



SILVER SPRING CITIZENS ADVISORY BOARD

February 6, 2018

The Honorable Isiah Leggett
Office of the County Executive
101 Monroe Street, 2nd Floor
Rockville, Maryland 20850

Sent by e-mail

Advice from the Silver Spring Citizens Advisory Board re:
Construction disruption in Silver Spring

Dear County Executive Leggett:

The Silver Spring Citizens Advisory Board has conducted a series of meetings focusing on the multi-year disruptions due to road repair, commercial and public construction and the purple line in downtown Silver Spring and surrounding neighborhoods. We received presentations on existing and future projects from WSSC, Pepco, the Department of Recreation and the Purple Line contractors that included comment and discussion from a large number of community leaders and residents. (The Department of Permitting Services (DPS) was unable to attend; but they will be meeting with the SSCAB Committees in the near future.)

What we have gleaned from these meetings, which included substantial board and public input, is that these disruptions already are often in conflict, are hard to anticipate, and are not adequately mitigated.

More specifically:

[1] Coordination among projects: While WSSC and Pepco stated that they check with each other to make sure they are not causing redundant disruption or crossing projects, other entities apparently may not do so, thereby increasing the likelihood of disruptions. While all projects, to the extent that we understand this process, must seek permits to move forward, DPS appears to lack a coordinating role between projects, and there appears to be no other County department, agency or authorized entity to provide such coordination.

[2] Lack of public information: We heard from many residents who are suffering the inconvenience and annoyance caused by these disruptions including street closures, additional traffic and the dangers it causes, as well as a substantial increase in construction noise from pounding, machinery, back up beeps, metal clamoring and shouting at all hours, including extremely early in the morning and late into the evening. In addition, residents have cited plumes of dust and smoke flowing across apartments, sidewalks, businesses, and into nearby neighborhoods. Residents communicated their frustration when seeking relief from such annoyances, which in many cases may last for weeks or months and begin without sufficient



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advanced notice or details (an exception appears to be WSSC, which post on-site signage identifying projects that it is initiating).

[3] Minimal abatement and enforcement of existing noise and construction regulations: In a Neighborhoods committee meeting, Steve Martin from the Department of Environmental Protection and the Silver Spring Police discussed issues of noise abatement and enforcement. Mr. Martin reported his department's lack of resources and its inability to adequately monitor and enforce the growing number of construction projects' noise and disruption issues, pointing out that his staff is overwhelmed with multiple responsibilities and is forced to enforce in a reactive mode when complaints are brought to their attention. Even when such complaints are made known, Mr. Martin stated plainly that investigators are limited in their enforcement tools and ability to follow through. Police, who are utilized primarily for immediate complaints, are forced to deprioritize such complaints against other policing responsibilities at any given time. Further, they cite, their procedure, regardless of the severity of the complaint, is to initially warn perpetrators rather than issue fines and other penalties, leaving some issues to go inadequately resolved and in some cases, to resume upon police departure.

[4] Lack of short term mitigation efforts: There appears to be no effort by the County, State or contractors to identify and implement short term mitigation efforts to reduce the negative impact of this multitude of development projects on residents and businesses. For example, we were informed that Purple Line contracts to replace several bridges over Metro tracks allow for the simultaneous closing of two of them completely for two years (Lyttonsville, Spring Street at 16 th St). In neither case has any information been provided to residents or businesses by any of the governing entities of how to address transportation needs during the period when both bridges are under construction. The Spring Street bridge serves as the only access point for those west of the metro tracks to reach the area between Colesville Rd, Georgia Av, 16th Street and Dale Drive. The bridge is used by school and public buses, including the Ride-On Circulator, and it provides access to Easter Seals (child and adult day care services), Holy Cross Senior Source (senior health, exercise programs), banks, etc.

The SSCAB advises that a central coordinating entity, either a specific "Office of Construction Coordination" or a department within the Department of Permitting be established with qualified personnel authorized and funded to act upon issues involving construction projects and their interrelated issues and community impact. Modeled on the approach used to move the Walter Reed facility to Bethesda, we envision an entity that:

- *Gathers all permits and other information from defined projects (size, complexity, impact, financial level) and communicates it through a forward-looking information program.*
- *Is authorized to delay, halt or modify projects as well as issue appropriate penalties including fines for projects that fail to meet permitting, code and other reasonably established requirements for work.*

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- *Hosts periodic coordination meeting with project entities and the public to develop and implement short-term mitigation efforts to reduce the negative impact of transportation and other disruptions on economic activity, hurting local businesses and community life for residents, businesses and visitors.*
- *Coordinates with state and federal project authorities as needed.*

The SSCAB is very cognizant and supportive of the need to maintain and modernize the County's existing infrastructure. We take no position for or against any project that is part of the County's overall economic development plans. However, we are convinced that our suggestions will significantly improve on existing processes and help maintain a more vibrant Silver Spring during these years of major urban development.

Respectfully, on behalf of the Silver Spring Citizens Advisory Board

- Signatures on file-

Matt Losak, Chair
Ed Levy, Vice Chair
Mark Mendez, Secretary

CC: Montgomery County Council