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Transcript of Public Hearing

Date: November 30, 2022

Case: Rehabilitation of the Brighton Dam Road Bridge No. M-0229 over Brighton Dam

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MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION

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PUBLIC HEARING IN RE: :
REHABILITATION OF BRIGHTON ROAD :
BRIDGE OVER BRIGHTON DAM OF : Case No. M-0229
TRIADELPHIA RESERVOIR, :
MCDOT, :
vs. :
-----x

HEARING
BEFORE MICHAEL PAYLOR - HEARING OFFICER
Conducted Virtually
Wednesday, November 30, 2022
7:07 p.m. EST

Job No.: 469063
Pages: 1 - 28
Recorded By: Shannon Hayes

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Hearing, conducted virtually

Pursuant to agreement, before Shannon Hayes,
Court Reporter.

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A P P E A R A N C E S

ON BEHALF OF THE MCDOT:

LORI JEAN MAIN
MONTGOMERY COUNTY DEPARTMENT OF
TRANSPORTATION (1100167)
DIVISION OF TRAFFIC ENGINEERING
AND OPERATIONS
100 Edison Park Drive, 4th Floor
Gaithersburg, Maryland 20878
240.777.2190
(Present via videoconference)

ALSO PRESENT:

MARICELA CARDOVA - Acting Chief MCDOT, DTE
BARRY FUSS - Bridge Design Chief, MCDOT, DTE
GREG HWANG - Project Manager, MCDOT
JAKE WEIR - Project Manager, HCDPW
SAMIR KHALIL - Project Manager, WSSC
BIMEL PATEL - Stantec
DOUG LEE - Stantec
BENJAMIN SHOVLIN

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E X H I B I T S

(None marked)

1 P R O C E E D I N G S

2 (Whereupon, the court reporter was duly
3 sworn.)

4 MR. PAYLOR: And my name is Michael
5 Paylor. I am the Chief Hearing Officer designee
6 at this hearing for Montgomery County's Department
7 of Transportation (MCDOT), in partnership with
8 Howard County Department of Public Works (HCDPW)
9 and Washington Suburban Sanitary Commission (WSSC),
10 for the maintenance of Montgomery County Bridge
11 Number M-0229 on Brighton Dam Road Bridge over
12 Brighton Dam of Triadelphia Reservoir.

13 Here with me this evening to conduct this
14 public hearing are Ms. Maricela Cardova, Acting
15 Chief of Division of Transportation Engineering
16 (DTE) for Montgomery County's Department of
17 Transportation; Mr. Barry Fuss, Bridge Design Chief
18 for DTE for MCDOT; Mr. Greg Hwang, Project Manager
19 for MCDOT; Mr. Jake Weir, Project Manager for HCDPW;
20 and Mr. Samir Khalil, Project Manager for WSSC.
21 Ms. Cardova will be providing the information and
22 details regarding the proposed project.

23 Thank you so very much for joining us in
24 this virtual platform. Although we've held quite
25 a few virtual meetings, we are still learning, so

1 please bear with us if we encounter any technical
2 difficulties tonight. And tonight's hearing will
3 be held virtually as -- or is being held virtually
4 and it's being recorded, and a link to the
5 recording will be posted by 7:00 p.m. tomorrow on
6 the project webpage of the Rehabilitation of
7 Brighton Dam Road Bridge Number M-0229, over
8 Brighton Dam of Triadelphia Reservoir. The link
9 to the project webpage is provided at the top of
10 the chat on this virtual platform.

11 Please note, your video camera is turned
12 off by default this evening. This is to reduce
13 the bandwidth of the meeting and maximize
14 technical efficiency. We do request that you
15 please do not turn on your camera during the
16 hearing. Likewise, your microphones have been
17 muted. Once the testimony portion of this hearing
18 begins, those who have signed up to testify will
19 be called on and unmuted when it is their turn to
20 speak. If you have not signed up in advance to
21 testify but wish to do so, please raise your hand
22 by clicking on the reactions at the bottom of your
23 screen, and then clicking raise hand. If you are
24 joining us via a telephone only, you may raise
25 your hand by pressing *9 on your telephone keypad.

1 Please wait until the testimony portion
2 of this hearing begins to raise your hand. You
3 may raise your hand at any time during the
4 testimony portion of the hearing begins to raise
5 your hand. You may raise your hand at any time
6 during the testimony portion of the hearing. We
7 will call on you to provide your oral testimony
8 and unmute your microphone when it is your turn to
9 speak. Written testimony and comments may be
10 submitted as well and will be considered with the
11 same weight as oral testimony. Following the
12 testimony portion of this hearing, we will hold a
13 question-and-answer session, if time allows.
14 During that time, you may raise your hand to ask a
15 question, or you are welcome to type your question
16 in the chat box by clicking on the chat icon at
17 the bottom of your screen.

18 Tonight's hearing is being held pursuant
19 to Section 4953 of the Montgomery County Code.
20 The purpose of a public hearing is to obtain
21 resident testimony and comments regarding the
22 potential project to assist in determining if the
23 project is in the best interest of the public and
24 whether or not it should be authorized for
25 construction in its entirety or any portion

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8

1 thereof. This forum allows you to provide
2 testimony either in support for or in opposition
3 to the project.

4 Testimony and comments received may
5 influence the final design. Your testimony and
6 comments should be focused entirely on the project
7 which is the topic of discussion. All interested
8 persons are entitled to be heard at this hearing.
9 However, the testimony portion of this hearing is
10 not a forum for dialogue, question and answers, or
11 cross-examination. Please direct your remarks to
12 the specific project that is the subject of this
13 hearing. If comments stray into areas not related
14 to this project, I will ask that you refocus your
15 comments to the subject project.

16 Following the conclusion of this public
17 hearing, the record will remain open for two weeks
18 to allow any person who was unable to attend this
19 hearing an opportunity to have their comments
20 included into the public record and be fully
21 considered. The official closing date by which
22 all written testimony and comments must be
23 received is Wednesday, December 14th, 2022, at
24 7:00 p.m. Submissions should be e-mailed to Greg
25 Hwang at greg.hwang@montgomerycountymaryland.gov,

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1 or provided by the online comment forum at the
2 following link, which is seen on your screen,
3 <https://forms.office.com/g/qz7kVe6zy7>, by the
4 close of the hearing record. Please be sure to
5 provide your name and property address on your
6 submission. As we mentioned before, written
7 submissions will be considered with the same
8 weight as oral testimony.

9 At the conclusion of this hearing and
10 the official -- excuse me -- and the record is
11 officially closed, I, as the hearing officer, will
12 review and weigh all the information submitted
13 into the public record and make a recommendation
14 to the director of Montgomery County's Department
15 of Transportation, that is, Mr. Christopher
16 Conlan, for his final decision as to whether the
17 project has been shown to be in the best public
18 interest and whether or not to authorize the
19 project as proposed or any portions thereof. And
20 now to discuss the rehabilitation of Brighton Dam
21 Road Bridge over Brighton Dam, I give you Maricela
22 Cardova.

23 MS. CARDOVA: Good evening, Mr. Paylor.
24 Ladies and gentlemen, for the record, I am
25 Maricela Cardova with Montgomery County Department

1 -- Department of Transportation, Division of
2 Transportation Engineering. The subject of this
3 evening's public hearing is to consider a proposal
4 to perform the rehabilitation of Brighton Dam Road
5 Bridge Number M-0229 over Brighton Dam on
6 Triadelphia Reservoir another associated work at
7 the approaches. For your convenience, we have
8 posted a few downloadable displays that aid in the
9 visual description of this project on the project
10 webpage. We will review them as I describe the
11 project.

12 Display A is a map showing the
13 orientation of the project site. The red line is
14 Brighton Dam Road. The blue area is Triadelphia
15 Reservoir. The black dashed line represents the
16 border of Montgomery County and Howard County.
17 The black circle indicates the location of
18 Brighton Dam and the bridge.

19 Display B provides a quick review of the
20 existing Brighton Dam Road Bridge to be
21 rehabilitated. The existing bridge is a structure
22 reconstructed in 1999 and is composed of 15-span
23 pre-stressed concrete solid slab beams with
24 concrete wearing surface for a total of
25 approximately 601 feet and 6 inches long. This

1 structure carries a two-lane, 28-foot clear
2 roadway with a 5-foot concrete sidewalk on the
3 north side, an 8-inch concrete curb on the south
4 side and a 1-foot and 4-inches concrete parapet on
5 both sides for a total out-to-out bridge width of
6 36 feet and 4 inches, and is supported by concrete
7 buttresses of Brighton Dam.

8 Displays C1 through C7 present the
9 proposed scope of work with 12 tasks. Number one,
10 repair concrete parapets. The concrete parapets
11 have similar severe spalling at every parapet
12 expansion joint due to insufficient opening.

13 Number two, repair pre-stressed concrete
14 beams for spalling at many locations.

15 Number three, repair concrete buttress
16 back walls at both ends of the bridge for severe
17 cracking.

18 Number four, replace all the bridge deck
19 compression joints due to the pressed joint seals.

20 Number five, replace all the 20 existing
21 street lighting at the site with in-kind concrete
22 poles on the bridge, fiberglass poles of the
23 bridge and LED light fixtures. The existing
24 concrete poles are near the end of their service
25 life, which is about 30 years. Cracks in poles

1 are in evidence on many existing concrete light
2 poles. The existing light fixtures -- fixtures at
3 the top of some light poles are leaning or
4 damaged.

5 Number six, seal cracks on the concrete
6 deck wearing surface. Hairline cracking over
7 almost the entire deck.

8 Number seven, repair the deteriorating
9 concrete sidewalk at both ends of the bridge.

10 Number eight, install new drain --
11 drainage troughs on both sides of each of the
12 listed concrete buttresses on their deck expansion
13 joints. The left figure shows the elevation view
14 of buttresses and the right figure shows the
15 typical section of buttresses, the light gray
16 areas in the elevation view, and in the typical
17 section, show the concrete buttress. The dark
18 gray area in the elevation view and two hooks in
19 the typical section show the new drainage troughs.
20 The light brown area in the elevation view is a
21 dam gate. The new drainage troughs can catch
22 storm water leaking through deck expansion joints
23 to protect dam gates from corrosion.

24 Number nine, install an additional storm
25 drain inlet and 15-inch concrete drainpipe on both

1 sides of the approach roadway on the Howard County
2 side to improve the local storm drainage.

3 Number 10, resurface on -- or repave the
4 asphalt pavement of the approach roadway on the
5 Howard County side to improve the pavement. The
6 light brown area in the plan is the Brighton Dam
7 Road -- Road Bridge. The dark gray area shows the
8 repaving of asphalt pavement, and the light gray
9 area shows the resurfacing of asphalt payment. No
10 pavement work will be done for the approach
11 roadway on the Montgomery County side as the
12 pavement was just resurfaced in the fall of 2021.

13 Number 11, construct a permanent
14 turnaround site at the existing tanker fire truck
15 -- fire truck water refill site on the Howard
16 County side for police vehicles, fire and rescue
17 trucks, and school buses of Montgomery County and
18 Howard County. The existing water refill site
19 with an underground water tank, a concrete surface
20 slab and an asphalt pool of area, as shown in
21 orange, are located on the west side of Brighton
22 Dam Road at approximately 900 feet from the
23 Brighton Dam Road Bridge within a property owned
24 by WSSC.

25 The red area represents a preliminary

1 layout of the proposed asphalt turnaround site
2 suggested by Howard County Fire and Rescue
3 Services. The green area represents the proposed
4 grass surface area, and the two blue areas
5 represent the proposed via retention stormwater
6 management facilities. Further evaluations for
7 accessibility, storm management needs,
8 environmental impact, property impact,
9 transportation safety, and construction costs are
10 on their way to determine the feasibility of the
11 proposed turnaround site. If the turnaround site
12 is implemented, HCDPW will be responsible for the
13 future maintenance, and WSSC will grant HCDPW a
14 maintenance easement.

15 Number 12, relocate the -- the existing
16 diagonal crosswalk over Brighton Dam Road and
17 associated walkway connection for Brighton Dam
18 Azalea Garden on the Montgomery County side to the
19 new locations as shown in red and install two
20 additional street lights at the locations as shown
21 in yellow for the crosswalk. The existing
22 crosswalk is located approximately 320 feet from
23 the Brighton Dam Road Bridge. The new latter bar
24 crosswalk is perpendicular to Brighton Dam Road to
25 enhance the safety of pedestrians -- pedestrian

1 crossings and the public travelers. The
2 additional lighting is provided in attempts to
3 meet the Montgomery County's Vision Zero
4 Initiative.

5 The bridge will be closed to the traffic
6 during construction. Display D1 depicts the
7 vehicular traffic detour route and bicycle traffic
8 detour route respectively for the maintenance of
9 traffic during construction. The blue line in the
10 map is the Brighton Dam Road for New Hampshire
11 Avenue in Montgomery County to Highland Road in
12 Howard County. The red circle indicates the
13 location of the Brighton Dam and Bridge. The
14 green line is a 9.2-mile detour route for
15 vehicular traffic through New Hampshire Avenue
16 and Ashton Road in Montgomery County and
17 Clarksville Pike and Highland Road in Howard
18 County. The purple line in the map is a five-mile
19 detour route for bicycle traffic through New
20 Hampshire Avenue in Montgomery County and Haviland
21 Mill Road in Montgomery County and Howard County.
22 Proper temporary traffic detour signage will be
23 installed for both directions along these two
24 detour routes.

25 Display D2 lists additional items that

1 are associated with the maintenance of traffic
2 during construction. The existing access for DHS
3 and Brighton Dam Visitor Center and Azalea Garden
4 on the Montgomery County side will be maintained
5 throughout the entire construction period. A
6 temporary turnaround site for public school buses,
7 police cars, and emergency response vehicles will
8 be provided at the Brighton Dam Visitor Center
9 parking lot in the Montgomery County side and at
10 the existing water refill site on the Howard
11 County side during the bridge closure. The
12 existing water refill site on the Howard County
13 side will be maintained for tanker fire trucks. A
14 30,000-gallon temporary water refill tank for
15 tanker fire trucks will be provided at the
16 Brighton Dam Visitor Center parking lot on the
17 Montgomery County side.

18 The total project cost is estimated for
19 -- at \$2,436,000 including engineering,
20 construction, and construction management costs.
21 \$2,250,000 have been funded to date. The
22 acquisition for the remaining \$150,000 is
23 underway. Each of Montgomery County, Howard
24 County, and WSSC will share \$812,000, which is
25 one-third of the project cost. The design of the

1 project began in March, 2021 and is expected to be
2 completed in the spring of 2023. The construction
3 is anticipated to take approximately 12 to 16
4 weeks, which will start in the spring of 2024 and
5 end in the summer of 2024. The project cost
6 funding and schedule are subject to change as a
7 project progresses until it is complete. Pursuant
8 to Section 49-52 of the Montgomery County Code,
9 there are no properties which are considered to be
10 specially benefited by the proposed improvement;
11 therefore, no properties are expected to be
12 assessed.

13 Several exhibits are incorporated into
14 the public record binder for your information and
15 consideration. The exhibits include: Number 1,
16 the Approved Fiscal Year 2023 Project Description
17 Form for Capital Improvement Program CIP Number
18 P501907, Brighton Dam Road Bridge Number M-0229;
19 Number 2, the Design Plans at the Level of 90
20 percent Completion with Latest Revisions; Number
21 3, the 2021 Biennial Bridge Inspection Report;
22 Number 4, Washington Times Newspaper Online
23 Advertisement Proof and Montgomery County
24 Governmental Press Release; Number 5, Written
25 Testimony Provided Prior to and After this Public

1 Hearing; Number 6, List of Attendees, to be added
2 following this hearing; Number 7, Hearing
3 Transcript, also to be added following the
4 hearing. Project-related data and files can be
5 downloaded from the project webpage at the address
6 that you see on the screen, [https://www.montgomery](https://www.montgomerycountymd.gov/dotdte/projects/brightondamroad/index.html)
7 [countymd.gov/dotdte/projects/brightondamroad/index.html](https://www.montgomerycountymd.gov/dotdte/projects/brightondamroad/index.html).
8 The files will continue to be available to the
9 public until the record for this public hearing is
10 officially closed.

11 As previously stated, here with us this
12 evening are Mr. Barry Fuss and Mr. Greg Hwang of
13 MCDOT, Mr. Jack Weir of HCDPW, and Mr. Samir
14 Khalil of WSSC. In addition, we have Mr. Bimel
15 Patel and Mr. Doug -- Doug Lee from the
16 engineering consulting firm Stantec present at
17 this hearing. We will be available after the
18 hearing to answer any questions regarding the
19 construction aspects of this project and now I
20 will turn things back to Mr. Paylor. Thank you.

21 MR. PAYLOR: Thank you, Ms. Cardova. We
22 will now hear testimony from those in attendance
23 who wish to testify. If you have not signed up to
24 testify, but decide that you would like to, please
25 click on the reaction icon on the bottom menu bar

1 and then click raise hand icon to raise your hand.
2 Alternatively, if you join the meeting by phone
3 you may dial *9 from your telephone keypad to let
4 us know that you wish to testify. Once you are
5 invited to speak, please clearly provide your name
6 and address for the record prior to beginning your
7 testimony.

8 We will begin with those who have signed
9 up in advance to testify at this evening's
10 hearing. Again, please be sure to announce your
11 name and property address before providing your
12 testimony. Testimony will be limited to
13 approximately three minutes, so our recommendation
14 would be for you to try to limit your testimony to
15 this three-minute time frame if it is at all
16 possible. I'm requesting that all presentations
17 taking longer than three minutes be summarized so
18 as to comply with our time constraints and provide
19 a full written testimony to submit into the
20 record. These submissions will be fully
21 considered along with the oral testimony heard
22 here today.

23 So now we'll go to the testimony. I
24 would appreciate it if Ms. Lori Main -- Main could
25 help me with making sure we get all the

1 individuals who would like to speak in order. So
2 could you please announce those speakers, Lori?

3 MS. MAIN: I absolutely can. First up
4 we have Benjamin Shovlin.

5 MR. SHOVLIN: All right. Thank you. I
6 hope you can hear me.

7 MR. PAYLOR: We can. Thank you,
8 Benjamin.

9 MR. SHOVLIN: Great. I -- I live at
10 6275 Firethorn Lane on the Howard County side of
11 Brighton Dam, and I've lived in this area for
12 about six years now, and I just am concerned that
13 with the scope and sequence of this project that
14 there hasn't been enough modeling done to measure
15 the impact of the increased traffic on the
16 neighborhoods affected by the rerouting of traffic
17 around Brighton Dam. I've seen Folly Quarter
18 Bridge at 10 Oaks closed and saw the impact on
19 neighborhoods around that area, and it was -- it
20 increased not only traffic but traffic accidents,
21 noise pollution, and I just want to make sure that
22 there is sufficient research being done on that
23 part of the project. Thank you.

24 MR. PAYLOR: Thank you so much.

25 MS. MAIN: Okay, next we'll hear from

1 Michael Duval. Okay. It's a -- I don't see Mr.
2 Duval on our participant list.

3 MR. PAYLOR: Okay.

4 MS. MAIN: So next we'll hear from Kevin
5 Felber. Okay. It doesn't appear that Mr. Felber
6 is with us either.

7 MR. PAYLOR: All right.

8 MS. MAIN: That's all I have. So,
9 Michael, if you'd like -- if anyone would like to
10 raise their hand?

11 MR. PAYLOR: Wow. Thank you so much.
12 As Ms. Main mentioned, is there anyone on the call
13 tonight who did not sign up to testify but now
14 wishes to speak? If so, please click the
15 reactions icon and then raise hand to raise your
16 hand or if you're joining us by phone, dial *9 on
17 your telephone keypad if you wish to speak. And
18 please keep in mind that written testimony and
19 comments may be submitted as well, and they'll
20 consider -- they'll be considered with the same
21 weight as your oral testimony. So if there is
22 anyone who would like to speak now, please raise
23 your hand. I'll leave the offer for individuals
24 on the call to -- to testify open a little longer
25 to give us some additional time to decide to

1 speak, or we will close the record.

2 Okay. If no one wishes to -- if no one
3 else wishes to offer testimony, we'll conclude and
4 -- the oral testimony portion of the public
5 hearing and will move into the question-and-answer
6 session. The same protocols apply. If you have a
7 question, please click the reactions icon and then
8 raise your hand -- and then raise hand to raise
9 your hand, or if joining us by phone, please press
10 *9 on your telephone keypad if you wish to ask a
11 question. You are also welcome to type your
12 questions into the chat box. So at this time,
13 please raise your hand or type questions in the
14 chat box as you wish to have your questions
15 answered. Okay. I'll leave the record open for
16 just a little longer to give everyone a last
17 opportunity to -- to posit any questions.

18 Okay. Well, thank you-all for joining
19 the call. I certainly appreciate the testimony
20 that we received, and at this time we're going to
21 conclude the hearing. Please note that you can
22 also e-mail your question to the project manager
23 -- manager, Mr. Greg Hwang, after the meeting.
24 And it is 7:31 and we will conclude this hearing,
25 and we definitely thank you for participating.

1 As a reminder, we will keep the record
2 open for two weeks. Written testimony and comments
3 are due by Wednesday, December 14th, 2022, at
4 7:00 p.m. And again, as a refresh, additional
5 written testimony and comments may be submitted by
6 e-mail and must be received by the close of this
7 hearing record. These submissions should be sent to
8 Mr. Greg Hwang, Professional Engineer. His e-mail
9 address is Greg.Hwang@montgomerycountymaryland --
10 montgomerycountymd.gov, or they can be submitted
11 by online comment form the following link, which is
12 seen on your screen, [http://formsoffice.com/g/
13 qz7kVe6zy7](http://formsoffice.com/g/qz7kVe6zy7).

14 We certainly appreciate you
15 participating, and -- and thank you so much for
16 your time this evening. And at this time, the
17 public hearing is now concluded. Have a great
18 evening.

19 (Off the record at 7:33 p.m.)

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CERTIFICATE OF COURT REPORTER

I, Shannon Hayes, the officer before whom the foregoing proceedings were taken, do hereby certify that said proceedings were electronically recorded by me; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

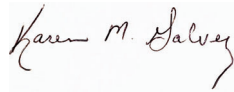
Shannon Hayes

Shannon Hayes, Court Reporter

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CERTIFICATION OF TRANSCRIPT

I, Karen M. Galvez, do hereby certify that the foregoing transcript, to the best of my ability, knowledge, and belief, is a true and correct record of the proceedings; that said proceedings were reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.



Karen M. Galvez
Planet Depos, LLC
December 13, 2022

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November 30, 2022

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