



RUSTIC ROADS COMMISSION

FREDERICK COUNTY, MARYLAND

30 North Market Street, Third Floor Frederick, Maryland 21701 (301) 600-1149



May 8, 2024

Jason Stitt, P.E.
Division Director, Division of Public Works
355 Montevue Ln.
Suite 200
Frederick, MD 21702

Dear Jason Stitt,

In September 2021 the Frederick County Rural and Scenic Roads Advisory Committee began a year long process of creating recommendations to be used in the establishment of the Rustic Roads Program. A great deal of effort, research and collaboration produced the end product, *A Rustic Roads Program for Frederick County Maryland* which was presented to then County Executive Jan Gardner in September 2022.

It is the desire of this Commission to fulfill its obligation to "Develop advisory standards and practices to be considered to maintain Designated and Candidate Roads" and provide necessary guidance on maintaining our rustic roads so that their rural and rustic nature is preserved, while also seeking efficiency and practicality.

Page 5 of the document referenced above, under 'Recommendations for Action Prior to Implementation', Item 1 states "A level of immediate protection should be applied to roads on the Candidate Road list, including requirements to maintain all character-defining features in the right-of-way, including surface treatment, width, and right-of-way vegetation and tree canopies".

Therefore, the Rustic Road Commission requests that the recommendations found on pages 21 and 22 be adopted as policy by the Department of Public Works. Specifically, Section C. 1. a) Roadway and Bridge Maintenance and b) Right-of-Way Maintenance. This request involves the following attached parts of Section C -

- Under a) Roadway and Bridge Maintenance: sections i, iv, and v.
- Under b) Right-of-Way Maintenance: sections i, ii, iii, and iv.

This effort should be part of a separate set of Standard Operating Procedures applicable to Rustic Roads, both candidate and designated. We offer these two narrow sections in the interest of expediting the formation of these S.O.Ps and would hope that at the very



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least, the reduced mowing recommendations in Right-of-Way Maintenance Section ii could be accomplished immediately. Our concern is that changes to these roads caused by excessive mowing could negatively impact their function as well as reduce or eliminate their rustic characteristics and native vegetation.

We are confident that the Department of Public Works supports the preservation of Frederick County's Rustic Roads and hope that this guidance will assist them in their work.

Sincerely,

Susan Hanson

Chair, Rustic Roads Commission

Attachment 1: Referenced Sections from the *A Rustic Roads Program Report*



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Attachment 1

Referenced Sections from the *A Rustic Roads Program Report* (pages 21 and 22):

"a) Roadway and Bridge Maintenance

i) *Level of Maintenance:* A designated Rustic Road will receive the level of maintenance necessary to assure its continued viability as a transportation route, allowing for safe travel by motorized vehicles, agricultural equipment, cyclists, pedestrians, and other non-motorized uses. Maintenance will be provided at an appropriate level, while still preserving the rustic qualities of the road. Under no circumstances can a change in surface type from gravel to tar and chip or tar and chip to asphalt be permitted on a designated Rustic Road or Candidate Road. Special care must be taken with these roads to prioritize their character-defining features, including selecting surface treatments that will not jeopardize their unique and rustic qualities.

...

iv) *Drainage:* DPW will repair storm drainage where necessary to prevent damage to the road or to adjacent private property, possible washouts, and other problems which may be detrimental to proper safety. Vegetation in ditches should be maintained to eliminate sediment runoff; ditches should not be pulled as a maintenance measure, but access for water entry to ditches should be preserved. Crowns and cross slopes intended to enhance road drainage shall be maintained. If crowns and cross slopes are altered by any factors, including but not limited to weather events and snow plowing, they shall be reconstructed to the original profile or better. Culverts shall be maintained and, where necessary, new culverts shall be added.

v) *Bridge Repairs:* The DPW must make bridge repairs in a manner that preserves the rural characteristics of the roadway and the bridge approaches and structure, including abutments. The repair of bridges that are designated in the future on the County Register of Historic Places must be reviewed by the Historic Preservation Commission (HPC). Consultation with the HPC or County historic preservation planner should precede repairs to bridges that are listed in the National Register of Historic Places or evaluated as eligible for the National Register of Historic Places.

...

b) Right-of-Way Maintenance

i) *Undesirable Vegetation:* The DPW will use best management practices to control vegetation utilizing guidance available from trained professionals and specific to the vegetation in question. When herbicides are necessary, they will be used in accordance with existing regulations and under the supervision of trained personnel within the division. Any vegetation classified as invasive under County or State law may be removed from the public right-of-way along a designated Rustic Road, unless not recommended for legal, practical, aesthetic, or conservation purposes by the Rustic Roads coordinator.

ii) *Mowing:* The DPW will perform right-of-way mowing only as necessary to clear line-of-sight at intersections or control noxious vegetation. Additional right-of-way mowing on a



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designated Rustic Road or a Candidate Road shall be performed only when previously approved by the Rustic Roads Commission or, in the case of an emergency, by DPP staff. Because right-of-way mowing disturbs the natural regeneration of native species, induces higher traffic speeds, and can detract from the character of a road, mowing – when approved – shall be limited to five feet or less from the roadway edge or road appurtenances. The area beyond five feet shall be left unmowed.

iii) Tree Maintenance: The DPW will perform or permit tree pruning along designated Rustic Roads only as necessary to allow safe travel by road users. If pruning is not sufficient, tree removal to provide adequate intersection sight distances and farm vehicle access may be permitted, with the concurrence of the Rustic Road Commission. Maintenance will be provided at a level no lower than existed at the time of designation, while still preserving the rustic qualities of the road. To the degree practical, the tree canopy and nearby saplings along a designated Rustic Road shall be allowed to remain undisturbed. All tree maintenance, tree removal, and planting will be in accordance with applicable State and County tree laws, including the Maryland Roadside Tree Law.

iv) Tree Replacement: If a tree is approved for removal, a tree of a native species must be planted at the site or in the immediate vicinity. All new plantings shall be monitored; to achieve viability and success."

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