



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
ITEM #1
12/05/02

November 27, 2002

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeff Zyontz, Chief
County-wide Planning Division

Jorge A. Valladares, P.E. Chief
Environmental Planning/County-wide Planning Division

FROM: Joe Anderson for Department of Park and Planning
(301) 650-4373

SUBJECT: **Mandatory Referral No. 00814-SHA-1**
State Highway Administration (SHA)
Congestion Relief Study – Intersection Improvements
Veirs Mill Road (MD 586) at Aspen Hill Road

RECOMMENDATION

Staff recommends that the Planning Board approve the project and Section 4(f) mitigation measures with the following comments:

1. Prior to issuance of Sedimentation and Erosion Control permits, submit a Tree Save Plan to M-NCPPC/Environmental Planning Unit specifying protection/preservation measures and reduced impacts (applies to all specimen trees with impact to 30% or more of their critical root zone).
2. Coordinate final landscape plans with staff, indicating tree species, size, and planting details; all median areas that are wider than six feet should include landscape planting.
3. Coordinate the project plans to the extent feasible with the hiker-biker overpass facility planning underway by DPWT/M-NCPPC.
4. A Park Construction Permit must be submitted for prior approval to work on park property; no storage of materials or staging areas for equipment will be allowed on park property. This restriction should be included as a special provision of the construction contract.
5. Replace monolithic concrete medians on MD 586 with Ashlar slate pattern or similar, as exists on Veirs Mill Road, south of Connecticut Avenue.

6. Widen corner sidewalks at Veirs Mill Road and Aspen Hill Road to accommodate waiting bicyclists.
7. Provide appropriate signing/pavement markings for bicycle/bus lane on Veirs Mill Road and the Rock Creek trail crossing.
8. Approval from the National Capital Planning Commission (NCPC) is required for park property acquisition due to prior park acquisition funding agreements.

DESCRIPTION OF PROJECT

This improvement would widen Veirs Mill Road, primarily on its eastbound side, from the Rock Creek bridge to the Parklawn Local Park soccer field parking lot. This will provide space for a second left turn lane and for a third westbound lane, through the intersection area. The plan also includes widening Aspen Hill Road, primarily on its northbound side, to about 250 feet north of Adrian Street. This will accommodate a second right turn lane from Aspen Hill Road to Veirs Mill Road and a receiving lane for the new left turn lane from Veirs Mill Road to Aspen Hill Road.

New sidewalk would be provided along westbound Veirs Mill Road from Aspen Hill Road to the existing walk, west of the Rock Creek bridge, providing a continuous sidewalk between Aspen Hill Road and Twinbrook Parkway. Additionally, a short section of new bike path is included between Veirs Mill Road and Baltic Avenue as part of the Rock Creek trail connection through this area.

In response to specific local community concerns, SHA proposes a directional island in the middle of Adrian Street at Aspen Hill Road which will eliminate left turns from Adrian Street. This should reduce or eliminate cut through traffic on Adrian Street which currently tries to by pass the evening's westbound backup on Veirs Mill Road.

Proposed improvements to the intersection are depicted on Attachment 1, yellow areas identify new pavement area, orange, new sidewalk/trail area, and red arrows indicate the direction and location of proposed new traffic lanes.

BACKGROUND/HISTORY

The proposed project has been developed by SHA under their ongoing Congestion Relief Study program. This program has identified major congested intersections throughout the county in order to plan, design, and implement feasible improvements. County and M-NCPPC staff have worked directly with SHA through this process, developing and reviewing design proposals.

The project was previously reviewed by the Planning Board at the preliminary design stage, on November 16, 2000. At that time, the Board approved the project concept which added a second left turn lane to Veirs Mill Road and removed some parking on Aspen Hill Road for a short distance to provide a second lane northbound. The Planning Board's approval of the preliminary project design requested that the project be submitted to the Board for a final mandatory referral review. The Planning Board's letter of approval is Attachment 2, followed by a letter of response from SHA, Attachment 3.

Subsequent to the Board's preliminary review, SHA added a westbound lane through the intersection on Veirs Mill Road and a widening of Aspen Hill Road extending to about 250 feet north of Adrian Street. These changes were made to accommodate an additional right turn lane from Aspen Hill Road to Veirs Mill Road eastbound. The County Council approved this plan concept. Their February 16, 2001, letter of approval is Attachment 4. The current design submittal by SHA is consistent with the Council's concept approval.

Both the previous Planning Board and the Council approvals of this project sought accommodation or implementation of a grade-separated crossing for the Rock Creek Hiker-Biker trail over Veirs Mill Road at this location. On this matter, the state and county worked out an agreement which has resulted in a facility planning study of the trail bridge crossing. That study is underway by DPWT and M-NCPPC. The state indicated their willingness to participate in the funding of a trail bridge project developed from this process. All other comments by the Planning Board on the intersection project have been addressed by SHA in developing the current project design, as discussed below.

During the course of developing the project design, there have been several meetings between the community, SHA, DPWT, and M-NCPPC staff. SHA has been particularly diligent in working with the community to modify the design to respond to their concerns, even after receiving the Council's approval. Modifications to the design concepts to respond to these particular concerns include removing the free right turn from Aspen Hill Road (enhancing pedestrian safety) and adding a right-turn-in, right-turn-out traffic channelization island at Adrian Street (to discourage cut through traffic on Adrian Street).

While the community had in the past expressed support for the project, some in the community continue to oppose aspects of the projects which directly affect Aspen Hill Road. Previous reviews by the Planning Board and the Council approved these changes to Aspen Hill Road, which would remove parking and provide for a limited widening.

STAFF EVALUATION

The Aspen Hill Master Plan recommends improvement of the intersection and requires that any improvement be approved by the County Council. The project design is consistent with the Council's approval which is attached to this memorandum.

The issues of primary concern from the Planning Board's preliminary review are listed as comments in the attached November 16, 2000 approval letter; the following actions have been taken on those comments:

1. Additional width has been provided for a combined bus/bicycle lane on both sides of Veirs Mill Road.
2. The free right turn on Aspen Hill has been removed.
3. The pedestrian island has been removed in conjunction with elimination of the free right turn.
4. Staff have worked with SHA to minimize park impacts.

5. Facility planning is underway by DPWT/M-NCPPC for a grade-separated trail crossing of Veirs Mill Road.
6. SHA has submitted plans for this final mandatory referral review.

There are three primary changes which have been made to the project since the Board's previous review. The first two include additional widening along Veirs Mill Road (for a third westbound lane) and some limited widening along Aspen Hill Road. The widening on Aspen Hill Road is to accommodate a five-lane cross-section for Aspen Hill Road at the Veirs Mill Road intersection, including two right-turn lanes, a left turn lane, and two receiving lanes (extending about 250 feet north of Adrian Street). These changes are consistent with the Council's approval conditions.

These changes provide additional capacity on westbound Veirs Mill Road and right turning capacity from Aspen Hill Road. For the three approach lanes on Aspen Hill Road, the left turn lane would operate as a shared right or left turn lane during the morning peak. This change also permitted the removal of the free right turn from Aspen Hill Road, a community concern relative to pedestrian safety. All right turns will be signal controlled and there will be separate pedestrian phases.

Traffic operations will improve significantly with the proposed improvements. The existing Level-of-Service (LOS) at the intersection is F in the AM peak hour and E in the PM peak hour. With the improvement, these are projected to significantly improve, to LOS C in the AM peak and B in the PM peak.

A third change to the project is the addition of a traffic channelization island on Adrian Street at Aspen Hill Road. The island would prohibit left turns from Adrian to Aspen Hill Road. This is in response to community concerns over cut through traffic on Adrian Street, trying to bypass the evening's westbound back up on Veirs Mill Road at Aspen Hill Road. This change is at the behest of the community and is not a "requirement" of the project design.

Park Impacts and Section 4(f) Mitigation

Veirs Mill Road crosses Rock Creek Stream Valley Park in the vicinity of Aspen Hill Road and its widening impacts the edge of the park. As such, SHA is required to complete a federal Section 4(f) review, documenting impacts and identifying mitigation where impacts are unavoidable. Also, because the Rock Creek Stream Valley Park was acquired with Capper-Crampton funds, it will be necessary for SHA to get approval from the National Capital Planning Commission (NCPC) for any property transfer and impact.

Consistent with the prior preliminary review, the aggregate area of park impact is relatively small, at one to two acres. This area is in a narrow strip of land along the existing road's edge, an area which has been overgrown by invasive non-native plants. The project will not directly affect any park facilities, although the Rock Creek trail will be relocated slightly to better align with the at-grade intersection crossing of Veirs Mill Road. A total of 0.07 acres of private property will be required for right-of-way needs (from 4 properties). This is about half the amount of impacted private property identified in the preliminary design.

A summary of environmental impacts and a map of environmental features have been prepared by SHA and are included as Attachments 5 and 6. Stormwater management impact for the project has been minimized by channeling runoff directly to

Rock Creek. All stormwater management is accommodated within the limits of construction for the roadway widening. Environmental and park resource staff have reviewed the project and related impacts and are satisfied that the impacts are minor and have been minimized to the extent feasible. A memorandum from Environmental Planning staff, detailing related comments, is included as Attachment 7.

SHA is required by Section 4(f) to propose specific mitigation measures to minimize harm for the permanent use of park land, and to obtain concurrence from the park agency. A letter of concurrence, Attachment 8, has been prepared by SHA outlining the proposed mitigation measures. Staff worked with SHA in identifying these measures and finds them reasonable relative to the level of impacts. In summary the measures include:

1. Tree replacement and eradication of invasive vegetation,
2. Funding for new park amenities,
3. Resurfacing and restriping the Parklawn Local Park parking area, and
4. Fee-simple purchase of park property needed to implement the project.

Staff recommends that the Planning Board concur that these mitigation measures are acceptable.

Community Concerns

Throughout the course of developing the design for the intersection improvement, SHA has met many times with the community. Even after receiving initial approvals by the Board and Council, SHA met with the community to discuss their continuing concerns. Although it appeared that further project modifications had achieved community consensus, there apparently continues to be discord in the community over any changes directly affecting Aspen Hill Road. These changes, however, have been kept to a minimum, are consistent with prior plan concepts and approvals, and are essential to the project. A copy of the most recent letter received concerning the project from Aspen Hill Civic Association is Attachment 9.

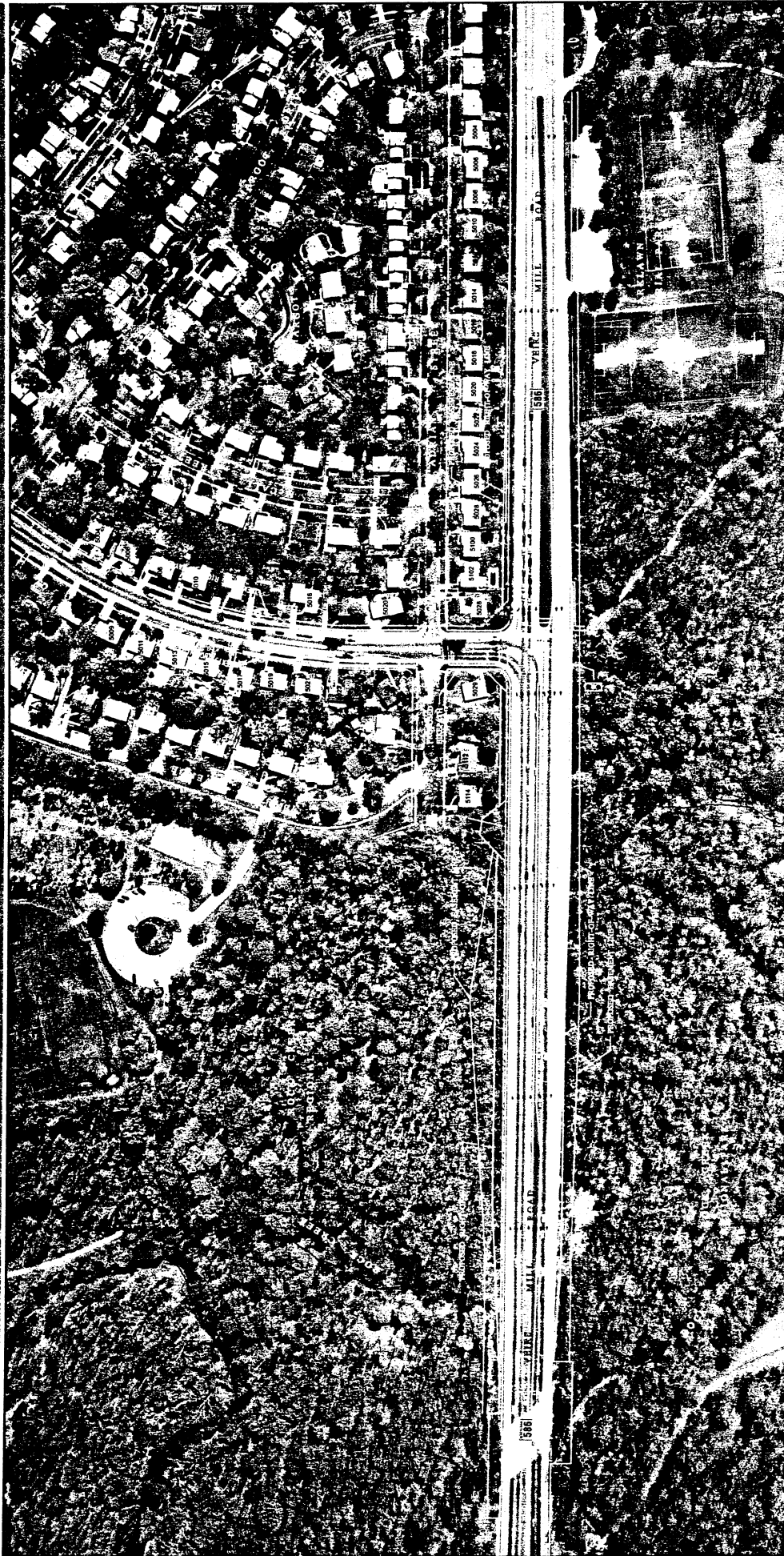
JA:ss\D:\PlanningBoardMemos\VeirsMill-AspenHill-joe.doc

Attachments

1. Aerial depiction of project
2. Planning Board letter of November 28, 2000
3. State Highway Administration letter of December 13, 2000
4. County Council letter of February 16, 2001
5. Summary of Environmental Impacts
6. Map of Environmental Features
7. Environmental Planning memo of November 25, 2002
8. State Highway Administration proposed letter of concurrence, October 10, 2002
9. Aspen Hill Civic Association, letter of September 3, 2002


cc: Ken Briggs, SHA
Bob Simpson, DPWT
Mike Riley
Khalid Afzal
Larry Cole
Doug Redmond
Marion Clark

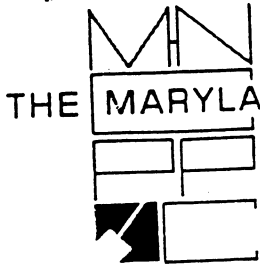
M19 MD 586 (Weirs Mill Road) at Aspen Hill Road M19



Legend

- Historic Properties
- Parklands and Recreational Areas
- Wetlands
- Community Resources
- Streams/Open Water
- New Roadway
- New Sidewalk and/or Bikeway
- Landscaping Area
- Concrete Median





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

Montgomery County Planning Board
Office of the Chairman

November 28, 2000

Robert D. Douglass
Deputy Chief Engineer
Highway Development
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Dear Mr. Douglass:

At its regular meeting of November 16, 2000, the Montgomery County Planning Board reviewed the State Highway Administration's proposed intersection improvements for Veirs Mill Road (Md 586) at Aspen Hill Road.

The Planning Board approved the project concept for Option 2 (adding a second left turn lane on Veirs Mill Road) with the following conditions on its final design:

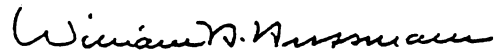
1. Provide additional width, as necessary, to accommodate bike lanes along Veirs Mill Road.
2. Provide a pedestrian-activated, pedestrian signal phase to protect pedestrians crossing the proposed free right turn on Aspen Hill.
3. Design the pedestrian island at the Aspen Hill free right turn lane, to accommodate waiting bicycle/pedestrian groups or families; design the right turn lane to maximize pedestrian/motorist visibility and moderate vehicle approach speed.
4. Develop final plans in coordination with M-NCPPC staff with special attention to minimizing and mitigating impacts and intrusion to Rock Creek Stream Valley Park, Parklawn Local Park, and the soccer field parking area. Any mitigation must be accomplished by SHA as part of their project relocation and buffering of park facilities, if needed.

5. Provide a grade separated crossing of Veirs Mill Road for the Rock Creek hiker-biker trail.
6. Submit final design plans to the Planning Board for mandatory referral and Section 4f review and approval.

Specific park impacts will need to be reviewed in detail during final design review, including Section 4f requirements. It will also be necessary to obtain approval by the National Capital Planning Commission for any park property acquisition for road improvements due to the existing grant agreements for this area of Rock Creek Park.

The Planning Board was particularly concerned with the safety and convenience of the crossing of the Rock Creek hiker-biker trail at this location. The significance of this major trail warrants grade separation across Veirs Mill Road. The occasion of this improvement is the appropriate situation in which to implement this proposal as part of the overall intersection project.

Sincerely,



William H. Hussmann
Chairman

WHH:JA:cq



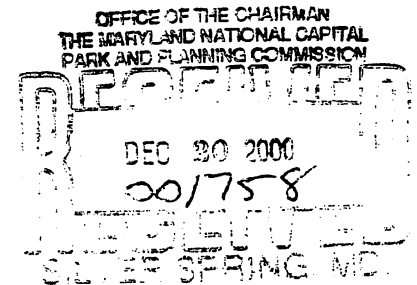
**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

December 13, 2000

RE: Contract No. MO816A21
MD 586(Veirs Mill Rd)/ Aspen Hill Rd
CRS Intersection Improvement
P.D.M.S. No. 153510

William H. Hussman
Chairman
Maryland National Capital
Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760



Dear Mr. Hussmann:

Thank you for your recent letter that approved the Option 2 concept and specified the conditions to be met in final design. We share your concerns regarding pedestrian safety and are coordinating with your staff on these issues.

The following conditions were specified:

1. **Provide additional width, as necessary, to accommodate bike lanes along Veirs Mill Road.** As part of our design we will provide a 10-12 foot shoulder through the open section and 15 foot bicycle compatible curb lanes through the closed section.
2. **Provide a pedestrian-activated, pedestrian signal phase to protect pedestrians crossing the proposed free right turn on Aspen Hill.** Our latest option provides a signalized right turn.
3. **Design the pedestrian island at the Aspen Hill free right turn lane, to accommodate waiting bicycle/pedestrian groups or families: design the right turn lane to maximize pedestrian/motorist visibility and moderate vehicle approach speed.** We will maximize the refuge area and visibility within the area available.
4. **Develop final plans in coordination with M-NCPPC staff with special coordination to minimizing and mitigating impacts and intrusion to Rock Creek Stream Valley Park, and the soccer field parking area. Any mitigation must be accomplished by SHA as**

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

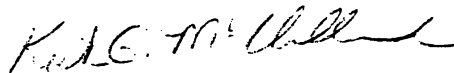
part of their project relocation and buffering of park facilities, if needed. We will continue to coordinate these issues with your staff.

5. **Provide a grade separated crossing of Veirs Mill Road for the Rock Creek hiker-biker trail.** We are currently studying the impacts and costs of this crossing. We will provide this information to your staff and the County. If at that time the County wishes to pursue the grade separation they will need to apply for this as an Enhancement project through the Executive Committee review process. If this is approved SHA will provide up to a 50% match of all costs to the County as a separate improvement project.
6. **Submit final design plans to the Planning Board for mandatory referral and Section 4F review and approval.** These plans will be provided.

Since our last community meeting and your November 16th Board meeting we have developed a third option addressing some of the comments we received. This option will be included with Option 2 in a public meeting scheduled for January 11, 2001. Option 3 keeps the double left into Aspen Hill Road but also provides a double right turn to westbound Veirs Mill Road. This will eliminate the free right turn movement and restore a fully signalized controlled intersection with pedestrian phased crossing options.

We look forward to working with your staff in balancing our transportation needs with the needs of the park, transit, pedestrians, bicyclists and the community. Please feel free to contact me or Ken Briggs, CRS Coordinator, if you have any questions. Ken can be reached at 410-545-8761.

Very truly yours,



Kirk G. McClelland
Acting Director
Office of Highway Development

KGM/ktb



MONTGOMERY COUNTY COUNCIL

ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

February 16, 2001

Parker F. Williams, Administrator
State Highway Administration
P.O. Box 717
Baltimore, Maryland 21203-0717

Dear Mr. Williams:

The County Council has reviewed several options your staff has developed to improve the intersection of MD 586 (Veirs Mill Road) and Aspen Hill Road, and we unanimously recommend Option 3 as the best option to proceed to final design and construction. (Our resolution is attached.) We recognize that none of the options come without some negative impacts, but we believe Option 3 minimizes community and environmental impacts as much as possible while still providing significant relief to this very congested intersection.

Just as important as the roadway improvements are the elements of Option 3 that would allow the future implementation of a Veirs Mill Road Bus Rapid Transit system and would provide better access to the existing bus stops on both sides of MD 586. Furthermore, as noted in the resolution, the Council is committed to seeking State funding to construct a bridge over MD 586 for the Rock Creek Trail, which would allow pedestrians and bikers to avoid the thousands of vehicles that pass through this intersection daily. We think it appropriate that the State fund this bridge under the Access 2000 program, and we hope it can be done on a schedule commensurate with the construction of the intersection improvements, that is during 2003.

We appreciate the hard work your staff and consultants have performed to date to improve the traffic and pedestrian circulation at this intersection.

Sincerely,

A handwritten signature in black ink, appearing to read "Blair G. Ewing".

Blair G. Ewing
Council President

BE: go

Copies: Councilmembers

The Honorable Leonard H. Teitelbaum, Maryland State Senate
The Honorable Henry B. Heller, Maryland House of Delegates
The Honorable Adrienne A. Mandel, Maryland House of Delegates
The Honorable Carol S. Petzold, Maryland House of Delegates
The Honorable Douglas Duncan, Montgomery County Executive
Mr. William Hussmann, Chair, Montgomery County Planning Board

STELLA B. WERNER COUNCIL OFFICE BUILDING, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 TTY 240/777-7914 FAX 240/777-7989

WWW.CO.MO.MD.US/COUNCIL



Resolution No.: _____
Introduced: October 31, 2000
Adopted: February 13, 2001

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Improvement of Veirs Mill Road/Aspen Hill Road intersection

Background

1. The Approved and Adopted Aspen Hill Master Plan (1994) states that a comprehensive study of intersection improvements at Veirs Mill Road and Aspen Hill Road should be conducted with a public hearing by the County Council before any improvement is programmed.
2. The Maryland State Highway Administration has conducted a comprehensive study of intersection improvements at Veirs Mill Road and Aspen Hill Road and has developed several options for such improvements.
3. The County Council held a public hearing on November 21, 2000.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The County Council recommends to the State Highway Administration program the improvements at the intersection of Veirs Mill Road and Aspen Hill Road described under 'Option 3' in the February 13, 2001 Council packet for Agenda Item #5:

- a third northbound through lane on Veirs Mill Road;
- a second left-turn lane from southbound Veirs Mill Road to eastbound Aspen Hill Road;
- a five-lane cross-section for Aspen Hill Road at the intersection with Veirs Mill Road, including two right-turn lanes, a left-turn lane, and two receiving lanes;
- widening Aspen Hill Road to approximately 250 feet north of Adrian Street;
- sidewalk connections to bus stops on both northbound and southbound Veirs Mill Road;
- accommodation of the Veirs Mill Road Bus Rapid Transit concept; and
- accommodation of a potential Rock Creek Hiker-Biker Trail bridge over Veirs Mill Road. The Council will seek State funding for this pedestrian/bicycle bridge.

The Council's Transportation and Environment Committee will continue to pursue issues related to pedestrian safety and access to bus stops in the vicinity of this intersection.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council



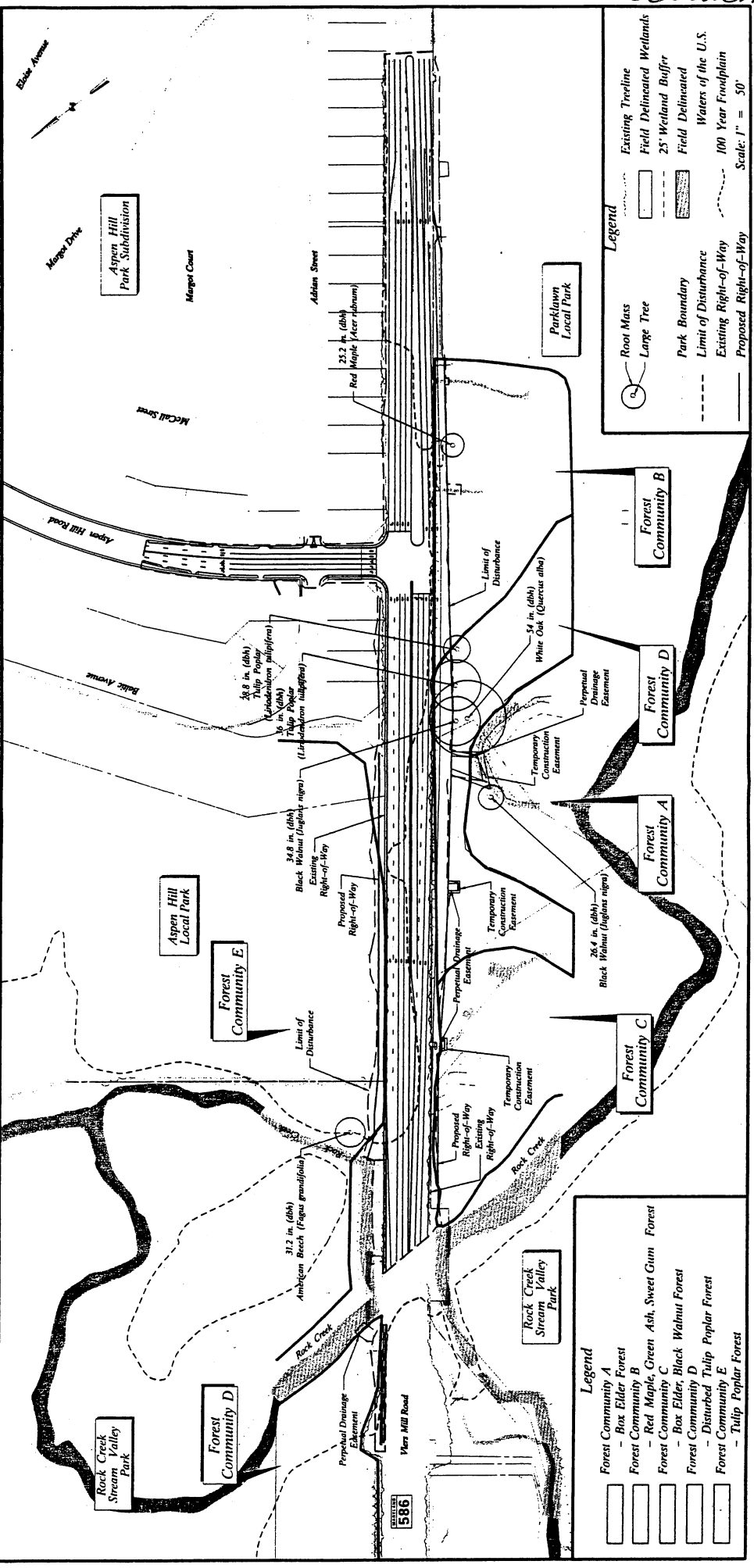
**MD 586 AT ASPEN HILL ROAD
INTERSECTION IMPROVEMENTS
SUMMARY OF ENVIRONMENTAL IMPACTS**

CATEGORY	IMPACTS
<i>Right-of-Way Required (acres)</i>	
Permanent	1.73
Perpetual Drainage Easement	0.09
Temporary Construction Easement	0.27
Total	2.09
<i>Residential Properties</i>	
Right-of-Way - acres	0.07
Properties Affected - each	4
Displacements	0
<i>4(f) Resources (acres)</i>	
Aspen Hill Local Park	
Permanent Right-of-Way Required	0.19
Perpetual Drainage Easement	0
Temporary Construction Easement	0
Rock Creek Stream Valley Park	
Permanent Right-of-Way Required	1.48
Perpetual Drainage Easement	0.09
Temporary Construction Easement	0.22
Total 4(f) Impacts¹	1.76
<i>Natural Environment</i>	
100-Year Floodplain Impacts - acres	1.54
Permanent Non-Tidal Wetland Impacts - s.f.	40
Permanent Wetland Buffer Impacts - s.f.	1,845
No. of Stream Impact Locations	8
Stream Impacts - l.f. (s.f.)	135 (1,032)
Woodland Impacts - acres	1.78
Large Tree Impacts	
Number of Trees	0
Tree Root Masses Impacted - each	5
Significant Tree Impacts	0
<i>Preliminary Cost Estimate</i>	\$5.03 million

¹Only Permanent Right-of-way and Perpetual Drainage Easement amounts are included in total Section 4(f) impacts.

- SWM

MD 586 at Aspen Hill Road - Environmental Features



Legend

[Symbol]	Forest Community A
[Symbol]	- Box Elder Forest
[Symbol]	Forest Community B
[Symbol]	- Red Maple, Green Ash, Sweet Gum Forest
[Symbol]	Forest Community C
[Symbol]	- Box Elder, Black Walnut Forest
[Symbol]	Forest Community D
[Symbol]	- Disturbed Tulip Poplar Forest
[Symbol]	Forest Community E
[Symbol]	- Tulip Poplar Forest

Legend

[Symbol]	Root Mass
[Symbol]	Long Tree
[Symbol]	Park Boundary
[Symbol]	Limit of Disturbance
[Symbol]	Existing Right-of-Way
[Symbol]	Proposed Right-of-Way
[Symbol]	Existing Tree Line
[Symbol]	Field Delineated Wetlands
[Symbol]	25' Wetland Buffer
[Symbol]	Field Delineated Waters of the U.S.
[Symbol]	100 Year Floodplain

Scale: 1" = 50'



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

November 25, 2002

MEMORANDUM

TO: Joe Anderson, Transportation Planning

VIA: Mary Dolan, Environmental Planning Division *MD*

FROM: Marion Clark, Environmental Planning Division *MC*

SUBJECT: MR-00814-SHA-1
MD 586 at Aspen Hill Rd. Road widening and improvements

The Environmental Planning staff has reviewed the mandatory referral referenced above. Staff recommends **approval** with the following comments:

- In more detailed stages of design, all elements of the roadway design shall be thoroughly examined to minimize impacts on specimen trees (30"dbh and greater). Consideration shall be given to use of retaining walls and other construction methods to maximize tree preservation.
- Prior to issuance of a Sediment and Erosion Control permit, submit a Tree Protection/Preservation Plan to M-NCPPC Environmental Unit showing protection/preservation details and reduced impacts. Tree save details shall be applied to all specimen trees with impact to 30% or more of the critical root zone (1.5' per each 1" radius). Details should include, but not be limited to: pre-construction watering and fertilizing, fencing, root pruning and dead wood pruning of any trees impacted by construction activities; and a time frame for implementation of all tree save measures.
- A landscape plan showing genus and species of trees proposed, size of trees proposed, and tree planting details shall be submitted to M-NCPPC, Community Based Planning prior to issuance of sedimentation and erosion control permits.

Forest Conservation

An exemption from Forest Conservation Plan requirements has been granted because this is a state government project reviewed for forest conservation by the State Department of Natural Resources under the Forest Conservation Law of the State of Maryland.

Water Quality

This site falls in the Lower Rock Creek, a watershed having a Use I designation. It is within the Lower Mainstem Veirs Mill subwatershed. This subwatershed has a stream condition rating of poor and habitat conditions of fair. All of the Lower Rock Creek watershed is designated a restoration area and all efforts should be made to retain or restore existing habitat.



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendonig
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

October 10, 2002

Re: Project No. M0816A21
MD 586 at Aspen Hill Road
Intersection Improvements
Montgomery County

Mr. Bill Gries
Maryland-National Capital
Park and Planning Commission
9500 Brunett Avenue
Silver Spring MD 20910

Dear Mr. Gries:

The Maryland State Highway Administration (SHA) is proposing intersection improvements on MD 586 (Veirs Mill Road) at Aspen Hill Road in Montgomery County (see Attachment A). The proposed scope of work includes widening the existing roadway in the vicinity of the intersection to accommodate an additional left-turn lane, as well as adding a 14-foot shoulder/bus queue jumper in the southbound direction and an additional through-traffic lane in the northbound direction. The existing median will also be removed and replaced, and a sidewalk will be added along northbound MD 586. The proposed intersection improvements will result in minor temporary and permanent use of property from Aspen Hill Local Park and Rock Creek Stream Valley Park (see Attachment B).

The purpose of the proposed intersection improvements is to address traffic congestion and safety along MD 586 between Twinbrook Parkway and Randolph Road. Improvements to this intersection are consistent with the Aspen Hill Master Plan (1994), which recommends adding one-left-turn lane on southbound MD 586 and widening the roadway to provide additional capacity between Twinbrook Parkway and Randolph Road. Additionally, the proposed bus queue jumper at the MD 586/Aspen Hill Road intersection is part of the Washington Metropolitan Area Transit Authority's and Montgomery County's ongoing efforts to enhance transit operations on MD 586 by increasing the speed and reliability of buses.

All proposed improvements to MD 586 will be located within the minimum 150-foot right-of-way (ROW) that is identified in the local Master Plan. The majority of the roadway widening along MD 586 will be located on the southbound side of the roadway. On southbound MD 586, an additional left-turn lane onto northbound Aspen Hill Road and a wider shoulder, which will be used as a bus queue jumper, will be added. On northbound MD 586 the existing median will be relocated to accommodate an additional through lane, which will begin just east of Aspen Hill Road and tie into the existing three-lane section that begins east of the Twinbrook

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

Parkway intersection. The existing median will be relocated from the central portion of the existing roadway and replaced with either full depth paving or proposed median, and existing paving will be removed as needed to accommodate the proposed median relocation. Sidewalk with curb and gutter will be added to the northbound side of the roadway, creating a closed section. On northbound MD 586, west of the Rock Creek bridge, the sidewalk, curb and gutter will be extended to connect to an existing sidewalk. Any remaining existing roadway paving will be milled and overlaid.

Proposed roadway widening along Aspen Hill Road will occur on both sides of the road by removing and relocating the existing sidewalk, curb, and gutter. An additional lane will be added in the northbound direction to accommodate the additional left-turn lane on southbound MD 586. Full depth paving will be provided in the newly widened roadway areas, and a median will be installed. Any remaining existing roadway paving will be milled and overlaid.

Drainage improvements are also proposed within the project limits and will include ditch construction and ditch relocation, as well as the installation of inlets and drains to remove runoff collected by areas of proposed closed section roadway. Existing pipe culverts outfalling south of MD 586 will be extended as needed to accommodate proposed roadway widening. Other improvements may include the addition of pipe culverts under driveways.

The proposed improvements will result in the use of a minor amount of land from two publicly-owned public parks. A total of 0.19-acre of permanent ROW will be required from Aspen Hill Local Park, and a total of 1.48-acres of permanent ROW as well as 0.09-acre of perpetual drainage easement and 0.22-acre of temporary construction easement will be required from Rock Creek Stream Valley Park.

Aspen Hill Local Park and Rock Creek Stream Valley Park are owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) with the exception of one parcel within the latter that is owned by Montgomery County. Both parks, including the County-owned parcel, are operated by M-NCPPC and, therefore, M-NCPPC is the agency with jurisdiction over the parks.

The measures proposed by SHA to minimize harm and mitigate for the permanent use of Aspen Hill Local Park property and Rock Creek Stream Valley Park property include the following:

- *Tree Replacement and Eradication*

Impacted trees will be replaced with native tree species, including canopy trees, understory species and shrubs to promote reforestation. Exotic invasive species, such as the Tree of Heaven, will be removed to help promote a healthier forest habitat. The SHA will coordinate with the M-NCPPC to develop a planting and eradication plan.

- *Providing Park Amenities*

Park amenities such as benches, interpretive signage, trash receptacles and a fitness station will be added to enhance the park and provide the users with a richer park experience. The SHA will coordinate with the M-NCPPC to determine the types of amenities to be provided and their locations.

- *Resurface and Restripe Existing Parking Lot at Parklawn Local Park*

The existing parking lot at Parklawn Local Park will be resurfaced and restriped to improve the overall appearance of the park facility and to possibly create additional parking spaces.

- *Purchase Park Property at Fair Market Value*

SHA will purchase all fee-simple ROW needed from Aspen Hill Local Park and Rock Creek Stream Valley Park at fair market value.

These proposed measures have been previously and favorably discussed with staff of the M-NCPPC at a meeting on September 18, 2002.

According to Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C 303(c)), land protected by Section 4(f), including publicly-owned public parkland, must be evaluated and documented. As part of the Programmatic Section 4(f) documentation process required for federal-aid projects, concurrence must be sought from the officials having jurisdiction over the parkland that the impacts to the park property and the associated mitigation measures are agreed upon.

The Federal Highway Administration (FHWA) has also determined that the requirements of Section 4(f) do not apply to the temporary use of publicly-owned public parkland when the officials with jurisdiction over the resource indicate their agreement with the following five criteria:

- *The duration of the use will be temporary and less than the time needed for construction of the project.*

The temporary use of Rock Creek Stream Valley Park property is for construction purposes and will be complete prior to the final completion of the proposed intersection improvements

- *The ownership of the property will not change or result in the retention of long term or indefinite interests in the land for transportation purposes.*

The ownership of Rock Creek Stream Valley Park outside of the proposed ROW will remain with M-NCPPC and Montgomery County and will continue to be maintained by M-NCPPC.

- *The scope of work will be minor, in which the nature and magnitude of the changes to the resource will be minimal.*

The temporary use of land from Rock Creek Stream Valley Park (0.22-acre) will be for the purpose of ditch construction, sidewalk construction and fence relocation. All ditches and sidewalks will be located within the proposed ROW; therefore, changes to the parkland will be minimal.

- *There will be no anticipated permanent adverse physical impacts, nor will there be interference with the activities or purposes of the resource, on either a temporary or permanent basis.*

The construction of ditches and sidewalks and the relocation of fencing will not result in any permanent adverse physical impacts, nor will they interfere with the activities or purposes of Rock Creek Stream Valley Park (including activities at Parklawn Local Park).

- *The land being used will be fully restored, in that the resource will be returned to a condition, which is at least as good as that which existed prior to the project.*

The areas where temporary use is proposed will be returned to an acceptable condition upon completion of the proposed intersection improvements.

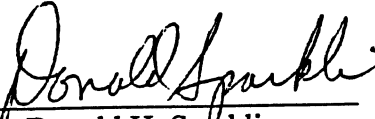
Therefore, the SHA seeks your concurrence that the assessment of impacts associated with the proposed intersection improvements upon Aspen Hill Local Park property and Rock Creek Stream Valley property and the proposed mitigation measures are adequate and agreeable.

The SHA additionally seeks your concurrence that, according to the above criteria, the temporary use of Rock Creek Stream Valley Park property for the proposed ditch construction, sidewalk construction and fence relocation will not permanently and adversely impact Rock Creek Stream Valley Park. Please note that your concurrence with the above five criteria is only for determining that Section 4(f) would not apply to the temporary use of Rock Creek Stream Valley Park property. SHA's need for the temporary construction easement will be arranged with members of your staff and their right-of-way officials prior to construction.

Should you have any questions or concerns regarding the permanent use of Aspen Hill Local Park property and Rock Creek Stream Valley Park property, or the temporary use of Rock Creek Stream Valley Park property, please contact Ms. Allison Cauthorn at 410-545-2874 or acauthorn1@sha.state.md.us.

Very Truly Yours,

Ms. Cynthia D. Simpson
Deputy Director
Office of Planning and
Preliminary Engineering

by: 
Mr. Donald H. Sparklin
Assistant Division Chief
Project Planning Division

CONCURRENCE:

Maryland National Capital
Park and Planning Commission

Date

Attachments

cc:	Mr. Joe Anderson, M-NCPPC	(w/Attachments)
	Mr. Kenneth Briggs, SHA-OHD	“
	Ms. Allison Cauthorn, SHA-PPD	“
	Mr. Larry Cole, M-NCPPC	“
	Ms. Gayle Libby Curtiss, Montgomery County DPWT	“
	Mr. Chris Fronheiser, Wallace, Montgomery & Associates	“
	Mr. Dana Knight, McCormick, Taylor & Associates, Inc.	“
	Ms. Linda Mott, SHA-LAD	“
	Mr. Bob Simpson, Montgomery County DPWT	“
	Mr. Donald H. Sparklin, SHA-PPD	“
	Mr. Colbert Stephen, SHA-OHD	“

Aspen Hill Civic Association

Donald A. Becker, President

13115 Dauphins Street Silver Spring, MD 20906

Phone: 801-948-0478 E-mail: dbecker@tidalwave.net

2001-2002 Officers: D. Polinsky, VP; M. Bell, Rec. Secty; R. Embrey, Treas.; J. Gregorius, Corresp. Secty.

September 3, 2002

Mr. Parker F. Williams, Administrator
Maryland State Highway Administration
Mail Stop C-400
P.O. Box 717
Baltimore MD 21203-0717

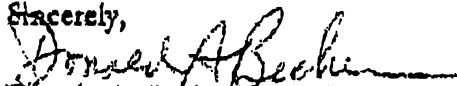
Dear Mr. Williams:

On June 25, 2001, on behalf of the the Aspen Hill Civic Association (AHCA), I sent you a letter regarding the reconstruction project for MD 586 (Veirs Mill Road) and Aspen Hill Road. At that time the AHCA stated they were very concerned with the safety aspects of this planned highway reconstruction, and felt that the inevitable impact of this proposed modification on the safety of our neighborhoods had not been adequately addressed. This letter enumerated many of the safety concerns of the residents.

We have appreciated the efforts of Mr. Briggs and Mr. Stephen in working with us in the study and evaluation of this project. Some of our concerns have been addressed, but the majority of our members feel that there remain substantial overall problems with this intersection reconstruction that cannot be adequately addressed.

As a result, at the last General Membership meeting of the Aspen Hill Civic Association there was a motion from the floor made, seconded and approved by the majority of the general membership attending, to send this letter to you reiterating the Associations' opposition to the Aspen Hill portion of this highway reconstruction. This motion occurred in spite of the Association already being on record as opposing all aspects of this highway reconstruction project. The membership does not see why additional lanes to Veirs Mill Road cannot be added without making any changes to the Aspen Hill portion of this intersection.

Sincerely,


Donald A. Becker, President
Aspen Hill Civic Association

cc: Senator Leonard H. Teitelbaum, Maryland Senate
Delegate Henry B. Heller, Maryland House of Delegates
Delegate Adrienne A. Mandel, Maryland House of Delegates
Delegate Carol S. Petzold, Maryland House of Delegates
Delegate William A. Bronrott, Chairman, Pedestrian Safety Task Force,
The Honorable Douglas Duncan, Montgomery County Executive
The Honorable Steve Silverman, President, Montgomery County Council
The Honorable Marilyn J. Praisner, Montgomery County Council