

July 16, 2025

Dear Vice Chair Pedoeem, Commissioner Bartley, Commissioner Hedrick, Commissioner Linden, and Planning Director Sartori:

I respectfully petition for reconsideration of the Planning Board's June 5, 2025 decision (June 26, 2025 resolution mailed July 10, 2025) to approve the MHP Amherst application - Preliminary Plan 120250010 / Site Plan 820250010.

I am making this request for good cause because of new information learned from planning staff and MCDOT after the hearing.

I would like to request that this petition be made available to the public by linking it to the agenda item for this reconsideration on the planning board's website.

# **1. APPLICANT'S ERRONEOUS STATEMENT DURING THE HEARING ABOUT THE LIGHTING AND STREETScape ON ELKIN STREET**

The staff report was largely silent on the lighting and streetscape plans for the Elkin Street frontage. During the 6/5/25 hearing, the applicant's attorney stated the following:

"I will note that we are upgrading the streetscape along Elkin, so the issue about the lighting is being addressed because we also agree everyone that's living there does deserve to have a nice streetscape, a well-lit streetscape and we will be providing that"

However, according to planning staff, there are no plans to implement a "nice streetscape" or a "well lit streetscape". Instead, the applicant plans to change the four existing Pepco-owned street lights from high pressure sodium to light emitting diode (LED).

The existing lighting on Elkin Street is poor. The lights are owned and maintained by Pepco and mounted on the existing wood utility poles. These are roadway scale streetlights, spaced far apart, with an average distance of 175 feet along the 700 foot frontage. Pepco is currently under a 2024 order by the Maryland Public Service Commission in response to a formal complaint about the failure to provide street lighting service that is safe, adequate, just, reasonable, economical, and efficient as required by state law. The complaint outlined issues with slow repairs, poor recordkeeping, a deficient outage reporting website and billing errors (for example Parks currently has a credit of \$56K on its Pepco streetlighting account

55017305859 after a reconciliation that resulted from a decades-long overbilling I had flagged for Parks Director Mike Riley in 2023).

**2. SITE PLAN AND PRELIMINARY PLAN FAILS TO COMPLY WITH**  
**1) THE COMPLETE STREETS DESIGN GUIDE,**  
**2) MCDOT'S AND PLANNING'S STREETLIGHTING DESIGN**  
**REQUIREMENTS, INSTALLATION PROCEDURES AND SPECIFICATIONS OR**  
**3) COUNTY'S VISION ZERO PLAN**

According to the County's Master Plan of Highways and Transitways, Elkin Street is classified as a "neighborhood connector". The Complete Streets Design Guide recommends "Pedestrian-Scale Lighting" for neighborhood connectors. The applicant's plan to make minor alterations to the existing Pepco-owned, roadway scale streetlights fails to achieve pedestrian scale lighting.

MCDOT's and Planning's Streetlighting Design Requirements document has safety standards that call for certain lighting levels. Because of the height, placement and distance between the existing Pepco-owned, roadway scale streetlights, the applicant's plan fails to meet the desired lighting levels.

Montgomery County's Vision Zero Plan S-11 prioritizes improved lighting: "improve nighttime illumination utilizing leading practices for illumination and lighting. The applicant's plan fails to comply with this recommendation.

**3. A BETTER PLAN WOULD BE TO INSTALL PEDESTRIAN SCALE LIGHTING**  
**ALONG THE ELKIN STREET FRONTAGE**

Pedestrian scale lighting could be implemented by installing underground fed, metal pole streetlights in the public right of way between the curb and the sidewalk. The lights would meet the specifications of the Wheaton Streetscape Standards and be appropriately spaced to provide the lighting levels required by MCDOT's and Planning's Streetlighting Design Requirements document. Such lights would be owned and maintained by MCDOT which has a much better track record than Pepco of providing well-maintained, energy efficient lighting that maximizes pedestrian safety by providing property levels of illumination.

#### **4. INSTALLING PROPER LIGHTING WOULD NOT UNDULY BURDEN THE PROJECT**

My estimate of the cost to install proper lighting on Elkin Street is \$75,000. This is based on the cost, per MCDOT, of a similar MCDOT infill lighting project planned for a longer stretch of roadway on the north side of Manor Road in Chevy Chase between Connecticut Avenue and Jones Bridge Rd in Chevy Chase (\$130,000). As stated above, Parks currently has a \$56,000 credit on its Pepco street lighting invoice. Because this project has a Parks component, perhaps MNCPPC/Parks could contribute these funds toward installing proper lighting on Elkin Street.

MHP Amherst is a long envisioned project which involves new housing, a new MHP headquarters building, a new Wheaton Arts & Culture Center and a new park. It would be unfortunate if such a great project in which the County, State and nonprofit housing sector are investing fails to address this important public safety issue. Future and current Wheaton residents, MHP employees and visitors deserve to move around in a safe community with a great streetscape.

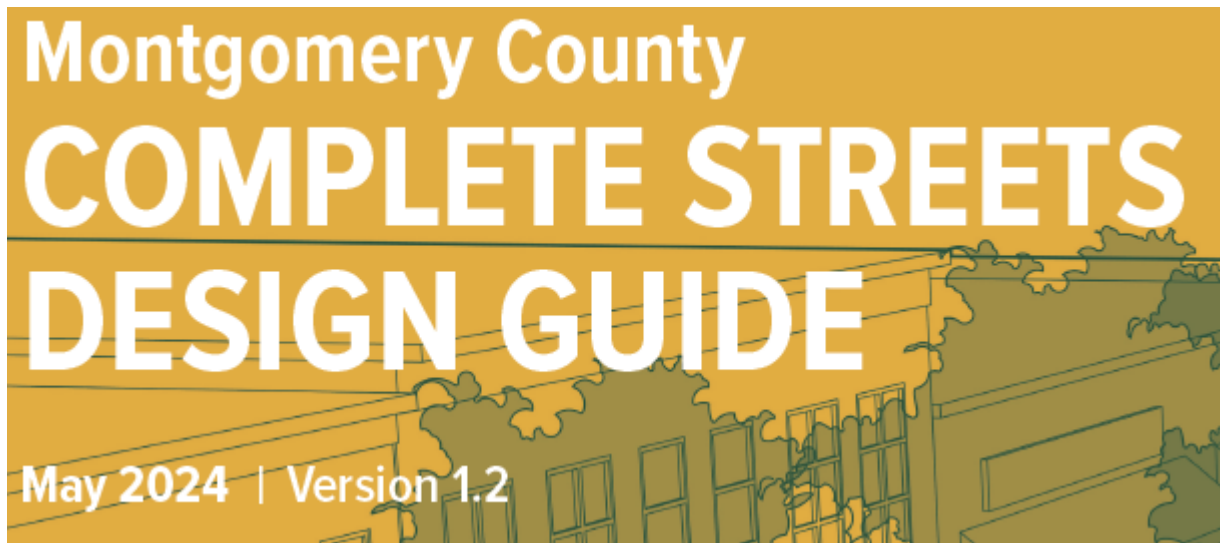
Respectfully,

Al Carr  
3904 Washington St  
Kensington, MD 20895

cc: Ms. Pat Harris (representing MHP)

attachments

## ATTACHMENT A: MONTGOMERY COUNTY COMPLETE STREETS DESIGN GUIDE REQUIREMENTS FOR NEIGHBORHOOD CONNECTORS MAY 2024



### Neighborhood Connectors – Prioritizing Street Design Features

Figure 2-62 provides a summary of Neighborhood Connector design features in four different categories and identifies what features are required, recommended, optional, and not permitted. The only design features specifically not permitted for Neighborhood Connectors are traffic diverters. Road diets are labeled as “not applicable” because the target maximum number of travel lanes is two.

Figure 2-62. Street Design Features for Neighborhood Connectors

Legend	■ Required	▲ Recommended (Context-Sensitive)	○ Optional (Context-Sensitive)	✕ Not Permitted or N/A	* Unless determined otherwise by Planning Board	<sup>1</sup> Engineering judgement needed – see Chapter 6: Intersections for details	<sup>2</sup> Required at all intersections with existing or planned separated bike lanes, sidepaths, buffered bike lanes or conventional bike lanes.	<sup>3</sup> Narrowing lanes down to default dimensions for street type	Page Ref
ACTIVE ZONE	■								254
	■								259
			○						123
			○						124
			○						129
			○						155
			○						125
		▲							142
		▲							133
	■								141
INTERSECTIONS	○ <sup>1</sup>								220
	▲								240
	■								237
	○								243
	■								143
	■ <sup>2</sup>								224
	■								226

**ATTACHMENT B: MCDOT's & PLANNING's STREETLIGHTING DESIGN REQUIREMENTS, INSTALLATION PROCEDURES, & SPECIFICATIONS DEC 2024**



**Table 1. Streetlighting Warrant Criteria**

CDSG Street Type	Active Zone	Street Zone	
		Intersection	Segment
Downtown Boulevard	Required	Required	Required
Downtown Street	Required	Required	Required
Boulevards	Required	Required	Recommended
Town Center Boulevard	Required	Required	Required
Town Center Streets	Required	Required	Required
Area Connector	Required	Required	Recommended
Neighborhood Connector	Required	Required	Recommended

**Table 5. Target Lighting Values for Street Zones – Segments**

CSDG Street Type	Maintained Average Horizontal Illuminance (fc), $E_{H,avg}$	Uniformity Ratio ( $E_{H,avg} / E_{H,min}$ )	Maintained Average Surface Luminance ( $cd/m^2$ ), $L_{avg}$	Veiling Luminance ( $L_{max}/L_{avg}$ )
Downtown Boulevard	0.7 – 1.0	3.0	0.6 – 1.5	0.3
Downtown Street				
Boulevards				
Town Center Boulevard				
Town Center Streets				
Area Connector	0.6 – 0.7	3.0	0.4 – 1.0	0.4
Neighborhood Connector				
Neighborhood Streets	0.2	6.0	0.3 – 0.8	0.4
Neighborhood Yield Streets				
Industrial Street	0.6 – 0.7	3.0	0.4 – 1.0	0.4
Country Connector				
Country Roads	0.2	6.0	0.3 – 0.8	0.4
Major Highway	0.6 – 0.8	3.0	0.8 – 1.3	0.3
Alley	0.2	6.0	0.3 – 0.8	0.4
Rustic Road				
Shared Street	0.7 – 1.0	3.0	0.6 – 1.5	0.3

## ATTACHMENT C: MONTGOMERY COUNTY VISION ZERO PLAN S-11

### S-11: Improved Lighting

Priority

#### Action Item Details

- **Action Item Description:** Improve nighttime illumination utilizing leading practices for illumination and lighting, regular identification and replacement dark or dim streetlight luminaires, and installing lighting in areas with high crash risk and high pedestrian crossing locations.
- **Lead:** Transportation, Utility companies
- **Contributor:** N/A
- **Crash Reduction Factor:** 2
- **Accessibility Factor:** 2
- **Racial Equity & Social Justice Factor:** 2
- **Investment Factor:** 1
- **Why do this?:** Two-thirds of pedestrian fatalities occurred in the dark.
- **Budget Sources:** [P507055](#) – Streetlighting, [P500512](#) - Streetlight Enhancements - CBD/Town Center, [P502407](#) – US 29 Streetlighting.

#### Two Year Work Plan

- **FY24 Work Plan:**
  - Encourage use of MC311 and streetlight apps to report outages.
  - Design for US29 infill lighting.
  - Finalize Bethesda CBD upgrades.
  - Infill lighting projects based on crash and safety data.
- **FY25 Work Plan:**
  - Encourage use of MC311 and streetlight apps to report outages.
  - Begin construction for US29 infill lighting.
  - Begin Silver Spring CBD upgrades.
  - Infill lighting projects based on crash and safety data.

## ATTACHMENT D: WHEATON STREETSCAPE STANDARDS JULY 2023

# Lighting

## Light Fixtures

Continue to utilize the Wheaton Decorative LED Optics Vehicular Luminaire along downtown Wheaton's three boulevards: University Boulevard West, Georgia Avenue, and Veirs Mill Road. Corridors should include both vehicular and pedestrian scale lighting. Continue to use the Wheaton Decorative LED Pedestrian Luminaire along all other public streets.

- All lighting should conform to the standards of the Montgomery County Department of Transportation and the Montgomery County Zoning Ordinance.
- Lighting along privately managed streets may vary from the Decorative LED Pedestrian Luminaire. When selecting luminaire alternatives, consider all street users, including people driving, walking, biking, and accessing or waiting for transit. Alternatives should conform to Montgomery County Department of Transportation and Montgomery County Zoning Ordinance standards.
- Locate lighting in the Street Buffer Zone, oriented towards both the roadway and the sidewalk. Ensure adequate illumination at intersections and pedestrian crossings. Access ramps, crosswalks, transit stops, and seating areas that are used at night must be visible and lit.
- Alternate the placement of streetlights and trees so that trees do not block the illumination.



## Guidelines for Utility Location

### *Undergrounding of Utilities*

All new development projects in downtown Wheaton are expected to place utilities to and around their properties underground.

### *Timing and Coordination*

Utilities should be installed during full or partial sidewalk improvements, rather than a separate, utility-focused project whenever possible.

Utilities should be considered at the earliest possible stage of design. Utility plans should be submitted with the initial development application so that utilities can be located and coordinated to minimize conflicts with other streetscape elements.

ATTACHMENT E: PARKS/MNCPPC's PEPCO STREETLIGHTING INVOICE MARCH 2025



MNCPPC  
Account Number: [REDACTED]  
Service Address: 100 STLGT SILVER SPRG RD  
SILVER SPRG MD 20901

3U 02000600 200005338  
MARCH 2025  
Billing Period: 3-1-2025 to 3-31-2025  
Bill Issue Date: 4-16-2025

ELECTRIC BILL SUMMARY

Previous Balance	\$56,563.60-
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Balance as of Apr 16, 2025	\$56,563.60-
Delivery	\$89.89
Supply	\$55.22
WGL Energy Svcs	\$55.22
<b>Total Credit Amount</b>	<b>\$56,418.49-</b>



Additional messages may be on the last page of your bill.