



## ANNUAL SIDEWALK PROGRAM

### Process

#### 1. Sidewalk Installation Request Received & Field Study Scheduled.

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

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

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

#### 3. Proposal & First Comment Period.

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

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

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

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

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

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

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

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

**If you have any questions, please contact Lori Jean Main, Planning Specialist at 240-777-7271 or [lori.main@montgomerycountymd.gov](mailto:lori.main@montgomerycountymd.gov).**



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



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## **FREQUENTLY ASKED QUESTIONS**

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

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

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

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

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

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

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

Sidewalks are typically constructed in one of two ways:

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

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

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

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

### **What will happen to my mailbox?**

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

### **What is the Annual Sidewalk Program's Budget?**

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

### **Does the Annual Sidewalk Program repair and maintain sidewalks?**

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

### **Does the Annual Sidewalk Program install curbs and gutters?**

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

**Thank You!**

### **ANNUAL SIDEWALK PROGRAM**

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

#### **DTE-Sidewalk Email:**

[MCDOT.DTE.Sidewalk@montgomerycountymd.gov](mailto:MCDOT.DTE.Sidewalk@montgomerycountymd.gov)

#### **Annual Sidewalk Program Website:**

[www.montgomerycountymd.gov/dot-dte/sidewalk](http://www.montgomerycountymd.gov/dot-dte/sidewalk)