

Marc Elrich *County Executive*



Christopher Conklin
Director

DEPARTMENT OF TRANSPORTATION

October 14, 2020

PLEASE NOTE:

You are receiving this packet in an effort to gather feedback on a possible proposal. There are NO plans to construct. A decision will be made based on your feedback. Please send only one Comment. Multiple and duplicate comments will not be counted.

Dear Property Owner(s):

This letter is to notify you that the Montgomery County Department of Transportation (MCDOT) has received a request for sidewalk installation along the following roadways:

- the **West** side of **Kenhowe Drive** from the existing sidewalk at **6422 Kenhowe Drive** to **6504 Kenhowe Drive**;
- the **East** side of **Kenhowe Drive** from the existing sidewalk at **6415 Kenhowe Drive** to **6509 Kenhowe Drive**;
- both sides of **Pyle Road** from **Kenhowe Drive** to the entrance of the **Merrimack Pool**.

The sidewalks will *not* impact your side of the road, however, I wanted to alert you to the potential construction in your neighborhood.

The Division of Transportation Engineering manages and administers the County's Annual Sidewalk Program for MCDOT. Providing safer access for the disabled and improving pedestrian access to schools and nearby public transportation or public facilities is the major goal for the Annual Sidewalk Program.

Enclosed, please find a project location map that identifies the limits for the *proposed* sidewalk construction, a Tree Report prepared by the County Arborist, a Fact Sheet describing the process through which this proposal will go, and a ***Comment and Survey form***. Your comments are beneficial to our office for addressing issues or concerns prior to the public hearing process. Please review the enclosed and submit all comments to the Annual Sidewalk Program by ***Friday, November 13, 2020***.

Division of Transportation Engineering

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As you can see, the Arborist's Report discloses what trees will need to be removed to make way for the proposed construction, as well as any protective measures that may be taken to maintain existing trees during construction. Please know, the County does *not* take tree removal lightly; *for each tree removed by the County, three new trees are planted.* The County's Arborist oversees placement of the new trees; the goal being to place as many as possible back into the community from which they were removed.

A public hearing may be scheduled in the coming months to decide on the enclosed sidewalk proposal; complete details for the hearing will be provided under separate cover.

You may see our Field Supervisor and/or Construction Representative in your neighborhood. Please note, though your comments regarding the proposal are welcome and encouraged, MCDOT field meetings are reserved only for those whose property is adjacent to the impacted right-of-way by the potential sidewalk construction.

Thank you for your attention to this matter. If you have any questions concerning the enclosed proposal, please contact my assistant, Lori Jean Main at 240-777-7271 or Lori.Main@montgomerycountymd.gov.

Sincerely,



Frank Kingsley, Manager
Annual Sidewalk Program

FK/ljm
Enclosures



Tree Protection - new sidewalk

8.24.20

Rick Holley

Kenhowe Dr

* All root pruning shall be done to a maximum depth of 6"
 DBH = diameter (in.) at breast height (4.5 ft above ground)

Location: F = front, S = side, R = rear, I = island, M = Median, O = Opposite, P = Private, ms = multi-stem
 Pruning: s/w = sidewalk, elev = elevation pruning, DW = dead wood removal, d/w = driveway

cli = clear light, csi = clear sign, cpt = clear private tree, ch = clear house, rd = road
 Tree Protection: F = fencing required, n/a = no action

Note: refer to *Tree Protection Requirements For The Department*

Of Transportation for Standard Tree Protection Measures

Note: Inspection of worksite tree protection measures required

by MC-DOT Arborist prior to construction activities

Note: ROW not to be utilized for staging area unless otherwise permitted

by MC-DOT Arborist prior to construction activities

ADDRESS	SPECIES	LOCATION	DBH	RECOMMENDATIONS
5' SIDEWALK WITH 3' GREEN SPACE RECOMMENDED UNLESS SPECIFIED OTHERWISE				
Kenhowe Dr				
6422	Crape Myrtle	1F-P	30	F, Root prune up to edge of proposed s/w. Tree Location: 18'-6" from curb
6422	Stewartia	1F	2	F
6426	Cherry	1F-P	18	F, Root prune up to edge of proposed s/w. Elev 8' over s/w. Tree Location: 22' from curb
6434	Magnolia	1F-P	26	F, Root prune up to edge of proposed s/w. Elev 8' over s/w. Tree Location: 18' from curb
6434	Northern Red Oak	1S	8	Remove: proposed s/w construction would compromise health/structural stability of tree
6434	Northern Red Oak	2S	11	Remove: proposed s/w construction would compromise health/structural stability of tree
6434	Northern Red Oak	3S	11	Remove: proposed s/w construction would compromise health/structural stability of tree
6500	Tulip Poplar	1F	1	Remove: proposed s/w construction would compromise health/structural stability of tree
6500	Fringetree	2F	3	F
6500	Fringetree	3F	10	F, Root prune up to edge of proposed s/w. Elev 8' over s/w
6500	Fringetree	4F	10	Remove: proposed s/w construction would compromise health/structural stability of tree
6500	Northern Red Oak	5S	12	Remove: proposed s/w construction would compromise health/structural stability of tree
6500	Leyland Cypress	1S	4	F, Elevate 8' over s/w
6500	Leyland Cypress	2S	16	Elevate 8' over s/w, F, Root prune to edge of proposed s/w
6500	Leyland Cypress	3S	16	Elevate 8' over s/w, F, Root prune to edge of proposed s/w
6500	Leyland Cypress	4S	16	Elevate 8' over s/w, F, Root prune to edge of proposed s/w
6504	Overcup Oak	1F	2	Remove: proposed s/w construction would compromise health/structural stability of tree
6504	Red Maple	2F	31	F, Note: Extend tree protection to existing s/w extending 10' in either direction along existing walk
6507 (vacant lot)	Red Maple	1F	44	Remove: proposed s/w construction would compromise health/structural stability of tree
6507 (vacant lot)	White Pine	1F-P	30	F, Root prune up to edge of proposed s/w. Tree Location: 24'-6" from curb
6507 (vacant lot)	White Pine	2F-P	17	F, Tree Location: 26' from curb
6507 (vacant lot)	White Pine	3F-P	12	F, Tree Location: 27' from curb
6500 Pyle Rd	Dogwood	1S	10	F, Elevate 8' over proposed s/w, Tree Location: 15'-4" from curb
6500 Pyle Rd	Dogwood	2S	9	F, Tree Location: 15'-6" from curb

ADDRESS	SPECIES	LOCATION	DBH	RECOMMENDATIONS
6433	Crape Myrtle	1F	18ms	F, Elevate 8' over proposed s/w, Tree Location: 12'-6" from curb, root prune up to edge of s/w
6433	Redbud	2F	8	F, Elevate 8' over proposed s/w, Root prune up to edge of proposed s/w. Tree: 11' from curb
6425	Crape Myrtle	1F	14	Remove: proposed s/w construction would compromise health/structural stability of tree
6421	Dogwood	1F	14	F, Root prune up to edge of proposed s/w. Tree Location: 12' from curb, elev over proposed s/w
6415				No trees on county right of way at this address
6417	Norway Spruce	1F-P	18	F
6417	Dogwood	1F	2	F
6417	Crape Myrtle	2F-P	14	F
6429				No trees on county right of way at this address
6430	Crape Myrtle	1F	3	Remove: proposed s/w construction would compromise health/structural stability of tree
6430	Crape Myrtle	2F	3	Remove: proposed s/w construction would compromise health/structural stability of tree
6430	Crape Myrtle	3F	5	Remove: proposed s/w construction would compromise health/structural stability of tree
6509				No trees on county right of way at this address
				Note: Per Montgomery County Roadside Tree Protection Law, allocation of \$5,250.00 into the Street Tree Replacement Fund is required.
				1. Hand prune roots where noted above.
				2. Any roots 2" diameter or larger exposed by air excavation or by hand pruning activities, that require removal due to sidewalk construction, shall be inspected by ISA certified arborist with the Tree Maintenance Section, Montgomery County, prior to removal.
				3. An approved contractor certified in the State of Maryland for air excavation will be required to conduct all excavation where "Air Excavation required" is noted above.
				4. Arborist (Tree Maintenance Section, Division of Highway Services) shall be notified by Project Manager of root pruning and air excavation schedule prior to scheduled work.
				5. Root pruning shall be to the depth of excavation (no more than 6" depth)
				6. Excavation for proposed sidewalk shall be no more than 6"



ANNUAL SIDEWALK PROGRAM

Process

1. Sidewalk Installation Request Received & Field Study Scheduled.

The Annual Sidewalk Program's proposals are generated by requests received from residents or Homeowner's / Civic Associations. Once a sidewalk installation request is received, it is entered into the Annual Sidewalk Program database and a Field Investigation scheduled to determine the constructibility of the request.

2. Field Study Complete/Work Falls Within Scope of Annual Sidewalk Program.

The Annual Sidewalk Program manages sidewalk requests chronologically, feasibility and constructability priority. Once the field study is complete, it will be placed in our queue to await selection for sidewalk proposal.

3. Proposal & First Comment Period.

Once a sidewalk request reaches the top of our queue, a proposal will be drafted and mailed to all residents adjacent to and across the street of the proposed sidewalk. The proposal will include a letter introducing the project, a description of our process, a vicinity map, potential construction impacts, a tree impact report which details trees that will need to be removed as well as tree health protective measures to minimize impacts to trees in the right-of-way, the law pertaining to snow and ice removal, and a comment form. Receipt of the proposal initiates our first comment period, wherein we encourage residents to provide their feedback and ask any questions they may have. All comments are posted in our project file and on the Record. Also during this period, potentially impacted residents are welcome to request a field meeting with our Construction Representative, Juan Berrios, at their property to ask any questions as they pertain to the right-of-way adjacent to their property. Members of

the community are welcome to request to be put on our mailing list.

4. Public Hearing. Following the first comment period, a public hearing may be scheduled for residents to testify in front of a hearing officer regarding the proposal. If a public hearing is scheduled, a notice will be sent to all residents on our mailing list. A court reporter will attend the hearing and a transcript will be documented. Due to COVID-19, the Annual Sidewalk Program has been holding virtual hearings. Whether virtual or in person, several displays and exhibits will be available for review or download. A Montgomery County Press Release will be issued with a link provided so that residents can access the proposal documents. The hearing will also be advertised in the Washington Times online and hard-copy newspaper. Testimony may be submitted verbally at the hearing, in writing or both. Written testimony may be submitted any time after the public hearing notices have been issued. The public hearing will be recorded and posted on our website. If the hearing is in person, a webcast will be broadcasted live, recorded and made available online. Residents may request copies of the Hearing Record Binder, the transcript of the hearing and the recorded webcast or virtual hearing.

5. Final Comment Period. Following the public hearing, a final comment period will be held to allow residents to submit written testimony or comments. The final comment period typically extends 2 to 3 weeks after the public hearing. A date will be announced at the public hearing.

6. Decision. After the final comment period ends, the Hearing Officer will review the complete Record binder, which will include all displays, exhibits, comments, written testimony, and the transcript of the hear-

ing. Thereafter, the Hearing Officer will draft his Recommendations to the Director of Transportation, which will be forwarded with the Record binder to MCDOT's Director, Christopher Conklin, who will make the final determination. In addition to his complete review of the entire Record binder including all comments and testimony, Director Conklin considers the following:

- ◆ Do the proposed sidewalks connect to pre-existing sidewalks or networks of sidewalk
- ◆ Will the new sidewalk provide safer access to public transportation, schools, bus stops, parks, religious institutions or other amenities?
- ◆ Will the new sidewalk(s) meet a purpose?

Upon receipt of the decision, the Annual Sidewalk Program will send notifying correspondence to all residents and associations that are on the project mailing list. Because the process of The Annual Sidewalk Program includes two comment periods and a public hearing, there is no appeal process. If approved, and once a construction date has been set, the Annual Sidewalk Program will send a construction leaflet describing in detail the construction process with a description and pictures of each stage of construction.

If you have any questions, please contact Lori Jean Main, Planning Specialist at 240-777-7271 or lori.main@montgomerycountymd.gov.



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF TRANSPORTATION
 DIVISION of TRANSPORTATION ENGINEERING
 100 EDISON PARK DRIVE, 4TH FLOOR, GAITHERSBURG, MD 20878
 240-777-7220 www.montgomerycountymd.gov/dot-dte/sidewalk



KEEPING MONTGOMERY MOVING

FREQUENTLY ASKED QUESTIONS

Are residents responsible for snow and ice removal in inclement weather?

Yes, residents are responsible for removing snow and ice on any sidewalk, other walkway on or adjacent to property that the person owns, leases, or manages, including any walkway in the public right-of-way, to provide a pathway wide enough for safe pedestrian and wheelchair use within 24 hours after the end of the precipitation that caused the condition. Residents may choose to wait to remove the snow and ice until after the road has been plowed so as not to duplicate efforts.

Is there any additional cost or property tax assessment with the installation of a new sidewalk?

No. There is no assessment or cost when a new sidewalk is installed. Further, statistically, sidewalks have been shown to raise property values due to the safety and connectivity the sidewalks add to your community.

Is installation of a sidewalk contingent upon approval of the adjacent property owners?

No. The decision is made based on a public use and need for the community-at-large.

How will the sidewalk be constructed in relation to rainwater drainage issues?

Sidewalks are typically constructed in one of two ways:

- 1) The sidewalk will be constructed between the swale and road at a 2% pitch so that the rainwater will flow into the swale; or
- 2) The culvert pipe at the driveway apron may be replaced if damaged and in need of replacement. A drainage pipe may be placed in the swale and backfilled, if needed. The sidewalk will be constructed over the backfilled area at a 2% pitch to direct the rainwater away from private property.

In some cases, the swale may need to be realigned or adjusted. If you have a concern regarding standing water or existing drainage issues along the proposed area, please inform the Annual Sidewalk Program so that reparations can be coordinated if and when the sidewalk is approved and constructed.

Why does the sidewalk have to be 5-ft-wide?

The State of Maryland has adopted the width of 5 feet for all future sidewalks based on the Americans with Disabilities (ADA) recommendations and guidelines. Montgomery County follows the State of Maryland design standards, and, therefore, all sidewalks will be constructed at a width of 5-ft-wide.

What will happen to my mailbox?

All mailboxes are removed and reinstalled the same day as the sidewalk is constructed. In some locations, field conditions do not allow enough space for the mailbox to be installed perpendicular to the roadway, or with the mailbox's door facing the road. In this instance, the mailbox will be installed parallel to the roadway, with the door to the mailbox facing your driveway.

What is the Annual Sidewalk Program's Budget?

The Annual Sidewalk Program is an ongoing Capital Improvement Project currently funded at approximately \$15million dollars per year.

Does the Annual Sidewalk Program repair and maintain sidewalks?

No, repairs and maintenance of sidewalks are the responsibility of the Division of Highway Services. If you would like to request that a sidewalk be repaired, please contact Montgomery County's 311 and request that a service ticket be opened with the Division of Highway Services.

Does the Annual Sidewalk Program install curbs and gutters?

The installation of curb and gutter is the responsibility of the Division of Highway Services, which can be reached via Montgomery County's 311. You can reach Montgomery County's 311 by dialing 311 from any phone in the County or, outside of the County, by dialing 240-777-0311.

Thank You!

ANNUAL SIDEWALK PROGRAM

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 Manager
 240-777-7213

Juan Berrios
 Construction Representative
 Juan.Berrios@montgomerycountymd.gov

Geary "Rick" Holley
 Field Supervisor
 240-777-7273

DTE-Sidewalk Email:

MCDOT.DTE.Sidewalk@montgomerycountymd.gov

Annual Sidewalk Program Website:

www.montgomerycountymd.gov/dot-dte/sidewalk