



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Director

IN THE MATTER OF:

**GOSHEN ROAD SOUTH
CIP Project No. 501107**

BEFORE: Fred Lees, Public Hearing Officer, Department of Transportation

PUBLIC HEARING OFFICER'S RECOMMENDATION

I. Background

The Montgomery County Department of Transportation (MCDOT) is proposing to reconstruct Goshen Road consistent with the approved and adopted Montgomery Village Master Plan from south of Girard Street to north of Warfield Road, a length of approximately 3.5 miles. The improvements will widen Goshen Road from its current 2-lane configuration to a 4-lane divided highway with on-road bicycle lanes and adjacent sidewalk and shared-use path.

A public hearing was held pursuant to Section 49-53, of the Montgomery County Code in the All Purpose Room of Whetstone Elementary School at 7:15 PM on Tuesday, March 1, 2016 to hear comments on the proposed design. The public record was held open for additional comments until 5:00 p.m. on April 1, 2016. Public notice of the hearing was provided to adjacent property owners and notice of the hearing was published in the *Washington Post* on February 18 and 25, 2016 and advertised on Montgomery County DOT website.

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II. Summary of Testimony, Written Comments and Exhibits

Project Description

A description of the proposed project was provided by Mr. Bruce Johnston, Chief, Division of Transportation Engineering, MCDOT. Mr. Johnston described the proposed project and the purpose of the project. The project proposes to make improvements to Goshen Road from south of Girard Street to north of Warfield Road, a length of approximately 3.5 miles, from its current 2-lane configuration to a 4-lane divided highway.

The location of the project is in the north Gaithersburg area. When planning began for this project, this portion of Goshen Road was in the Gaithersburg Vicinity Master Plan. This Plan identified Goshen Road as a 4-6 lane Major Highway with a 120-foot minimum right-of-way within the project limits. A 4-lane option was chosen after an extensive planning study that was completed in 2004. The proposed project now falls within the Montgomery Village Master Plan, which has just been updated and calls for Goshen Road to be a 4-lane divided highway within a 105-foot minimum right-of-way.

The existing 2-lane roadway has many operational and safety issues that need to be addressed. These include critical capacity needs along the corridor and at intersections, vehicular and pedestrian safety concerns, and drainage deficiencies.

The traffic analysis associated with this project forecasted that by 2015 most of the intersections along this corridor would be operating at level service F during peak periods, and by 2025 all intersections in the project corridor would be operating at unacceptable levels of service. Currently there is extensive queuing and delays during rush hours along the roadway corroborating these projections.

The current 2-lane road has a crash rate that is twice the state average for similar roads, and a rate of pedestrian related accidents that is five times the statewide average. Substandard geometry, limited sight distances at some intersections and congestion may account for the high rate of vehicular crashes. The almost complete lack of existing pedestrian facilities may be a cause of the very high pedestrian crash rate.

The current road has an open section without curb and gutter and therefore very little closed drainage system of inlets and underground pipes. Many of the existing culverts within the project limits are undersized and several portions of the road experience various degrees of localized flooding during heavier storms.

The proposed design provides four through lanes divided by an 18-foot wide median, turn lanes at intersections, 5-foot bicycle lanes in both directions, a 5-foot sidewalk along the east side, and an 8-foot shared-use path along the west side. The proposed design installs new storm drain systems, upgrades most of the larger culverts, provides landscaping and street lighting, and provides storm water management for the project as required by state and county regulations. The storm water management features vary in type and size. Most are underground separator sand filters or surface sand filters. Also, as per the County's Noise Abatement Policy, noise barriers are proposed at two locations along the west side of the project, directly to the south and to the north of Centerway Road.

The proposed improvements are designed within a minimum typical right-of-way that is 103-foot wide. This width is a reduction from the 107-foot wide design that was presented to the public in 2009. The proposed design in the vicinity of the Goshen Elm tree has a significantly reduced cross section that is within a minimum right-of-way that is only 81 feet wide. This narrower typical section has a 4-foot brick median and no buffer strips between the travel lanes

and pedestrian paths. The narrower typical section in this part of the project is to avoid impacts to this state champion tree. The proposed design and measures to protect the Goshen Elm are consistent with parameters outlined in an agreement between MCDOT and Maryland-National Capital Park and Planning Commission (MNCPPC) for the protection of this tree.

The project will relocate an existing historic structure known as the Black and White Inn located in the southeast corner of the intersection of Goshen Road and Warfield Road. The historic structure will be relocated approximately 75 feet to the east on the same property, maintaining the same orientation to the intersection. The relocation of this historic house was required by, reviewed by, and ultimately approved by MNCPPC's Historic Preservation Commission.

The project cost is estimated to be \$132.4M which includes design, utility relocations, and construction and will be funded from CIP Number 501107. No properties are considered to be specially benefitted by the project. Therefore, no properties are expected to be assessed.

Mr. Johnston provided a project vicinity map which shows the location of the proposed project along with illustrations of the proposed typical sections. The display maps of the proposed improvements were affixed to one wall of the meeting room for public viewing.

Testimony and Written Comments

Of the 29 unique oral or written comments received, two commenters were in support of the project as designed and the others were opposed to the project. Most of the comments can be categorized into several themes outlined below:

- Congestion: There were 11 comments on this topic. Many of the commenters stated that there currently are no traffic congestion or capacity problems on Goshen Road; or that any existing congestion problems are so limited that the proposed improvements are not

warranted; or believe the proposed improvements are more than is needed. Conversely, it was also averred that the proposed project will not address the existing traffic congestion problems.

- **Safety:** There were 12 comments on this topic. Some of the commenters stated that there are no safety issues along the existing road or that any existing safety issues are so limited that the proposed improvements are not warranted. Others agree that there are safety issues that need to be addressed but that the proposed design will create new safety problems.
- **Scope:** There were 19 comments on this topic with all of the commenters disagreeing with the current scope (design) of the project. The predominant theme was that the project is greater than what they believe is needed, and that the project cost is too high. Three commenters stated that the limits of the 3.5-mile project are either too long (more than what is needed) or not long enough to address current or future needs. Others said the proposed design will not adequately address existing drainage deficiencies and flooding issues.
- **Impacts:** 13 of the commenters stated that the project will cause unacceptable impacts (decreased lot sizes and property values, bringing the road too close to homes, or compromised safety) to private residential or non-residential properties, and/or believe eminent domain powers should not be used for property acquisition. Five commenters stated that the project will cause other/environmental impacts such as additional traffic noise and pollution.

III. Conclusions and Recommendations

In accordance with Section 49-53 of the Montgomery County Code, this hearing was held to receive comments on the proposed design of the road.

It is clear that a portion of the community, certainly the large majority of those who testified at the public hearing, considers this project as unnecessary or having a scope that is beyond their perceived needs. However, it is my determination that the construction of this project as designed is necessary to comply with the vision and recommendations of the current Montgomery Village Master Plan as well as those before it. It should also be noted that this project was prepared with extensive public input and went through long and thorough analysis processes to determine the most appropriate design to attain the envisioned transportation system for the planning area.

In 1985 the Gaithersburg Master Plan called for Goshen Road to be constructed as a 4 to 6-lane, divided, major highway within a minimum 120-foot right-of-way. When the master plan was amended in 1988 and 1990 there were no changes regarding Goshen Road. However, the recently approved Master Plan for Montgomery Village calls for Goshen Road to be constructed as a 4-lane, divided, major highway within a minimum right-of-way of 105 feet. The associated typical section calls for a 10-foot shared-use path, if feasible. But, the project designers found that the implementation of the wider shared-use path would require a complete redesign of the geometric, drainage, and storm water management elements of the project and create additional property impacts and further increase the project's cost. The current design including an 8-foot shared-use path (103' minimum typical R.O.W.) strikes a good balance by providing a safe and adequate facility for hiker/bikers as well as minimizing property impacts.

The extensive planning effort for this project found the modified 4-lane alternative to be the best option for Goshen Road. That finding was approved by the County Council, the elected representatives of this community and this county. The inclusion of this project as proposed in the Capital Improvement Program by the County Executive and the support of it by the County Council underscores their determination that this project is needed and is indeed in the public interest.

Some of the most frequent comments heard at the hearing were that the proposed project is more than it needs to be, i.e. the scope is too big and provides more capacity than is required to address what is seen by some as only a peak hour congestion problem. However, over the years that this project has been in planning and design phases the findings of the initial traffic studies, which projected that many of the intersections along the corridor would fail during peak hours, have materialized. The peak hour congestion and delays along the project corridor have increased to unacceptable levels and the peak periods are now beginning earlier and extending later. This congestion results in regional through traffic diverting onto other roadways, some of which are local and not designed to accommodate it.

It should also be noted that the design of this project is not envisioned or intended to solely address the current needs of the immediate community along Goshen Road or adjacent to it; but as called for in the master plan, it is to address the regional transportation needs going forward as a major north-south corridor within this planning area of the county. The 2016 approved Montgomery Village Master Plan affirms that the additional capacity provided by a 4-lane divided major highway with dedicated turn lanes at major intersections is needed to accommodate the transportation needs of master planned growth and development in the region. Additionally, the limits of the project developed at planning stage are as called for in the master

plan. Extending the proposed improvements beyond the project limits to the north or to the south can be investigated at a later date by the County or the City of Gaithersburg.

Another frequently cited concern was that the proposed design would decrease safety by increasing traffic volumes and speeds along the roadway. While it is true that the proposed design will accommodate a higher volume of traffic and potentially higher speeds, it is my determination that the proposed design will make significant improvements to safety along this road.

As noted in Mr. Johnston's testimony the current crash rate along this portion of Goshen Road is twice the state-wide average for similar roadways and the pedestrian crash rate is five times higher. One can draw a clear correlation between these rates and the current roadway condition which has substandard horizontal and vertical curves, minimal to nonexistent shoulders, flooding issues, and very limited pedestrian accommodations. Excessive congestion during peak periods and inadequate lighting exacerbate these deficiencies. Additionally, any bicyclists must share the limited space with motor vehicles.

In addition to the geometric design improvements, such as adding turn lanes, flattening curves to improve sight distance, and drainage enhancements, the provision of a sidewalk and a shared-use path, where nearly none exists today, will significantly improve vehicular and pedestrian safety. Provision of on-road bike lanes, a feature that is increasingly advocated by the County Council and is required by County's Road Code, along with improved street lighting are also additional safety features of the proposed design.

Another issue voiced several times is the physical impact the widened road will have on the community. While it is true that multiple properties, especially those with direct access to Goshen Road, will be impacted by the proposed improvements, I find the proposed design to be

considerate of the need to balance the required widening with minimizing property takes, easements, and other physical impacts. The designers have utilized steeper side slopes and incorporated retaining walls where appropriate, and reduced the previously proposed typical right-of-way to minimize property impacts as much as possible. With the exception of the Black and White Inn, which is discussed below, no other dwellings are directly impacted, i.e. purchased, removed or relocated, by the proposed design. That said, the State has granted local agencies the eminent domain powers for transportation projects such as this and therefore the County is well within its rights to exercise such powers when deemed in the public interest.

Along with the impacts to the local community, the proposed design has considered and addressed multiple environmental issues. Where the existing road lacks adequate drainage systems, the proposed project will install new, closed storm drain systems thereby reducing flooding and the associated erosion and other impacts. The project development included evaluation of the performance of existing culverts which found that they are undersized and performing inadequately. The proposed design significantly improves on the performance of the existing culverts, eliminating associated drainage concerns, and will meet or exceed all Federal, State and local environmental requirements for the project.

Residents living adjacent to Goshen Road expressed concern with the anticipated increase in noise when the project is completed. In compliance with the County's Highway Noise Policy, a traffic noise study was conducted for the entire project corridor, and where warranted, the option for noise mitigation (noise barriers) was offered to the eligible communities. As a result, two proposed noise barriers are included in the project design. Discussion with the project engineer indicated that noise barriers were offered to residents at other locations but were rejected due to the required co-payments as required by the County's

Highway Noise Policy. I find that the final design is demonstrative of the efforts to address potential traffic noise impacts within the County's policies.

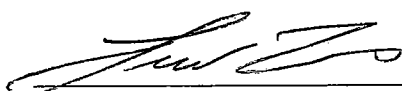
As was noted during the hearing, the project design has also gone to extraordinary measures to protect the Goshen Elm tree and avoid or minimize any impacts to it. The significantly narrower typical section in the vicinity of the tree to keep construction as far as practical from the tree, along with a Memorandum of Understanding for the protection of this champion tree, is clear evidence of these efforts.

As mentioned above, the historic structure named the Black and White Inn will be directly impacted by the proposed improvements. However, it is important to note that the structure was not designated as a historic property by Maryland Historic Trust or by the MNCPPC's Historic Preservation Commission (HPC) when planning for this project was completed in 2004. It was only subsequently designated as a historic property by HPC in 2006. Because reconstructing the roadway to the master-planned cross-section and alignment would require removing the Black and White Inn, the project designers developed multiple alternatives for the project. One was to retain the structure at its current location and shift Goshen Road to the west; the second retained the structure at its current location and shifted Warfield Road to the north; and the third was to implement the roadway design as per the master plan and relocate the structure on the existing property. On April 26, 2006 the HPC held a meeting to review the alternatives and recommended the relocation of the Black and White Inn on the existing site. The exact manner and architectural design for its relocation were determined and ultimately approved by HPC in 2015. The project designers have complied with the demands of the HPC and worked closely with the property owner to implement the required relocation.

One comment at the Public Hearing pertained to a potential sight distance issue at the intersection of Goshen Road and Lochaven Drive, which is beyond the project's limits. Design staff reviewed this location and their analysis revealed sight distance exceeds minimum requirements for motorists entering and exiting Lochaven Drive.

In conclusion, based on a thorough review of the testimony and evidence provided, I find the design as proposed is consistent with the vision of the recently approved Montgomery Village Master Plan providing the necessary capacity for future growth and regional mobility; will significantly improve roadway safety and operations for all modes of transportation; and addresses existing drainage/flooding issues along the corridor. The design does these things while minimizing as much as practical the impacts to the adjacent community as well as environmental and historic resources. Therefore, I find no compelling reason to change the design of the project and recommend that the Director of the Department of Transportation authorize the project be constructed as proposed.


Respectfully submitted,



Fred Lees, Public Hearing Officer

The Public Hearing Officer's Report and Recommendation for construction of the Goshen Road South project has been reviewed and the project is hereby authorized for construction.

Date: 9-13-16



Al R. Roshdich, Director
Department of Transportation