- *West Harris Road (Mont. Co. Bridge #M-0046)*
- *Whites Ferry Road (Mont. Co. Bridge #M-0186)*

Most bridges have not been evaluated for local designation. However, recommendations in the Implementation chapter aim to address this by including additional historical details and formally recognizing bridges with historic value in subsequent limited amendments.

Staff recommends adding another new paragraph after the current second paragraph:

Maintenance and improvements of all bridges on rustic and exceptional rustic roads—regardless of whether a bridge has been identified as significant—is addressed by the existing Executive Regulations, which require that any such work must be of a design and material that preserves or enhances the rustic appearance of the road. This master plan identifies 28 bridges as new significant features in addition to the 12 existing bridges that have been so identified. (In two of these cases, the identified significant feature is listed as a stream crossing rather than a bridge.) For most of the bridges newly identified as significant features, it is the contribution the bridge makes to the rustic character of a road rather than a particular aesthetic of the bridge structure that is to be preserved. Regardless, it is essential that maintenance and improvement projects undertaken on bridges preserve or enhance the rustic appearance of the road. A new bridge, when necessary for environmental, economic, or safety reasons, must be of a similar scale to the existing bridge and the bridge deck must be compatible in width to the width of the road.

At the first work session, the Planning Board agreed with the recommendations in the Plan to add or retain these 40 bridges as significant features of the roads. The Planning Board asked for legislative

clarity—that is, a change to Chapter 49, “Streets and Roads”—on 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 and should be based on the text in County Code that the regulations are implementing. At the end of the second work session, the Planning Board agreed with Staff’s proposed language for a new Master Plan recommendation, although Staff has changed the word “maintenance” to “improvements” to be consistent with the use of the two terms in the Executive Regulations:

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

BACKGROUND INFORMATION ON BRIDGE MAINTENANCE AND IMPROVEMENTS

Staff agreed to return to the third work session with proposed language for the amendment to Chapter 49 recommended above. Before getting to the recommendations, it is important to understand some background information on how bridges on rustic roads are currently to be treated.

Significant features are defined in Section 49-78 of County Code, subitem (d), which is the most logical place to amend the Code:

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.

The Executive Regulations contain an entry titled “Bridge Replacement” under the “Improvements to Rustic Roads” section that addresses bridgework on 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, 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 “Bridge Replacement” entry under the “Additional Guidelines for Improvements to Exceptional Rustic Roads” section in the Executive Regulations addresses bridge replacements on

exceptional rustic roads. It is nearly identical to the treatment of bridges on “regular” rustic roads described above, but with a few subtle differences that are discussed below:

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.

For bridges on exceptional rustic roads, a deck can only be widened if necessary for the transportation of agricultural equipment, whereas for regular rustic roads there is an additional exception for emergency equipment. (Staff is not aware of any bridge on a rustic or exceptional rustic road that cannot accommodate either.) Also, for regular rustic roads, a different design may be required for environmental, economic, or safety reasons, but on exceptional rustic roads economic reasons are not included. It would be tempting to suggest that bridges that have been identified as significant features on all rustic roads be treated the same way as bridges are currently treated on exceptional rustic roads, but this would preclude widening such bridges for safety, economic, or environmental reasons.

DISCUSSION

Currently, seven bridges on regular rustic roads and five bridges on exceptional rustic roads have been identified as significant features. For those on the exceptional rustic roads, MCDOT agrees that these five bridges plus two bridges newly identified as significant features are “significant” rather than “ordinary.” There are 13 so-called “ordinary” bridges recommended as new significant features on exceptional rustic roads. These 13 bridges have been identified as significant features because of their contribution to the character of the roads and not because of the design of the bridge themselves. An additional 11 bridges on regular rustic roads have also been recommended as new significant features, nine of which are because of their contribution to the character of their roads rather than for visual or historical interest. Although the existing regulations provide excellent guidance on the treatment of bridges, they may lead to unnecessary limits on appropriate rehabilitation and replacement options for the “ordinary” bridges.

Although many bridges found along rustic roads appear visually similar, each one makes a unique contribution to the character of its road. Staff agrees with the RRAC that including bridge-by-bridge guidance would be too specific for putting into County Code, but Staff is concerned that the current regulations are not suitable for the many “ordinary” bridges newly identified as significant features on exceptional rustic roads. Because of the unique characteristics of each bridge, it is difficult to formulate a revision to Chapter 49 that adequately covers the expected treatment of each bridge.

One of the duties of the Rustic Roads Advisory Committee is to review improvement proposals undertaken on rustic roads, including bridge projects. After MCDOT has completed an engineering study, the RRAC then reviews the project and forwards comments to the Director of MCDOT before the project can be approved and the Capital Improvements Project and Mandatory Referral processes are carried out. This review provides the RRAC with the opportunity to identify any special feature or features of a bridge that should be preserved during replacement or rehabilitation.

Although the current Executive Regulations regarding bridges on rustic roads, when combined with the required review by the RRAC, are well suited to protect these important features, Staff suggests the following changes to avoid unnecessary limits when improvements are necessary on the more “ordinary” bridges.

RECOMMENDATIONS

Staff recommends adding the following text to the end of the Section 49-78, subitem (d), where significant features are defined:

Replacement or rehabilitation of a bridge identified as a significant feature must be of a design and materials that preserve or enhance the rustic appearance of the road. Special bridge design features identified in the Master Plan should be preserved. If a different design is required for safety reasons or to accommodate the movement of agriculture-related equipment, a new bridge must be of a design and materials that complement or enhance the rustic appearance of the road

The Executive Regulations on bridge replacement and rehabilitation are already well designed to address improvements to bridges found on rustic roads. Staff drew from the existing regulations to inform the recommended change to Chapter 49, narrowing it down to the text above.

The final language for the Executive Regulations that implement the revised Code will be determined following the procedures in Chapter 2A, Administrative Procedures Act, Article II of the County Code after the Master Plan has been approved. This includes a public hearing and approval by the County Council.

DEDICATED FUNDING FOR RUSTIC ROAD MAINTENANCE

Randy Stabler suggested in his testimony that there be dedicated funding for the maintenance of rustic roads. This idea had been suggested at a few meetings between Planning Staff and members of the agricultural community. The Rustic Roads Advisory Committee agreed with the idea and submitted a letter in support of dedicated maintenance to the County Executive on December 15, 2022, in response to the Executive’s call for input on the FY2024 Budget. It is Planning Staff’s understanding that the Office of Agriculture encouraged groups it supports to send similar letters.

It seems like setting aside a dedicated pool of money for the maintenance of rustic roads separate from the money spent on maintenance of other roads in the county might allow for a better accounting on the part of MCDOT, but the structure of the operating budget is beyond the scope of the Master Plan. Staff does not propose any plan changes to address maintenance funding. However, this request should be considered by MCDOT, the County Executive, and the County Council when formulating the operating budget in future years.

OTHER COMMENTS RECEIVED

MCDOT COMMENTS

In correspondence received on January 25, 2023, just prior to the second work session, the RRAC states, “RRAC received MCDOT’s comments from staff. We have not found these comments on the January 5, 2023 Planning Board website. We ask that staff confirm that these comments are publicly posted.”

MCDOT’s comments were previously included on the [Planning Board agenda website](#) for the January 5, 2023 work session as “Attachment 1” under Item 8.

DBU POLICY

The RRAC requested an opportunity to review the language staff agreed to add to the Plan regarding the Dedicated But Unmaintained Roads (DBU) Policy. Staff proposes the following text:

Dedicated But Unmaintained County Roads

Montgomery County established a Dedicated But Unmaintained (DBU) County Roads Policy in 2009. A DBU road right-of-way is defined as one that:

- *is dedicated for public use, usually by record plat;*
- *was intended to provide public access to multiple private properties;*
- *was not constructed to county standards;*
- *was never accepted by the county for maintenance; and*
- *is not maintained by the county.*

Because roads on the DBU list have not been constructed to county standards, the county has not accepted maintenance responsibility for the roads. Instead, property owners adjacent to the road are responsible for maintenance until the road has been brought up to an acceptable standard. The county does not typically repair road surfaces or drainage facilities or provide snow clearing and ice treatment services along these roads. The DBU Policy outlines steps by which property owners can petition for and pay for road improvements to bring them up to the necessary standard.

There are currently four roads or segments of roads on the county's DBU Roads list: Belle Cote Drive, Bentley Road, Old Orchard Road, and Poplar Hill Road. These roads were all designated rustic before the DBU policy went into effect. The central issue with the DBU roads is that they must be brought up to a county standard before the county will accepted them for maintenance, and no specific county standard applies to rustic roads. The DBU policy should be revised with context-sensitive guidance on how an existing road on the DBU Roads list can be brought up to a standard that MCDOT will accept. Roads or road segments on the DBU Roads list should not be designated rustic going forward.

Staff recommends a corresponding new Plan recommendation to implement the suggestion above:

Revise the Dedicated But Unmaintained (DBU) County Road Policy to provide context-sensitive guidance on how an existing road on the DBU County Roads list can be brought up to a standard that MCDOT will accept.

ROAD WIDTHS

The RRAC expressed further concerns with the following text on page 15 of the staff report for the second work session:

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.

The RRAC is “concerned that future MCDOT staffers might misunderstand this language to give them permission to pave the entire length of the road to the maximum width given in the range. Our practice has been to document widths along each road before projects begin, and MCDOT has committed to preserving these widths. We ask that recognition of this practice take the place of the language about “changing conditions.”

Staff proposes the following revised text (underlined) in the Road Characteristics section of the Road Profiles Chapter to address this concern:

The road characteristics table 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. The width shown in the table is frequently expressed as a range because road widths vary throughout their length. Actual road widths should be documented along a road or road segment before any maintenance or improvements are undertaken.

DRAINAGE

In the staff report for the second work session, Staff committed to revising Recommendation 13 to be more explicit in its reference to the “Drainage” section of the Executive Regulations. The RRAC asks that the following points also be added:

- “Some ditches and storm drains exist on rustic roads. The criteria for rustic roads do not exclude roads from the program if such features exist—their presence should not be used as a reason to add or remove roads from the program. Adding ditches and storm drains is always discouraged.
- Culverts exist along rustic roads in many locations which, when functioning properly, prevent damage to the road surfaces by carrying water properly. A recommendation should be added to assure routine clearing of these culverts to avoid road damage.”

The current introductory text in the Drainage section is as follows:

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.

The proposed language provides additional clarity and direction. Staff proposes adding the following text to the introductory text in the Drainage section:

Some ditches and storm drains exist on rustic roads. The criteria for rustic roads do not exclude roads from the program if such features exist, but their presence should not be used as the sole reason to remove a road from the program. Adding ditches and storm drains is always discouraged, although they may be necessary for safety. Culverts under rustic roads also provide drainage in many locations. When functioning properly, they prevent damage to the road surfaces by carrying water properly.

Staff proposes the following revision to Recommendation 13:

Current:

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.

New:

13. Drainage should be maintained consistent with the Executive Regulations on “Drainage.” Use best practices to manage drainage on roads without storm drains or ditches.

The current Executive Regulation states that MCDOT “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.” Although this regulation would presumably apply to

culverts, Staff proposes the following new Plan recommendation after Recommendation 13 to be explicit:

Culverts under rustic roads should be routinely inspected and cleared. Amend the Executive Regulations on Drainage to include routine inspection and clearing of culverts.

The RRAC also requested that MCDOT provide them with their inventory of culverts so that the Committee can help identify blocked culverts along rustic roads. Staff does not support this request or that the RRAC add identifying blocked culverts as another responsibility. MCDOT is responsible for carrying out such routine inspection and maintenance.

DESIGN EXCEPTIONS

The RRAC asks that we add the note that the Federal Highway Administration allows design exceptions be reinserted in the new combined recommendation regarding design exceptions. Staff does not support this request. The Plan does not need to be specific about which agency or level of government allows design exceptions or provides funding for bridge projects.

RRAC MEMBERSHIP AND DUTIES

The Rustic Roads Advisory Committee (RRAC), with support from other groups and individuals, proposes that the number of members of the RRAC be expanded from seven to nine members. They also request that the 50 percent farm income requirement for the farmer members on the committee be removed. Several groups and individuals from the county's agricultural community are opposed to the RRAC's proposal.

BACKGROUND

In summer and fall 2022 the County Council was considering three pieces of legislation to implement the approved Complete Streets Design Guide in County Code: Bill 24-22, ZTA 22-10, and SRA 22-01. The changes to Chapter 49, Streets and Roads, were extensive and included new and revised road classifications, area types, right-of-way widths, curb radii, target speeds, sidewalk requirements, and several other minor changes. The RRAC (via Laura Van Etten, Committee Chair) and an individual, Leslie Saville, submitted testimony to the County Council with suggested changes to the Code specific to rustic and exceptional rustic roads. Their testimony included suggested changes to target speeds and traffic calming measures—namely, speed humps—and a few minor technical corrections. They also recommended the above RRAC membership changes. Additional testimony was submitted by Montgomery Countryside Alliance (MCA via Caroline Taylor, Executive Director) and another individual, Eve Sandmeyer, in support of the proposed membership changes to the RRAC.

The specific proposed changes are intended to:

- A) increase the number of Committee members from seven to nine, and

- B) eliminate the requirement that the farmer members on the committee earn 50 percent or more of their income from farming.

This would be a change to County Code Section 49-80, which specifies the membership criteria of the RRAC and how they are to be appointed and confirmed:

The County Executive must appoint, subject to confirmation by the County Council, a Rustic Roads Advisory Committee. The Committee has 7 voting members. Each member must be a resident of the County. The Executive should appoint:

- (1) 3 members who are owner-operators of commercial farmland earning 50 percent or more of their income from farming, one of whom is a representative of the Agricultural Advisory Committee;*
- (2) one member who knows rural preservation techniques through practical experience and training;*
- (3) one member who knows roadway engineering through practical experience and training;*
- (4) one member who represents civic associations located in the Agricultural Reserve; and*
- (5) one member who represents civic associations in areas located outside the Agricultural Reserve where there are rustic roads.*

The Agricultural Preservation Advisory Board (APAB) submitted testimony to the County Council opposing the changes proposed by the RRAC. The Agricultural Advisory Committee (AAC) also wrote a letter opposing the proposed changes, although this letter does not appear in County Council Staff's memorandum to the Council's Transportation and Environment (T&E) Committee.

The Transportation and Environment (T&E) Committee of the County Council discussed the proposed membership changes at their meeting on October 17, 2022. In their staff report to the T&E Committee, Council Staff supported both recommendations to modify the Committee's membership and referred to them as "substantive amendments" to Chapter 49. According to the staff report regarding the income qualification:

The percentage is difficult to quantify, and many owner-operators have non-farming income (such as investment income) which can fluctuate annually. This requirement has often been a stumbling block in filling some of the owner-operator positions.

Council Staff continues:

The Agricultural Preservation Advisory Board (APAB) opposes both proposals. They believe they would diminish farmers' influence in the decisions made by the RRAC. They claim they would allow the RRAC to select candidates that would not keep agricultural interests in the forefront.

Council staff concurs with both RRAC's proposals. The RRAC does not pick the candidates: the County Executive does. There is nothing to prevent the ACAB or the Executive's Office of Agriculture to recommend to the Executive one or more farmers to fill an open farmer position, or

an open at-large position, for that matter. Either should be able to identify legitimate farmer candidates without having to delve into one's private finances.

At the work session before the T&E Committee, Planning Staff requested that the T&E Committee and County Council defer the request to change the RRAC's membership and criteria until Planning Staff transmits the Planning Board Draft of the *Rustic Roads Functional Master Plan Update* in the coming months. Planning Staff felt it would make for better process and understanding to discuss the proposed changes to membership and criteria when considering them in context with the ongoing *Rustic Roads Functional Master Plan Update* rather than to include changes to the RRAC as part of the Code updates for the *Complete Streets Design Guide*. The T&E Committee agreed and did not recommend the proposed RRAC membership changes as part of the CSDG changes to County Code, with the understanding that these requests would be discussed and considered as part of the ongoing *Rustic Roads Functional Master Plan Update*.

PUBLIC TESTIMONY IN SUPPORT OF THE PROPOSALS

The RRAC, via Committee Chair Laura Van Etten, submitted the same membership change requests as testimony on the Public Hearing Draft of the Master Plan. Comments supporting the proposal were submitted by:

- Montgomery Countryside Alliance (MCA) via Caroline Taylor, Executive Director
- MCDOT via Timothy H. Cupples, Deputy Director for Transportation Policy
- West Montgomery County Citizens Association (WMCCA) via Ginny Barnes, Vice President
- Leslie Saville (Individual)

The RRAC provided several reasons why they are requesting an increase in the number of Committee members:

- They are volunteers who put in an “overwhelming” number of hours of work; the current committee members are stretched thin trying to keep up.
- Because “there has never been a Black or Hispanic voting member on the Committee,” having additional members would help the Committee meet the county's Racial Equity and Social Justice goals.

In accordance with the County's Racial Equity and Social Justice efforts, the RRAC suggests that the two new members be “at-large” members who represent “the geographical, social, economic, recreational, and cultural concerns of the residents of the County.” This would allow the Committee to “draw from a broad group of other users of these roads who have different perspectives and bring fresh insight into the program.” The RRAC provided several examples of the types of groups who would qualify under the new criteria:

- residents who use and appreciate the rustic roads but are not members of a civic association
- members of historic Black churches on rustic roads

- bicyclists
- people who come on the roads to boat, kayak, hike, or fish
- someone with expertise in tourism sites or historic sites along the roads who can help promote the tourism uses of the roads

The RRAC also provided several reasons why the income requirement should be removed for the three farmer members:

- It is difficult to find full-time farmers who have time to spend on the Committee.
- The Committee does not have financial disclosure requirements for membership.
- The current income test favors long-established commodity farmers over other types of farmers, such as newer immigrant farmers 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.
- Because the Committee does not issue permits or levy fines like some other boards and commissions (for example, the Historic Preservation Commission), having an income test without requiring a submission of financial disclosure is not necessary or useful.

The RRAC also points out that many immigrant farmers lease land under the Montgomery Countryside Alliance's "Land Link" program. The "owner-operator" wording in County Code does not allow these farmers to fill the farmer spots on the Committee. Either the owner-operator requirement would need to be dropped or additional spots created to allow these other farmers to serve on the Committee.

PUBLIC TESTIMONY OPPOSED TO THE PROPOSALS

The following groups and individuals submitted comments opposed to the membership change proposal. Note that some of the individuals who submitted testimony are also represented by the groups who provided comments:

- Agricultural Advisory Committee (AAC) via Doug Lechliden, Chair
- Agricultural Preservation Advisory Board (APAB) via Michael Jamison, Chairman
- Montgomery Agricultural Producers (MAP) via Robert Cissel, Director
- Kevin Foster (Individual)
- Michael Jamison (Individual)
- Susan Jamison (Individual)
- Lori Larson (Individual)
- Tim McGrath (Individual)
- Dan Seamans (Individual and member of the RRAC)
- Randy Stabler (Individual)

Those opposed to the proposed Committee membership changes are primarily owner-operators of commercial farmland or organizations that represent these farmers, who are frequently referred to as "commodity farmers." These farmers raise commodity crops such as corn, wheat, soy, and hay on

large tracts of land using tractor trailers. Some also have large sod-production operations or orchards. The produce from these farms is typically transported by large trucks.

The commodity farmers do not support the expansion of the Committee's membership, nor do they support eliminating the income requirement for farmer members. Because none of the current RRAC members is a commodity farmer, they are already concerned that they do not have a voice on the Committee and that the two proposals will further diminish the voice of working farmers to advocate for the needs of the agricultural community. They state that current RRAC members do not understand the challenges farmers are facing on these roads and that it would be better to change the requirements to require that at least one member of the Committee specifically be a commodity farmer who moves large equipment from field to field.

According to the APAB, the primary challenges to farmers created by the Rustic Roads Program are "a lack of tree trimming, unsafe road conditions, and no or very little shoulder area, all of which combine to make moving farm equipment and tractor trailers dangerous. ... Tree branches from low-hanging trees and brush that encroaches on the roads damage farm equipment and limit sight distances." Damage to their trucks and equipment is expensive to repair and can sometimes lead to equipment being out of service when most needed for time-sensitive farm operations. As Susan 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 essential that such farmers have a meaningful voice on the Committee.

MAP 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.

The APAB and the AAC questioned the wisdom of adding roads to the Program when the Committee already feels overworked with the roads already in the Program. The APAB also questioned the RRAC's statement that it is difficult to find fulltime farmers willing to serve on the Committee when there have been times when "bona-fide farmers applied for positions on the Rustic Roads Advisory Committee and were not selected."

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 that 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 fourth farmer member. Mr. Seamans states that "[t]he Committee did not have adequate time to fully review, research or understand the long-term effects of the changes" before voting on the proposal.

RESPONSE TO OPPOSITION TO THE PROPOSALS

The RRAC submitted a rebuttal to the points made by those opposed to the proposals. They state that it is “a small number of farmers” who are against the proposals and that these farmers are already well represented by many other groups in the county, including the “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).”

The RRAC suggests that since not even a majority of farmers in the county farm as their primary occupation, the income test should be removed. They also note, “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.” They state that allowing farmers who need a second income source to serve on the Committee would acknowledge the “new face of farming” in the county and allow those farmers to provide valuable input and reiterated that it could support the county’s Racial Equity and Social Justice goals.

Robert W. and Elizabeth R. Wilbur submitted testimony calling into question some of the statements made by commodity farmers. Robert was an RRAC member until very recently. According to the Wilburs, “Committee members are quite sensitive to the needs of farmers and recognize their importance and value to the county. Many times during [Robert’s] tenure, attempts by the committee to engage commodity farmers in efforts to understand and address their concerns were rebuffed.”

MONTGOMERY COUNTY FARM FACTS

The RRAC provided statistics from the 2017 Census of Agriculture regarding the number of farms in the county and how many farmers do farming as a primary occupation. Planning Staff reviewed the [Census results](#) to provide a more comprehensive review. Some highlights from the 2017 Census for Montgomery County are shown:

- There were 558 farms operating 65,537 acres.
- The average farm size was 117 acres, while the median farm size was 25 acres.
- 43,201 acres of cropland were harvested on 273 farms.
- Farm sales totaled \$42,581,000 (crop sales \$37.8 million and animal product sales \$4.8 million).
- 414 out of 1,055 agricultural producers (39%) indicated that farming was their primary occupation.
- 213 farms reported crop sales; 241 farms reported sales in animal products.
- 395 of the 558 farms (71%) reported sales under \$10,000; 57 farms (10%) reported sales over \$100,000; average sales were \$76,310 per farm. The 235 farms that made less than \$1,000

averaged \$136 in farm income; the 25 farms that made over \$500,000 per year averaged \$1,240,340 in farm income.

- 47 farms reporting sales of grains, with soybeans being the crop grown on the most farms (35), followed closely by corn (34) and wheat (29). These farms make up the overwhelming majority of the 43,000 acres of harvested cropland in the county (about 14,600 acres for soybeans, 12,000 acres for corn, 7,800 acres for wheat – some fields support more than one crop per year). These 47 farms reported \$17,025,000 in grain sales.
- There were also 8,878 acres of forage crops (hay and similar) in the county harvested on 177 farms.
- 37 farms reported sales of vegetables, melons, and potatoes from 457 acres. These 37 farms reported \$3,134,000 in vegetable sales.
- 41 farms reported \$1,863,000 in sales from orchards from 332 acres.
- 18 farms grew nursery stock on 463 acres (sales amount not disclosed). 43 Nursery, greenhouse, floriculture, and sod farms produced \$12,911,000 in sales.

The 2017 also reports 241 farms with horse and pony operations in 2017 with 2,932 horses and ponies. However, the county's Office of Agriculture shows 328 horse operations with 10,000 horses. This number reflects the results of the [2010 Maryland Department of Agriculture's Equine Census](#), which listed Montgomery County's inventory as 7,900 horses, plus an Office of Agriculture survey that showed that over 2,000 horses owned by county residents but kept outside of the state for some period of the year from. The point is that there are a lot of horse farms and a lot of horses in Montgomery County. As stated on the county's [Office of Agriculture website](#), "This represents a tremendous opportunity for local farmers in terms of the supplies, services, and products needed to support the horse population, which exceeds the population of all other livestock combined." But it's difficult to assign an exact dollar amount to this activity.

DUTIES OF THE RRAC

In order to understand the need to expand the Committee or change the income requirement for the farmer member, it is important to understand what the Committee's responsibilities are. The duties and responsibilities of the Committee can be found in two places: In Article 49, Streets and Roads, and in Article 50, Subdivision of Land. Executive Regulations associated with Article 49 also specify duties to be performed by the RRAC. The Committee also performs "courtesy reviews" of development plans and driveway permits for projects on rustic roads.

COUNTY CODE SECTION 49-80:

(e) Duties. *The Committee must:*

- (1) *promote public awareness and knowledge of the County rustic roads program;*
- (2) *review and comment on classification of rustic roads and exceptional rustic roads;*

- (3) *review and comment on Executive Regulations and other County policies and programs that may affect the rustic roads program; and*
- (4) *report on June 1 of each even numbered year to the Executive, the Council, and the Planning Board on the status of the rustic roads program.*

The four duties listed above are the only duties specified in Chapter 49 that the Committee must carry out. Examples of the RRAC performing these tasks:

- (1) The RRAC's information booth at the Ride the Reserve event is an example of the Committee promoting the program.
- (2) Area master plan updates and the current Functional Master Plan Update are examples of when the Committee would be asked to review and comment on the classification of rustic and exceptional rustic roads.
- (3) The Executive Regulations regarding maintenance of and along rustic roads has not been revised since 1996, but there are occasionally other county policies and programs that affect rustic roads that the Committee is expected to review and comment on. The revisions to County Code to implement the Complete Streets Design Guide is a recent example of carrying out this duty. We are also suggesting updates to the Executive Regulations as part of this Master Plan.
- (4) The Committee has published numerous biennial reports that are available on the [RRAC website](#). The most recent report was from 2016, which celebrated the master plan's 20th anniversary. It does not appear that reports were created in 2018, 2020, or 2022. This may be due to the ongoing master plan update.

CHAPTER 50, SUBDIVISION OF LAND

Chapter 50, Subdivision of Land, does not explicitly require a review by the Rustic Roads Advisory Committee for any application, although rustic roads are mentioned a few times. However, Planning Staff always requests a courtesy review of subdivision plans when located on a rustic road.

Chapter 50, Article II, Division 50.4 mentions rustic roads in Section 4.1, which relates to filing a subdivision plan. Item B.5 specifies that "existing scenic easements, scenic vistas designated by the Rustic Roads Plan, or designated historic resources" be shown on a plan drawing. These scenic vistas are indicated on the maps within the RRFMP. County Code does not specify any particular action that must occur regarding the depiction of these scenic vistas, but the 1996 RRFMP...

recommends that these views be treated under Scenic Setback Regulations..., [which] permit a setback greater than 50 feet from the front lot line to conserve the scenic value of a roadway. Further, this Master Plan encourages the preservation of views and vistas when the construction of new buildings occur. The process leading to approval of such construction should include a review directed towards retaining views whenever possible and practical. (p. 45)

All subdivision plans require substantial conformance to the area and functional master plans of which they are a part. Montgomery Planning Staff carry out this review as part of the overall

application review. Planning Staff routinely coordinates review of applications on rustic roads with the RRAC because Planning Staff and the Planning Board appreciate and value the RRAC's input on regulatory applications with respect to their potential impacts to rustic roads. Planning Staff and the Planning Board consider recommendations from the RRAC when determining substantial conformance with the *Rustic Roads Functional Master Plan*.

Section 4.3 of Chapter 50 describes the technical review of subdivision applications. Subitem 5.c states:

*Rustic roads. In approving a preliminary plan, the Board must not require improvements that are contrary to Chapter 49, Article 8 or Executive Regulations governing rustic roads. The Board may waive any requirement of Sections 4.3.E.2.b and 4.3.E.3.b that is incompatible with the rustic road or substitute any alternative requirement that is consistent with the goals of the rustic roads law. The Board may only require those improvements that retain the significant features of the road identified by the Council for preservation. If the Board is otherwise directed by this Section to require improvements that are contrary to the rustic roads law or Executive Regulations, the Board must consider the recommendations of the **Rustic Roads Advisory Committee** and evaluate the feasibility of trip reduction and alternative road improvements to the local roadway network. If the Board determines that no feasible alternative exists, it may require improvements that are necessary for traffic safety or operational requirements.*

In this case, Chapter 50 states that the Planning Board must not require improvements as part of the review of subdivision applications that would be contrary to the Rustic Roads legislation in Chapter 49, Article 8 or the Executive Regulations governing rustic roads. This allows the Board to waive a requirement that would be incompatible with a rustic road or substitute an alternative requirement that is not. It is only when the subdivision regulations require an improvement that is contrary to the Rustic Roads law or Executive Regulations that the Board would seek the advice of the RRAC and take other actions if feasible. This situation rarely arises.

Rustic roads are also mentioned in subitem 5.f of Section 4.3:

Street lights. The subdivider must provide street lights under the standards required by the Road Design and Construction Code. The Department of Transportation may waive any requirement under this Subsection for any new subdivision that abuts a rustic road if the requirement is incompatible with the rustic road, or may substitute any alternative requirement that is consistent with the goals of the rustic roads law.

Again, there is no requirement that this review be sent to the Committee for review and comments, although there is nothing prohibiting MCDOT from asking the RRAC for advice if desired.

OTHER DEVELOPMENT APPLICATION REVIEWS CURRENTLY PERFORMED BY RRAC

Conditional Use and Site Plan applications follow procedures under Chapter 59, the county's Zoning Ordinance. There are no provisions in Chapter 59 that require a review by the RRAC, although these applications must be in substantial conformance with applicable master plans, which may include the *Rustic Roads Functional Master Plan*. As with any other development plan, Planning Staff performs the master plan review of these applications. It has become customary for Planning Staff to direct applicants to send applications to the RRAC for review, but there is no requirement that they do so. Again, Planning Staff and the Planning Board appreciate and value the RRAC's input on zoning and regulatory applications with respect to their potential impacts to rustic roads and consider recommendations from the RRAC when determining substantial conformance with the *Rustic Roads Functional Master Plan*.

EXECUTIVE REGULATIONS

Several items outlined in the Executive Regulations found in [COMCOR 49.79.01 Rustic Roads](#) specify actions to be taken by the Rustic Roads Advisory Committee.

49.79.01.03 Application Process and Eligibility Analysis

B. Eligibility and Project Development

1. Citizen or Department of Public Works and Transportation [former name of MCDOT] 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.*

If MCDOT is to undertake improvements to a rustic road, they must request a review by RRAC. Only after such review should a Mandatory Referral application be submitted to the Planning Board for review.

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. [Note that the Interim List provision is no longer applicable.] 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.

MCDOT will review subdivision applications along rustic roads and ensure that required improvements to the road are consistent with the Executive Regulations and that the proposed plan complies with approved and adopted master plans. If a permit from DPS requires work within the right-of-way of a rustic road, DPS must ensure that the work requiring the permit is consistent with the Regulations. It has become customary for DPS to send permits for driveways on rustic roads to the Committee for review, but there is no requirement that they do so.

49.79.01.04 Maintenance and improvement guidelines

I. Maintenance of Rustic and Exceptional Rustic Roads

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.*

This requires DPS to submit signs within rustic road rights-of-way to the Committee for review.

V. Implementation of Guidelines

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.*

Consistent with Chapter 49, The Committee is expected to comment on changes to maintenance and improvement procedures, which are typically detailed in the Executive Regulations themselves.

To summarize the required duties of the RRAC specified in the Executive Regulations, the Committee is to advise when:

- Improvements are to be performed on a rustic road.
- DPS is reviewing a sign permit within a rustic road right-of-way.
- Maintenance and improvement procedures are considered or necessary.

GUIDELINES FOR FOLIAGE AND TREE MAINTENANCE

On September 8, 2021, Laura Van Etten forwarded a document to the other members of the Committee containing an agreement between the RRAC and the Montgomery County Department of Transportation regarding the maintenance of vegetation on rustic roads. According to the email the document was attached to, the agreement was worked out with Brett Linkletter and Richard Dorsey of MCDOT. According to Ms. Van Etten, Chris Conklin (Director of MCDOT) and Dale Tibbitts (Special Assistant to the County Executive) were also notified about the agreement.

These “Tree Trimming Guidelines” were discussed at the second work session on the Master Plan, where it was agreed that they should be reviewed by a joint meeting of Plan stakeholders to ensure a consensus on the guidelines with a further recommendation that they be incorporated into the Executive Regulations. Further duties of the RRAC that are part of the agreement are as follows:

- 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.
- **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**.
- 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.

- 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.

As can be seen above, this relatively recent agreement potentially involves a lot of review that must be performed by members of the Committee. Timely maintenance of roadside vegetation for the safe movement of agricultural equipment is a priority for members of the agricultural community. Given the short amount of time this agreement has been in effect, it is perhaps too soon for the guidelines to have had an effect. It is not known whether the Office of Agriculture has identified roads frequently used for the movement of farm equipment or whether the RRAC reviewed such a list if provided.

The Tree Trimming Guidelines are not part of County Code, nor are they included in the Executive Regulations, leaving them in uncertain territory. As mentioned above, the Master Plan recommends that Plan stakeholders coordinate and collaboratively formulate an agreement into the Executive Regulations. Staff supports the farming community on this issue, believing MCDOT is capable of vegetation maintenance without the need for oversight from the Committee, especially if the maintenance techniques are well-designed to avoid the destruction of identified significant features. However, until the stakeholder groups are able to meet and formulate an agreement, it is unknown if the agreement will result in additional duties for the RRAC.

DISCUSSION

In their testimony, the RRAC listed the duties they perform:

- “We prepare all our own meeting agendas, do all our own research, write our own letters, statements, testimony, and all other documents, and often provide minutes of meetings.
- We hold on-site meetings on the roads with development Applicants for the Planning Department’s Development Review process, we research the drawings and materials on the DAIC website, and we hear from the Applicants at our meetings, vote, and write our own letters giving our input on Subdivision plans and Conditional Use plans.
- We hold on-site meetings on the roads with MCDOT maintenance crews in order to develop our advisory recommendations for their maintenance activities.”

After reviewing the responsibilities of the Committee specified in County Code and the Executive Regulations, the RRAC appears to be carrying out more work than is required by statute. The Committee has been in place for over 25 years, and it is only within the last few years that the amount of work has become overwhelming for the Committee. It is also worth noting that much of the work

over the last two years is related to the ongoing Master Plan, where the Committee reviewed all of the new road profiles and wrote the travelling experience section for most of the new profiles. They advised on road classifications and identified significant features. But this type of work has not been required of the Committee since 1996 other than for a very small amendment in 2004. Once this Update has concluded, there will be little need in the future for such a large undertaking. There simply aren't enough potential rustic roads in the county that remain to be identified and documented.

There appear to be two options to consider regarding the Committee's membership: either maintain the same number of members but look to reduce the amount of work the Committee is doing or expand the Committee to ease the workload on individual members while also facilitating more racial and ethnic diversity in the Committee's membership. A combination of the two options is also possible.

Option 1: Reduce Committee Workload

Since many of the tasks the Committee is performing are not specified in County Code or the Executive Regulations, one way to alleviate their workload is for the Committee to limit their duties to those outlined in County Code and the Executive Regulations. Anything beyond that is a voluntary effort on the part of the Committee members. The new Tree Trimming Guidelines also added many responsibilities to the Committee, but these are not an official part of County Code or the Executive Regulations. Members of the farming community object to their review of responsibilities they believe are best left to MCDOT. Planning Staff agrees and believes that unless there is a significant feature being maintained/trimmed, the RRAC does not need to oversee trimming performed by MCDOT.

Returning to the duties of the Committee outlined in Chapter 49:

- (1) promote public awareness and knowledge of the County rustic roads program;*
- (2) review and comment on classification of rustic roads and exceptional rustic roads;*
- (3) review and comment on Executive Regulations and other County policies and programs that may affect the rustic roads program; and*
- (4) report on June 1 of each even numbered year to the Executive, the Council, and the Planning Board on the status of the rustic roads program.*

The heavy lift of advising on this Master Plan Update will soon be done (essentially item 2 and a bit of item 3 in the list above). Add to the list the duties identified elsewhere in County Code and the Executive Regulations:

- (5) review subdivision applications when the requirements of the Subdivision Regulations are at odds with the Rustic Roads law or Regulations;*
- (6) review proposed improvements to rustic roads; and*
- (7) review proposed signs within the right-of-way of a rustic road.*

These additional tasks are not frequent. The last two biennial Committee reports show an average of about four development reviews per year (seven in the 2014-2016 report and eight in the 2012-2014

report). As an alternative, Planning Staff could review development applications for master plan compliance and could also review driveway permits from DPS.

Option 2: Add Members

The other option is to add members to the Committee. The RRAC suggests that adding two new members would help to achieve the county's Racial Equity and Social Justice goals. They propose that the new members be "at-large members representing the geographical, social, economic, recreational, and cultural concerns of the residents of the County." But they do not specify how to ensure that members representing these concerns will be selected from the groups targeted by the Racial Equity and Social Justice initiative.

On the other hand, the commodity farming community has been unanimous in their opposition to the addition of two members. Currently, three of the seven members must be farmers who make at least half their income from farming, giving them a strong but minority voice on the Committee (and currently none of the members are commodity farmers, giving them essentially no voice at all). If it becomes three of nine members, there is concern their voice will be further diminished. While the RRAC suggests that commodity farmers are few in number and therefore should not have such a strong voice on the Committee, the data shows that they produce the largest portion of the farm income in the county on the majority of acreage used for agricultural production.

The RRAC suggests that changing the criteria for the *farmer* members would help open those spots to a more diverse group of individuals to serve on the Committee. An additional thing to consider is that the criteria for the four *non-farmer* members may also be limiting representation from currently unrepresented groups. It may be difficult to find members that would add to the diversity of the program who have training in rural preservation techniques or roadway engineering or are members of civic associations in areas where there are rustic roads *and* who want to serve on the Committee.

When the RRAC was first formed by Bill 20-92 in 1993, the Committee had seven members, only two of which were required to be farmers. The other two original prescribed positions were a rural preservation specialist and a roadway engineer. The other three members were at-large positions. The membership criteria were changed in 1996 with Bill 36-96, which resulted in the current membership criteria and the farmer's voice being slightly strengthened from two out of seven to three out of seven members.

Two other County boards/committees have a similar income requirement for some or all the farmer members: the Agricultural Advisory Committee (AAC) and the Agricultural Preservation Advisory Board (APAB). Both groups are opposed to the removal of the income requirement. The membership criteria for these two groups are as follows:

- APAB Membership: [Section 2B-2 of County Code](#) defines the APAB, which is composed of 5 members: 3 farmer (must earn 50 percent or more of their income from farming) and 2 non-farmer members.

- AAC Membership: [Section 2B-21 of County Code](#) defines the AAC, which is composed of 15 voting members: 12 bona fide farmers, three of which must earn 50 percent or more of their income from farming, one farm economist, and one conservationist; and 3 non-farmer members (“no significant direct financial interest in farming”). Farmer members serve three-year terms and non-farmers serve one-year terms.

While all three farmer members of the APAB must make 50 percent or more of their income, only three of the 12 farmer members of the AAC must do so. The RRAC argues that if nine of the 12 farmer members do *not* need to meet an income requirement when the primary function of that committee are to advise the county on agricultural affairs, why would all of the farmer members of the RRAC need to meet the income requirement. The RRAC also points out that commodity farmers are already represented by these two groups as well as many others, such as the Montgomery County Office of Agriculture, the Soil Conservation District, Montgomery Agricultural Producers (MAP), and the Montgomery County Farm Bureau.

The AAC, on the other hand, supports changing the membership requirements instead to *ensure* that at least one of the three farmer members specifically be a commodity farmer. One of the current requirements is that one of the three farmer members on the RRAC represent the AAC. In discussions with the AAC, Staff discovered that the AAC did not have a part in the appointment of the current RRAC member who represents them. Members are appointed by the County Executive, and the AAC was not consulted in the appointment.

RECOMMENDATIONS

RRAC MEMBERSHIP AND MEMBERSHIP CRITERIA

As noted earlier, the amount of work required of the Committee should diminish significantly after the Master Plan has been approved. In addition, the RRAC continues to take on duties outside those defined in County Code and the Executive Regulations. At the same time, revisiting the membership criteria is an opportunity to consider how to facilitate more racial and ethnic diversity on the Committee, particularly given Montgomery County’s commitment to racial equity and social justice. It is also an opportunity to consider providing a wider variety of other non-farming users of rustic roads the chance to serve on the Committee.

The RRAC has also recommended removal of the income criteria for the three designated farmer members. Staff also does not support eliminating the income requirement for the three farmer members. As pointed out in the 1996 Plan, page 5, and repeated in this Master Plan:

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. ... 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.

And, on page 9 from the 1996 Plan:

Agriculture will continue as the primary and preferred use in the Agricultural Reserve. Viable agriculture is the basic and essential foundation of County public policy in the Agricultural Reserve. This has been explicitly set forth in the 1980 Functional Master Plan for the Preservation of Open Space, related zoning statutes and other laws, regulations, and plans.

Acknowledging the continued importance of large-scale commodity production for the viability of the Agricultural Reserve, Staff supports a strong voice by the commodity farmers who rely on these roads for their livelihoods. Staff also recognizes the ongoing changes in agriculture due to agritourism and the importance of growing table crops for local consumption. Staff therefore recommends adding a non-commodity farmer category to acknowledge the presence of table crop farming in the county and help facilitate attracting racially or ethnically diverse farmers who are engaging in this type of agriculture to the Committee. Additionally, Staff supports removing the requirement that the commodity farmer member must own their farm. Staff also supports adding other categories from which the four non-farmer members are drawn. For example, we received more comments from bicyclists in support of the Master Plan than any other group, showing how important rustic roads are to them. The recommended changes would result in a total of nine members on the RRAC.

To add diversity to the Committee while continuing to give commodity farmers a strong voice, Staff recommends revising Section 49-80 as follows [where red strikethrough text is to be removed and green underlined text is to be added]:

- (a) Membership. The County Executive must appoint, subject to confirmation by the County Council, a Rustic Roads Advisory Committee. The Committee has ~~7~~9 voting members. Each member must be a resident of the County. The Executive should appoint:
 - (1) 3 members who ~~are owner-operators of~~ operate commercial farmland earning 50 percent or more of their income from farming, one of whom is a representative of the Agricultural Advisory Committee and has been recommended to the Executive by the AAC;
 - (2) one member who grows primarily table crops along a rustic road;
 - ~~(2)~~(3) one member who knows rural preservation techniques through practical experience and training, is an expert in tourism or historic sites along the roads, or is a member of a religious institution on a rustic road;
 - ~~(3)~~(4) one member who knows roadway engineering through practical experience and training;
 - ~~(4)~~(5) one member who ~~represents civic associations located in the Agricultural Reserve;~~

~~(5) one member who represents civic associations lives in an area outside the Agricultural Reserve~~ where there are rustic roads;

(6) one member who operates an agritourism business, such as a winery, brewery, farm stand, or recreation or entertainment venue on a rustic road;

(7) one member who regularly uses the roads to engage in or reach places for outdoor recreation, such as to bike, boat, kayak, hike, fish, ride horses, or go birding.

While the above changes do not guarantee that any new members will add diversity to the RRAC from any currently unrepresented group, they at least open the door to more such members by providing a larger pool of candidates to draw from when appointing new members. Additionally, the Office of Agriculture, the AAC, and the County Executive should coordinate to ensure that the farmer members earn more than half their income from farming. The recommendation that the representative of the AAC be nominated by the AAC itself should help ensure that at least one member meets the criteria, but in reality, all three should.

Staff also recommends making corresponding changes to the Plan text where the Committee's membership is discussed to explain why any changes have been proposed and recommended.

Other Committee membership options are, of course, possible:

- The seven members could remain defined as they currently are (the “no change” option).
- Keep the seven current members and add two or more from the new categories above.
- Keep the number of members at seven but choose the four non-farmer members from a broad list of categories.
- Consolidate some of the new categories or create others.
- Change the farm income requirement for one, two, or all of the farmer members.
- Add two new members, but one of them as another commodity farmer.

However, the recommendation above offers a good opportunity to balance the needs of the farming community while adding to the Committee's diversity.

DUTIES OF THE COMMITTEE

Staff also recommends that Chapter 49 be amended to specify all duties that are to be performed by the RRAC. As identified above, the Committee is also tasked with:

- reviewing and providing comments on subdivision applications when the requirements of the Subdivision Regulations conflict with the Rustic Roads law or Executive Regulations;
- reviewing and providing comments on proposed improvements to rustic roads; and
- reviewing and providing comments on proposed signs within the right-of-way of a rustic road.

Because some of the Committee’s duties are expressly listed in Chapter 49, while others are specified in Chapter 50 (Subdivision of Land) and yet others in the Executive Regulations, it is difficult to understand what is expected of the Committee. Adding their assigned duties to the list in Chapter 49 would help clarify the RRAC’s roles.

The RRAC also requests that a reference to their duties in Chapter 50 be added to the Master Plan. These duties are already described in the County Code section of the Introduction Chapter, but any changes to the duties of the Committee agreed upon at the work session will be added to the Plan.

FULL-TIME STAFF MEMBER

Robert Tworkowski, a former member as well as Chair of the RRAC, suggests that the amount of work required to coordinate, communicate, and make decisions on is enough that there should be a full-time staff person dedicated to the Rustic Roads Program with the support of the volunteers on the RRAC. The RRAC suggests that other county committees have paid county staff that carry out much of the work.

Staff does not recommend a full-time position for the Rustic Roads Program. Chapter 49 already requires that the “Chief Administrative Officer ... provide the Committee with staff, offices, and supplies as are appropriated for it.” Darcy Buckley, the current Rustic Roads Coordinator at MCDOT, carries out much of the administrative work for the Committee. Most of the other duties of the Committee require discussion and decision-making, which is necessarily carried out by the members of the Committee.

“STAKEHOLDERS”

The RRAC also requests that we revise the Plan language that refers to the Committee as one of the “stakeholders” of the Master Plan and the Rustic Roads Program, arguing that their role is to “oversee and promote” the Program as mentioned in the Plan. Staff disagrees. Any plain reading of the definition of “stakeholder” makes it clear that the term is accurate.

Because they are subject to Maryland’s Open Meetings Act, the RRAC also asks that MCDOT, the Montgomery County Office of Agriculture, and other stakeholders come to their 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 agrees and will revise the language to clarify that ideally these stakeholder meetings would be integrated into the regularly scheduled RRAC meetings.

CONCLUSION

As indicated previously, the items above will be discussed at the work session. Planning Staff does not foresee a need for an additional work session, but if it is determined during the third work session that another session is necessary, it will be added to the schedule. Otherwise, Staff anticipates that the

Board will approve the plan as the Planning Board Draft, with revisions as discussed, for transmittal to the County Council.

ATTACHMENTS

- A. New public testimony received
- B. Summary of public testimony as revised to be included in the Work Session #2 Staff Report

From: [J Mauldin](#)
To: [MCP-Chair](#)
Subject: Corrected-Rustic Road Designation-Additional Information for Awkard Lane
Date: Wednesday, January 25, 2023 9:43:20 AM
Attachments: [Awkard Lane Rustic Road .pdf](#)
[Holly Grove Road -Awkard Lane Additional Photo"s.pdf](#)

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

Good morning,

I am submitting the attached four page letter and two pages of photos to be included and read as part of the public record and disseminate to the Chair and Board members. My understanding is that the record remains open until January 24th, 2023 based on the January 5, 2023 work session.

Please confirm receipt of this email and distribution as indicated on the attached letter.

Your attention to this matter is greatly appreciated.

Sincerely,

Judy Mauldin
15520 Holly Grove Road
Silver Spring, Maryland 20905
JudyLMauldin@gmail.com

January 24, 2023

Via E-mail Only

Mr. Jeff Zyontz, Chair
Ms. Amy L. Presley, Vice Chair
Ms. Cherri Branson, Board Member
Mr. David Hill, Board Member
Mr. Robert R. Pinero, Board Member
Montgomery County Planning Board, M-NCPPC
2425 Reedie Drive, 14th Floor.
Wheaton, Maryland 20902
(MCP-Chair@mncppc-mc.org)

Re: Criteria for Rustic Road-Awkard Lane

Dear Chairman, Zyontz and Commissioners,

Thank you for your time and attention to this important matter. I understand there was a discussion about Awkard Lane at the January 5th work session, and I would like to add additional information based on the criteria used to designate a road as rustic. Below please find the legal requirements a road must meet to get a rustic designation and how Awkard Lane adheres to the requirements.

(b) *Criteria for rustic road.* Before classifying a road as rustic, the Council must find that an existing public road or road segment:

- (1) is located in an area where natural, agricultural, or historic features are predominant, and where master planned land use goals and zoning are compatible with a rural/rustic character.

Awkard Lane meets this criterion. It is located within the historic African American community of Holly Grove. The community land use is rural residential with a few home-based businesses. The community uses wells and septic systems. The zoning is RE-2C (that allows housing density of one home for each 2 acres with a cluster option when there is public water and sewer).

- (2) is a narrow road intended for predominantly local use.

Yes, Awkard Lane is a narrow, dead-end road with access from Holly Grove Road which is recommended as rustic.



Where Awkard Lane intersects at Holly Grove

(3) is a low volume road with traffic volumes that do not detract significantly from the rustic character of the road;

Yes, with about 14 homes and a very small Hindu cultural education association at the corner of Holly Grove and Awkard Lane , there is very little traffic on the road.

(4) (A) has outstanding natural features along its borders, such as native vegetation, stands of trees, stream valleys;

Yes, the eastern half of the road has a lovely tree canopy as the road descends into a stream valley and crosses the Right Fork of the Northwest Branch.



Awkard Lane view far east end

(B) provides outstanding vistas of farm fields and rural landscape or buildings; or
Yes, the stream valley presents an outstanding rural vista.



The stream on both sides of Awkard Lane



(C) provides access to historic resources, follows historic alignments, or highlights historic landscapes; and

Yes, Awkard Lane forms the spine of the eastern part of the historic Holly Grove community, established in 1879.

What is now **230, 200, 130 and 140 Awkard Lane** the original James Colly Lot 11. A ten acre trac purchased on January 8, 1883, EPB 28-126. In addition, all of what is now **101, 121, 131, 139 Awkard Lane** is part of the original John Stockett Lot 14, a ten acre trac purchased February 21, 1880, EBP 22-2 and Lot 15, the original Charlotte Budd Lot 15 a five acre trac purchased March 3, 1882, EBP 26-36 and the original Philip Stabler Lots 2, 3, 12 and 13 a twenty six acre trac purchased June 8th 1886, JA2-511 & 512.

(5) the history of vehicle and pedestrian accidents on the road in its current configuration does not suggest unsafe conditions.

Awkard Lane is safe. Planning staff confirmed that there have been no crashes on the road. The Council must not classify a road as rustic if that classification will significantly impair the function or safety of the road network. A rustic classification for Awkard Lane will not impair the function or safety of the road network.

The Holly Grove Community includes Awkard Lane. Holly Grove Road provides the egress and ingress for Awkard Lane, and its historical significance is further illustrated in the Holly Grove Historical Preservation Association's website under the "Original Settlers."

Thank you again for your time and consideration.

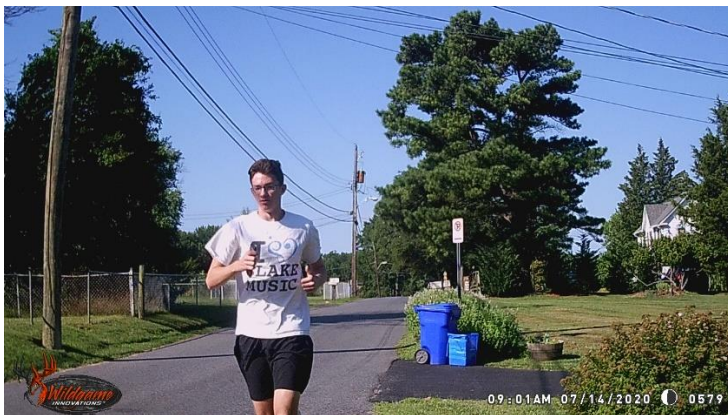
Respectfully Submitted,

Judy Mauldin
Founder, Holly Grove Historical Preservation Association
www.hghpa.org
15520 Holly Grove Road
Silver Spring, Maryland 20905

Holly Grove Road view of Bus Stop Norwood Road



Cyclist riding to Bike path at the end of Awkard Lane connects to Stonegate



Children walking down Holly Grove from Bus Stop

Joggers from Awkard Lane jogging toward Norward Road on Holly Grove Road

From: lveamazon@aol.com
To: [MCP-Chair](#)
Cc: lsaville@gmail.com; hooverb@msn.com
Subject: For RRFMP Update Worksession 2
Date: Wednesday, January 25, 2023 11:55:31 AM
Attachments: [RRAC COMMENTS WORKSESSION 2.pdf](#)

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

Dear Chair Zyontz and Commissioners:

Attached are the comments from the Rustic Roads Advisory Committee for the Worksession scheduled for Jan. 26, 2023, Item No. 10 on the Agenda.

We apologize for the spacing issues, with such limited time to prepare the comments we could not correct them.

Thank you,

Laura Van Etten
Chair, Rustic Roads Advisory Committee
19735 Mouth of Monocacy Road
Dickerson, MD 20842



RUSTIC ROADS ADVISORY COMMITTEE



COMMENTS ON RUSTIC ROADS FUNCTIONAL MASTER PLAN UPDATE WORK SESSION 2 JANUARY 26, 2023

The following two issues are most important to us:

1. On PDF page 27, Bridges, staff writes:

Staff recommends that the word "historic" be removed from the document

We do not support removing the word "historic" from the document. The entire program is an historic preservation program for roads. County Code is based heavily on the word "historic." In the very first section of Chapter 49, Article 8, the Purpose clause for the Rustic Roads Program states:

This Article establishes a program to preserve as rustic roads those historic and scenic roadways that reflect the agricultural character and rural origins of the County. Preservation of rustic roads must be achieved by retaining certain physical features of rustic roads and by certain right-of-way maintenance procedures.

The next section of the Code reads:

(b) Criteria for rustic road. Before classifying a road as rustic, the Council must find that an existing public road or road segment:

*(1) is located in an area where natural, agricultural, or **historic** features are predominant....*

We find the idea of removing the word "historic" from the document to be highly disturbing and completely antithetical to the Rustic Roads Program. We strongly oppose this proposal by staff.

2. In many places in the Master Plan and in the 111-page staff report, we note that great deference is given to the Montgomery County Department of Transportation (MCDOT) and the Montgomery County Office of Agriculture (OAG). We understand that this is a standard practice with land use plans.

Importantly, in this case, we note that the program exists because the residents and County Council objected to the standardization of these roads, and created the Rustic Roads Program to protect the roads from that standardization. Instead of strengthening the program to protect the roads, many recommendations that appear to have come from conversations with MCDOT and OAG note safety or cost considerations, which would generally undermine the program and its purpose.

- The roads have been reviewed and found safe as they are.

- Preserving roads and bridges, keeping them narrow and small, is less costly (in lives and treasure) than widening them to “meet standards.”

RRAC received MCDOT’s comments from staff. We have not found these comments on the January 5, 2023 Planning Board website. We ask that staff confirm that these comments are publicly posted.

The following comments follow by PDF page numbers in the staff report:

P. 7, Mouth of Monocacy Road. Staff writes,

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 feature 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....

In fact, both structures are 1906 B&O Railroad bridges. The issue is not whether MCDOT may affect the bridge during maintenance, but whether any action taken by any party for improvements might affect the view of the viaduct. MCDOT misunderstands the breadth of the term Significant Features, thinking they only related to the MCDOT right-of-way. In fact, designated Significant Features are also views and objects in the viewshed of the road which are far outside any right-of-way. The Planning Board’s jurisdiction under Ch. 50 extends to protecting such views and RRAC advises on these.

P. 12 Possible v. Feasible, staff writes,

There are several instances throughout the Master Plan where MCDOT has requested that we change the word “possible” to “feasible.”

In fact, MCDOT objected to the use of the word “possible” at every single point in the document, misconstruing the plain English use of the word. Using the word “feasible” weakens the requirements throughout Regulations calling for “design and material which preserves or enhances the rustic appearance of the road.” RRAC comments will address these issues separately as they arise rather than combining them as staff have here. RRAC suggests that the use of the word “feasible,” if and wherever included in the Plan, be clarified to state that “This in no way means a less compatible treatment is acceptable based upon lower cost.”

PP. 15, 99, the Draft states:

“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.”

MCDOT advocates replacing the word “possible” with “feasible.” RRAC’s view is that cost limitations should be a very minor consideration when mitigating against environmental damage to the watershed caused by development; these costs are usually born by developers and the later roadway maintenance work done by MCDOT should not undermine these existing precautions and efforts.

Maryland Department of Planning (MDP) also supports protecting water quality through programs, including the Special Protection Areas (SPAs).

P. 15, DBU Policy. Staff will be drafting language for the Introduction and Implementation chapters, but it is not included in the staff report. We wish to have an opportunity to review the language before it is finalized.

P. 15, Road Characteristics. Staff writes,

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.

We are concerned that future MCDOT staffers might misunderstand this language to give them permission to pave the entire length of the road to the maximum width given in the range. Our practice has been to document with widths along each road before projects begin, and MCDOT has committed to preserving these widths. We ask that recognition of this practice take the place of the language about “changing conditions.”

P. 16, Significant Features. Staff writes:

Staff will add text defining this term [Significant Features] 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.

We appreciate staff catching this and support the recommendation.

P. 17, Context. We requested deleting the second sentence below as it seems to imply that a “one size fits all approach” would be appropriate for Rustic Roads:

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 recommends either rewording the first two sentences or removing the first two sentences. We support simply removing these two sentences.

P. 17, the Draft states:

“This master plan supports providing for adequate drainage but recommends that a roadway design without drainage ditches be retained wherever possible.”

MCDOT recommends substituting the word “feasible” for “possible,” in an apparent effort to maximize cost considerations in their activities. RRAC’s position is that drainage ditches are almost never appropriate on a rustic road and that cost is a false consideration given that ditches almost always result in worsening of drainage problems which must then be mitigated with further costly repairs.

P. 17, the Draft states:

“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.”

MCDOT wishes to replace the word “possible” with “feasible.” RRAC’s position is that it is not cost prohibitive to avoid mowing existing plant groupings. The use of the word “feasible” is meaningless here.

P. 18: the Draft states:

“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.”

MCDOT asks that the word “possible” be replaced with “feasible.” RRAC’s position is that nothing about a backward-looking statement is changed by the use of the word “possible” rather than “feasible.”

P. 19, County Code and Executive Regulations. Staff writes:

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.

We support staff’s recommendation.

P. 20, Maintenance and Improvements. Staff writes:

Staff recommends adding language to the “Maintenance and Improvements” section stating the importance of maintenance of rustic roads.

We support this. As requested by Quentin Remein, president of Cloverly Civic Association, please also note in the added language that all maintenance needs to be done so as to maintain the rustic character of the roads.

Pp. 22-23, Foliage. Staff writes:

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.

In developing the Tree Trimming Guidelines, we sought priority tree trimming as part of regular maintenance on rustic roads where commodity farmers move large equipment, but MCDOT told us that this was not feasible. Thus, we reviewed roads pursuant to a list provided by the Office of Agriculture. The bulk of the Tree Trimming Guidelines should stand and the sentence stating that RRAC will review the roads as listed by the Office of Agriculture should be open to revision so that OAG and affected farmers may take responsibility for such reviews.

Staff continues:

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.

We suggest incorporating the Tree Trimming Guidelines by reference into the Master Plan so as to allow for any future changes that may occur, without creating a conflict between the documents.

Pp. 23-24, Road Surfaces.

RRAC wishes to reiterate that the “wash-boarding” effect on gravel roads is almost always the result of grader operators moving too quickly. As such, we support the use of Best Practices during maintenance operations.

P. 24, Drainage. Staff's recommendation for drainage reads:

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.

Staff indicates that they will be amending that recommendation. We ask that the following points be added:

- Some ditches and storm drains exist on rustic roads. The criteria for rustic roads do not exclude roads from the program if such features exist—their presence should not be used as a reason to add or remove roads from the program. Adding ditches and storm drains is always discouraged.
- Culverts exist along rustic roads in many locations which, when functioning properly, prevent damage to the road surfaces by carrying water properly. A recommendation should be added to assure routine clearing of these culverts to avoid road damage.

In order for RRAC to help to identify blocked culverts along Rustic Roads before permanent damage occurs, we request that MCDOT provide us with their inventory of culverts.

Pp. 25-31, Bridges.

This section is troubling as it ignores the history of the program and undermines its purpose. Community members sought the creation of the Rustic Roads Program in large part to protect our historic and narrow bridges. The 1910 pony truss bridge on Montevideo Road was slated for replacement, as were two more modern one-lane bridges in the Potomac Glen. These bridges are recommended for preservation under the Rustic Roads Program.

P. 27, Bridges. The recommendation to remove the word “historic” from the document dilutes the historic nature of rustic roads. The Purpose clause in Chapter 49, Rustic Roads Program, states these are “historic and scenic roadways.” We find the idea of removing the word “historic” from the document to be disturbing and antithetical to the Rustic Roads Program and ask that it remain.

PP. 27-28. Bridges. Staff provides two pertinent excerpts from the Executive Regulations. We recommend that they be added to the Master Plan or incorporated by reference in this section.

P. 28, Bridges. Staff writes:

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.

For each bridge listed as a Significant Feature, we ask that staff work with the RRAC to allow us to provide guidance. For each bridge that is over 50 years old that has not been assessed for National Register eligibility, an assessment should be performed.

P. 29, Bridge Funding and Design Exceptions. Staff supports the use of MCDOT language in the plan:

"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."

RRAC does not support this language because it seems to imply that a bridge project might take funding away from (for example) a school project. The committee has been told that with bonds funding CIP projects, funding does not transfer across programs in this way. We recommend removing the last clause of the sentence, "taking money away from other vital county programs."

P. 30, Bridge Funding and Design Exceptions. Staff proposes combining recommendations 10 and 11. We ask that the note that the Federal Highway Administration allows design exceptions be added back into the combined recommendation. The original recommendations are:

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.

P. 30, Bridge Funding and Design Exceptions. Staff writes:

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.

Because guidance currently exists in the regulations, we don't consider this to be necessary. In addition, every bridge that is identified as unique, and including bridge-by-bridge guidance would be too specific for putting into code.

RRAC REVIEW OF TESTIMONY RECEIVED

Attachment A, Summary of Testimony Received P. 12,

Staff refers to information about road users as demographics. Demographics relate to population groups; our comment is related to the most recent agricultural census data regarding the changing nature of farming and not to population groups. In addition, the comment was addressing improvements and not maintenance. Road widening would be an improvement that should not be undertaken, while road maintenance such as tree trimming is appropriate.

Attachment A, Summary of Testimony Received P. 42, the Draft states:

"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."

Again, MCDOT recommends changing the word “possible” to “feasible.” RRAC’s position is that this is a backward-looking statement where there is no difference between the words possible and feasible.

Attachment A, Summary of Testimony Received P. 76, the Draft states:

“The process leading to approval of such construction should include a review directed towards retaining views whenever possible and practical.”

Here, MCDOT comments inappropriately on something outside their jurisdiction regarding substitution of the word “feasible” for “possible.” Staff have presented this comment out of context. RRAC’s position is that MCDOT should have no opinion on what goes on outside of MCDOT’s right of way. The Committee advises the Planning Board regarding views and vistas as provided under Ch. 50 of County Code, and has nothing to do with the Road Code or MCDOT. We advise the Planning Board on views and Significant Features that are well outside of MCDOT’s jurisdiction. We object to changing this word.

Attachment A, Summary of Testimony Received P. 88: the Draft states:

“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.”

RRAC’s concern is that MCDOT will use “feasible” as a way to propose a less compatible treatment at the outset of a project based upon a preference in the Master Plan for the word “feasible,” which elevates the cost factor above other considerations. Cost is always a factor in these projects and the existing language in the Code, Regulations, and Master Plan results in cost being one of many considerations. We request that the word “possible” be retained. Planning Staff goes on to say: “These are the types of discussions that staff recommends occur periodically at regularly scheduled RRAC meetings.”

This is an example of the concerns noted at the top of this memo about inconsistent support from some MCDOT staffers. For example, MCDOT came before the Planning Board complaining about numerous roads and asking for them to be removed from the program or severely limited in their extents. This testimony was provided without any advance notice to or consultation with the Committee. Similarly, MCDOT has often moved ahead with bridge projects without timely notice to the Committee.

In addition, Planning Staff said:

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.

The status of projects when reviewed as budget items does not have any level of detail that would alert the Planning Board nor the Executive to a lesser compatible bridge treatment. In

addition, the Committee has rarely been asked for recommendations during Mandatory Referrals.

At any place in this Plan where the Board accepts the use of the word “feasible” we request that it is followed by a sentence that says: “This in no way means a less compatible treatment is acceptable based upon lower cost.”

Thank you for providing the committee the opportunity to present our views.

You may reach the Committee through our staff coordinator, Darcy Buckley, at Darcy.Buckley@montgomerycountymd.gov.

Committee Members:

Laura Van Etten, Chair

N. Anne Davies, Barbara Hoover, Charles Mess,
Kamran Sadeghi, Dan Seamans, Elena Shuvalov

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Countryside
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PRESERVATION

MONTGOMERY PRIZE

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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 Milmoe	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)	<p>‘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.’</p> <p>[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.”]</p>	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)	<p>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.”</p>	

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
	<p>Sarah L. Rogers (HM)</p> <p>Leslie Saville</p> <p>Caroline Taylor (MCA)</p> <p>Robin Ziek</p>	<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)	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.” 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.	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.