

June 26, 2006

TO: Dan Hardy, Countywide Planning Division

FROM: Sue Edwards, Community Based Planning Division *Sue*

SUBJECT: Inter County Connector (MR 06809-SHA-1)

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**STAFF RECOMMENDATION:**

Seek an alternative location for a Western Maintenance Facility. If an alternative location is not feasible, Casey 6 located just west of the ICC is more preferable than Casey 7.

Coordinate this facility with future development of the property so that all future maintenance facilities can be designed and operated through one site with shared uses such as driveway and parking access, stormwater management, and necessary environmental mitigation elements.

Engage County and state agencies, civic organizations, and property owners in site selection and evaluation before a site is finalized.

**Summary of Issue:**

The proposed location of western maintenance facility is on a property owned by the Casey Foundation and referred to in the Shady Grove Sector Plan as Casey 7. The Montgomery County Council adopted the Shady Grove Sector Plan on January 17, 2006.

The proposed maintenance facility is incompatible with the Sector Plan's recommended land uses and takes valuable land away from Metro related development. The Plan calls for either residential development of the site or the relocation of the County Service Park with industrial uses.

In the Final Draft Environmental Impact Statement (FEIS), the western facility concept is described as follows:

*L-4*

"The Western Facility would provide the necessary functions for an ancillary, turnabout, and staging area. There would be a building with restrooms and breakroom for employees and small workrooms for police and operations personnel. The site would have a 72-foot salt dome, magnesium tanks, a two pump fueling area, small tractor shed, and staging areas for operations vehicles. The site area required for this facility would be about three acres (page III-57)".

Concept drawings shown to M-NCPPC staff and to DPW & T staff in March-April 2006 depict approximately 6 acres of the 17 acre Casey 7 property being utilized for the proposed Western Maintenance Facility including driveway access, wetland buffers, forest conservation, etc.

Project Commitment #157 states: "The ICC will be designed to include two maintenance facilities required in order to operate and maintain the ICC. The western facility will be a satellite or turnabout facility located at the intersection of Shady Grove Road and Crabbs Branch Way and the eastern facility will be the primary facility located in the northeast quadrant of the ICC/Virginia Manor Road interchange. Coordination with both Counties will continue to refine the maintenance facility site design. Consideration is being given to reduce the visual impact of the facility through grading, screening, and aesthetics. These facilities will be constructed concurrently with the project."

The Council Resolution to adopt the Shady Grove Sector Plan (January 2006) states: "This site is currently a vacant I-1 zoned parcel approximately 25 acres in size and land locked by lack of existing road access. The entire site is affected by noise from the CSX line, I-370 and the current industrial use on the Robert's Oxygen property. The Plan provides land use options that help satisfy the community's recreational needs and provide options for office, housing or relocation of County facilities while respecting the environmental constraints. This Plan recommends:

- Considering the portion of land south of the existing stream buffer and adjacent to I-370 as a potential site for relocation of some County Service Park facilities.
- Encouraging any ICC maintenance facilities to be located on state-owned land or on property that does not reduce the relocation opportunities for the County Service Park. Casey 6 and 7 are not preferred sites given the possibility that County Services may be relocated to these properties. If Casey 6 or 7 are the only feasible locations for the ICC's maintenance facility, state facilities should be integrated with County facilities to maximize the efficiency of layout and avoid separate and duplicating facilities."

L-5

The Sectional Map Amendment for the Shady Grove Sector Plan will establish the I-3 zone for the Casey 7 property with the possibility of housing on the site.

#### Agency Coordination

Staff from M-NCPPC, DPW & T and the Office of Plan Implementation first met with representatives of the Division of Capital Planning, Maryland Transportation Authority in March 2006. M-NCPPC staff stated that the Western Maintenance Facility in this location conflicts with the objectives of the Shady Grove Sector Plan.

M-NCPPC staff suggested additional other sites for consideration including the potential of an interim maintenance facility co-located at M-NCPPC's Central Maintenance Facility on Crabbs Branch Way. This site was found to be too constrained for the Program of Requirements developed by SHA.

No further discussion transpired between March 2006 and issuance of the Record of Decision.

#### Community Outreach

There has been no direct outreach to civic groups or property owners for this facility. The contract purchaser for the Casey 7 property, EYA LLC, will be submitting additional correspondence opposing this location and suggesting use of the adjoining Casey 6 property for this facility.

#### Conclusion

The proposed ICC Western Maintenance Facility conflicts with land use recommendations of the Shady Grove Sector Plan and could substantially impede implementation of the sector plan objectives. This facility adds to, rather than reduces, the number of public service facilities located in the sector plan area. The facility also duplicates similar functions located at the Montgomery County Equipment Maintenance and Operations Center (EMOC).

The best location for such a facility has not been objectively sought or evaluated within the context of other land uses in the area. The decision to place the proposed Western Maintenance Facility on the Casey 7 property has had little public or agency input.

Staff recommends additional investigation into alternative sites and direct consultation with civic organizations and property owners.

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N: Divcp/Edwards/ICC. Western maintenance.MR 06809-SHA-1

L-6

06/28/06

**Memorandum**

To: Dan Hardy, Transportation Division  
Mary Dolan, Environmental Division

Via: John Carter, Community Based Planning

From: Karen Kumm Morris, Community Based Planning and Urban Design **KKM**

Subject: Intercounty Connector Mandatory Referral  
Aesthetic Design Treatment

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Staff reviewed the proposed aesthetic elements, held a public meeting to solicit public comments and developed recommendations in response to many residents expressed concerns. Residents also have been encouraged to submit their comments directly to the Planning Board.

**Staff Recommendations**

- Process** 1) Allow additional community review of the proposed aesthetic element within the design/build proposals in order to solicit community comments prior to the selection of a contractor.
- Design** 2) Increase the parkway character of the aesthetic elements throughout the roadway. Incorporate more ornamental character into the bridge designs using more decorative railing, balusters, ornamental lighting and stone like precast elements. See specific bridge type recommendations in memo.
- 3) Achieve more unity in the proposed surface treatments for precast structures. Reduce the number of surface treatment options, in order to better control the design relationships and achieve visual compatibility. Due to the need to better control design relationships, staff recommends using a varied color, ashlar stone pattern similar to the treatment used on the Baltimore-Washington Parkway.
- 4) Increase specificity of the performance specification to improve the SHA's ability to achieve the desired quality and design response from contractors. See specific recommendations.
- Landscaping** 5) Ensure adequate space for planting by revising performance specification to reduce planting setbacks from roadway and achieve a greener parkway treatment. (*AASHTO clear zone guidelines must be followed.*) Provide a lateral offset for planting purposes between noise walls and parallel retaining walls.
- 6) Significantly increase amount of proposed landscaping to create an acceptable green corridor. See discussion for specific quantities and species.

7) Provide illustrative planting plans for the different planting zone types to ensure better response by contractors and achieve visual compatibility with adjacent community.

**Materials** 8) Eliminate the use of chain link fence on bridges and instead, use more ornamental railing and wire mesh to be more consistent with a desired parkway character.

**Lighting** 9) Provide greater specificity for the proposed ornamental lights. Avoid the use of high mount poles where unwanted light will negatively impact the adjacent community. Use cut off fixtures in areas adjacent the community to reduce unwanted light and glare.

**Signage** 10) Place signage adjacent to the roadway, not overhead in order to achieve visual compatibility with adjacent residents. See discussion for more detail.

11) Explore other locations for toll gantries. The proposed overhead structures that span the roadway are incompatible with adjacent residents and a parkway character.

**Please see the ICC Aesthetic Elements posted on the MNCPPC's website for an overview of the proposed design elements. All page references in this report refer to the ICC Aesthetic Elements document.**

### General Concerns

#### **Community Outreach**

The State Highway Administration needs to expand community involvement in the refinement of their proposed aesthetic treatments and provide for community comment of the design/build contracts. The design/build approach allows many options in aesthetic treatments and final decisions will be made by the contract awards. Unless the community can comment on the design/build proposals, they will not know what specific retaining walls, noise wall treatments, landscaping, etc are actually being approved.

State Highway should amend their schedule to include the opportunities for community review and comment on the aesthetic elements, including noise wall treatments that face the community. It is the State's intention to request community input into the surface treatment that face the community but it unclear in the documents when and how that will occur.

The community leaders meeting, held by MNCPPC staff for the Mandatory Referral, revealed that the community has had no review of the proposed aesthetic treatments other than the meeting held by MNCPPC. Previous community meetings focused upon other issues such as the alignment and environmental impacts.

## **Design**

### **Build Approach**

The State is pursuing a design/build process in which contracts will be based upon performance specifications. The performance specifications allow contractors to select from a variety of options for noise wall, retaining walls and bridge parapets and abutments. This approach allows too much flexibility in contractor's design decisions. Even SHA is at risk of losing control over the design relationships because so many options in the surface treatments of structures are permitted.

At a minimum, the performance documents need to state that the final design of these elements, including finishes and colors, is subject to SHA approval at the time of the contract signing. Also, more specificity is needed in the performance specifications to insure that the quality and control over the final design is achieved.

### **Design Issues**

The proposed Aesthetic Elements are intended to achieve a parkway design character. The concept is appropriate and desirable given the roadways relationship to the County's parks and adjacent neighborhoods. A parkway character, however, is best achieved with extensive landscaping, interesting bridge detailing, visually receding noise walls softened by plantings and use of ornamental elements such as railings and lighting where appropriate. It is a major challenge to achieve a parkway character in a limited right of way.

There are a number of proposed elements and specification requirements that do not result in achieving this desired character. The design issues are as follows:

- The proposal lacks sufficient landscaping and space for plantings. A parkway character should not be dominated with views of retaining walls and noise barriers. Specifications overly restrict planting locations and limited right of way creates a challenge.
- The proposal offers too many different precast surface treatment options for bridges, retaining wall and noise barriers and does not provide sufficient guidance as to ensure compatible design relationships. Given the design/build process, SHA will find it difficult to achieve design control.
- Bridges that are not designated as Community Gateway Bridges need to be upgraded to provide a higher standard of treatment. Many of these ICC bridges pass over County roadways and attractive views of the bridges are important to the community.
- Bridge designs emphasize the horizontal length or visual "stretch" of the bridges. The overly simplified designs are not as visually interesting as they could be.
- Specifications do not provide sufficient guidance especially for landscaping that would ensure adequate screening for the community, appropriate planting layouts for interchanges, etc.
- Chain link fencing is specified for all non Community Gateway bridges. Such details do not contribute to a parkway character.
- Signage and toll gantries use interstate highway standards. Such standards are incompatible with adjacent parks and residences.

- High mount cobra lighting is proposed within interchanges without cut offs. Unnecessary light intrusion into adjacent parks and residential neighborhoods must be avoided.

**Specific Recommendations**

In order to achieve an attractive parkway character, there needs to be some revisions to the Aesthetic Elements document and the Performance Specifications. The recommended revisions are as follows:

**Bridges**

The Aesthetic Elements propose four types of bridge designs, two for roadways and two for park bridges. See pages 6 – 8 of the Aesthetic Elements document for illustrations of the proposed roadway bridge treatments and pages 17 and 18 for the park bridges.

- Further develop the design character for the roadway bridges to incorporate more use of ornamental railings, balusters, and lighting in response to community’s views, pedestrian needs and relationship to parks. The community views of the ICC bridges should be more attractive. The proposed design revisions add more ornamental railing and decorative lighting to ICC bridges that are viewed by the community. See attached illustrations for bridge types.

Different recommended design treatments for different conditions are as follows:

- Type A: ICC bridges over local streets should have low ornamental railings, intermittent low balusters to break up the long horizontal spans, and lighting on end posts. Precast stone work should be used on the face of structures except balusters and end posts. Higher railings are not required because no pedestrian access is provided in these locations along the ICC.
- Type B: Local roadway bridges over the ICC that have sidewalks or bikeways need higher ornamental railings that are framed by intermittent balusters, and lighting on end walls. Precast stone work should be used on the face of structures except balusters and end posts.
- Type C: Community Gateway bridges over the ICC need to have the proposed railings vertically divided by intermittent balusters and bumped out baluster bases for ornamental lighting. Precast stone work should be used on the face of the structures except on balusters and end posts.
- Type D: Park bridges do not require revisions to structural design of the bridges. However, both bridges need to incorporate precast ashlar stone patterns into the face of the structures to be more compatible with the park setting.

Proposed design changes are intended to reduce the visual horizontal span of the bridges by introducing vertical elements such as intermittent balusters along the parapet wall and on Community Gateway bridges with bumped out balusters to receive the light poles. The MD 22 bridge over I-95 in Aberdeen is a good example. See attached photograph.

- Achieve more unity by reducing the number of precast surface treatment options in order in order to better control design relationships. Eliminate the proposed “granite” precast option shown on page 8 and use more stone like patterns as shown on page 7. Consider using the ashlar stone pattern with variation in size and color of the “stones” similar to what is used on the Baltimore Washington Parkway. See attached example of an ashlar stone precast treatment.  
Since this is a design-build contract, specifications need to describe the type of precast in detail. It is safer to require a more unified precast treatment with visual variety achieved through the landscaping than to allow potentially incompatible mismatched patterns.
- If a variation in stone colors cannot be provided, then specify a federal color reference for the mono color precast in order to achieve continuity between the different contracts. More specificity is needed then to call for a “warm gray with earth tones”. Staff recommends Federal Standard 34088 which is a darker warm taupe shade. Darker rather than lighter values should be used to visually recede the structures and blend in more with plant material and woodland edges.. Lighter values visually read more like “concrete”.
- Achieve more of a curve on all curved cheek walls in order to be more visually expressed except the Community Gateway bridges. See page 7 of the Aesthetic Elements document. The proposed arch is so slight that it is not visually appreciated. This is especially true for the signature arch bridge through the parks where the cheek wall curve should match the structure’s curve.
- Do not use curved chain link on any of the bridges as shown on pages 7 and 8. The ornamental rail illustrated on the Community Gateway Bridges should be used more extensively on other ICC bridges as recommended above in the different design treatment types.
- Use the matching precast ashlar stone on all support piers and end walls under the bridge for a unified design character underneath the bridges. See page 8.
- Leave space for future artwork on the end posts of the Community Gateway bridges, should the County or SHA someday decide to embellish the bridge structures.
- Increase the use of ornamental lighting on ICC bridges over roadways to improve the community’s view of the bridge. See illustrations of proposed bridge types.
- Provide greater specificity for pedestrian lighting shown on Aesthetic Elements and in the Performance specifications. Type of pole, fixture and color need to be clearly described. If not, each contractor could legitimately provide a similar but different fixture, pole and color and SHA would have no basis to reject the variations. The fixtures need to be have glass cylinders with built in cut offs to avoid unwanted light in the eyes of motorists and residents. See page 6 of Aesthetic Elements document.

Bridge Type  
Locations

Oakmont Avenue	Type A (low ornamental railing, lighting at the end posts)
Crabbs Branch Way	Type A (low ornamental railing, lighting at the end posts)
Shady Grove Road	Type A (low ornamental railing, lighting at the end posts)
Redland Road	Type B (high ornamental railing, lighting at the end posts)
Old Mill Run	Type C (Community Gateway with out lighting)



Needwood Road	Type B (high ornamental railing, lighting at end posts)
Muncaster Mill Road	Type B (high ornamental railing, lighting at end posts)
Emory Lane	Type B (high ornamental railing, lighting at end posts)
Northwest Branch	Type D (Arched bridge with low railing)
Georgia Avenue	Type C (Community Gateway with lighting)
Norbeck Road	Type C (Community Gateway with lighting)
Longmead Crossing	
Drive	Type B (high railing, with lighting at end posts)
Layhill Road	Type C (Community Gateway with lighting)
Northwest Branch	Type D (Linear park bridge with low railing)
Bonifont Road	Type D (Linear park bridge with low railing)
Northwest Branch	Type D (Linear park bridge with low railing)
Notley Road	Type B (high ornamental railing, lighting at end posts)
New Hampshire Ave.	Type C (Community Gateway with lighting)
Upper Paint Branch	Type D (Linear Park with low railing)
Gum Springs	Type D (Linear park bridge with low railing)
Rt 29 Interchange	Type D (Linear park bridge with low railing)
Briggs Chaney Road	Type B (high ornamental railing, lighting at end posts)

### Retaining Walls

- Use the same stone pattern used on the bridge structures for the retaining walls in order to achieve a more unified treatment. Sec. 3.8.2 of the Performance Specifications allow a wide range of pre approved retaining wall systems without requiring that the wall system be capable of incorporating the desired surface treatment. Language needs to be added ensure the use of the proposed precast surface treatment on the retaining walls.
- All fencing along top of retaining walls should match the wire mesh used on the bridges.

### Noise Walls

- Use a consistent surface treatment on the noise walls as seen from the roadway. The four proposed options will result in a visual hodgepodge that cannot be easily controlled by the design/build process. See pages 21 – 24 for an illustration of the proposed SHA options.
- Noise walls need to visually recede and not have design patterns that call attention to the walls. To best achieve a parkway character, use the same ashlar stone pattern on the noise walls that is used on the bridge structures and retaining walls. If an ashlar stone pattern with variation in size and color is not feasible, use Option 3 to best achieve compatibility with the other precast walls and structures. Visual unity of structures with the landscaping providing the visual interest and variation will be attractive and more compatible. The specifications need to clarify that different pre-approved wall types must incorporate the desired surface treatments.
- Location of noise barriers need to be offset from other structures to ensure that landscaping can be provided. This is critical. Performance specifications must achieve a minimum one foot offset for planting of vines in the most restricted right of

way areas. Where rights of way are less restricted, the standard offset should be 6 to 8 feet. Without such specification, the contractor can set the location of noise barrier wherever they wish and landscaping is usually compromised. See page 20 for an example of where more offset is needed.

- Illustrate and further specify the type and color of surface treatment options for the community side of the walls. Ensure community input into the selection of such treatment.

## **Landscaping**

- Provide greater guidance to contract bidders by providing typical planting layouts for the various planting zone types in conjunction with the Landscape Concept Plan. This will help ensure that adequate screening and landscaping of walls, and other areas will be achieved. The proposal on pages 32 –39 do not give sufficient guidance to contractors.
- Revise the specifications to ensure adequate space for plantings. Performance specification requirements will preclude landscaping in extensive sections of the roadway. Section 4.1 under the landscape specification needs to be revised to recognize the use of guardrails, low barriers, swales and changes in topography can allow plantings closer to the roadway. The “green road” concept needs to be achieved and not diminished by the performance specifications.
- Variety of proposed plant material is good and appropriate for the different situations. Additional plants to be added should be Jasminun nudiflorum, Winter Jasmine, that cascades over walls and embankments that grows up vertical wall faces and “greens up” the walls.
- Substantially increase the amount of plant material in order to adequately achieve a parkway character within a shorter time frame. The proposed level of landscaping will be visually effective in 15 to 20 years. This is too long a period to wait for the plant material to be visually effective given that compatibility with adjacent residents needs to be established sooner.

Increase the minimum density for all the difficult planting situations as follows:

2 evergreens for every 3,000 square feet

2 shade trees for every 1,500 square feet

2 shrubs for every 400 square feet

See attached comparison of proposed planting densities.

## **Guardrails And Railings**

- Use steel-backed timber guard rail as an alternative to the proposed weathering steel guardrail to achieve more of a parkway character . See page 28 for illustration.
- Use wire mesh on a steel frame, powder coated black in color in areas where chain link might be used.
- Proposed ornamental railings are attractive. More extensive use of the railings is recommended and discussed under the bridge treatments recommendations. This is

one of the element that would greatly improve the community's view of the bridges. The specifications do not appear to include the ornamental railings. If the specifications are not included, they need to be added.

### **Lighting**

- Proposed ornamental fixtures and poles are attractive but are not specified in the performance specifications. See page 6 for an illustration. Specifications need to be added. Contractors need to be given sufficient guidance or else SHA will lose design control.
- Consider purchasing the ornamental light fixtures for the project at one time as a separate contract to ensure consistency. The contractor for each phase of work would still be required to provide conduit, wiring, and the bases for each fixture as well as the installation.
- More ICC bridges should have ornamental lighting incorporated into the designs. Lighting recommendations are incorporated into the discussions of the bridge treatment recommendations.
- High mount cobra lighting of the interchanges need to use cut-off fixtures to control unwanted light into adjacent communities. See page 29 for illustration. Given the close proximity of residences, unwanted light and glare is a major community concern.

### **Signage and Toll Gantries**

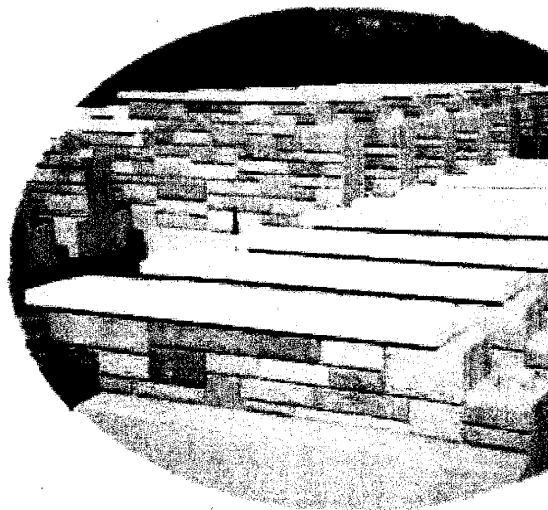
- Place overhead signage and toll gantries to the side of the roadway. The proposed overhead structures are not compatible with the desired parkway character and will be seen from the adjacent neighborhoods. This is a significant concern of the residents. Parkway character is diminished by the proposed overhead structures. See page 26 and 27 for an illustration of proposed structures.
- Paint the backs of signs NPS Brown.
- Consider decorative sign treatments on major intersecting highways. See attached photograph.



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(This web site is best viewed at 800x600 resolution.)

L-15



## Memorandum

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TO: Dan Hardy, Transportation Supervisor, Countywide Planning

VIA: Rob Gibbs, Natural Resources Manager, Natural Resources Division *JG*  
Mitra Pedoeem, Supervisor, Construction Management, Park Development Division  
Jorge Valladares, Chief, Environmental Planning, Countywide Planning Division *JG*

FROM: Marian Elsasser, Landscape Architect, Park Development Division  
Andy Frank, Civil Engineer, Park Development Division  
Pam Rowe, Environmental Planning Coordinator, Countywide Planning Division *MR*  
Tina Schneider, Senior Environmental Planner, Countywide Planning Division *TS*

DATE: June 27, 2006

SUBJECT: Staff Comments for ICC Mandatory Referral July 13, 2006

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Staff has conducted several meetings to review materials presented by the State Highway Administration (SHA) for Mandatory Referral and find that there are several issues that need to be further addressed regarding impacts to M-NCPPC properties and the natural resources that will remain following project implementation.

1. Staff recommends the standard processes of Technical Review and Park Permitting be a responsibility of the contractor during the detailed design phase for areas of concern summarized in the Park Permit Process document provided by M-NCPPC in February 2006 (attached). This review would coincide with review submissions to the Maryland Department of the Environment (MDE) for the Erosion and Sediment Control (E&SC) and Storm Water Management (SWM) detailed design. M-NCPPC is committed to providing comments within two days of MDE comments to ensure this review does not delay the construction process.
2. Similar to avoidance incentives included in the draft Request for Proposals (RFP) for wetland and stream impacts, staff recommends that there be

significant financial incentives for retaining forest within the permitted Limit of Disturbance/Right of Way (LOD/ROW). The incentive should be proportionate to forest quality as follows:

- a. **Category A** is high quality mature forest within a Special Protection Area (SPA), or forest with one or more of the following characteristics: extensive mature interior forest cover and connectivity; close proximity to Rare, Threatened, or Endangered (RTE) species; close proximity to Water Use Class III streams; forest within a Biodiversity Area and/or Best Natural Area; forest in proximity to excellent groundwater recharge.
- b. **Category B** is good quality forest adjacent to an extensive forest/park corridor.

The attached figure (see Table 1) lists areas along the ICC alignment that contain significant natural resources. Staff believes that there are areas where the contractor could protect mature forests within the LOD/ROW shown in the FEIS documents. The State Highway Administration (SHA) has recognized the need for these incentives; however, the avoidance incentive proposed for these resources by SHA does not reflect the value of forested habitats within M-NCPPC property. As with wetlands, the incentive must be equivalent to the value of the resource. Staff recommends the value of these incentives be placed at \$450,000 per acre for Category A forest, and \$350,000 per acre for Category B forest, and reimbursement incentives to the Design/Builder (DB) for forest protection should be provided in increments of 0.25 acres

3. In the Record of Decision (ROD), Attachment E: Summary List of Project Commitments, Item #29, SHA commits to a meaningful review and approval of Final Water Quality Plans by Montgomery County Department of Permitting Services (MCDPS) for SPAs during the detailed design process. However, at the current stage of design, there is not sufficient detail to review this aspect of the project. Staff recommends that SHA should either: further refine the design in SPAs in coordination with MCDPS prior to issuing the RFP or, place a requirement in the RFP for a more meaningful review and approval process for the contractor to complete prior to construction. SHA staff has stated a willingness to enter into an MOU with MCDPS. Staff believes this agreement should define a clear process for how this will be implemented and this process reflected in RFP package.
4. Staff recommends that the role of the M-NCPPC Environmental Monitor be better defined as part of the project Environmental Management Team as referenced on page 6 in the 1989 MOU between M-NCPPC and SHA. The authority of this role to halt and/or modify construction activities, as

stipulated in the MOU, should be described in detail within the RFP documents.

5. The proposed project will affect the existing and proposed facilities at the National Trolley Museum, a cultural resource of significant importance. The existing trolley station, museum building, car barn, and the track loop will be demolished as shown on the Final Environmental Impact Statement (EIS) documents. SHA has provided no information in the Mandatory Referral submittal about replacement facilities, and the proposed mitigation for the loss of this facility is inconsistent between the Draft EIS, Final EIS, and ROD. More information is needed about how this site will be redeveloped to accommodate both the ICC alignment and the current and future functions of the National Trolley Museum. At minimum, SHA needs to address impact minimization and restoration concepts in the vicinity of the National Trolley Museum, focusing on noise buffering, landscaping treatments, and the relocation of the main entrance on Bonifant Road to be consistent with the character of the resource. Staff believes that the redevelopment plan for the portions of this facility impacted by the ICC project must be completed prior to the transfer of the associated land to SHA, and that the drafted land transfer agreements require that the Trolley Museum operations are not disrupted by the project construction. M-NCPPC will work with SHA regarding the timing and construction of the project at this location to confirm appropriate measures are taken to minimize adverse effects and ensure the continued operation of this public facility.
6. Additionally, the project runs adjacent to East Norbeck Local Park, which will go under redevelopment within the same timeframe of the ICC. The construction of the ICC should address visual and connectivity issues with this park. It will also require further review and coordination during detailed design.
7. Staff understands that the LOD/ROW established in the FEIS documents includes additional disturbed areas of approximately twenty-five feet beyond the slope tie-in points around the entire project, and SHA has indicated that they expect the actual limits of grading to be reduced during detailed design. Staff believes that the areas between the ultimate limits of the project grading/ICC fence lines and the LOD/ROW along parklands should be restored in accordance with M-NCPPC standards. Staff is continuing to work with SHA to determine how these standards will be incorporated into the RFP.
8. Staff has concerns regarding the direction in which the Design-Build process appears to be headed with respect to review and comment of detailed design plans throughout the project. The footprint of the

LOD/ROW has been determined based on very preliminary design efforts, and there are significant opportunities to minimize the impacts of construction on the natural resources depending on how the detailed design is carried out. However, SHA seems to indicate that there will be virtually no opportunity to require the DB to revise plans that include impacts within the LOD/ROW could be completed in a more environmentally sensitive manner, which would normally be resolved through the detailed design and review process. We feel that SHA should either further refine the design in sensitive areas prior to issuing the RFP or require a more meaningful review and approval process for the contractor to complete prior to construction.

Staff provided numerous comments to SHA on the draft RFP sections, which are reflected elsewhere in the Mandatory Referral Memo. We understand that SHA is in the process of incorporating our comments into updated RFP sections, and staff would like the opportunity to continue working with SHA to ensure these documents guide the D/B with regard to design elements that may have critical impacts on the quality of resources remaining after project implementation.



Table 1  
Areas of ROW/LOD along ICC requiring additional efforts to reduce forest impacts

Areas by Station	Facility Shown on Plates	Natural Resources of Concern	Recommendation	Forest Retention Category
150-155 (N&S) Mill Creek	Culvert	Forested stream valley with amphibian populations and wetlands	Reduce LOD footprint to protect existing habitat	A
160-164 (S) Mill Creek	Temp. E&SC & Culvert	Mature forest on steep slopes within stream valley buffer with amphibian crossing	Shift E&SC to north side of road and reduce culvert footprint to protect habitat	B
172-177 (S) Mill Creek	Temp. E&SC & Culvert	Mature forest on steep slopes within stream valley buffer with amphibian crossing	Shift E&SC to north side of road to protect the forested knolls and important amphibian habitat. Reduce culvert footprint to protect habitat	A
240-243 (N) Rock Creek	Grading for Potential Construction Access	Mature forest within stream valley buffer in a bio-diversity area	Minimize grading to the extent feasible	A
246-250 (S) North Branch	SWM	Edge of interior forest buffer	Reorient SWM to minimize interior forest loss	B
*321-326 (N) (East of North Branch)	Grading	Mature Forest within Best Natural Area and Biodiversity Area	Any reduction in footprint will protect existing mature forest	A
*320-324 (S) (East of North Branch)	Temp. E&SC	Mature Forest within Best Natural Area and Biodiversity Area	Reorient E & SC to minimize forest loss.	A
*323-326 (S) (West of North Branch)	SWM	Edge of interior forest buffer, Best Natural Area and Biodiversity Area	Reorient SWM to minimize forest loss	A
*333-340 (S) (East of North Branch)	Temp. E&SC	Mature forest within stream valley buffer	Shift E&SC to north side of road	A
537-540 (S) Northwest Branch	Temp. E&SC	Edge of mature forest buffer and adjacent to Biodiversity Area	Shift E&SC to north side of road; combine with other facility	B
564-569 (S) Northwest Branch	Temp. E&SC & Grading	Mature interior forest within a Biodiversity Area with amphibian populations	Reorient E&SC to minimize forest loss	A
564-572 (N) Northwest Branch	Grading	Mature interior forest within a Biodiversity Area with amphibian populations	Minimize grading and clearing of forest to protect mature forested stream valley buffer.	A
570-575 (N) Northwest Branch	Temp. E&SC	Mature interior forest within a Biodiversity Area with amphibian populations	Shift E&SC to south side of road	A
580-590 (N) Northwest Branch	Temp. E&SC	Mature interior forest within a Biodiversity Area with amphibian populations	Reorient E&SC to minimize forest loss	A
601-605 (N & S) Northwest Branch	Grading & retaining wall	Mature forest within Biodiversity Area. Adjacent to wetlands in stream valley	Consider options to minimize forest loss and maintain wetland buffer. Extend retaining wall to protect forest.	B
700-701 (S) Upper Paint Branch	Temp. E&SC	Mature interior forest within Special Protection Area, Biodiversity Area and Best Natural Area	Shift E&SC to north side of road	A
732-740 (N) Gum Spring Upper Paint Branch	Temp. E&SC	Mature forest within Special Protection Area, Biodiversity and Best Natural Area. Area of particular importance for water quality*	Use existing Lower Oak Springs Pond (727-730 N.) for E&SC	A
752-755 (S) Paint Branch	Temp. E&SC	Mature forest within Special Protection Area, Biodiversity and Best Natural Area. Adjacent to wetlands.	Reorient ESC to minimize forest loss	B
754-759 (N) Paint Branch	SWM	Mature forest within Special Protection Area, Biodiversity and Best Natural Area.	This should be an underground linear SWM	A
858-875 (N) Little Paint Branch	SWM	Mature interior forest within stream valley buffer	Reorient SWM to minimize forest loss (limits of work are unclear on plate 31)	A

**Priority Preservation Category**

**Category A:** High quality mature forest within a Special Protection Area or forest with one or more of the following characteristics; extensive mature interior forest cover and connectivity, RTE's, Water Use II stream, within a Biodiversity Area and/or Best Natural Area, or excellent groundwater recharge.

**Category B:** Good quality forest adjacent to an extensive forest/park corridor.

\* Please note that Plate 12A shows a stationing equivalency around Station 313 that causes station numbers to repeat in this area.

L-20

## Attachment M

**MCP-Chairman**

**From:** Kumm, Karen  
**Sent:** June 28, 2006 4:38 PM  
**To:** MCP-Chairman  
**Subject:** FW: ICC Bridge, walls aesthetics and the Maintenance Facility

**R E C E I V E D**  
 JUN 28 2006

OFFICE OF THE CHAIRMAN  
 THE MARYLAND NATIONAL CAPITAL  
 PARK AND PLANNING COMMISSION

Chairman and Commissioners: This resident apparently sent his comments to the Council members but had been advised to send them to you all. His concerns deal with the ICC Mandatory Referral's proposed aesthetic elements and the western maintenance facility that will be heard by you on July 13. Karen Kumm

-----Original Message-----

**From:** Parello, Joseph G Mr WRAMC-Wash DC [mailto:Joseph.Parello@NA.AMEDD.ARMY.MIL]  
**Sent:** Wednesday, June 28, 2006 2:02 PM  
**To:** councilmember.andrews@montgomerycountymd.gov; councilmember.denis@montgomerycountymd.gov; councilmember.floreen@montgomerycountymd.gov; councilmember.knapp@montgomerycountymd.gov; councilmember.leventhal@montgomerycountymd.gov; councilmember.silverman@montgomerycountymd.gov; councilmember.subin@montgomerycountymd.gov; councilmember.praisner@montgomerycountymd.gov; councilmember.perez@montgomerycountymd.gov  
**Cc:** Kumm, Karen; Hardy, Dan; dsh1  
**Subject:** ICC Bridge, walls aesthetics and the Maintenance Facility

28 June

2006

The Montgomery County Council  
 100 Maryland Avenue  
 Rockville, MD 20850

Dear Montgomery County Council, George Leventhal, Phil Andrews, Mike Knapp, Tom Perez, Howard Denis, Marilyn Praisner, Michael Subin, and Nancy Floreen.

## **MARYLAND'S INTERCOUNTY CONNECTOR**

### **- Aesthetics and the ICC Maintenance Facility (WEST) -**

In review of the ICC aesthetics, the major issue of concern that I have are the non-gateway bridge, easy-pass, signage, the noise walls and the Maintenance Facility (WEST). The value of this community is still in Derwood's streets and community. ICC will have a success if it incorporates aesthetics with the community and not severing the communities around it.

#### **ICC Aesthetics**

- The ICC has severed the communities of Mid-Montgomery County in half. There was an attempt to connect the community with bridges, and seems to succeed in the "gateway" bridges and the platform deck.

06/28/2006

M 1

But this is not the case for the "non-gateway" bridges, which does not have the sense of place, were lighting was not incorporated on the bridge and the industrial fencing versus rot iron fencing. The non-gateway bridges are not inviting to the pedestrian in the human scale on the bridge does not have lighting and the instrustrial feel of the chain link fence which makes it look unsafe that adds to the severing of the communities even further.

- The easy-pass structure and the signage need to be less of a hindrance on the community. The large structures and lighting needs to be less.
- Noise walls need to be one with the landscape in color, texture and variation in one with nature. The design of the noise was presented for the view of the traveler on the ICC. But there was no rendition of the view from the community presented? The walls need more vegetation, the designed the walls looks very similar "to keep out the *enemy*" as did Hadrian's Wall or the Great Wall of China. The hardscaping of the walls need more cascading vegetation to soften the walls and more planting at the base.

### **ICC Maintenance Facility (WEST)**

We, see problems with Casey Property location for the ICC Maintenance Facility (WEST) this facility would be next door to the Giant food plaza and residential neighborhoods. The new trucks would be utilizing the same streets as the citizens of Derwood. Truck traffic is an issue on Shady Grove road presently, with this location the trucks would come out of Crabbs branch, right on to Shady Grove, then right onto 355 and then on to 370 heading West. Why do we need the state run trucks mixed in with the neighborhood traffic?

- Enclosed above an idea for a new location for the ICC Maintenance Facility (WEST). The facility would be on the same elevation as 370, so it would be a simple access for the state for their seasonal use.

The proposed land would not need to be purchased because it would be within the "state-parkway" site area versus the Casey property that was proposed?

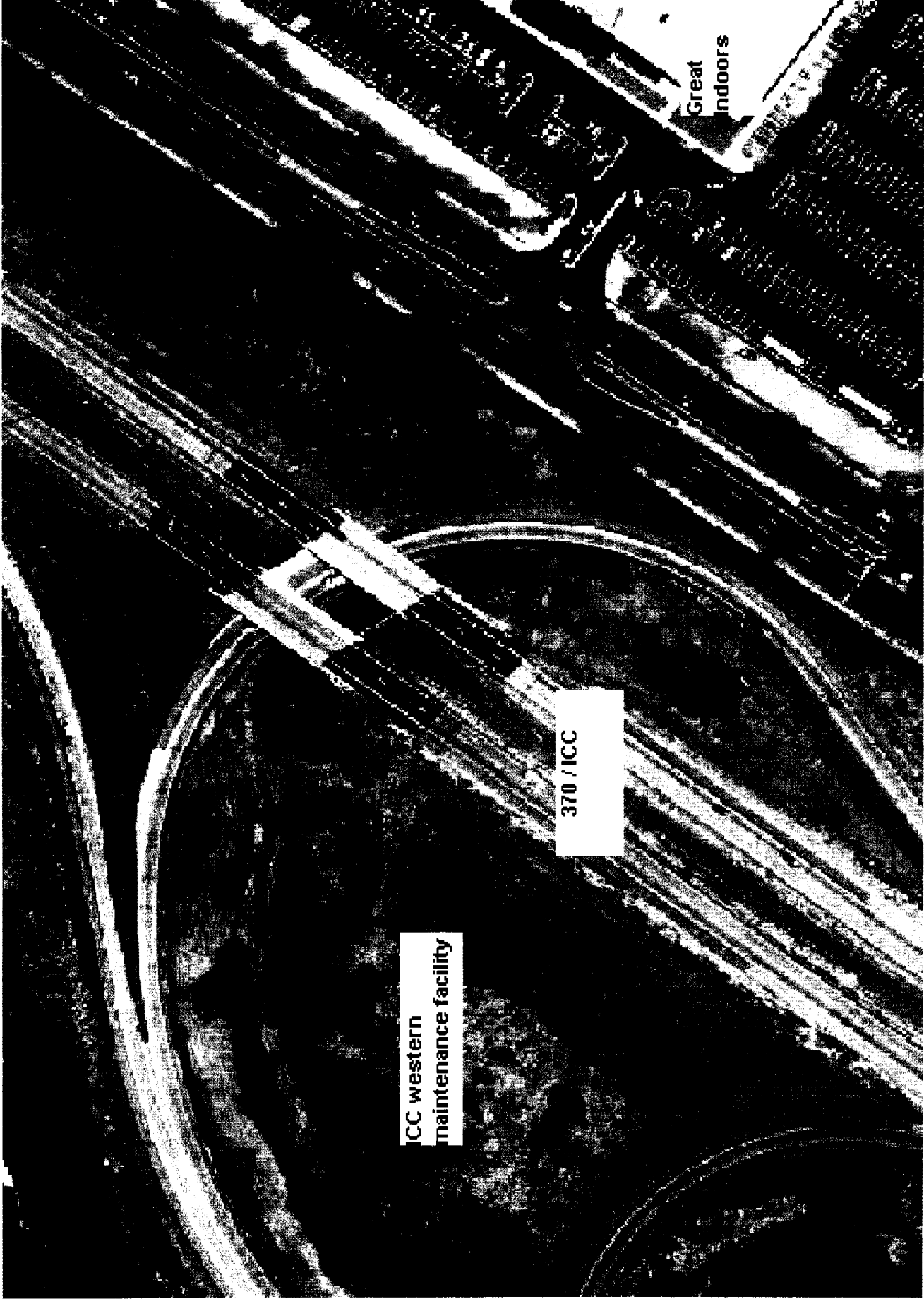
(Note: The location is near the junctions with 355 and across 370 Great Indoors areas. *See map attached*).

### **Closing**

The quality of life is a basic need for the Mid-Montgomery County voters. The "State parkway" is crossing over Derwood and dividing it in half, with the ICC, there needs to be enhancement of the parkway aesthetics in the everyday life of citizens and the travelers thru our community.

Sincerely,

Joseph Parello  
**Vice President II Shady Grove Civic Alliance**  
**Old Town of Derwood Resident Representative**  
 15821 Derwood Road  
 Derwood, MD 20855  
 301-990-7613



Great  
Indoors

370 / ICC

ICC western  
maintenance facility

**Hardy, Dan**

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**From:** Rick and Janet Meyers [Peachwood1270@verizon.net]  
**Sent:** Tuesday, June 13, 2006 10:19 PM  
**To:** Hardy, Dan  
**Subject:** Inter-County Connector

Dear Mr. Hardy:

I am the President of Peachwood Civic Association representing a community of 250 homes just north of the proposed intersection of the ICC with New Hampshire Ave. in Silver Spring, MD. I request that you include these comments in the record of the MCPB hearing on the ICC (Mandatory Referral #06809-SHA-1). Given the significant opposition to the ICC, limiting testimony to two hours is a farse.

We have and continue to strongly oppose building the ICC. At a cost of \$3 billion plus, it represents a monumental waste Maryland taxpayer dollars. At no time during any of the studies of the proposed road has the SHA ever engaged in an honest and comprehensive cost-benefit analysis to see if the ICC benefits would truly exceed its total cost (money plus environmental impact and other detriments). Given the significant cost, it is no wonder that SHA has avoided such a study. \$3 billion plus for 19 miles of road will certainly make the ICC one of the most expensive road projects in the nation with very little benefit to show for it. The SHA studies themselves have indicated that the ICC will NOT significantly reduce Beltway traffic, WILL significantly increase north-south feeder road traffic (e.g., New Hampshire Ave.), WILL cause significant environmental impact including the destruction of wetlands and parkland, WILL bisect existing communities, and will NOT significantly improve east-west travel time.

In addition, the ICC is proposed as a parkway toll road that will cost a significant amount of toll money (as toll costs go) to use, and I don't believe for a minute that commercial traffic will not be allowed to use the road. Furthermore, the ICC will promote further commercial development around its interchanges as well as further residential development in the county. It won't be long before the ICC becomes a parking lot like the Beltway. Other than a payoff to the real estate development and other commercial interests for their support of our Governor and County Executive, what do we, the citizens and taxpayers of Montgomery County and the State, get out of the deal except to have a significant share of available road construction money wasted on one white elephant road? Where will the money come from for badly needed improvements to existing roads and intersections and the construction of new roads that will would contribute to improving traffic congestion?

Then there is the issue of public transit. Should it not be good public policy to encourage use of mass transit instead of our cars? Can Montgomery County and the State expect to build the Purple Line light rail (unlike the ICC, the Purple Line has been shown to be a cost-effective and efficient transit improvement) at a cost of \$1.5 billion and maintain its support for METRO and an efficient and user-friendly bus system while at the same time spending \$3 billion plus on the ICC, without saddling taxpayers with monumental debt? I note the Governor's luke warm support for the Purple Line, and the SHA proposal to create express bus lanes, thus further exacerbating road congestion. Given the skyhigh and growing Federal deficit, is it reasonable to count on Federal money to pay for the ICC? Would it not be far mare cost-effective and efficient to spend our limited highway dollars on improvements to east-west roads and intersections? It has been suggested that such improvements would substantially improve traffic congestion in the county and cost a fraction (maybe one-sixth) of the ICC cost.

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It is no wonder that given all of the above, there is substantial opposition to the ICC by county civic associations and environmental groups while support for the ICC has come primarily from the commercial and trucking interests which stand to benefit from ICC construction.

However, I am a realist know that the fix is in and construction of the ICC is a vertual certainty. I can only hope that somehow, someday, the MCPB can see through the hype and take action to prevent the "rape" of Maryland taxpayers by a Governor and SHA (supported by the Montgomery County Executive and his Council supporters) who are determined to build the white elephant ICC, the cost and lack of demonstrated and significant benefit be damned.

Respectfully submitted,

Richard Meyers  
President  
Peachwood Civic Association  
Silver Spring, MD

**MCP-Chairman**

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**From:** helendan [helendan.cs@gmail.com]  
**Sent:** June 22, 2006 6:05 PM  
**To:** MCP-Chairman  
**Subject:** FW: ICC Bike Path

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JUN 28 2006

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Hello Mr. Berlage,  
I would like to comment prior to the hearing on ICC details.  
Regarding the bike path, I understand it has been reduced by the state to only about 7 miles.  
I think it would be a mistake to build this road and not make provisions for bicycle use. I believe that AASHTO (American Association of State Highway and Transportation Officials) recommends inclusion of bikes in all new roads.  
I understand costs are always a concern, so perhaps a good compromise would be to widen the shoulders to allow safe bike passage. This should cost less than a separate bike path and would also be easier to maintain. Rumble strips could separate the bike lane from the road.

Thanks for your consideration,  
Dan Kluckhuhn  
700 Bonifant St.  
Silver Spring, MD 20910

**MCP-Chairman**

**From:** bettep@wildbird.com [bette@wildbird.com]  
**Sent:** June 27, 2006 2:13 PM  
**To:** MCP-Chairman  
**Cc:** Joan.Kleinman@mail.house.gov; mayor@baltimorecity.gov;  
douglas.duncan@montgomerycountymd.gov  
**Subject:** ICC - Mandatory Referral Review/Aesthetic Elements

**R E C E I V E D**  
JUN 28 2006

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Mr. Berlage and Commissioners Bryant, Perdue, Roberts and Wellington: I attended the ICC Mandatory Referral Review on Aesthetic Elements on June 19th with other community leaders. Although the speaker, Greg Hoer, with the ICC Corridor Partners, came thoroughly prepared to discuss landscaping and presented materials on structures from noise walls to sign and camera gantries from the viewpoints of the construction engineer, landscaper and the driver on the highway, it was very clear that no one he represented had considered, nor intended to consider, the impact of the highway on the adjacent communities. We were told repeatedly that materials had not been prepared dealing with the highway's impact on the public, that not all communities impacted had even been invited to sit in on the Aesthetic Elements review, and that no further public input was sought during the review process. To say I was disappointed that a project so large and with such a huge impact on Maryland's citizens has been so poorly thought through is an understatement. I am sure the other community leaders involved have sent more detailed and scathing letters about the specific failures of the project's process to protect the public in their neighborhoods. I would strongly encourage the Planning Board to bring pressure to bear on the SHA to make significant effort to accommodate community needs before the project goes further and to enlist other politicians at the local, state and national levels to do so as well.

I would like to praise Karen Kumm, who conducted the meeting for M-NCPPC, for her skill and grace in fielding difficult questions and negotiating a manageable session with Mr. Hoer, as well as for her thorough Summary of Comments (6/20/06). I would like to add to those comments the following. It is my recollection that ( at the top of page 2 of the Summary of Comments) when residents asked if there was any opportunity for meaningful input into the Design/built contracts, they were told that the process did not allow for any; at the top of page 4 where the summary proposed that the proposed landscape treatment should be increased, participants said that the planting should be at least doubled.

Sincerely,

Bette Petrides

Candidate, Montgomery County Council at-Large

M7

06/28/2006



## MCP-Chairman

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**From:** Leonard Marco [marcolj@comcast.net]  
**Sent:** June 27, 2006 6:13 PM  
**To:** MCP-Chairman  
**Subject:** ICC

RECEIVED  
JUN 28 2006

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Mr. Derick Berlage  
Planning Board Chairman  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Dear Sir,

Today I had a visit from the State Highway representatives about my property that the state requests use of for A) during the construction phase for various reasons and B) a permanent easement for sound barrier maintenance. I was informed that the construction plans for the ICC as pertains to many details of the construction are not final. It is the purpose of this letter to request that the section of the ICC that passes along the Heatherford Court Area be protected by a tall sound barrier. Since this is going to be in my backyard literally I would request that this wall be of block and that landscaping be done to return the property to a visually pleasing condition. I know that all the mature trees and shrubs that have been so tenderly cared for and have reached their 'beauty' will be cut down on this temporary acquisition parcel of my property. I would expect that the Planning Commission will be sensitive to the homeowners abutting the ICC and would consider a wall similar to the Florida Turnpike that has proven to be very sound deadening for the high traffic it carries. If you would like to discuss this matter further please contact me at: Leonard J. Marco, 6724 Heatherford Court, Rockville, Maryland, 20855 or by email marcolj@comcast.net. Thank you for your consideration on this very important and sensitive phase of the construction of the ICC.

Sincerely,  
Leonard J. Marco