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Administrator

September 26, 2018

Ms. Elizabeth Hughes  
State Historic Preservation Officer  
Maryland Historical Trust  
100 Community Place  
Crownsville MD 21032-2023

Dear Ms. Hughes:

### **Introduction and Project Description**

This letter serves to provide the Maryland Historical Trust (MHT) information regarding the Maryland Department of Transportation State Highway Administration (MDOT SHA) Project No. AX473A2P, MD 121 (Clarksburg Road) and MD 117 (Barnesville Road/Clopper Road) Intersection traffic signal improvement project in Boyds, Montgomery County.

MDOT SHA regrets that scope changes to the project, originally reviewed under the Appendix 2 provisions of the MDOT SHA Programmatic Agreement with MHT were not identified in a timely manner. These scope changes were sufficient to disqualify the project from use of Appendix 2 and required consultation with MHT and other consulting parties.

Upon review of the project, now in construction, MDOT SHA finds that the changes do not adversely affect historic properties. The project involves placing two signals at the intersection of MD 121 at MD 117 and at the intersection of MD 117 Spur at MD 117/White Ground Road. Construction started on or about July 23, 2018 and is expected to continue until October 2018. The signals will operate in full color from 6:30 a.m. to 9:00 a.m., and flash at all other times. The signals will be/are installed on galvanized poles. MDOT SHA planned to provide "rustic" brown poles, but due to a shortage, they could not be obtained in time for the project's start. Given safety concerns, MDOT SHA proceeded with the implementation of the project rather than awaiting delivery of the colored poles. MDOT SHA consulted with the Boyds Civic Association (BCA) who indicated their preference to proceed quickly to resolve the safety issues.

Trenching will be associated with the project. Additional right-of-way has been obtained including 0.019 acre (812 square feet) of perpetual easement from the Maryland-National Capital

Park and Planning Commission (M-NCPPC) property south of the intersection and 0.092 acre (4,014 square feet) of fee simple from an unknown owner who owns a portion of Clopper Road in front of 15004 Clopper Road. MDOT SHA has executed an access agreement with CSX for construction and future maintenance needs. The project was previously reviewed under MDOT SHA's Minor Projects Programmatic Agreement, Appendix 2 on March 1, 2016. The changes to the scope and right-of-way requirements increased the Area of Potential Effects (APE) and it now includes areas within the Boyds/White Grounds Historic District and the Metropolitan Branch of the B&O Railroad, which are both eligible for inclusion in the National Register of Historic Places. Plans are included as Attachment 1.

### **Funding**

State funds are being used for this project.

### **Area of Potential Effects**

In determining the APE for this project, MDOT SHA considered possible visual, audible, atmospheric and/or physical impacts to historic properties, both archaeological sites and standing structures, which would diminish National Register of Historic Places (NRHP) qualifying characteristic of the historic property's integrity. The project requires right-of-way to be constructed and is adjacent to the Boyds/White Grounds Historic District, which is immediately to the west of the intersections. The APE includes those buildings that may have a view of the intersection. The archaeology survey area within the APE is defined as the limits of construction where ground disturbance is expected to occur. The APE is indicated on the attached USGS quadrangle map for Germantown (Attachment 2).

### **Identification Methods and Results**

Potentially significant architectural and archaeological resources were both researched as part of the historic investigation instigated by the proposed intersection safety improvements.

*Architecture:* MDOT SHA Architectural Historian Anne E. Bruder consulted the SHA-GIS Cultural Resources Database, the Maryland Inventory of Historic Places (MIHP) and Determination of Eligibility (DOE) forms for the Boyds/White Grounds Historic District (M: 18-8-1), which was determined eligible for the NRHP on July 26, 1994, and the Metropolitan Branch of the B&O Railroad (M: 37-16) which was determined eligible for the NRHP on October 12, 2000. A field visit was conducted on October 24, 2016 and again on September 21, 2018. The historic district consists of the two rural towns that grew up around the railroad tracks following the construction of the Metropolitan Branch of the B&O Railroad during the last quarter of the nineteenth century. Both communities are built around their respective churches. Boyds, the historically-white town, stands on both sides of the railroad tracks, while White Grounds, the historically African-American town, is at the southern end of Boyds, with buildings

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standing on either side of White Ground Road. The railroad is on a berm that crosses over MD 121 at the north side of the MD 117/MD 121 intersection. In the late nineteenth century, its development provided Montgomery County's dairy farmers with the opportunity to easily sell dairy products in Washington DC.

At the MD 117/White Ground Road intersection, MDOT SHA has installed a 27-foot tall galvanized pole with signals on two mast arms. The pole stands at the edge of the Boyds/White Grounds Historic District boundary at the intersection at the MD 117 and White Ground or Clopper Road (also MD 117 Spur) intersection. A second pole with two mast arms has been installed at the MD 117/MD 121 intersection on the north side of the intersection.

One contributing resource to the Boyds/White Grounds Historic District, a single-family dwelling located at 15004 Clopper Road (or White Ground Road), stands at the intersection and will have a view of the new signals. MDOT SHA is prepared to provide shield(s) on the lights if there is a light trespass issue for the residents (Attachment 3). North of the intersection, MDOT SHA will trench in the underpass beneath the railroad overpass to install equipment needed for the signal. The work will be adjacent to the stop sign on southbound White Ground Road at its intersection with MD 117, and confined to the area beneath the roadway, under the CSX (formerly the B&O Railroad) Railroad overpass.

As noted above, MDOT SHA requires additional right-of-way, perpetual easement, and agreement for these improvements. No work will occur within the Boyds/White Grounds Historic District west of the intersection beyond MDOT SHA's acquisition of the perpetual easement and right-of-way near 15004 Clopper Road. As a result of the limited visual and physical impacts to the Boyds/White Grounds Historic District, MDOT SHA has determined that the project will have no adverse effect on historic standing structures, including the Boyds/White Grounds Historic District. Furthermore, MDOT SHA is providing this project at the request of the BCA. The BCA has noted in emails to elected officials and MDOT SHA officials that residents are frequently prevented from entering the intersection as a result of continuous oncoming traffic. The signal will provide safer driving conditions for all drivers and vehicles on MD 117 and MD 121 in this area. We make the No Adverse Effect determination because the work will be limited to the intersection and have limited visual or physical impacts to standing historic properties.

Although brown-colored light standards would have been preferable and more compatible with the setting, MDOT SHA finds that the use of galvanized poles does not constitute an adverse effect to the district. MDOT SHA will install a standard street light fixture on the arm above the signal at the MD 117/MD 121 signal. MDOT SHA is also aware of requests to include bicycle and pedestrian path improvements in this vicinity, however they are beyond the scope of this project.

MDOT SHA's effect finding is summarized in Attachment 4, Effects Table.

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*Archaeology:* MDOT SHA Consultant Archaeologist Lisa Kraus assessed the archaeological potential of the APE based on review of the SHA-GIS Cultural Resources Database, soil survey data, Google Streetview imagery, and aerial photography.

No archaeological surveys have included the APE, and no sites have been recorded there. Although the proposed work will occur near the historic town of Boyds (M: 18-8-1), historic maps (Martenet 1865; Hopkins 1878) show no structures within the APE. The project consists of placing two poles within MDOT SHA right-of-way, in areas that have been previously disturbed by roadwork, utility placement, and the construction of the nearby railway.

Given the minor nature of the work and evidence for prior disturbance, it is unlikely that any archaeological resources will be impacted by the proposed work. The changes to the project's right-of-way needs do not alter MDOT SHA's original assessment, and no further work is recommended.

### **Review Request**

Please examine the attached maps, plans, and Effects Table. MDOT SHA regrets that we precluded MHT or other consulting parties from providing comments as required by the Maryland Historical Trust Act of 1985, as amended, State Finance and Procurement Article §§ 5A-325 and 5A-326 of the Annotated Code of Maryland. MDOT SHA is open to meeting or additional discussion with MHT on our process improvements or ways to avoid such instances in the future. However, we request any comments you may have by October 26, 2018 that there would be no adverse effects on historic properties by the proposed intersection traffic signal improvements at MD 121 (Clarksburg Road) and MD 117 (Barnesville Road/Clopper Road) Intersection. By carbon copy, we are informing the Montgomery County Historic Preservation Commission, Montgomery Preservation Inc., the Montgomery Heritage Area, the Boyds Historical Society and the Boyds Civic Association and requesting any comments they may have on this action. Pursuant to the Maryland Historical Trust Act of 1985, as amended, State Finance and Procurement Article §§ 5A-325 and 5A-326 of the Annotated Code of Maryland, MDOT SHA seeks their assistance in identifying historic preservation issues as they relate to this specific project. For additional information regarding historic preservation consultation for State funded projects see the Maryland Historical Trust's website, [www.mht.maryland.gov](http://www.mht.maryland.gov), or contact the Maryland Department of Transportation's State Highway Administration or the Maryland Historical Trust. If no response is received by October 26, 2018, we will assume that these offices decline to comment. Please contact Ms. Anne Bruder at 410-545-8559 or

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abruder@sha.state.md.us with questions regarding standing structures for this project. Dr. Lisa Kraus may be reached at 410-545-2884 or lkraus@sha.state.md.us with concerns regarding archaeology.

Sincerely,

*for* Julie M. Schablitsky  
Assistant Division Chief  
Environmental Planning Division

Attachments

cc: Ms. Rebecca Ballo, Montgomery County Historic Preservation Commission  
Ms. Eileen McGuckian, Montgomery Preservation Inc.  
Ms. Julie Mueller, Maryland-National Capital Parks and Planning Commission  
Ms. Sarah L. Rogers, Montgomery County Heritage Area  
Mr. Hammet Hough, Boyds Civic Association  
Ms. Miriam Schoenbaum, Boyds Historical Society  
Ms. Anne E. Bruder, MDOT SHA-EPLD (w/Attachments)  
Ms. Kirby Cole, MDOT SHA-EPLD  
Mr. Derrick Dickerson, MDOT SHA-D3  
Mr. Derrick Gunn, MDOT SHA-OOTS-TEDD  
Dr. Lisa Kraus, MDOT SHA-EPLD (w/Attachments)  
Dr. Julie M. Schablitsky, MDOT SHA-EPLD  
Ms. Jialin Tian, MDOT SHA-OOTS

**Concurrence with the MDOT State Highway Administration's  
Determination(s) of Eligibility and/or Effects**

**Project Number: AX473A2P**

**MHT Log**

**No. \_\_\_\_\_**

**Project Name: MD 117 at Clopper Road Intersection Signal**

**County: Montgomery**

**Letter Date: September 26, 2018**

**The Maryland Historical Trust has reviewed the documentation attached to the referenced letter and concurs with the MDOT State Highway Administration's determinations as follows:**

**Eligibility (as noted in the Eligibility Table [N/A]):**

- Concur**
- Do Not Concur**

**Effect (as noted in the Effects Table [Attachment 3]):**

- No Properties Affected**
- No Adverse Effect**
- Conditioned upon the following action(s) (see comments below)**
- Adverse Effect**

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**By:** \_\_\_\_\_

**MD State Historic Preservation Office/  
Maryland Historical Trust**

\_\_\_\_\_ **Date**

Return by U.S. Mail or Facsimile to:  
Dr. Julie M. Schablitsky, Assistant Division Chief, Environmental Planning Division,  
MDOT State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717  
Telephone: 410-545-8870 and Facsimile: 410-209-5046  
A\_proj No. 10936

cc: Bruder  
Kraus  
Cole

*Attachment 4: Effects Table*

**Project Name: MD 117 (Clopper Road/Clarksburg Road) at Clopper Road Intersection Signal      September 26, 2018**

Resource	Type	Alternative #		Attachment	Remarks
		Impact	SHPO Concur		
<b>Boys/White Grounds Historic District, M: 18-8-1</b>	<b>HD</b>	<b>No Adverse</b>	<b>Requested 9/2018</b>		
<b>Metropolitan Brand of the B&amp;O Railroad, M: 37-16</b>	<b>S</b>	<b>No Adverse</b>	<b>Requested 9/2018</b>		
<b>Effect</b>		<b>NAE</b>	<b>Requested 9/2018</b>		

Codes:

Resource Types: S (Structure), A (Archeological Site), HD (Historic District), NHL (National Historic Landmark)

Impact: None, No Adverse, Adverse

Effect: NPA (No Properties Affected), NAE (No Adverse Effect), AE (Adverse Effect)

Bold rows indicate review action requested