

Rock Creek Hills Citizens' Association

Kensington, MD 20895



www.rchca.org

February 10, 2008

Mr. Isiah Leggett
Montgomery County Executive
Executive Office Building
101 Monroe Street, 2nd Floor
Rockville, MD 20850

Subject: Request for county to adopt a Quiet Zone as Forest Glen-Linden Lane rail crossing

Dear County Executive Leggett:

This letter is being written pursuant to the January 28 letter from Councilmembers Floreen and Ervin. In that letter, they said:

“...we believe that it is time to conclude this long-festering matter. There can be no doubt that the residents deserve some assistance from the County Government in achieving a solution. We are requesting that DPWT work with the community to find an acceptable resolution to their concerns and advocate to the State and Federal Railroad Administration on their behalf”.

Having been involved in this effort for seven years now, I think that I can speak with some authority on the subject. The reality is that SHA and to a lesser degree, DPWT, are not very supportive on the entire concept of a Quiet Zone. And CSX has essentially ruled out the Wayside Horn as an alternative, which the DPWT recommended before. I am of the belief that nothing will ever happen without our elected officials urging our public safety officials to seriously consider allowing us the same consideration as other communities throughout the country: **To avail ourselves of federally-sanctioned remedies specified under Federal Railroad Administration (FRA) August 2006 Final Rules for Quiet Zones.**

In the January 24 meeting held by Councilmember Floreen, the SHA official gave his opinion that having a Quiet Zone with FRA-approved supplemental safety measures such as median barriers would be somehow less safe. I believe I can speak for most Quiet Zone proponents in saying that no one wants to sacrifice public safety, including those of us who suffer a major quality-of-life impact from incessant train horn noise.

However, the SHA official's assertion on safety flies in the face of the DPWT's own March 2006 study's findings (see attached). **According to the DPWT's study, median barriers would in fact be safer than the status quo.** On page 10 under "Risk Analysis Results" (page 11, by MS Word's count), the Quiet Zone Risk Index (QZRI) for the median solution is 11424.96 vs. 57124.81 for "Existing Conditions". **This represents almost an 80% reduction in risk by implementing a Quiet Zone with medians, measured by FRA's own methodology and statistics.**

This level of risk reduction is not surprising when thinking about it dispassionately. Right now, even though the train horn blows, cars can easily drive around the existing gate and try to beat the train. How many drivers would be willing to damage their cars and plow through median barriers in order to drive around the single extended gates once the barriers are in place?

Without getting into engineering design, the DPWT study dismissed median barriers by saying that this required the road to be widened, based on the assumption that such medians must be made of concrete. This assumption caused the total cost to rise from about \$25 K for medians alone to about \$500 K, including road

widening related costs. Yet there is no reason why FRA-approved median barriers alone would not be sufficient. Median barriers such as those manufactured by the Quick Kurb Company are FRA-approved and now in use at many Quiet Zones throughout the US. They not only fit well within the roadway yellow lines, obviating the cost of having to widen the road, but also are cited repeatedly by FRA as perfectly acceptable in its August 2006 Final Rule.

Enclosed are **letters requesting train noise relief from seven other citizens/homeowners associations** as well as supporting letters from the **Mid-County Citizens Advisory Board (MCCAB)** and the **Coalition of Kensington Communities (CKC)**. Also enclosed is a copy of the **May 2001 "Petition to Ban Train Horns/Whistles at Forest Glen Crossing"**. **This petition was signed by 390 voting-age citizens.** If necessary we would do this again and collect even more signatures, but we hope by now our elected officials will hear our pleas and finally make sure that a solution is reached.

Our bottom line is that Quiet Zone proponents are willing and eager to work with DPWT and SHA to find the best solution. **We believe that DPWT should revisit the conclusions from its own study in light of the points made above, and reconsider a Quiet Zone based on FRA-approved median technology as the most cost-effective solution. Accepting the FRA's own scientifically-based risk measures and standards, we believe that this cost-effective solution can meet the public's needs for safety and our community's right to noise relief at the same time.**

Respectfully,

Joseph I. Rosenberg, President
Rock Creek Hills Citizens' Association
9821 La Duke Drive, Kensington, MD 20895

Attachments:

- Letters form Citizens/Homeowners Associations plus other organizations;
- DPWT Study p. 10 showing lower risk from medians of existing conditions
- May 2001 Petition to Ban Train Horns/Whistles at Forest Glen Crossing

cc:

Director Arthur Holmes, Montgomery County Dept. of Public Works and Transportation
Councilmember Nancy Floreen
Councilmember Valerie Ervin
Councilmember George Leventhal
Councilmember Duchy Trachtenberg
Councilmember Marc Elrich
Councilmember Phil Andrews
Senator Richard Madaleno
Delegate Al Carr Jr.
Delegate Jeffrey D. Waldsteicher
Delegate Ana Sol Gutierrez
US Representative Chris Van Hollen
US Senator Benjamin Cardin
US Senator Barbara Mikulski
Mr. Peter Fosselman, Mayor, Town of Kensington
Mr. Blaine Charak, President, Mid-County Citizens Advisory Board (MCCAB)
Ms. Betsy Tebow, President, Capitol View Park Citizens' Association
Mr. Bill Warren, President, Linden Civic Association
Mr. George Edler, President, Rock Creek Hills Homeowners Association
Ms. Shawn Marie Jarosz, President, Forest Estates Community Association
Ms. Catherine Bocskor, President, Forest Glen Station Homeowners' Association, Inc.
Mr. Bruce G. Rosenthal, President, Glen Briar Condominium Association
Mr. Trent Wojtacha, Member, Board of Directors, Glen Manor Condominium Association