



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item #

5/3/07



MEMORANDUM

DATE: April 20, 2007

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Development Review Division

Catherine Conlon, Supervisor *CAC*
Development Review Division

FROM: Richard A. Weaver, Coordinator (301-495-4544) *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision, Resubdivision of Lots 9 and 10, Block F, Merrimack park, into three lots.

APPLYING FOR: 3 One-family Detached Residential Lots

PROJECT NAME: Merrimack Park

CASE #: 120060980

REVIEW BASIS: Chapter 50, including Sec. 50-29 (b)(2), Montgomery County Subdivision Regulations

ZONE: R-60

LOCATION: In the southern quadrant of the intersection of Pyle Rd. and Elgin Lane

MASTER PLAN: Bethesda-Chevy Chase

APPLICANT: EEC Associates, LLC

ENGINEER: Macris, Hendricks and Glascock

FILING DATE: March 28, 2006

HEARING DATE: March 1, 2007

RECOMMENDATION: Denial, pursuant to Section 50-29(b)(2) and Section 50-29(a)(1) of the Montgomery County Subdivision Regulations.

SITE DESCRIPTION

The Subject Property consists of 0.73 acres (31,793 square feet) of land within the Bethesda-Chevy Chase Master Plan area. The property is zoned R-60 and is located in the southern quadrant of the intersection of Pyle Road and Elgin Lane (Attachment A). The land is comprised of two existing lots (Lots 9 and 10, Block F) which were originally recorded in 1955. The property contains an existing, newly constructed residential dwelling that is located on what would be Lot 22, and served by private driveway from Pyle Road. Surrounding land use is residential in the same zone.

The property lies within the Cabin John Creek Watershed, which is classified as Use I. There are no streams, wetlands, floodplains, environmental buffers or forest on the property. There are large and specimen trees on the property and adjacent properties.

PROJECT DESCRIPTION

This is an application to resubdivide the 0.73 acre Subject Property into three residential lots, which would be 11,208 square feet (Lot 22), 10,447 square feet (Lot 23) and 9,901 square feet (Lot 24) in size. The proposal includes retention of the existing dwelling and construction of two new one-family detached dwellings (Attachment B). The two dwellings would have separate driveway access points, one from Pyle Road, and the other from Elgin Lane. Public water and sewer would serve all homes.

ANALYSIS AND FINDINGS

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. Access and public facilities will be adequate to support the proposed lots and uses, and the lots meet the dimensional requirements for area, frontage, width and setbacks in the R-60 zone. However, as discussed below, the application does not meet the requirements for resubdivision as specified in Section 50-29(b)(2).

Conformance with Section 50-29(b)(2)

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots are in character for the neighborhood with respect to all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

B. Neighborhood Delineation

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate block, neighborhood or subdivision for evaluating the application. In this instance, the neighborhood selected by the applicant for analysis purposes consists of 49 lots, excluding the subject property (Attachment C). The neighborhood includes all lots that abut or confront the proposed lots, as well as the remaining lots in the same block and those that are located along the main streets that access the subject Property, including Pyle Road and Elgin Lane. The neighborhood also contains four additional lots the front on Brigadoon Lane because this is also a street that generally provides access to the Subject Property. Excluded from the neighborhood are those lots across Pyle Road that are in the R-200 zone. It has been the long-standing practice of staff and the Board to not consider lots of differing zoning when comparing resubdivisions. In staff's opinion, the proposed neighborhood is appropriate to make the necessary comparisons for this resubdivision and follows established procedures.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted resubdivision criteria were applied to the Neighborhood. As discussed below, proposed Lot 23 is the third smallest of the 49 lot neighborhood for buildable area and is not in character with respect to buildable area as other lots within the existing Neighborhood. As set forth below, the attached tabular summary (Attachment D) and graphical documentation support staff's conclusion:

Frontage: The existing lots in the Neighborhood range in frontage from 66 feet to 181 feet. Proposed Lot 22 has a lot frontage of 67 feet, proposed Lot 23 (corner lot) has a frontages of 79 and 128 feet and proposed Lot 24 has a frontage of 67 feet. The frontages for proposed Lots 22 and 24, at 67 feet each, lie within a large grouping of existing lots with frontages between 66 and 70 feet and seemingly correspond well with these lots. However, staff notes that the existing lots with 66.07 feet of frontage are located on the outside curve of a road, and the narrower nature of their frontage is necessitated by the road curvature. All existing lots that front on straight sections of road, and are rectangular in shape, have a minimum of 70 feet of frontage. This is a fine point that staff has evaluated carefully and concludes that it does not necessarily make the frontages of proposed Lots 22 and 24 out of character. **The proposed lots would be of the same character as existing lots in the Neighborhood with respect to lot frontage.**

Alignment: All lots, existing and proposed, generally align in a perpendicular fashion to the road upon which they front and further allow the homes to also align perpendicularly to the road. **The proposed lots are of the same character with respect to alignment as the other lots in the neighborhood.**

Size: The existing 49 lots in the Neighborhood range in size from 7,852 square feet to 25,552 square feet. Proposed Lots 22, 23 and 24 are at 11,208, 10,447 and 9,901 square feet respectively. **The proposed lots fall into the lower-mid range of all lot sizes and are, therefore, of the same character when compared to all lots.**

Shape: There are a wide variety of lot shapes in this Neighborhood. The proposed lots are generally rectangular in nature and similar in shape to numerous existing lots in the Neighborhood. **They are of the same character with respect to shape as the lots in the Neighborhood.**

Width: The existing lots range in width at the building line from 67 feet to 140 feet. Proposed Lot 22 would have a building line lot width of 67 feet, Lot 23 would have a lot width of 80 feet and Lot 24 would have a width at the building line of 70 feet. The building width for Lot 22 is tied with one other lot (Lot 20, Block F) as the second smallest in the range for the Neighborhood. Lot 16, Block F, a slightly radial lot, is the narrowest at the building line at 66 feet. Lot 20, Block F, while located on the interior curve of a road, appears to have parallel side lot lines. In other words the frontage of Lot 20, Block F is the same as the building line lot width even though it is not fronting on a completely straight section of road. Proposed Lot 22, at 67 feet, compares favorably with Lot 20, Block F and is one foot wider than Lot 16, Block. Staff also notes that 26 of the 49 lots in the Neighborhood have frontages of 70 or 71 feet. Given the fact that the Neighborhood is so heavily weighted to this frontage, staff does not believe that a lot at 67 feet would be out of character with the Neighborhood. **The proposed lots would be in character with existing lots in the Neighborhood with respect to width.**

Area: The buildable areas of lots in the Neighborhood range from 3,350 square feet to 17,300 square feet. Lot 22, Lot 23, a corner lot, and lot 24 will have buildable areas of 5,837, 3,939 square feet and 4,720 square feet, respectively. Lot 23 will have the third smallest area in the Neighborhood and Lot 24 will have the tenth smallest of the 49 lots in the Neighborhood.

Staff notes that Lot 23, as a corner lot, will have the smallest area of all corner lots in the Neighborhood. While not explicit in the Subdivision Regulations, corner lots tend to be larger in size than interior lots because they have two front yard setbacks in most cases. The larger size is required to gain additional buildable area to offset the area encumbered by the two front setbacks. Proposed Lot 23 has the third smallest buildable area of all lots in the Neighborhood and that alone makes it out of character. Contributing to this is that Lot 23 is a corner lot, which by nature tend to be afforded additional size to compensate for the portions within the setbacks. While the size of this lot is of the same character, the buildable area, especially for a corner lot, is not of the same character.

Lot 24, at 4,720 is the tenth smallest lot with respect to area. While smaller than the great majority, it is of the same character. **Because Lot 23 is the third smallest, it is staff's opinion that it does not have a high correlation with all lot areas and is, therefore, not of the same character as the existing lots in the Neighborhood with respect to buildable area.**

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

Sec. 50-29(a)(1) – Appropriateness of lot size, width, shape and orientation

Pursuant to Section 50-29(a)(1) of the Subdivision Regulations, the lot size, width, shape and orientation shall be appropriate for the location of the subdivision taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated in order to be approved by the Board. Staff looked carefully at the relationship of proposed lots to existing lots, noting that the lots used in the analysis of the resubdivision all remained in their original 1955 platted configuration. Staff also drew the R-200 lots confronting the Subject Property on Pyle Road into consideration to check for the appropriateness of size, shape, width, and orientation. *With no exception, all of the lots used in this analysis remain in their platted configuration circa 1939 and 1955 attesting to the stability of the neighborhood.*

Staff notes that those lots in close proximity to the Subject Property on Pyle Road exhibit not only larger size, but also wider frontages and widths. Specifically, Lot 3, Block E, is a corner lot at the intersection of Elgin and Pyle, being 17,964 square feet in size, with 150 feet of frontage on Pyle Road and 140 feet of frontage on Elgin Lane. Proposed Lots 23 and 24, with 78 feet and 76 feet of frontage, and 80 feet and 70 feet of width on Elgin Lane, respectively, would establish a two to one lot relationship with Lot 3, Block E. (The house on Lot 3, Block E fronts to Pyle Road)

In the Neighborhood, there are three examples of two to one lot relationships, including the existing two lots that are the subject of this application. The other examples are between Lots 16 and 17, Block G and Lot 3 Block A at the intersection of Selkirk Drive and Brigadoon Road, and Lot 7 and 8, Block F with confronting Lot 2 on Pyle Road. In making this observation, staff believes these examples are not indicative of the overriding character of the neighborhood. Staff also gives particular credence to the stability of the immediate neighborhood that has not been subjected to any resubdivisions and only minimal deed line adjustments between property owners.

Section 50-29(a)(1) requires a certain level of determination that the shape, size, width and alignment of lots are appropriate when considering their location in a subdivision. For this application the new lots must be deemed appropriate to “fit in” with the existing lots in the subdivision. The width, orientation and to some degree size of Lots 23 and 24 combine to create an awkward relationship that is inappropriate for its location. Specifically, Lot 23 and 24 are not wide enough, too small and have inappropriate orientation (2:1) with Lot 3, Block E. Similarly, the size of Proposed Lot 22, given its location at the corner, is too small in relation to the large

lots platted in this location. In making these determinations, staff also considered the two to one relationship that was being created with Lot 3, Block 6 across Pyle Road, but was not opposed to this orientation since the condition pre-existed this application.

Staff does find the width of proposed Lot 22, at 67 feet, to be too narrow in relation to Lot 3 across the street. Proposed Lot 22 is really a smaller version of existing Lot 9, one of the original platted 1955 lots. Lot 9 currently has a frontage and width of 100 feet; staff believes that a 33% reduction in lot width is not appropriate when comparing it to the 194 foot wide Lot 3 across the street. Staff does not support the subdivision based, in part, on a determination that lot size, shape width and orientation is not appropriate for its location within the subdivision.

Master Plan Compliance

The Bethesda-Chevy Chase Master Plan does not specifically identify the subject property for discussion but does give general guidance and recommendations regarding zoning and land use. The plan recommends that this area maintain the existing zoning as adopted and maintain the residential land use consisting of one-family detached homes. The proposed resubdivision complies with the recommendations adopted in the Master Plan in that it is a request for residential development consistent with the Zoning Ordinance development standards for the R-60 zone.

Transportation

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review

Environment

Forest Conservation

The property is exempt from county forest conservation requirements under the small property exemption category; staff has approved a Tree Save Plan.

Citizen Correspondence and Issues

This application predated specific requirements for meetings between the applicant and interested parties, however, written notice of the application and public hearing date was given to adjacent and confronting property owners, and local civic and homeowners associations. A copy of all correspondence is included in Attachment E.

In the letter dated July 28, 2006, Mr. Mark Duber expressed his support for the application stating he had met with the applicant and had seen some of the homes he had built. In a June 19, 2006 letter, Mrs. Carol Trawick opposed the plan based on the tightness of the application and the loss of green space. In an email dated June 8, 2006, Ms. Weinberg expresses her opposition because of the small lots and loss of trees. Ms. Virginia Morgan also sent in a letter and had numerous phone calls with staff to express her opposition. She believes that the

plan proposes lots that are too small and that require removal of too many trees. She also expressed opposition to the rear loading garages and said that the plan would alter the look of the neighborhood.

CONCLUSION

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the proposed lots would not be of the same character as the existing lots in the Neighborhood since one of the proposed lot's buildable areas is smaller than all but two other lots. Staff also determined that the lots' size, width and orientation are inappropriate for their location in the subdivision. Therefore, the proposed lots do not comply with Section 50-29(b)(2) or 50-29(a)(1) of the Subdivision Regulations, and denial of the application is recommended.

Attachments

Attachment A – Vicinity Development Map
Attachment B – Proposed Development Plan
Attachment C - Neighborhood Delineation Map
Attachment D – Tabular Summary of Neighborhood
Attachment E – Citizen Correspondence

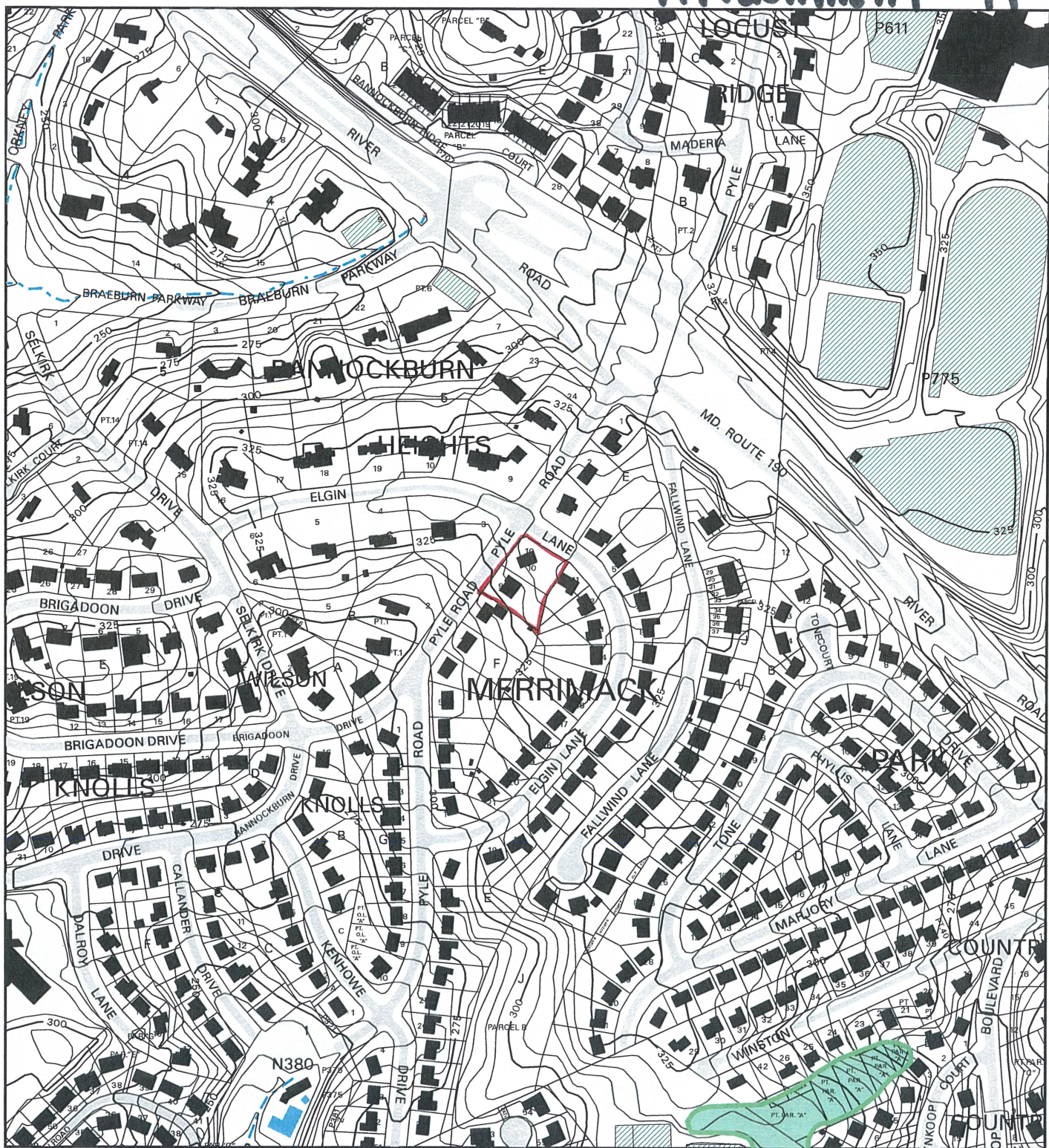
Plan Name: Merrimack Park				
Plan Number: 120060980				
Zoning: R-60				
# of Lots: 3				
# of Outlots: 0				
Dev. Type: Single Family detached				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	6,000 sq. ft.	9,901 sq. ft. is the smallest proposed	RW	4/20/07
Lot Width	60 ft.	Meets minimum	RW	4/20/07
Lot Frontage	25 ft.	Meets minimum	RW	4/20/07
Setbacks				4/20/07
Front	25 ft. Min. ¹	Must meet minimum ²	RW	4/20/07
Side	8ft. Min./ 18 ft. total	Must meet minimum ²	RW	4/20/07
Rear	30 ft. Min.	Must meet minimum ²	RW	4/20/07
Height	35 ft. Max.	May not exceed maximum	RW	4/20/07
Max Resid'l d.u. per Zoning	3 dwelling units	3 dwelling units	RW	
MPDUs	N/A			
TDRs	N/A			
Site Plan Req'd?	No			
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		RW	4/20/07
Road dedication and frontage improvements	Yes		Agency letter	5/18/06
Environmental Guidelines	N/A		Staff memo	1/30/07
Forest Conservation	Exempt		Staff memo	1/30/07
Master Plan Compliance	Yes		RW	4/20/07
Other				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		Agency letter	9/5/06
Water and Sewer (WSSC)	Yes		Agency Comments	4/24/06
Well and Septic	N/A			
Local Area Traffic Review	N/A			
Fire and Rescue	Yes		Agency comments	4/26/06

¹ Must meet any Established Building Restriction Line.

³ As verified by MCDPS at the time of building permit.

MERRIMACK PARK (120060980)

Attachment "A"



Map compiled on April 17, 2006 at 3:22 PM | Site located on base sheet no - 208NW06

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



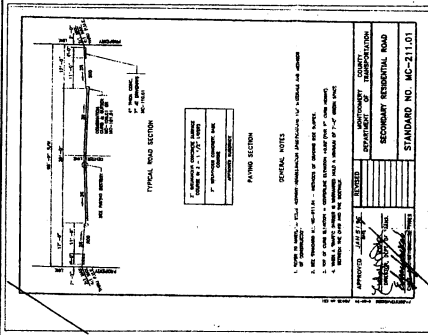
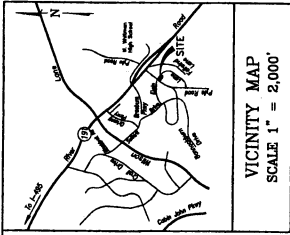
N



0 400

1 inch = 400 feet
1:4800

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



SITE DATA TABLE

The property is Zoned R-60
The property lies within the Potomac Master Plan, Planning Area #29
The number of proposed lots is 3.
The property's water and sewer category is W-1 and S-1.
AREA TABULATION
Total Lot Area = 0.73 ac. (31,792 sq. ft.)
Area of Public Dedication = 0.00 ac. (0 sq. ft.)
Total Net Tract Area = 0.72 ac. (31,556 sq. ft.)

The proposed development standards are:
Minimum lot area (S9-C-1.322(c)) 6,000 sq. ft.
Minimum lot width (S9-C-1.322(b)) 60 feet min.
Setback from street (S9-C-1.322(b)) 25 feet or EBL
Setback from lot line (S9-C-1.322(b)) 8 feet min. (16 feet total)
Building height (S9-C-1.322(f)) 35 feet to roof peak
Building coverage (S9-C-1.328) 35% max.

GENERAL NOTES

- Topographic information from survey by MHG, 2 foot contour interval.
- Boundary from Recorded Plat, Merrimack Park Blocks F & G and Part of Block E, Plat No. 4268.
- The site drains to the Cabin John Creek Tributary, Class 1-P Waters.
- A Forest Conservation Plan Exemption was granted on March 3, 2008. Exemption Number 4-0224C. A Tree Save Plan is required.
- Utilities serving this site include:
Electric
Gas
Cable
Conseco
Verizon

TAX MAP ON 51

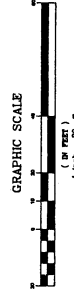
NSSC 208 NW 08

PRELIMINARY SUBDIVISION PLAN
RESUBDIVISION OF LOTS 9-10, BLOCK F
MERRIMACK PARK
Proposed Lots 22-24, Block F
SEVENTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

Prepared by:	MHG	Surveyed by:	MWG/SPB
Drawn by:	SPB	Date:	3-28-08
Scale:	1"=20'	Project No.:	301-652-9336
Sheet:	1 of 1	Drawn by:	SPB
Project No.:	301-652-9336	Drawn by:	SPB

NO.	DATE	REVISION	BY
1	10.30.06	Revised Lot 22 Footprint	SPB
2	7.26.06	Revised Area Calculations	SPB
3	7.10.06	Revised Lot Lines	MWG
4	5.09.06	Revised for Rains, grading and drainage	MWG

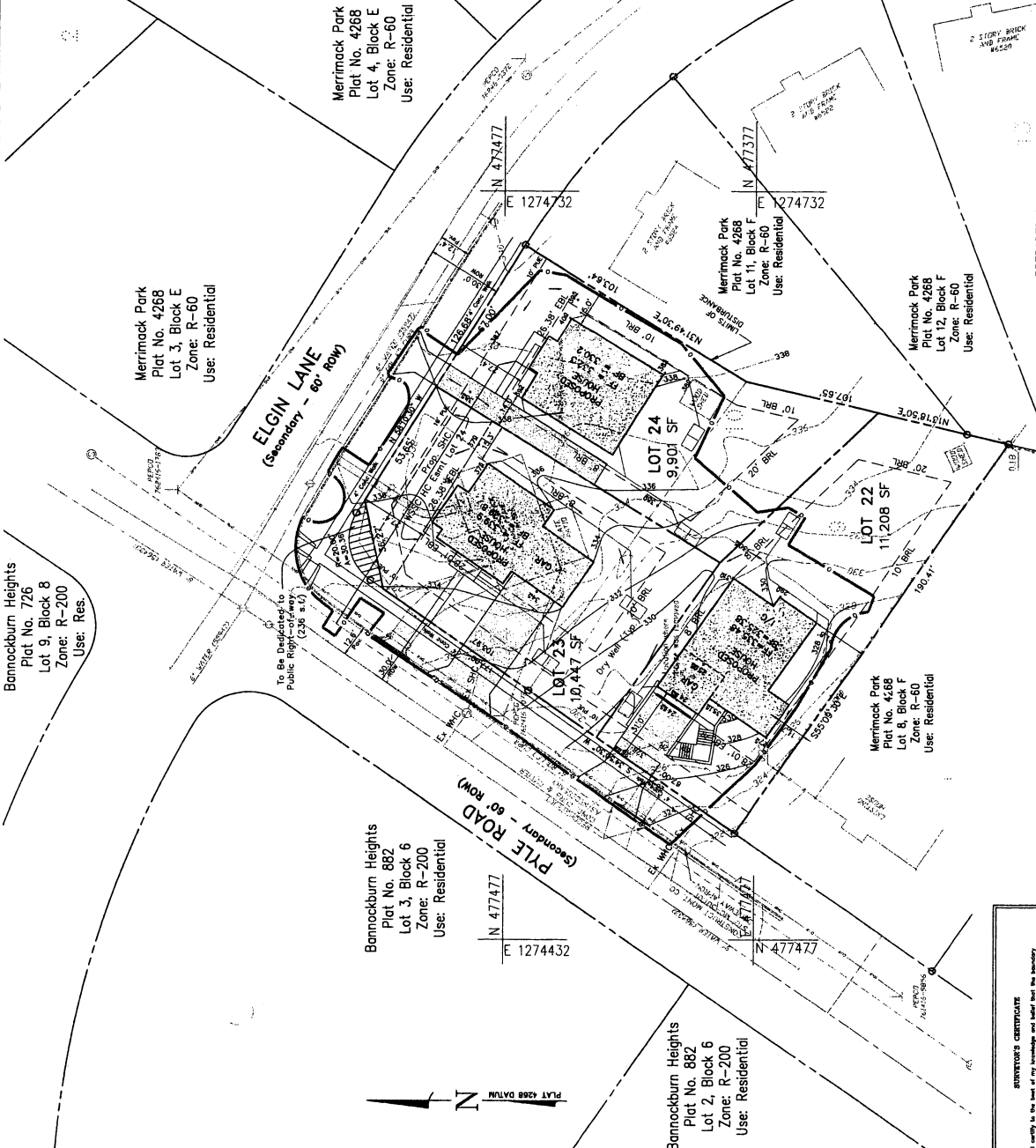
PREPARED FOR:
EEC Associates, LLC
7550
Baltimore, MD 20814
PHONE: 301-652-9336
Mr. Rui Ponte



SWITCHER'S CERTIFICATE

I certify to the best of my knowledge and belief that the boundary lines shown on this map are correct and that the same have been surveyed and measured in accordance with the laws of the State of Maryland. My commission expires on 12/31/08.

1/30/08
Rui Ponte
Surveyor No. 12128



Attachment "C"

P629

1.11 Ac. P6

WALT WHITMAN

SENOIR HIGH SCHOOL

Board of Education

2696/243

25.67 Ac.

P775

N32000

N 1

GN 341

M.N.C.P. & P.C.

4126 / 212

9.81 Ac.

P 473

RE-SUBDIVISION CHART								
JOB NAME: MERRIMACK PARK								
MHG JOB NUMBER: 2005.324								
DATE CREATED: 12-29-05								
REVISED 4/19/07								
Data Table								
					BUILDABLE	WIDTH		
SUBDIVISION	Lot/Block	FRONTAGE	SIZE	AREA	@ BRL	SHAPE	ALIGNMENT	
Merrimack Park	1/F	97.00	12,264	5,320	105	Trapazoidal	Corner	
Merrimack Park	2/F	70.00	8,265	3,735	70	Trapazoidal	Perpendicular	
Merrimack Park	3/F	70.00	10,045	5,060	70	Trapazoidal	Perpendicular	
Merrimack Park	4/F	70.00	11,845	6,390	70	Trapazoidal	Perpendicular	
Merrimack Park	5/F	102.40	14,472	8,275	96	Trapazoidal	Perpendicular	
Merrimack Park	6/F	104.00	13,689	7,650	96	Triangular	Perpendicular	
Merrimack Park	7/F	96.80	19,982	12,560	96	Rectangular	Perpendicular	
Merrimack Park	8/F	96.50	19,513	12,360	96	Rectangular	Perpendicular	
Merrimack Park	11/F	89.63	9,853	4,216	81	Irregular	Perpendicular	
Merrimack Park	12/F	89.59	11,371	5,800	81	Trapazoidal	Perpendicular	
Merrimack Park	13/F	89.59	11,725	6,050	81	Triangular	Perpendicular	
Merrimack Park	14/F	89.59	11,890	5,975	89	Triangular	Perpendicular	
Merrimack Park	15/F	83.59	11,976	6,720	80	Triangular	Perpendicular	
Merrimack Park	16/F	75.80	14,738	7,070	66	Rectangular	Perpendicular	
Merrimack Park	17/F	70.00	15,472	9,150	70	Rectangular	Perpendicular	
Merrimack Park	18/F	70.00	14,182	8,115	70	Trapazoidal	Perpendicular	
Merrimack Park	19/F	70.00	12,207	6,650	70	Trapazoidal	Perpendicular	
Merrimack Park	20/F	67.00	9,854	4,925	67	Trapazoidal	Perpendicular	
Merrimack Park	21/F	109.00	9,643	4,610	109	Trapazoidal	Perpendicular	
Merrimack Park	1/E	109.59	21,017	8,000	100	Irregular	Perpendicular	
Merrimack Park	2/E	120.00	15,984	8,850	120	Trapazoidal	Perpendicular	
Merrimack Park	3/E	142.00	17,964	7,310	140	Trapazoidal	Corner	
Merrimack Park	4/E	66.12	25,552	17,300	70	Irregular	Perpendicular	
Merrimack Park	5/E	66.07	20,426	12,170	70	Trapazoidal	Perpendicular	
Merrimack Park	6/E	66.07	16,326	10,100	70	Trapazoidal	Perpendicular	
Merrimack Park	7/E	66.07	14,805	8,700	70	Trapazoidal	Perpendicular	
Merrimack Park	8/E	66.07	12,330	7,035	70	Trapazoidal	Perpendicular	
Merrimack Park	9/E	66.07	11,151	6,000	70	Trapazoidal	Perpendicular	
Merrimack Park	10/E	66.07	10,352	5,185	70	Trapazoidal	Perpendicular	
Merrimack Park	11/E	66.07	10,021	4,980	70	Trapazoidal	Perpendicular	
Merrimack Park	12/E	67.50	10,632	4,680	70	Trapazoidal	Perpendicular	
Merrimack Park	13/E	71.00	9,495	4,770	71	Rectangular	Perpendicular	
Merrimack Park	14/E	71.00	9,174	4,500	71	Rectangular	Perpendicular	
Merrimack Park	15/E	71.00	9,197	4,500	71	Rectangular	Perpendicular	
Merrimack Park	16/E	71.00	9,263	4,500	71	Rectangular	Perpendicular	
Merrimack Park	17/E	67.00	10,565	5,130	75	Trapazoidal	Perpendicular	
Merrimack Park	18/E	66.38	13,035	7,340	70	Trapazoidal	Perpendicular	
Merrimack Park	19/E	66.98	13,701	7,180	70	Irregular	Perpendicular	
Merrimack Park	20/E	95.00	15,262	6,270	95	Rectangular	Corner	
Merrimack Park	1/G	135.00	11,341	4,850	120	Irregular	Corner	
Merrimack Park	2/G	70.00	7,852	3,350	70	Trapezoidal	Perpendicular	
Merrimack Park	3/G	70.00	9,714	4,900	70	Rectangular	Perpendicular	
Merrimack Park	4/G	70.00	9,801	4,940	70	Rectangular	Perpendicular	
Merrimack Park	5/G	70.00	9,801	4,940	70	Rectangular	Perpendicular	
Merrimack Park	6/G	70.00	9,801	4,940	70	Rectangular	Perpendicular	
Wilson Knoll	4/A	161.40	16,368	10,200	135	Irregular	Perpendicular	
Wilson Knoll	3/A	140.00	16,951	9,000	121	Rectangular	Corner	
Wilson Knoll	16/B	91.00	10,900	5,800	100	Rectangular	Corner	
Wilson Knoll	17/B	72.53	9,528	5,350	78	Irregular	Perpendicular	
PROPOSED LOT 22	22	67.00	11,208	5,837	67	Rectangular	Perpendicular	
PROPOSED LOT 23	23	78.65	10,447	3,939	80	Rectangular	Corner	
PROPOSED LOT 24	24	67.00	9,901	4,720	67	Rectangular	Perpendicular	

Rank By Frontage								
SUBDIVISION	Lot/Block	FRONTAGE	SIZE	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT	
Merrimack Park	5/E	66.07	20,426	12,170	70	Trapazoidal	Perpendicular	
Merrimack Park	6/E	66.07	16,326	10,100	70	Trapazoidal	Perpendicular	
Merrimack Park	7/E	66.07	14,805	8,700	70	Trapazoidal	Perpendicular	
Merrimack Park	8/E	66.07	12,330	7,035	70	Trapazoidal	Perpendicular	
Merrimack Park	9/E	66.07	11,151	6,000	70	Trapazoidal	Perpendicular	
Merrimack Park	10/E	66.07	10,352	5,185	70	Trapazoidal	Perpendicular	
Merrimack Park	11/E	66.07	10,021	4,980	70	Trapazoidal	Perpendicular	
Merrimack Park	4/E	66.12	25,552	17,300	70	Irregular	Perpendicular	
Merrimack Park	18/E	66.38	13,035	7,340	70	Trapazoidal	Perpendicular	
Merrimack Park	19/E	66.98	13,701	7,180	70	Irregular	Perpendicular	
Merrimack Park	20/F	67.00	9,854	4,925	67	Trapazoidal	Perpendicular	
Merrimack Park	17/E	67.00	10,565	5,130	75	Trapazoidal	Perpendicular	
PROPOSED LOT 22	22	67.00	11,208	5,837	67	Rectangular	Perpendicular	
PROPOSED LOT 24	24	67.00	9,901	4,720	67	Rectangular	Perpendicular	
Merrimack Park	12/E	67.50	10,632	4,680	70	Trapazoidal	Perpendicular	
Merrimack Park	2/F	70.00	8,265	3,735	70	Trapazoidal	Perpendicular	
Merrimack Park	3/F	70.00	10,045	5,060	70	Trapazoidal	Perpendicular	
Merrimack Park	4/F	70.00	11,845	6,390	70	Trapazoidal	Perpendicular	
Merrimack Park	17/F	70.00	15,472	9,150	70	Rectangular	Perpendicular	
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Merrimack Park	3/G	70.00	9,714	4,900	70	Rectangular	Perpendicular	
Merrimack Park	4/G	70.00	9,801	4,940	70	Rectangular	Perpendicular	
Merrimack Park	5/G	70.00	9,801	4,940	70	Rectangular	Perpendicular	
Merrimack Park	6/G	70.00	9,801	4,940	70	Rectangular	Perpendicular	
Merrimack Park	13/E	71.00	9,495	4,770	71	Rectangular	Perpendicular	
Merrimack Park	14/E	71.00	9,174	4,500	71	Rectangular	Perpendicular	
Merrimack Park	15/E	71.00	9,197	4,500	71	Rectangular	Perpendicular	
Merrimack Park	16/E	71.00	9,263	4,500	71	Rectangular	Perpendicular	
Wilson Knoll	17/B	72.53	9,528	5,350	78	Irregular	Perpendicular	
Merrimack Park	16/F	75.80	14,738	7,070	66	Rectangular	Perpendicular	
PROPOSED LOT 23	23	78.65	10,447	3,939	80	Rectangular	Corner	
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Merrimack Park	12/F	89.59	11,371	5,800	81	Trapazoidal	Perpendicular	
Merrimack Park	13/F	89.59	11,725	6,050	81	Triangular	Perpendicular	
Merrimack Park	14/F	89.59	11,890	5,975	89	Triangular	Perpendicular	
Merrimack Park	11/F	89.63	9,853	4,216	81	Irregular	Perpendicular	
Wilson Knoll	16/B	91.00	10,900	5,800	100	Rectangular	Corner	
Merrimack Park	20/E	95.00	15,262	6,270	95	Rectangular	Corner	
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Merrimack Park	1/F	97.00	12,264	5,320	105	Trapazoidal	Corner	
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Merrimack Park	6/F	104.00	13,689	7,650	96	Triangular	Perpendicular	
Merrimack Park	21/F	109.00	9,643	4,610	109	Trapazoidal	Perpendicular	
Merrimack Park	1/E	109.59	21,017	8,000	100	Irregular	Perpendicular	
Merrimack Park	2/E	120.00	15,984	8,850	120	Trapazoidal	Perpendicular	
Merrimack Park	1/G	135.00	11,341	4,850	120	Irregular	Corner	
Wilson Knoll	3/A	140.00	16,951	9,000	121	Rectangular	Corner	
Merrimack Park	3/E	142.00	17,964	7,310	140	Trapazoidal	Corner	
Wilson Knoll	4/A	161.40	16,368	10,200	135	Irregular	Perpendicular	

Rank By Size								
SUBDIVISION	Lot/Block	FRONTAGE	SIZE	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT	
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Merrimack Park	3/F	70.00	10,045	5,060	70	Trapazoidal	Perpendicular	
Merrimack Park	10/E	66.07	10,352	5,185	70	Trapazoidal	Perpendicular	
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Merrimack Park	9/E	66.07	11,151	6,000	70	Trapazoidal	Perpendicular	
PROPOSED LOT 22	22	67.00	11,208	5,837	67	Rectangular	Perpendicular	
Merrimack Park	1/G	135.00	11,341	4,850	120	Irregular	Corner	
Merrimack Park	12/F	89.59	11,371	5,800	81	Trapazoidal	Perpendicular	
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Merrimack Park	7/F	96.80	19,982	12,560	96	Rectangular	Perpendicular	
Merrimack Park	5/E	66.07	20,426	12,170	70	Trapazoidal	Perpendicular	
Merrimack Park	1/E	109.59	21,017	8,000	100	Irregular	Perpendicular	
Merrimack Park	4/E	66.12	25,552	17,300	70	Irregular	Perpendicular	

Rank By Buildable Area								
SUBDIVISION	Lot/Block	FRONTAGE	SIZE	BUILDABLE AREA	WIDTH @ BRL	SHAPE	ALIGNMENT	
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PROPOSED LOT 23	23	78.65	10,447	3,939	80	Rectangular	Corner	
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Attachment "E"

MARC N. DUBER
3299 K STREET, N.W.
WASHINGTON, D.C. 20007

Added
4/20/07
psc

VIA EMAIL & AIRMAIL

July 28, 2006

Mr. Richard Weaver
Development Review
Maryland National Capital Park & Planning
8787 Georgia Ave.
Silver Spring, MD 20910

RE: Preliminary Plan #120060980

Dear Richard,

I have recently had 2 meetings with Rui Ponte of Ponte Mellor & Associates regarding the lot on the corner of Elgin Lane and Pyle Road. My name is Marc Duber and I live caddy-corner to this lot at 6601 Elgin Lane. My property is over an acre of land and has a direct view of this site which has put in an application for a proposed subdivision of two (2) lots (#9 and #10) in Block F into three (3) lots proposed as #22, 23, and 24 in Block F of the Merrimack Park Subdivision.

I have been extremely impressed with Mr. Ponte and Mr. Mellor's approach to developing these sites. I have also had the opportunity to see some of their homes, which lead me to believe that they have an understanding of how infill sites, such as this, should be developed; in keeping with the neighborhood, good taste, and straying away from the "Mc-Mansion" concept.

I fully support their efforts and believe that they understand the necessity of building three attractive homes while eliminating the vacant and poorly maintained eyesore that currently sits at the corner of Elgin Lane and Pyle Road. I would also like to note that since they purchased the property, they have been diligent about maintaining it both aesthetically and in regards to safety. (The vacant status could be a potential safety hazard.)

I urge you to pass their application.

I would be happy to discuss this with you further at anytime. Please feel free to contact me directly at (202) 333-9000 or at (202) 253-6000.

Thank you for your consideration..

Regards,


Marc N. Duber

Carol Trawick
6600 Elgin Lane
Bethesda, MD 20816

*✓ Already
on mailing
list
PSC
7/20/06*

June 19, 2006

Ms. Cathy Conlon, Supervisor
Development Review Section
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Reference: Preliminary Plan # 120060980
Parcel # 00624310

Dear Ms. Conlon:

It is hard to control my emotions. We were beginning to accept as legal fact, the proliferation of mini-mansions on small lots in Montgomery County neighborhoods. However, our suburban neighborhood is now being confronted with a developer speculator who wants to re-subdivide two lots into three so as to squeeze in three mini mansions in an architectural concept that is more appropriate to an urban environment. It is not in conformity with other homes in our neighborhood.

Jim and I have lived at 6600 Elgin Lane for over 20 years and before that on Barr Road; both are located in this neighborhood with its borders of River Road, Goldsboro Road, McArthur Boulevard and Wilson Lane. It has been a pleasant suburban environment with housing options for a variety of incomes. New and old neighbors alike take pride in their homes. In order to remain in this suburban neighborhood that we love, many like us choose to renovate in the style and manner of the neighborhood in order to preserve the quality of life for ourselves and those who follow. The proposal, referenced above, with its minimal yard and green space would destroy the very character of our neighborhood because it crowds three homes on two lots designed for two homes! It could set a terrible precedent for the rest of the neighborhood. We must not encourage speculators in the destruction of suburban pockets of mixed income housing.

Also, our lot is on the opposite corner from the development corner site. We were not contacted by the developer since we are in the Bannockburn subdivision and not the Merrimack subdivision. How absurd! Since when did the middle of a street (Pyle Road) become a dividing line for a "neighborhood?" Again, Jim and I have always considered our "neighborhood" bounded by River Road, McArthur Boulevard, Goldsboro Road and Wilson Lane. I am sure all the strollers and bikers along Pyle Road and Elgin Lane, as well as any visitor to the area, considers this one neighborhood...a wonderful enclave in which to retreat.

I will be at the July 6 hearing to oppose this project as non-conforming with the designs and setbacks of the neighborhood homes and as a project whose design destroys the character of the neighborhood.

Sincerely,


Carol Trawick

CC: Pamela Crampton, MNCPPC
Richard Weaver, MNCCPC

Rui Ponte

From: virginia morgan [merrimackpark@yahoo.com]
Sent: Sunday, June 11, 2006 12:23 PM
To: Stbowditch@aol.com
Subject: Re: Subdivision

✓ Already
Added

PSC
4/20/07

June 6, 2006

Dear Neighbor,

I am asking concerned members of the Bannockburn or Merrimack Community to oppose the "**Merrimack Park (Preliminary Plan #120060980/Parcel #00624310)**" as soon as possible. It is a request to re-subdivide the two properties at 6526 Elgin Lane and 6713 Pyle Road into three, in order to build three new homes that practically cover the entire property. The plan leaves essentially no yard and removes nearly all the trees on his property and several of the neighbors' large trees.

Please E-mail the Planning Board with your opposition. Send your E-Mail to the assigned staff person for this project Richard Weaver, Richard.Weaver@mncppc-mc.org. He can also be reached at (301) 495-4600. **INCLUDE YOUR NAME AND MAILING ADDRESS IN THE E-MAIL.** Below are comments I made to the Board. Feel free to use part or all.

There is a hearing tentatively scheduled for July 6, 2006 (the date is subject to change). Once an official public hearing notice is mailed, this can be considered confirmation that a hearing will take place for the referenced project. Public hearing notices are mailed two weeks in advance of the scheduled hearing.

Thank you.
Virginia Morgan
6537 Elgin Lane

MY COMMENTS TO PARK AND PLANNING

**Subject: Merrimack Park (Preliminary Plan
#120060980/#00624310)**

Date: June 1, 2006

From: Virginia Morgan

To: "Weaver, Richard" Richard.Weaver@mncppc-mc.org

To: Mncppc-mc Planning Board

I am writing to oppose the re-subdivision "Merrimack Park (Preliminary Plan #120060980/Parcel 00624310)."

I reviewed the proposed plan and it is clear that the increased density along Elgin Lane would make it visually incompatible with the surrounding homes in the area. The plan converts a small enclave within Merrimack Park to an architectural design that is more appropriate to a town center than a suburban community with a rural character. It appears the architect engaged in a mathematical exercise to squeeze and control the lots to add an additional house to the neighborhood by using a pipe driveway to a rear garage in order to achieve the maximum density allowed. The proposed additional home and separate garage with it's pipe drive along Elgin Lane would result in lots that are disproportionately small when compared to other adjoining and adjacent properties, particularly Lot 3, Block E, directly across Elgin, and the Lot 8, Block F, the adjoining property on Pyle. In addition, three lots are created that would be smaller than the average lot size in Merrimack Park (12361sf). Currently, as you proceed down the block, the front footage is balanced on both sides of the street. Nowhere do you find two lots with half the front footage of a single lot directly opposite, as you would with the proposed changes. Also, there have never been any rear garages, or sidewalks in this community. The increased density, the unbalanced front footage, sidewalks, and a rear garage with pipe drive would be totally out of character with the rural feeling of the neighborhood and would negatively impact the community visually.

In my view, the implementation of this proposal would

deteriorate the quality of the appearance of the community by increasing the density of the homes in a very tight space, removing the symmetric balance of the lots, and adding a rear garage with pipe drive. These changes would result in a completely altered the look and feel of the community. Thank you.

Virginia Morgan
6537 Elgin Lane

Dear Bannockburn Neighbor,

If you are concerned about the re-subdivision at the corner of Pyle and Old Elgin referred to as

Merrimack Park (Preliminary Plan #120060980/Parcel#00624310,

you may a request the Bannockburn Civic Association respond to the MNCPP on the plan by contacting Stuart Brown at

7110SLB@comcast.net
or (301) 229-8308.

He has received information about the project, but requires input from Bannockburn residents to act.

Thank You,
Virginia Morgan

6537 Elgin Lane

(301)263-1343

Stbowditch@aol.com wrote:

Dear Virginia Morgan,
I am a homeowner in Merrimack Park and would like any information you have on the subdivision at the corner of Elgin and Pyle.
Thank you,

6/12/2006

Crampton, Pamela

From: Crampton, Pamela
Sent: Thursday, June 08, 2006 10:39 AM
To: 'jf2ww@verizon.net'
Cc: Weaver, Richard
Subject: RE: Preliminary Plan #120060980/Parcel 00624310

Ms. Weinberg:

I received your e-mail below and have placed it in the the above referenced preliminary plan file folder. In addition, your name will be added onto the mailing list, so that you receive all future correspondence related to this preliminary plan. Please refer all questions and/or comments and concerns directly to Richard Weaver. He can be reached at 301.495.4544, or by way of this e-mail.

Thank you for your interest.

Pam Crampton
Development Review Division
Maryand-National Capital Park & Planning Commission (M-NCPPC)
301.495.4586

-----Original Message-----

From: Wendy Weinberg [mailto:jf2ww@verizon.net]
Sent: Wednesday, June 07, 2006 7:25 PM
To: Crampton, Pamela
Cc: Weaver, Richard
Subject: Preliminary Plan #120060980/Parcel 00624310

To: Mncppc-mc Planning Board

Sir/Madame:

I am writing to oppose the re-subdivision "Merrimack Park (Preliminary Plan #120060980/Parcel 00624310)"

The proposed development increases the density of this neighborhood. This is unwelcome. It also violates the symmetric design of modest, split level homes on large square or pie-shaped lots by creating potentially large homes with separate garages on small lots (including a bizarre, pipe-stem entryway). Further, the plan calls for the removal of virtually all of the large trees on the property, which is both environmentally and aesthetically objectionable.

This design is a detriment to our neighborhood. We oppose it. We urge you to do the same.

Jared Freeman & Wendy Weinberg
5520 Elgin Lane
Bethesda, MD 20817

Added
Wendy

Crampton, Pamela

From: Weaver, Richard
Sent: Monday, July 17, 2006 12:13 PM
To: Crampton, Pamela
Subject: FW: hearing for plan 120060980/parcel 00624310

*Added
7/20/06
PSC*

Pam,

Please add this name to the mailing list for this file. Thank you.

Richard A. Weaver
Coordinator
Development Review Division
MD-National Capital Park and Planning Commission

-----Original Message-----

From: [mailto:munaker@earthlink.net]
Sent: Saturday, July 15, 2006 6:17 PM
To: Weaver, Richard
Subject: hearing for plan 120060980/parcel 00624310

Mr. Weaver,

Please notify me when you have scheduled the hearing for the resubdivision Merrimack Park preliminary plan 120060980/ parcel 00624310.

I am extremely concerned about the issue of the idea of putting 3 houses on the lots that were zoned for 2 homes.

Thank you.

Amy Bronck Munaker
6512 Pyle Road
Bethesda, Md.

7/17/2006