

MEMORANDUM

December 3, 2009

TO: Transportation, Infrastructure, Energy and Environment Committee
FROM: Glenn Orlin, ^{Go}Deputy Council Staff Director
SUBJECT: Discussion—sidewalk program

Councilmember Ervin has asked the Committee to explore means to expedite the decision-making process regarding sidewalks built under the Annual Sidewalk Program. She notes concerns raised by residents about how long this process has taken, and she encourages expediting the process in order to deliver these sidewalks more quickly (©1).

The Annual Sidewalk Program. This is a capital project which funds the design and construction of smaller, simpler sidewalks, primarily within residential neighborhoods. The Council has programmed \$13.3 million for this project in the FY09-14 CIP period, \$2.55 million in FY10 alone (©2). The sidewalk projects that either have had or are awaiting a public hearing are on ©3-4, and those either under investigation or pending investigation are on ©5-12.

The Annual Sidewalk Program is not the only capital project that funds sidewalks. There are sidewalk projects of sufficient complexity and cost to warrant their own project description forms: Dale Drive - \$4.9 million; Greentree Road - \$3.3 million; US 29 - \$5.6 million; plus several others currently in facility planning. In addition there are hiker-biker trails that double as sidewalks and bikeways, as well as sidewalks built as part of projects that build or widen roads. However, as a result of their cost and complexity, these other sidewalks deserve and get a public—and Council—review commensurate with their scope. The question is whether there is too much process for smaller, simpler sidewalks and shared use paths (hiker-biker paths).

Administrative process. The Department of Transportation's evaluation criteria and process, as well as its decision-making process is described on ©13. On ©14 are timelines for two sidewalks built under the Annual Sidewalk Program, one representing the shortest duration (88 work days, or about 18 weeks) and the second representing the longest duration (321 days, or about 64 weeks). These timelines *do not* represent the time between the DOT's first field visit and its decision that it wishes to proceed with the sidewalk—given the time needed to work with affected property owners, this period is not likely to be shortened. These timelines *do* represent, however, the duration between DOT's decision to proceed and when the sidewalk is completed; what is referred to here as the "administrative process."

These timelines are instructive in two ways. First note that the period of construction was 5 days for the simplest sidewalk and 30 days for the most complex, representing only 6% and 9% of their respective administrative process durations. Second, the public hearing portion of the administrative process—from the scheduling of the hearing to the receipt of the hearing officer’s recommendation—was 70 days for the simplest sidewalk and 260 days for the most complex, representing in both cases about 80% of the administrative process duration. Therefore, the public hearing requirement is, by far, the largest contributor to the length of the administrative process.

Executive public hearing requirement. The current law requires the Executive to hold a public hearing before any road construction or cost assessment is authorized; at the direction of the County Attorney about a decade ago, sidewalks and hiker-biker paths are considered under this same provision. During deliberation over the Road Code bill in 2007, Executive staff recommended that the Executive be required to hold a public hearing only if an assessment is authorized, which historically was the reason for the legal requirement in the first place. Because any road (or sidewalk or path) to be constructed will have been the subject of at least one Council public hearing before its inclusion in a Capital Improvements Program, Council staff concurred that a subsequent Executive hearing is unnecessary. It was pointed out that these hearings rarely, if ever, result in a decision not to proceed with the project, or even a material change to it. Nevertheless, when the then-President of the Montgomery County Civic Federation argued against removing the hearing requirement as an infringement of the public’s opportunity to comment, the Council decided not to remove the requirement for an Executive hearing.

Draft proposal. DOT has worked with Council staff on another idea about how to modify the hearing requirement. Rather than the 2007 proposal to repeal the hearing requirement for all transportation projects (unless there were an assessment), this new proposal would exempt only a certain sidewalk or shared use path project that is: (1) entirely in the County right-of-way, and (2) either is within a school’s official “walking area” or, if not, at least has the support of the applicable citizen’s association, homeowner’s association, etc. (©15). Council staff believes this is a reasonable compromise that would allow these smaller neighborhood sidewalks and paths to be built months sooner without a real diminution of due process.

Another advantage of this proposal is that it would save the County money and time. DOT recently has reduced its advertising costs associated with these small sidewalk projects by consolidating several hearings into one day-long set of hearings, with an ad for each set. For example, a hearing on six sidewalks will be held on December 14; its November 3 ad in The Washington Post is on ©16. Nevertheless, for public hearings an ad must appear at least twice in each of two newspapers with a general circulation. The cost of an ad such as the one on ©16 is \$700-725, and the cost of a similar ad in The Examiner is \$625-650. The overall advertising cost for this hearing, therefore, is about \$2,700, or \$450 per sidewalk. The more significant use of resources, of course, is staff time consumed by these hearings: time to prepare and purchase the ads, the staffing of the hearings, and the hearing examiner time to write a hearing report on each sidewalk or path.

The cost and staff time for these hearings would be worthwhile if they were meaningful means for public input. But nearly all those who testify at these hearings—when there are any that testify—are affected property owners with whom DOT has already engaged. Whether they are there in support of the project as designed or in opposition to it or some aspects of it, those testifying generally have already had sufficient communication and coordination with DOT.

Implementing this proposal or a version of it requires passage of a bill amending Chapter 49 of the County Code. If the Committee or a Councilmember so requests, Council staff will draft such a bill for introduction early next year.

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MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

VALERIE ERVIN
COUNCILMEMBER
DISTRICT 5

Memorandum

To: Councilmember Nancy Floreen, Chair, Transportation, Infrastructure, Energy and Environment (T&E) Committee

From: Councilmember Valerie Ervin

Date: November 9, 2009

Subject: Sidewalk Process

As the Chair of the Education Committee and as the Council's representative to the Pedestrian and Traffic Safety Advisory Committee, I recognize the importance of sidewalks in providing safe access for pedestrians, such as keeping children safe on their way to school.

The Annual Sidewalk Program is an ongoing Capital Improvement Project, and has an FY10 budget of \$2.35 million. According to the County's Department of Transportation (DOT), sidewalks funded under this program are relatively simple to construct and require little to no engineering design. Further, DOT coordinates with and involves the community regarding sidewalk installation. However, I have heard from residents that the administrative processes required to approve the construction of a sidewalk can add anywhere from three to nine months before a sidewalk can be installed. I am in favor of expediting this process so that the County will be able to construct sidewalks more quickly throughout our streets and neighborhoods.

I would like to request the Transportation, Infrastructure, Energy and Environment (T&E) Committee take up sidewalks and the process in which sidewalks are requested, designed, and constructed at an upcoming worksession. Please feel free to contact my office with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Valerie Ervin".

Valerie Ervin
Councilmember – District 5

Annual Sidewalk Program -- No. 506747

Category
Subcategory
Administering Agency
Planning Area

Transportation
Pedestrian Facilities/Bikeways
Transportation
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

May 14, 2009
No
None.
On-going

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY08	Rem. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	2,602	0	78	2,524	379	629	379	379	379	379	0
Land	40	0	10	30	5	5	5	5	5	5	0
Site Improvements and Utilities	273	0	15	258	43	43	43	43	43	43	0
Construction	10,546	0	58	10,488	923	1,873	1,923	1,923	1,923	1,923	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	13,461	0	161	13,300	1,350	2,550	2,350	2,350	2,350	2,350	*

FUNDING SCHEDULE (\$000)

G.O. Bonds	12,827	0	127	12,700	1,250	2,450	2,250	2,250	2,250	2,250	0
State Aid	634	0	34	600	100	100	100	100	100	100	0
Total	13,461	0	161	13,300	1,350	2,550	2,350	2,350	2,350	2,350	0

DESCRIPTION

This pedestrian access improvement program provides sidewalks and bus pads on County-owned roads and some State-maintained roadways under the Maryland State Highway retrofit sidewalk program. Some funds from this project will go to support the Renew Montgomery program. The Department of Transportation maintains an official list of all outstanding sidewalk requests. Future projects are evaluated and selected from this list, which is continually updated with new requests. In addition, projects identified by the Citizens' Advisory Boards are placed on the list. One aspect of this project will focus on improving pedestrian walkability by creating a safer walking environment, utilizing selected engineering technologies, and ensuring ADA compliance.

COST CHANGE

Add funds in FY10 for Pedestrian Safety Initiative for enhanced sidewalk construction

JUSTIFICATION

In addition to connecting existing sidewalks, these projects increase pedestrian safety and facilitate walking to: Metrorail stations; bus stops; shopping and medical centers; employment, recreational, and school sites. The average rate of requests for sidewalks has been between 80-100 per year over the last two years. A backlog of over 100 requests remains.

OTHER

Projects implemented under this project originate from private citizens, citizen associations, and public agencies. Projects are evaluated and scheduled using sidewalk prioritization procedures.

OTHER DISCLOSURES

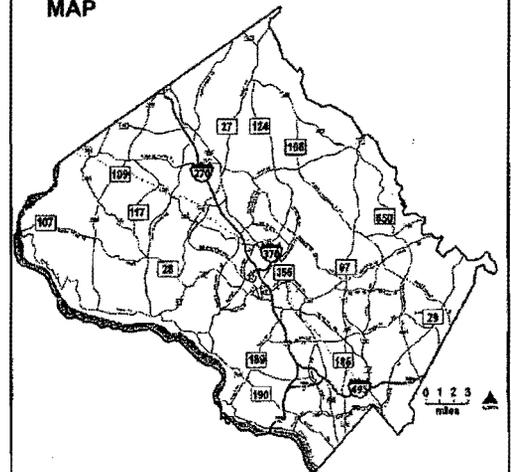
- A pedestrian impact analysis has been completed for this project.
- The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.
- * Expenditures will continue indefinitely.

APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY67	(\$000)
First Cost Estimate		
Current Scope	FY10	13,461
Last FY's Cost Estimate		13,606
Appropriation Request	FY10	2,550
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		1,511
Expenditures / Encumbrances		1,152
Unencumbered Balance		359
Partial Closeout Thru	FY07	23,418
New Partial Closeout	FY08	1,345
Total Partial Closeout		24,763

COORDINATION

Renew Montgomery program
Maryland-National Capital Park and Planning Commission
Maryland State Highway Administration
Montgomery County Public Schools
Washington Metropolitan Area Transit Authority
Sidewalk and Infrastructure Revitalization
Maryland Mass Transit Administration
Montgomery County Pedestrian Safety Advisory Committee
Commission on People with Disabilities

MAP



DOT Annual Sidewalk Program CIP 506747
PUBLIC HEARING SCHEDULE FY10

STREET NAME	FROM	TO	COST	PUBLIC HEARNG DATE	STATUS
Liberty La	Coldstream Dr	Falls Rd	\$74,250.00	8/19/2009	Awaiting Hearing Examiners Reco
Franklin Avenue	Edgefield Road	Beach Drive/Park Ent.	\$34,685.04	8/19/2009	Awaiting Hearing Examiners Reco
Elm Street	Clarendon Road	Arlington Road/Freedland	\$40,324.80	8/19/2009	Awaiting Hearing Examiners Reco
Parkwood Drive	Franklin Avenue	Cedar Street	\$103,589.40	8/25/2009	Awaiting Hearing Examiners Reco
Democracy Lane	Bells Mill Rd	Democracy BLVD	\$155,049.24	8/25/2009	Awaiting Hearing Examiners Reco
MD 547 (Knowles Avenue)	Summit Avenue	4210 Knowles Avenue	\$76,039.00	8/25/2009	Received Hearing Examiners Rec
West Old Baltimore Rd	12700 W Old Baltimore Rd	Rt 355	\$163,027.80	12/14/2009	Public Hearing Scheduled
Vital Way	Randolph Rd	New Hampshire Avenue	\$35,847.20	12/14/2009	Public Hearing Scheduled
Manchester Road	Piney Branch Road	Bradford Road	\$76,630.26	12/14/2009	Public Hearing Scheduled
Catoctin Drive	Bonifant Road	Catoctin Court	\$23,094.00	12/14/2009	Public Hearing Scheduled
Locust Avenue	Acacia Avenue	West Cedar Lane	\$28,581.77	12/14/2009	Public Hearing Scheduled
College View Drive	Newport Mill Road	Gail Street	\$99,672.30	12/14/2009	Public Hearing Scheduled
Brightview Street	entire length		\$17,450.00	12/16/2009	Public Hearing Scheduled
Jones Lane	Darnestown Road	Doe La	\$156,796.80	12/16/2009	Public Hearing Scheduled
Keystone Ave	North Brooke Lane	Battery Lane	\$24,619.50	12/16/2009	Public Hearing Scheduled
Quinton Road	Sundale Drive	Maywood Avenue	\$11,275.92	12/16/2009	Public Hearing Scheduled
Noyes Dr	First Ave	Second Ave	\$48,926.94	12/16/2009	Public Hearing Scheduled
Dimona Drive	Olney Mill Road	Goldmine Road	\$51,093.00	12/16/2009	Public Hearing Scheduled
MD 190 (River Road)	River Oaks Lane	Riverwood Drive	\$31,478.00	1/26/2010	Public Hearing Scheduled
Nolan Dr	Travilah Rd	Existing SW on Nolan Dr	\$55,137.60	1/26/2010	Public Hearing Scheduled

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<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>COST</i>	<i>PUBLIC HEARNG DATE</i>	<i>STATUS</i>
Log House Road	Woodfield Road	Bush Hill Road	\$103,540.00	1/26/2010	Public Hearing Scheduled
Marywood Rd/Kirkdale Road	Fernwood Rd	Wilmett Road	\$58,149.60	1/26/2010	Public Hearing Scheduled
MD 614 (Goldsboro Road)	Goldsboro Court	MD191 (Bradley Blvd.)	\$23,000.00	1/26/2010	Public Hearing Scheduled
MD 28 (Darnestown Road)	Shady Grove Road	Key West Hwy	\$55,104.96	1/26/2010	Public Hearing Scheduled
TOTAL COST:			\$1,547,163.13		

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DOT Annual Sidewalk Program CIP 506747

Open Request List

<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Roosevelt Street	#5418 Roosevelt St	existing park path	Investigation Complete
Beech Ave	Old Georgetown Rd	Page Ave	Investigation Complete
Hermleigh Road	Kemp Mill Road	Auth Street	Investigation Complete
16 th Street	2nd Ave	Spring St	Investigation Complete
MD 410 (East West Highway)	Rocton Ave.	Brookville Road	Investigation Complete
Ambleside DR	Glen Rd	St James Rd	Investigation Complete
Old Columbia Pike	@ entrances of Paint Branch HS		Pending Investigation
Musgrove Road	Fairland Rd	Marlow	Pending Investigation
Darby Road	entire length		Pending Investigation
Neelsville Church Road	MD355	Church Bend Ct	Pending Investigation
MD 355	Monaco Circle	Wood Road	Pending Investigation
Second Avenue	Glen Ross Rd	Sixteenth St	Pending Investigation
Old Baltimore Road	MD 355	Diller La	Pending Investigation
Decatur Avenue	3900 block		Pending Investigation
Emory Lane	Norbeck Road	cul-de-sac	Pending Investigation
Boswell Lane	Piney Meetinghouse Rd	Glen Mill Rd.	Pending Investigation
Garland Avenue	Piney Branch Rd	Dorner Ave	Pending Investigation
513 Forest Glen Road	Lorain Avenue	Sutherland Road	Pending Investigation
Brierly Road	Dundee Dr	Woodhollow Rd	Pending Investigation
Gardiner Avenue	entire length		Pending Investigation
Pearl Street	East-West Hwy	BCC H.S.	Pending Investigation
Dubarry Lane	entire length		Pending Investigation

<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Lindale Drive	@park entrance		Pending Investigation
Windham Lane	@Glen Haven Park	leading into park	Pending Investigation
Sangamore Road	Massachusetts Ave	Madawaska Rd	Pending Investigation
Glen Mill Road	Sandringham Ct	Circle Dr.	Pending Investigation
Oak Drive	entire length		Pending Investigation
MD 547 (Strathmore Avenue)	AHC	Garrett Park	Pending Investigation
Dayton Street	Georgia Avenue	Amherst Avenue	Pending Investigation
Needwood Road	Deer Lake Road	Redland Road	Pending Investigation
MD 190 (River Road)	Riverwood Drive	Norton Road	Pending Investigation
Warfield Road	Apollo Lane	Park entrance	Pending Investigation
Dunrobbin Drive	Church of the Redeemer	Barr Road	Pending Investigation
Kings Valley Road	Foundes Way	Damascus Regional Park	Pending Investigation
Old Columbia Pike	Fairland Road	Briggs Chaney Road	Pending Investigation
MD 28 (Darnestown Road)	Shady Grove Road	Glen Mill Road	Pending Investigation
Blackburn Road	Graybill Drive	US 29	Pending Investigation
Grubb Road	Ashboro Drive	Washington Ave.	Pending Investigation
Windsor Lane	entire length		Pending Investigation
Capitol View Avenue	Georgia Avenue	Connecticut Avenue	Pending Investigation
Layhill Road	Baughman Drive	Longmeade Crossing Drive	Pending Investigation
Tuckerman Lane	Post Oak Road	Falls Road	Pending Investigation
MD 97 (Georgia Ave)	Prince Phillip Drive	Tidewater Court	Pending Investigation
Hampden Lane	7405 Denton	5109 Hampden	Pending Investigation
Persimmon Tree Lane	Persimmon Tree Rd	Carderock Springs Elem.	Pending Investigation
Bells Mill Road	Gainsborough Road	Pebble Brooke Lane	Pending Investigation
Founders Way	Founders Place	Tot lot / Community field	Pending Investigation

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<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Newcastle Avenue	Linden Lane	Forsythe Avenue	Pending Investigation
Sangamore Road	Massachusetts Ave	Madawaska Rd	Pending Investigation
16th Street	@East-West Highway	1 mile	Pending Investigation
Levelle Drive	Forsyth Drive	Parallel to Creek	Pending Investigation
Abbey Manor Drive	Civitan Club Place	Abbey Manor Circle	Pending Investigation
Hartsdale Avenue	Madison Street	Hempstead Avenue	Pending Investigation
Madison Street	Garfield Street	Hempstead Street	Pending Investigation
Offut Street	Morgan Drive	Derussey	Pending Investigation
Morgan Drive	4800 block		Pending Investigation
Pauline Drive	3218 Pauline Drive	3220 Pauline Drive	Pending Investigation
Daniel Road	Western Ave	Wyndale Road	Pending Investigation
Hitching Post Lane	Farmland Drive	Old Gate Road	Pending Investigation
Farmland Dr	Old Club Road	Old Stage Road	Pending Investigation
Diamondback Drive	Story Dr.	Muddy Branch Rd.	Pending Investigation
New Castle St.	Forest GlenRd.	Beech Dr.	Pending Investigation
Windmill Lane	Good Hope Drive	Windmill Terrace	Pending Investigation
Derwood Street			Pending Investigation
Derwood Road			Pending Investigation
Esquire Court			Pending Investigation
Query Mill Road			Pending Investigation
Windsor View Drive	Bells Mill Road	Gainsborough	Pending Investigation
Club View Drive	Bush Hill Rd.	Log House Rd.	Pending Investigation
Tuckerman Lane	existing path @ Hoover M.S.	Falls Rd. (MD189)	Pending Investigation
Plyers Mill Road2	Amherst Avenue	Georgia Avenue	Pending Investigation
Amherst Avenue	Dayton Street	Plyers Mill Road	Pending Investigation

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<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Linden Lane	Linden Lane	Geo. Town Bke. Tr.	Pending Investigation
Sweepstakes Road	Showbarn Circle		Pending Investigation
Fernwood Road	Tusculum Road	Democracy Blvd.	Pending Investigation
Wheaton Lane	Jewitt Lane	Sligo Creek Park	Pending Investigation
DuFief Drive	missing section		Pending Investigation
Chestnut Oak Drive	MD 28 (Darnestown Rd)	Ancient Oak Drive	Pending Investigation
Wye Oak Drive	MD 28 (Darnestown Rd)	Chestnut Oak Drive	Pending Investigation
Kensington Blvd	Murdoch Rd	Einstein HS	Pending Investigation
Belle Chase Dr	Fieldcrest Rd.	Sweet Meadow La.	Pending Investigation
Fieldcrest Road	MD 124 (Woodfield)	MD 108 (Olney-Laytonsville Road)	Pending Investigation
Wyngate Drive	Entire Length		Pending Investigation
Milstead/Lindale Drives right-	9519-9517 Milstead Drive	9504-9502 Lindale Drive	Pending Investigation
MD 124 (Woodfield Road)	Gue Road	Horsebarn	Pending Investigation
Tulip Hill Terrace	Bent Branch Rd.	Goldsboro Rd.	Pending Investigation
Peach Orchard Road	MD198	Seibel Drive	Pending Investigation
Muncaster Mill Road	7800 Muncaster Mill Rd		Pending Investigation
Grande Vista Drive	Redland Road	Needwood Road	Pending Investigation
Panorama Drive	Redland Road	Wick Lane	Pending Investigation
Oakmont Avenue	entire length		Pending Investigation
Thompson Road	Peach Orchard Road	existing s/w	Pending Investigation
Hopefield Road	Kingshouse Road	Good Hope Road/existing s/w	Pending Investigation
Good Hope Road	Rt. 198 (Spencerville road)	Bridge @ Hopefield Road	Pending Investigation
Spring Meadows Drive	Darnestown Road	Seneca Road	Pending Investigation
MD 410 (East-West Highway)	Glengalen Lane	Beach Drive	Pending Investigation
Sweepstakes Road	Club View Dr	Woodfield (Rt. 124)	Pending Investigation

<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Powder Mill Road	1712 Powder Mill Road	Naval Base	Pending Investigation
Coldchester Drive	Ewell Street	Parkwood Road	Pending Investigation
Windsor Lane	Wisconsin Avenue	Lynwood Road	Pending Investigation
Fernwood Road	Michaels Road	Marywood Road	Pending Investigation
Eggert Drive	Persimmon tree Road	MacArthur Boulevard	Pending Investigation
Walnut Hill Rd	North Westland Drive	South Westland Drive	Pending Investigation
North Westland Drive	Frederick Avenue	Chestnut Street	Pending Investigation
Woodbine Street	Brookville Rd	Beach Dr	Pending Investigation
New Hampshire Avenue	Tanley Road	Quaint Acres Drive	Pending Investigation
Leland Street	Brookville Rd	Rollingwood Dr	Pending Investigation
South Westland Drive	Frederick Avenue	Chestnut Street	Pending Investigation
Hildarose Drive	Greeley Ave	Gardiner Street	Pending Investigation
Merrifields Drive			Pending Investigation
Delano Street	Foley Street	Connecticut Avenue	Pending Investigation
Muncaster Mill Road	bus stop	Woodfield Road	Pending Investigation
Brandy Hall Lane	Dufief Drive	Dufief Drive	Pending Investigation
Stratford Road	DeRussey Pkwy	Norwood Drive	Pending Investigation
Bruce Drive	St Andrews Way	Grandview Drive	Pending Investigation
MD 28 (Darnestown Road)	Rifleford Road	Jones Lane	Pending Investigation
Fairland Road	Cedar Creek Lane	Serpentine Way	Pending Investigation
Cornish Road	Burling Terrace	Glenbrook Road	Pending Investigation
Veirs Mill Road	Turkey Branch Parkway	Havard Street	Pending Investigation
Veirs Mill Road	Norris Street	Newport Mill RD	Pending Investigation
Ridge Road	Ridge Place	Valley Road	Pending Investigation
Norbeck Road	Baltimore Road	Bauer Drive	Pending Investigation

<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Forsythe Avenue	Jones Mill Rd	Woodstock Ave-Linden La	Pending Investigation
Tanterra Circle			Pending Investigation
MD 410 East West Highway	Beach Drive	Brookville Road	Pending Investigation
Roseland Drive	Old Georgetown Road	Tilden Lane	Pending Investigation
Fairland Road	at bridge east of Tamarack		Pending Investigation
16th Street	2nd Avenue	Hanover Street	Pending Investigation
Ashburton Lane	Bells Mill Road	Loan Oak Drive	Pending Investigation
Old Columbia Pike	Industrial Pkwy	Cliftdale Drive	Pending Investigation
Kingswood Road	Hurst St	Broad St	Pending Investigation
Rolling Road	Leland St	Rollingwood Dr	Pending Investigation
Strathmore Avenue	Rockville Pike		Pending Investigation
Ridge Road	Hillmead Park	Ridge Place	Pending Investigation
Cornflower Road	@18402 Cornflower Road		Pending Investigation
Howard Avenue	Summitt Ave	Knowles Ave	Pending Investigation
Cheshire Drive	entire length		Pending Investigation
Falls Bridge Lane	Falls Road	Logan Drive	Pending Investigation
Glen Mill Road	Cavanaugh Drive	Veirs Road	Pending Investigation
MD 97 Georgia Avenue	Queen Elizabeth Drive	MD108	Pending Investigation
West Old Baltimore Road	Frederick Road	Ivy Leaf Drive	Pending Investigation
Massachusetts Avenue	@Onondaga Road		Pending Investigation
Eastern Avenue	8250 block		Pending Investigation
Norwood Road	Blake H.S.	New Hampshire Avenue/MD650	Pending Investigation
MD 118 (Germantown Road)	Charity Lane	Richter Farm Road	Pending Investigation
Landon Lane			Pending Investigation
MD 28 (Darnestown Road)	Key West Avenue	Great Seneca Highway	Pending Investigation

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<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Aspen Hill Road	Near Iris Street		Pending Investigation
Southwick Street	5600 Southwick St	Garfield Steet	Pending Investigation
MD 108 (Olney-Sandy Spring	@SHS		Pending Investigation
Burnt Mills Road	US 29	Wheeler Drive	Pending Investigation
Blackburn Road	Old Columbia Pike to Tolson Place	US29	Pending Investigation
Kings Valley Road	Rt. 27	Kings Valley Park	Pending Investigation
Manchester Road	at Piney Branch Rd		Pending Investigation
Liberty Lane	Falls Rd	Coldstream Dr	Pending Investigation
Gracefield Road	Cherry Hill Road	ex. Walk on Gracefield Rd	Pending Investigation
Holman Avenue	Rosensteel	Hollow Glen	Pending Investigation
MacArthur Boulevard	near Ridge Drive		Pending Investigation
Washington Avenue	entire length?		Pending Investigation
Edgewood Road	Drumm	Grant	Pending Investigation
Radnor Road	Old Chester	Goldsboro	Pending Investigation
Columbia Pike	Eastwood Avenue	WSSC bldg.	Pending Investigation
MD 547 (Knowles Avenue	at Library		Under Investigation
Brixton Lane	Fernwood Road	Greyswood Road	Under Investigation
Old Columbia Pike	Industrial Prky	Amberston Ct	Under Investigation
MD 410 (East West Highway)	Brookville Road	Curtis Street	Under Investigation
Congressional Prky			Under Investigation
Pershing Dr	Dale Dr	Existing S/W/@Private School	Under Investigation
Brunswick Avenue	Plyers Mill Road	Jennings Road	Under Investigation
MD 650 (New Hampshire Ave	near Norwood Road	Briggs Chaney Rd	Under Investigation
Bruce Drive	St Andrews Way	Granville Dr	Under Investigation
Jone Mill Rd	W Coquolin Ter	East West Hwy	Under Investigation

<i>STREET NAME</i>	<i>FROM</i>	<i>TO</i>	<i>STATUS</i>
Travilah Road	Piney Meetinghouse Rd	Darnestown Road (MD28)	Under Investigation
Hyde Road	existing walks	Lovejoy	Under Investigation
Pierce Drive	University Blvd.	Colesville Road	Under Investigation
1st Avenue	Ballard Street	Noyes Street	Under Investigation
Sidney Road	missing section		Under Investigation
Greenbrier Drive	Dale Dr	Wayne Ave	Under Investigation
Holborn S	Fulham ST	N Belgrade RD	Under Investigation
Kershey Rd	Fulham St	Arcola Ave	Under Investigation
Warren St	Brookville Rd	Montgomery St	Under Investigation
Spring Meadows Dr	R t 28	Seneca Rd	Under Investigation
Venice Dr	New Hampshire Ave	Downs Dr	Under Investigation
Stateside Drive	Avenel Road	Stateside Court	Under Investigation
Forest Glen Road	Glen Avenue	Rosensteel Avenue	Under Investigation
Clopper Road	Kingsview Road	Steeple Road	Under Investigation
Drumm Ave	Fayette Rd	Blueford Rd	Under Investigation
Langley Drive	University Boulevard	Miles Street	Under Investigation
Seven Locks Rd	Rose Hill Dr	Bradley Blvd	Under Investigation
Epping Road	Georgia Ave	Flack Street	Under Investigation
Spring Valley Road extended	crosswalk @ Rec Cntr		Under Investigation
Stonegate DR	Whitegate Rd	New Hampshire Ave	Under Investigation
Johnson Avenue	5500 block	5800 block	Under Investigation
Lexinton Drive	University Blvd.	Colesville Road	Under Investigation
Downs Drive	Entire Length	Martin L King Park	Under Investigation
Kings Valley Rd	Hailey Dr	Red Blaze DR	Under Investigation
Schaeffer Road	Leaman Farm Rd	Clopper Rd	Under Investigation

12

EVALUATION CRITERIA

To provide safer access throughout Montgomery County for pedestrians and the handicap by retro-fitting new sidewalks in communities and other areas that have already been developed.

- Will installation of a sidewalk meet a purpose and provide a public need for the community-at-large?
- Is there available public right-of-way?
- Can the sidewalk be constructed without engineering design?
- Do associated costs fall within the program's criteria?

EVALUATION PROCESS

Evaluation:

DOT evaluates all requests and conducts an on-site investigation to determine the following factors:

- Will installation of a sidewalk meet a purpose and provide a public need for the community-at-large?
- Is there available public right-of-way?
- Can the sidewalk be constructed without engineering design?
- Do associated costs fall within the program's criteria?

Notification:

DOT limits notification for a requested sidewalk project to property owners residing adjacent to the proposed construction and to a HOA (if applicable). A letter is sent to residents with the following information included:

- Location Map to identify the proposed project
- Construction Impacts details construction impacts to the public right-of-way for sidewalk installation
- Comments & Feedback Survey Form to be returned to MCDOT to address any concerns regarding the proposed construction

FINAL DECISION

A public hearing is required by law if DOT determines that the proposed sidewalk meets the program's criteria and appears to serve a public need.

- DOT will notify residents and HOA/CA (if applicable) of the scheduled public hearing date/time/location.
- The hearing allows citizens an opportunity to present oral and written testimony to a Public Hearing Officer for support or opposition to the proposed project. The Hearing Officer considers all the information presented and recommends to the County Executive whether or not the project should be authorized for construction.

Notification to community of final decision by the Public Hearing Officer.

- DOT will promptly notify the community of the Hearing Officer's recommendation. If construction is authorized by the County Executive, MCDOT will inform residents of the pending construction.

DOT will coordinate the sidewalk installation with property owners.

- DOT will send notification to property owners regarding the scheduled sidewalk construction.
- DOT will post notification on-site of upcoming construction.
- A construction inspector will be available on-site throughout the construction phase to resolve any concerns that may arise with the sidewalk installation.

Annual Sidewalk Program

Administrative Process

<u>Task</u>	<u>Shortest Duration</u>	<u>Longest Duration</u>
Schedule Public Hearing	1 day	2 day
Prepare Executive Order #1 to hold PH	1 day	3 day
County Attorney review EO#1/PH	3 days	5-7 days
Director's Office review/approve EO#1/PH	1 day	4-5 days
A-CAO review/approve EO#1/PH	3 days	7-8 days
Send EO#1/PH advertisements to Post/Examiner	1 day	1 day
Send notices to residents	1 day	2 days
Public Hearing advertised	14 days	21 days
Public Hearing	1 day	1 day
Record held open	14 days	30 days
Hearing officer's recommendation	30 days	180 days
Prepare Executive Order #2 for construction	1 day	2 days
County Attorney review EO#2/Construction	5 days	7-8 days
Director's Office review/approve EO#2/const.	1 day	4-5 days
A-CAO review/approve EO#2/const.	3 days	7-8 days
Notice sent to residents with EO#2/const.	1 day	2 days
Schedule construction/work with residents	2 days	5 days*
Construct sidewalk	<u>5 days</u>	<u>30 days</u>
TOTAL	88 days ≈18 weeks	321 days ≈64 weeks

*Duration varies based on total properties impacted and complexity of the project: removal and/or relocation of tree(s), and landscaping, retaining wall(s), etc.

DRAFT PROPOSAL

CRITERIA FOR WAIVER OF PUBLIC HEARING PROCESS
FOR CERTAIN SIDEWALKS AND SHARED USE PATHS

A proposed sidewalk or shared use path project is exempt from the public hearing process if it meets the following criteria:

1. The proposed project can be constructed entirely within the existing public right-of-way without the need for detailed engineering design (such as retaining walls, utility relocation, storm drain, etc.); AND
2. (a) The proposed project is located within the “walking area” of a school, or provides pedestrian access to public transportation, public shopping areas, public recreation, community centers or places of worship; OR

(b) The proposed project has the support of a Citizen Association, Homeowner’s Association, or some other group representing the community.

Note: ADA-compliant sidewalk ramps will be constructed at all locations where the proposed sidewalk/shared use path intersects a street.

**NOTICE OF SIX (6) PUBLIC HEARINGS
FOR PROPOSED SIDEWALK CONSTRUCTION**

Pursuant to Section 49-53 of the Montgomery County Code (2004) as amended, six (6) public hearings shall be held before the County Executive (or his designee) on **MONDAY, DECEMBER 14, 2009**, in the first floor auditorium of the **COUNCIL OFFICE BUILDING (COB)** located at 100 Maryland Avenue in Rockville, Maryland. The purpose of these hearings is to consider proposals to provide safer access for the disabled and improve pedestrian travel to schools and public facilities. The public hearings will begin at 9:00 a.m. and continue to 5:30 p.m. The scheduled hearings allow citizens an opportunity to present oral/written comments and information to a public hearing officer. The sole purpose of the hearings is to obtain information to assist in determining whether or not to recommend constructing any or all of the following proposed projects:

- 9:00 a.m. CATOCTIN DRIVE / Silver Spring, Maryland**
Catoctin Court to Bonifant Road
- 9:45 a.m. VITAL WAY / Silver Spring, Maryland**
New Hampshire Avenue/MD650 to Randolph Road
- 10:30 a.m. MANCHESTER ROAD / Silver Spring, Maryland**
Piney Branch Road/MD320 to Bradford Road
- 11:15 a.m. LOCUST AVENUE / Bethesda, Maryland**
5209 to 5221 Locust Avenue
- 1:30 p.m. COLLEGE VIEW DRIVE / Wheaton, Maryland**
Newport Mill Road to Gail Street
- 3:15 p.m. LOG HOUSE ROAD / Damascus, Maryland**
Bush Hill Road to Woodfield Road/MD124

Project files are available for examination in the offices of the Department of Transportation, Division of Transportation Engineering (DTE), 4th Floor, 100 Edison Park Drive, Gaithersburg, Maryland. You can call 240-777-7270 for an appointment to review project files, obtain information related to an upcoming hearing or reserve time to present testimony at a scheduled hearing. Written comments for consideration by the Public Hearing Officer may be submitted to Bruce E. Johnston, Chief, Division of Transportation Engineering, 100 Edison Park Drive, Gaithersburg, Maryland 20878. Interpreter services are available for deaf and hearing impaired citizens. These services can only be guaranteed within five (5) days advance notice. The COB facility is accessible to the handicapped. DEPT: DOT/ Division of Transportation Engineering FULL MAIL ADDRESS: 100 Edison Park Drive, Gaithersburg, Maryland 20878; PHONE NUMBER: 240-777-7270