

From: Alan Theriault
To: lbbecker@mindspring.com
Cc: Chuck Horton; toplessred; Jake Hays; Mick Miner; Ben & Cindy Goss; mjkarzen; joe.block; Melvin Davis; jemail luke; Don Norris; Margaret S. Hale; Margaret S. Hale; Dan Wilson; BR White
Date: 5/31/2007 6:49:27 AM
Subject: RE: Citizen Involvement in Daniells Bridge Road Improvements

Mr. Becker:

In response to your email of last week, I will ask the Planning Department and the Engineering Department to advise me specifically what the rezone conditions will require and when they anticipate any discussions to be initiated. My recollection from the Board of Commissioners meeting was that the developers agreed, because of the timing and cost of their respective projects, to a collaborative effort primarily addressing resulting intersection issues at Daniells Bridge and the Connector, and the roadway up to their developments. Presently, I am not sure of the timing of the various aspects of that process since our County Engineer has resigned and we are currently advertising for a replacement. I am aware, however, that there have been surveyors in that general area over the last week or so obtaining as-built data.

With that having been said, please understand that that any improvement or upgrade undertaken must be in full and strict compliance with State D.O.T. and A.S.H.T.O. design standards. There have been instances where citizens desire certain design aspects to be incorporated into a project, but either their desires conflict with design standards or their desires are peripheral to the project. It must be remembered that any improvement or upgrade being considered must be a cure to a reduced level of service directly caused by the project(s) and identified through the traffic study. That is referred to as a "Project Improvement". Anything peripheral to the reduced level of service caused by the project that may be requested or demanded by the County, would be considered an "exaction" and is illegal. Those types of peripheral improvements are referred to as "System Improvements".

Accordingly, I believe that we are dealing with strict engineering designs standards that will be governed by the results of the studies that will be undertaken, and are most likely not negotiable. While we may ask that the project developers involve or allow citizen input into their design, we cannot force them to do so, nor can we force them to do that which might be considered an exaction. I will be more than happy to inquire on your behalf, the desire of the collaborative for additional input and will advise you accordingly.

Should the Board of Commissioners elect to undertake upgrades to Daniells Bridge road beyond that which the collaborative would be responsible for, we would of course welcome input from residents in the area. We will not know what those upgrades might consist of until such time as all traffic studies are completed and the Board of Commissioners has an opportunity to review all implications.

Alan

From: lbbecker@mindspring.com [mailto:lbbecker@mindspring.com]
Sent: Thursday, May 24, 2007 10:51 PM
To: Alan Theriault
Cc: Chuck Horton; toplessred; Jake Hays; Mick Miner; Ben & Cindy Goss; mjkarzen; joe.block
Subject: Citizen Involvement in Daniells Bridge Road Improvements

Dear Mr. Theriault:

I believe that Commissioner Chuck Horton has informed you of my request on behalf of citizens who live in subdivisions along

Daniells Bridge Road for involvement in discussions about the upgrade of Daniells Bridge Road. Mr. Horton recommended that I write to you.

As you know, as a condition for two rezones approved by the BOC on April 3, 2007, (Zoning Case 5351 and Zoning Case 5356), the applicants were required to participate in a development agreement and a comprehensive traffic analysis, planning and design of the upgrade of Daniells Bridge Road.

Any upgrade of Daniells Bridge Road will greatly impact the lives of citizens who use it every day to get to and from their homes. For that reason, I am requesting that citizens also be involved in the discussions of the development agreement and the design of the upgrade.

Please advise me of how I can formally make this request so that citizens are represented at the outset of these discussions.

I thank you in advance for your assistance.

Lee Becker
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