

March 18, 2003
Revised 3/24/03

MEMORANDUM

TO: Malcolm Shaneman, Supervisor
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning

FROM: Janet E. Gregor, Planner/Coordinator JEG
Transportation Planning

SUBJECT: Preliminary Plan 1-02082
Our Lady of Good Counsel High School (Hyde Property)
Olney Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of the preliminary plan:

1. Limit the total high school enrollment to no more than 1,200 students.
2. Limit the size of the building to three stories and 196,000 square feet of gross floor area.
3. Limit paved parking areas to three lots containing no more than 489 parking spaces.
4. Coordinate Relocated Batchellors Forest Road alignment with the alignment of Old Vic Boulevard at the intersection with Olney-Sandy Spring Road (MD 108).
5. Coordinate all improvements along MD 108 with the Maryland State Highway Administration (SHA).
6. Place the term "denied access" on the final record plat along all property abutting MD 108 and Dr. Bird Road (MD 182) except at approved entrance locations.
7. Dedicate right-of-way along MD 108 to provide 60-foot of right-of-way from the centerline as shown on the preliminary plan dated January 14, 2003.
8. Provide a five-foot sidewalk along MD 108.

9. Dedicate right-of-way along MD 182 to provide 60-foot of right-of-way from the centerline of MD 182 as shown on the preliminary plan dated January 14, 2003.
10. Construct Relocated Batchellors Forest Road to full primary road standards to the southern driveway to the school.
11. Per the pending updated Olney Master Plan, dedicate an 80-foot right-of-way for Relocated Batchellors Forest Road.
12. Provide a five-foot sidewalk along the ~~west~~ east side of Relocated Batchellors Forest Road and an eight-foot Class I bikeway along the ~~west~~ east side of Relocated Batchellors Forest Road.
13. Lighting along sidewalks and roadways shall meet IES-NA standards.
14. Coordinate with SHA with respect to implementation of the recommendations in the signal warrant study for the intersection of MD 108 and Old Vic Boulevard and Relocated Batchellors Forest Road.
15. Enter into a binding Transportation Management Agreement with The Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission (the "Planning Board") prior to record plat.

DISCUSSION

Site Location, Access and Circulation

The site is located in the southwest quadrant of the intersection of Olney-Sandy Spring Road (MD 108), Doctor Bird Road (MD 182) and existing Batchellors Forest Road. There will be two points of access to the site. Relocated Batchellors Forest Road will provide the primary access from MD 108. A second entrance from MD 108 will be a right in/right out and used primarily for school buses to exit the site.

Pedestrian and bicycle access is accommodated from the existing sidewalks and bike trail along MD 108. These facilities will be extended along the site frontage and Relocated Batchellors Forest Road to provide direct linkage to site facilities. The sidewalks will be extended into the site and connect with internal sidewalks. Sidewalk ramps will be provided at all curb crossings.

Master Plan Roadways and Bikeways

The existing Olney Master Plan approved and adopted in June 1980 classifies MD 108, M-60, as a major highway with a recommended 120-foot right-of-way. Doctor Bird Road, M-60, is also classified as a major highway with a recommended 120-foot right-of-way. Batchellors Forest Road, P-6, is classified as a primary road with an interim rustic road status. Batchellors Forest Road has 70-foot recommended right-of-way under the existing plan. The Olney Master Plan is under revision. The revised plan changes the classification of Batchellors Forest Road to rustic with a recommended 80-foot right-of-way. Class I bikeways exist along the north side of MD 108 and is planned for the north side of MD 182. Relocated Batchellors Forest Road, P16, will be classified as a primary with a recommended 80-foot right-of-way to accommodate a sidewalk on one side and a bikeway on the other side.

Local Area Transportation Review

Our Lady of Good Counsel High School is expected to generate approximately 1,041 peak-hour trips in the weekday morning peak period (6:30 a.m. to 9:30 a.m.) and 677 peak-hour trips during the weekday evening peak period (4:00 p.m. to 7:00 p.m.). A traffic study was required because the estimated site trips exceed the 50-trip threshold requiring a traffic study as established in the LATR Guidelines.

The traffic study indicated that, under total future traffic conditions (i.e., existing, background and site) the Georgia Avenue (MD 97) and Old Baltimore Road intersection exceeds the adopted critical lane volume (CLV) congestion standard of 1525 CLV for the Olney Policy Area. Table 1 below provides the CLV values for the existing, background and total future traffic prior to the application of any mitigation measures.

Table 1

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Intersection	Existing Traffic		Background Traffic		Total Future Traffic	
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Intersection	AM Peak Hour	PM Peak Hour
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Comparison of the morning peak hour CLV value between Tables 1 and 2 indicates a drop in CLV movements of 95 after the extension of the westbound queuing lanes on Old Baltimore Road at Georgia Avenue and implementation of the busing program, which is projected to carry 245 students on six or seven buses on a normal school day. While the 1600 CLV movements still exceeds the Olney Policy Area CLV standard of 1525, it is no longer worse than the background traffic condition. The LATR Guidelines allow a project to move forward if the CLV is no worse than under the background traffic volumes. The Planning Board under this provision can, therefore, approve this project.

Transportation Management Agreement

A Transportation Management Agreement is being negotiated between the school and M-NCPPC at this time. Input is being sought from the Peoples Council, Mr. Martin Klauber, and representatives of the Greater Olney Civic Association (GOCA). The plan includes provision for on-site parking of 489 vehicles on a normal school day; traffic circulation for school buses, vehicles parking on site, and vehicles dropping off or picking up students; six extended bus routes to pick up at least 245 students; a free shuttle bus from the park-and-ride lot at Georgia Avenue and Norbeck Road; the encouragement of carpools; and provision to accommodate traffic circulation and parking for special events.

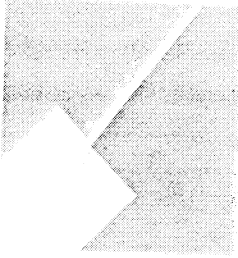
The Agreement includes actions to be taken by the school to educate students, parents, faculty and staff of the plan; designation of a transportation management coordinator; formation of a transportation management liaison committee with GOCA and the business community; and a requirement for reporting and monitoring bus ridership.

Policy Area Review

Our Lady of Good Counsel High School is located in the Olney Policy Area. As of January 31, 2003 that policy area had a remaining capacity of 2,033 jobs.

JG:kcw

cc: Khalid Afzal
Greg Cooke
Mary Goodman
Jeff Riese

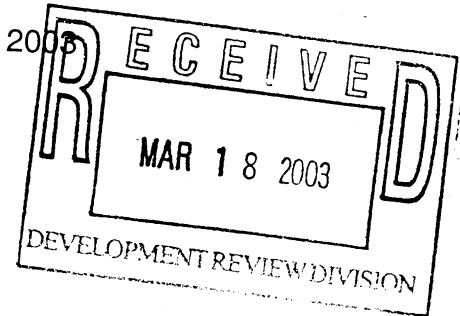


MONTGOMERY COUNTY DEPARTMENT OF PARK & PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

March 18, 2003



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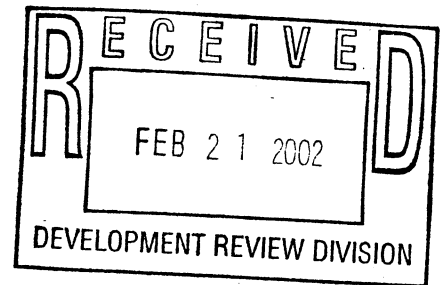
cc: Khalid Afzal
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Jeff Riese

Preliminary Plan No. 1-02082 Good Counsel High School Olney.doc0

Prof. Marco Colombini
17520 Doctor Bird Road
Sandy Spring, MD 20860

February 16, 2002

M-NCPPC
Development Regional division
8787 Georgia Avenue
Silver Spring, MD 20910-3760



Re: Preliminary Plan No. 1-02082Good Council High School

Dear Members of the Planning Board:

Today, I received preliminary plans for the construction of Good Council High School at the intersection of Batchellors Forest road and Route 108. My family and some of my neighbors had been briefed on this plan in Dec. 2001 by Mr. Arthur Raimo, the president of the School. I have also discussed the plans with neighbors. Thus my comments stem from some careful thought on the impact of this massive project on our environment. I must say that I am very concerned that the project will severely degrade the quality of our community. My greatest concerns are the following:

1. Severe and Irreparable Damage to the Rustic and Rural Nature of Batchellors Forest Road

Despite the words of reassurance of Mr. Raimo, the severing of the road and its redirection will remove one of the most wooded and very attractive portions of the road. The School will have a relatively small number of parking spaces thus resulting in many parents dropping off and picking up their students. I doubt that attempts to control the flow of traffic will be very successful. The result will be much higher traffic on this road. It will need to serve two schools, Farquhar Middle School and Good Council High School. It stands to reason that high traffic in this windy and hilly road with some blind spots will lead to accidents and demands to improve it and perhaps widen it. This will destroy one of the most beautiful roads in the County.

No, I don't think I am overstating the issue. Rather, in my opinion it is naïve or disingenuous to believe otherwise. Indeed, I understand that included in the overall plan is a rather dense housing development for senior citizens. This will no doubt increase the traffic further.

2. Likelihood of Severe Traffic Problems in the Route 108/Doctor Bird Area

Working at the University of Maryland at College Park, I know how severe the traffic congestion is before and after a ball game. Cars are parked everywhere, including the middle and sides of University Blvd. With a 3000 person stadium being proposed and relatively few parking spaces, Mr. Raimo said that they planned to have people park

in the lots of the nearby Churches. Perhaps that might work but I would not be surprised to see people parking in all kinds of places. In addition, what if there is a big game at Good Council and a big event in the Olney Theater? There could also be another large event at Sherwood High School. I can foresee terrible traffic problems.

As it is, the traffic is rather bad in the morning and evening without the added back and forth traffic of a large High School. Route 108 was just widened a few years ago we were hoping that further road construction would not be necessary. The community fought hard to prevent 108 from becoming a 6-lane highway. Part of the reason for the widening of Route 108 was to ensure that the traffic would flow well enough so that emergency vehicles could get to Montgomery General Hospital. I'm afraid that the added traffic would result in further degradation of our beautiful area.

3. Loss of Many Beautiful Old Trees and Other Ecological Impact

The location of the High School and all the sports areas will require the elimination of most of the beautiful old trees in the 50 acre site. There will be major movement of earth to level the hilly site. The preservation of some of the wetland is good but is really a rather minimal effort. I see a number of drainage lines in an obvious effort to redirect water from wet areas. There is no question that the ecological impact will be severe. The deer will have fewer places to live. Piece by piece, the ecology of the County is being destroyed. This small haven can be saved. You have the power to save it.

Thank you for considering my concerns.

Sincerely,

Marco Colombini, Ph.D.
Tel: 301-774-3418

MEMORANDUM

Subject: Preliminary Plan no. 1-02082, Our Lady of Good Counsel High School

To: Development Review Division, M-NCPPC

From: John S. Weske, P.O. Box 234, Sandy Spring, MD 20860-0234

Date: 08 October 2002

As a resident on land adjacent to the proposed site of the relocated Lady of Good Counsel High School (GCHS), I am greatly concerned by their plan as it now stands. My objections fall into two categories-- those that relate to quality of life issues and those that relate to protection of the environment.

Here are some of the ways our quality of life will be degraded if the present plan is followed:

Noise-- The school's stadium will lie right across Batchellor's Forest Road (BFR) from the house of my neighbor J. K. Rice and within two hundred yards of mine. When there are sports events, especially football games, we'll have to endure the sound of 3,000 shouting fans, of referee whistles, and of marching bands. Along the eastern boundary of my property would be a practice field where GCHS pupils will be shouting and coaches will be blowing whistles, instead of the stillness that now prevails. The county has restrictions on noise from power equipment like leaf-blowers, but to me the screaming of a stadium-full of sports fans is far more onerous. GCHS recognizes that noise presents a problem, and we have been told that the stadium was sited to the east of the school building, rather than west of it, to minimize disturbance to the senior citizens who one day will live in Andrew Kim House. The same consideration should be given to citizens already living east of BFR.

Light-- Similarly, the lights that would surround the school building and particularly the stadium lights will change for the worse the character of the night in this neighborhood. Right now it is properly dark at night. The local community recognizes this asset as we saw when the Leonid meteor shower occurred in the autumn of 2001. On that night, at least 20 cars were parked along BFR between Route 182 and Farquhar School, and perhaps 40 adults and children were enjoying the celestial display. Besides the stadium lighting, Arthur Raimo of GCHS told us that plans include the option of lighting the softball field that abuts the south boundary of the Rice property. If these are installed, large banks of elevated lights will shine directly into their house and will also be bothersome to me if lit when leaves are not on the trees.

Loss of tranquility and peace in the neighborhood-- Even if everyone associated with the school is on best behavior, there will inevitably be much more activity in this quiet neighborhood, simply from the daily presence of 1,200 people. Such a large influx of humanity is certainly not in keeping with the spirit of current zoning for our area. Without a doubt there will also be more litter coming onto my property.

Scenic degradation-- Instead of a rural landscape with forest or hay meadow and natural contours to the land, the adjacent property will be scraped flat to make sterile athletic fields rimmed in part by abrupt embankments.. And where now we enjoy winter sunsets seen through silhouetted trees, a stadium will block the view.

Traffic-- The trips by hundreds of cars that this school will generate pose a big problem affecting more than just the school's nearest neighbors. Even without GCHS traffic, Route 108 is already stop-and-go between the Olney Theater and Ashton at rush hour. In the afternoon, this traffic jam now occurs as early as 3 P.M. on some days. With GCHS traffic added, the situation can only go from bad to worse.

Protection of the environment is a matter of great importance not only to us in the neighborhood but also to the wider community. The biggest environmental effect of the the GCHS plan is forest destruction. Forests cool and cleanse the air, retain water and help keep the Chesapeake Bay and its tributaries in better shape, and serve as a sink for carbon that after clearing and decomposition would be released into the atmosphere as the greenhouse gas carbon dioxide. Many local citizens find a wooded landscape far more aesthetically pleasing than buildings and ball fields. Although there is open agricultural land lying just south of the GCHS's proposed site, GCHS has made the choice to acquire land that is 56% forested and then to cut down most of this woodland to clear space for its school building, stadium, and athletics fields. Much of the woodland is tall, mature forest with numerous trees over 100 years old. When there are obvious alternatives, it is irresponsible of GCHS to destroy the forest. They need to follow the example of Brooke Grove Foundation's nearby proposed senior housing, which is intelligently planned to preserve almost all existing forest. GCHS' Arthur Raimo admitted that mitigation on the GCHS site would not be sufficient to compensate for the forest razed and that additional mitigation would have to be carried out elsewhere to meet government requirements. If GCHS plans so poorly or provides itself with insufficient land to allow forest preservation or even adequate

mitigation, why should our neighborhood be the loser? Moreover, mitigation scarcely makes up for the removal of mature forest and will result in nothing matching what's there now within my lifetime or even within the lifetimes of the youngest residents of this neighborhood.

Three of the four forest stands on the "Natural Resource Inventory/ Forest Stand Delineation" are classed as being of "moderate to high priority for retention". [Readers should note that there is a discrepancy between the map and the narrative regarding Forest Stand no. 1. The map marks it as "moderate priority", but this is apparently an error, because the site narrative describes Stand no. 1 in detail and concludes it has "moderate to high priority".]

I will cite an example of how removal of the forest on GCHS land may affect wildlife on the entire existing forested tract of that stretches along Routes 182 and 108 from the Doctor Bird House in the east to Andrew Kim House to the west. Right now, the Colombinis and Rices and I have 5-6 acres of mature forest. GCHS land has 15-20 acres of high quality mature forest. Among the birds that each year nest in this forested tract is the Scarlet Tanager, a well-known and beautiful tropical migrant species. In "Birds of Maryland and the District of Columbia" (R. E. Stewart and C. S. Robbins, 1958, North Amer. Fauna no. 62, U. S. Dept. of Interior), only 2 of 15 censuses of Scarlet Tanagers in central Maryland showed this species occurring in a population density greater than one territorial male per 6 acres. Thus, destruction by GCHS of their mature forest will most likely mean the disappearance of this bird species from our immediate neighborhood. So that would mean one small, subtle loss among many incremental losses to the environment. Other similar examples exist.

For common wildlife species like deer and raccoons, forest destruction has a disruptive effect and can be expected to exacerbate existing problems from wildlife-human interactions. Although wildlife population sizes should over time adjust to a reduction in habitat, the near-term result is to displace animals into neighboring areas of remaining habitat, where they will exist at greater density. Competition then causes more wandering and a greater chance of collision with vehicles. In quest of food, more animals also enter residential neighborhoods where they damage or destroy ornamental shrubs and other garden plants.

In the matter of stream valley preservation, I question a decision made by GCHS's engineering firm, as presented on the map entitled "Preliminary Plan of the Subdivision". Flowing eastward through

the property are three ephemeral watercourses that eventually join to form a tributary of Northwest Branch. Two of these (the south and middle forks) are designated as "wetland" and are to be left untouched. The north fork, passing under Route 182 near the northeast corner of my property and flowing south-southeast across Forest Stands no. 1 and no. 2, is not designated. The site plan shows that this fork will be filled in and an athletic field located on top of it. My neighbor Jim Rice and I walked the north and middle forks and fail to see why the two are given different treatment. Neither had standing or flowing water when we were there, but both have similar, defined stream channels. Specifically, the north fork has a channel near Route 182. Then the flow expands over a broader area before again coalescing into a defined channel farther downstream, closer to the southeastern boundary of GCHS property. It obviously serves GCHS's purposes to be able to fill in the north fork, and they are clearly aware of the watercourse because the plan shows a lengthy drain system installed. But a truly disinterested, independent expert needs to reexamine the north fork and determine whether its surroundings also deserve preservation as a wetland and a stream buffer.

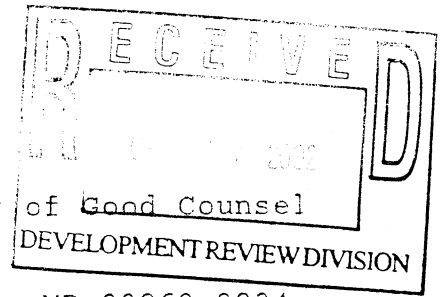
Finally, I have a policy question concerning land use priorities. Within a few miles around Olney and Sandy Spring we have multiple athletic fields at Sherwood High School, Blake High School, Sandy Spring Friends School, Olney Manor Park, and now soon at the Olney Boys and Girls Club complex, not to mention a golf course and two driving ranges. I realize the GCHS is leaving Wheaton mainly to get more space for athletic fields, but it is the best use of land for each entity to have its own exclusive athletic area? Should there not be shared use?

My conclusion is that the GCHS plan needs extensive modification. As proposed, the school complex is shoe-horned into too little land. GCHS needs to arrange with the developer who seems to be the intermediary between the Hyde family and GCHS to acquire additional land to provide sufficient buffering around their school building and athletic fields. Then noise, light pollution, and other adverse effects on neighborhood quality of life would become more remote from neighbors and thereby diminished. Similarly-- and these logically become a part of the buffer-- the high to moderate priority forest stands (nos. 1, 2, and 3) should be preserved. If GCHS truly wishes to become "a valued neighbor" in the community, as Arthur Raimo's letter of 15 February 2002 states, it needs to expand its property to include adjacent open land to the south and to move the center of its complex southward.

John S. Weske
17514 Doctor Bird Road
P. O. Box 234
Sandy Spring, MD 20860-0234
Tel: 301-774-7564
e-mail: jsweske@juno.com

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As a resident on land adjacent to the proposed site of the relocated Lady of Good Counsel High School (GCHS), I am greatly concerned by their plan as it now stands. My objections fall into two categories-- those that relate to quality of life issues and those that relate to protection of the environment.

Here are some of the ways our quality of life will be degraded if the present plan is followed:

Noise-- The school's stadium will lie right across Batchellor's Forest Road (BFR) from the house of my neighbor J. K. Rice and within two hundred yards of mine. When there are sports events, especially football games, we'll have to endure the sound of 3,000 shouting fans, of referee whistles, and of marching bands. Along the eastern boundary of my property would be a practice field where GCHS pupils will be shouting and coaches will be blowing whistles, instead of the stillness that now prevails. The county has restrictions on noise from power equipment like leaf-blowers, but to me the screaming of a stadium-full of sports fans is far more onerous. GCHS recognizes that noise presents a problem, and we have been told that the stadium was sited to the east of the school building, rather than west of it, to minimize disturbance to the senior citizens who one day will live in Andrew Kim House. The same consideration should be given to citizens already living east of BFR.

Light-- Similarly, the lights that would surround the school building and particularly the stadium lights will change for the worse the character of the night in this neighborhood. Right now it is properly dark at night. The local community recognizes this asset as we saw when the Leonid meteor shower occurred in the autumn of 2001. On that night, at least 20 cars were parked along BFR between Route 182 and Farquhar School, and perhaps 40 adults and children were enjoying the celestial display. Besides the stadium lighting, Arthur Raimo of GCHS told us that plans include the option of lighting the softball field that abuts the south boundary of the Rice property. If these are installed, large banks of elevated lights will shine directly into their house and will also be bothersome to me if lit when leaves are not on the trees.

Loss of tranquility and peace in the neighborhood-- Even if everyone associated with the school is on best behavior, there will inevitably be much more activity in this quiet neighborhood, simply from the daily presence of 1,200 people. Such a large influx of humanity is certainly not in keeping with the spirit of current zoning for our area. Without a doubt there will also be more litter coming onto my property.

Scenic degradation-- Instead of a rural landscape with forest or hay meadow and natural contours to the land, the adjacent property will be scraped flat to make sterile athletic fields rimmed in part by abrupt embankments.. And where now we enjoy winter sunsets seen through silhouetted trees, a stadium will block the view.

Traffic-- The trips by hundreds of cars that this school will generate pose a big problem affecting more than just the school's nearest neighbors. Even without GCHS traffic, Route 108 is already stop-and-go between the Olney Theater and Ashton at rush hour. In the afternoon, this traffic jam now occurs as early as 3 P.M. on some days. With GCHS traffic added, the situation can only go from bad to worse.

Protection of the environment is a matter of great importance not only to us in the neighborhood but also to the wider community. The biggest environmental effect of the the GCHS plan is forest destruction. Forests cool and cleanse the air, retain water and help keep the Chesapeake Bay and its tributaries in better shape, and serve as a sink for carbon that after clearing and decomposition would be released into the atmosphere as the greenhouse gas carbon dioxide. Many local citizens find a wooded landscape far more aesthetically pleasing than buildings and ball fields. Although there is open agricultural land lying just south of the GCHS's proposed site, GCHS has made the choice to acquire land that is 56% forested and then to cut down most of this woodland to clear space for its school building, stadium, and athletics fields. Much of the woodland is tall, mature forest with numerous trees over 100 years old. When there are obvious alternatives, it is irresponsible of GCHS to destroy the forest. They need to follow the example of Brooke Grove Foundation's nearby proposed senior housing, which is intelligently planned to preserve almost all existing forest. GCHS' Arthur Raimo admitted that mitigation on the GCHS site would not be sufficient to compensate for the forest razed and that additional mitigation would have to be carried out elsewhere to meet government requirements. If GCHS plans so poorly or provides itself with insufficient land to allow forest preservation or even adequate mitigation, why should our neighborhood be the loser? Moreover, mitigation scarcely makes up for the removal of mature forest and will result in nothing matching what's there now within my lifetime or even within the lifetimes of the youngest residents of this neighborhood.

Three of the four forest stands on the "Natural Resource Inventory/ Forest Stand Delineation" are classed as being of "moderate to high priority for retention". [Readers should note that there is a discrepancy between the map and the narrative regarding Forest Stand no. 1. The map marks it as "moderate priority", but this is apparently an error, because the site narrative describes Stand no. 1 in detail and concludes it has "moderate to high priority".]

I will cite an example of how removal of the forest on GCHS land

may affect wildlife on the entire existing forested tract of that stretches along Routes 182 and 108 from the Doctor Bird House in the east to Andrew Kim House to the west. Right now, the Colombinis and Rices and I have 5-6 acres of mature forest. GCHS land has 15-20 acres of high quality mature forest. Among the birds that each year nest in this forested tract is the Scarlet Tanager, a well-known and beautiful tropical migrant species. In "Birds of Maryland and the District of Columbia" (R. E. Stewart and C. S. Robbins, 1958, North Amer. Fauna no. 62, U. S. Dept. of Interior), only 2 of 15 censuses of Scarlet Tanagers in central Maryland showed this species occurring in a population density greater than one territorial male per 6 acres. Thus, destruction by GCHS of their mature forest will most likely mean the disappearance of this bird species from our immediate neighborhood. So that would mean one small, subtle loss among many incremental losses to the environment. Other similar examples exist.

For common wildlife species like deer and raccoons, forest destruction has a disruptive effect and can be expected to exacerbate existing problems from wildlife-human interactions. Although wildlife population sizes should over time adjust to a reduction in habitat, the near-term result is to displace animals into neighboring areas of remaining habitat, where they will exist at greater density. Competition then causes more wandering and a greater chance of collision with vehicles. In quest of food, more animals also enter residential neighborhoods where they damage or destroy ornamental shrubs and other garden plants.

In the matter of stream valley preservation, I question a decision made by GCHS's engineering firm, as presented on the map entitled "Preliminary Plan of the Subdivision". Flowing eastward through the property are three ephemeral watercourses that eventually join to form a tributary of Northwest Branch. Two of these (the south and middle forks) are designated as "wetland" and are to be left untouched. The north fork, passing under Route 182 near the northeast corner of my property and flowing south-southeast across Forest Stands no. 1 and no. 2, is not designated. The site plan shows that this fork will be filled in and an athletic field located on top of it. My neighbor Jim Rice and I walked the north and middle forks and fail to see why the two are given different treatment. Neither had standing or flowing water when we were there, but both have similar, defined stream channels. Specifically, the north fork has a channel near Route 182. Then the flow expands over a broader area before again coalescing into a defined channel farther downstream, closer to the southeastern boundary of GCHS property. It obviously serves GCHS's purposes to be able to fill in the north fork, and they are clearly aware of the watercourse because the plan shows a lengthy drain system installed. But a truly disinterested, independent expert needs to reexamine the north fork and determine whether its surroundings also deserve preservation as a wetland and a stream buffer.

Finally, I have a policy question concerning land use priorities.. Within a few miles around Olney and Sandy Spring we have multiple athletic fields at Sherwood High School, Blake High School, Sandy

Spring Friends School, Olney Manor Park, and now soon at the Olney Boys and Girls Club complex, not to mention a golf course and two driving ranges. I realize the GCHS is leaving Wheaton mainly to get more space for athletic fields, but it is the best use of land for each entity to have its own exclusive athletic area? Should there not be shared use?

My conclusion is that the GCHS plan needs extensive modification. As proposed, the school complex is shoe-horned into too little land. GCHS needs to arrange with the developer who seems to be the intermediary between the Hyde family and GCHS to acquire additional land to provide sufficient buffering around their school building and athletic fields. Then noise, light pollution, and other adverse effects on neighborhood quality of life would become more remote from neighbors and thereby diminished. Similarly-- and these logically become a part of the buffer-- the high to moderate priority forest stands (nos. 1, 2, and 3) should be preserved. If GCHS truly wishes to become "a valued neighbor" in the community, as Arthur Raimo's letter of 15 February 2002 states, it needs to expand its property to include adjacent open land to the south and to move the center of its complex southward.

John S. Weske

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To: M-NCPPC, Development Review Division

From: James K. Rice & Mary F. Rice, Adjacent Property Owners, 17415 Batchellors Forest Rd.

Date: March 8, 2002

Subject: **Good Counsel High School Preliminary Plan Of Subdivision, Preliminary Plan # 1-02082, Filed Feb. 15, 2002**

We will greatly appreciate your consideration of our following questions and comments on the subject plan.

1. *How were the boundaries of the wet lands established on the Good Counsel High School (GCHS) property? A walk over the land shows environmental surveyor's tapes marking the boundaries of the south branch of the stream that exits the property to the east through the adjoining Bowns' property (the Dr. Bird house). There are no surveyor's tapes along any portion of the north branch of this drainage course that flows from the Weske property through the GCHS property to join the south branch just west of the Bowns' property. Construction of a soccer field is proposed on the lower portion of the north branch. Visually, the physical characteristics of this lower section of the north branch are similar to those of the west end of the south branch. Both of the foregoing sections of the respective draws are similarly wet or dry seasonally. Why is the western portion of the south branch labeled wet land while the southern portion of the north branch is not? If a culvert can be substituted for the portion of the north branch over which the soccer field is to be constructed, why cannot a culvert be used for the west end portion of the south branch so that fill can be placed there to enable movement of the softball field 10-20 yds. further south, away from our home? The north end of the softball field is now positioned right on our property line in order that home plate at the south end does not encroach on the defined wet land.*

2. *Does the County set maximum limits on the concentration of particulates in air emanating from an earthmoving site? Our house is east and southeast, immediately downwind, of much of the area of the GCHS site that will experience major earth moving as part of the preparation both for the extensive athletic facilities and for the school itself. Mary Rice has emphysema and is unlikely to be able to tolerate increased dust levels in our home. This is a serious matter for us as this is our retirement home and we have no present plans to leave it. Can the County require that any earthmoving be performed only when it does not increase the level of airborne particulates in our home, or only when it generates less than a prescribed standard for airborne particulates measured downwind adjacent to the site?*

3. *Does the County have any regulations regarding light pollution of property adjoining athletic facilities that employ night-lighting? The lights from the proposed adjacent GCHS stadium and from a separate adjacent softball field due south of the house would*

shine directly at us. The south end of the house has a fully windowed enclosed porch that is occupied daily and evenings year-round. When the night-lights are on they would constitute a serious pollution of our home environment.

4. *Does the County have any requirements that a developer provide an adequate buffer zone between proposed site activities and adjacent property especially where noise and physical activities generated at the site are totally different both in kind and in magnitude from those associated with RE-2 residential activities? Hundreds up to thousands of cheering spectators will be next door, or literally just across the street from our home. Noise and light barriers as well as physical security need to be part of a buffer zone between our property and the GCHS proposed development. Since we are aging (we are 79), the barriers provided in the buffer zone need to be effective at the time GCHS commences operation if the barriers are to be of any use to us.*

5. *When the current Batchellors Forest Rd. (BFR) is abandoned from Dr. Bird Rd. to the juncture with the new, relocated BFR, can the County require that GCHS maintain the section of old BFR from our southern boundary north to Dr. Bird Rd. in accordance with County standards of road maintenance – paving, gutters, snow removal, removal of fallen tree branches and trunks, etc.? We are concerned that there be full access by emergency services at all times to our house to the same degree that we now enjoy with the present Batchellors Forest Rd. We are also concerned when old BFR is blocked by GCHS at the south end of our property that a turn-around be provided by GCHS so that our driveway, which is a “U” shaped drive, does not serve as the turn-around for the dead end that is created by the abandonment.*

Please call or Email us with any questions that you may have on any of the foregoing. Thank you for your consideration of our concerns.

James K. Rice
Mary F. Rice

17415 Batchellors Forest Rd.
Olney, MD 20832
301.774.6296
Email: jameskrice@cs.com

School-day traffic

1. How many trips are assumed to be generated between 7 AM and 9 AM? How many at the end of the school day? How many at 7 PM? How many of those trips are in one direction only, as with students parking at school, and how many are drop-offs?

Although we anticipate an eventual increase in student enrollment at our Olney location, we think that our traffic mitigation plans will result in fewer trips than we currently have at Good Counsel in Wheaton. Several factors will contribute to that improvement:

- *we are talking with Sandy Spring Friends School – at its request – regarding the possibility of sharing unused bus capacity on its school buses*
- *our students taking the Friends School buses would travel the same bus routes, further minimizing traffic impact*
- *both schools' arrival and departure times can be timed to coordinate the bus trips*
- *if needed, we will supplement those bus trips with additional buses of our own*
- *we expect to increase our current bus ridership of 40 students by 150-180 additional bus-riding students – likely reducing vehicle trips to numbers lower than our current numbers in Wheaton*
- *we will adopt a parking policy to encourage student car pools, and consider allowing only carpools to park free of charge on campus.*

2. What are the same numbers for the Wheaton campus?

At the Wheaton campus, there are 947 trips between 7-9 AM, and 651 trips occur during the PM peak of 2:45-3:45. 293 of the AM (7-9) trips are one-way trips. By using the bus mitigation techniques described above, the Olney campus could reduce the two-hour, AM trips to approximately 820-870. Using the same bus mitigation techniques could reduce the one-hour, PM trips in Olney to 560-590. Increased car pooling could reduce these numbers even further.

3. Will students be permitted to take their cars off campus in mid-day?

Good Counsel is a "closed campus." We do not allow students to leave the school property for lunch at mid-day.

4. What actions will be taken to encourage students to ride a bus to school in the morning and for activity buses in the afternoon?

Good Counsel currently has one bus which runs from Gaithersburg-Germantown to the Wheaton campus. Good Counsel anticipates having at least five additional buses carry students from the south (in the direction of Wheaton) and from the east in the direction of Colesville Road (US 29) and Prince Georges County to the new Olney campus. Since the Olney campus is located further to the north compared to the Wheaton location, there is an incentive to have students travel

by bus rather than being drop-offs to the Olney campus. Student drop-offs from the south and east would likely necessitate a return trip mixed with the peak southbound commuter traffic flow.

5. What is the capacity of the buses you now have, and of the buses you plan to have to service the Olney campus?

The capacity of the current bus is 40 passengers. The School has been in conversation with the Sandy Spring Friends School regarding a possible sharing of unused bus capacity on the Friends school buses. These buses could be supplemented by additional buses retained by Good Counsel.

6. What do you project the ridership to be, and what is it now?

Currently the bus ridership is approximately 40 students, and the School intends to increase that number by 120 – 160 additional students over the present ridership.

7. Along the same line, how would you discourage students from driving, or discourage parents from dropping off students?

The School is considering a parking policy which will encourage student car pools; however, there are additional factors to be considered when formulating the details of a car pool program (e.g., safety). In many cases, we anticipate that parents located up county would drop students off on their way to work. Furthermore, because the new campus is located further north, we believe that the additional distance and the typical commuter traffic conditions will serve as disincentives for individual down county families to make trips to the new campus for the sole purpose of student drop offs if there are transportation alternatives available.

8. Would you charge for parking spaces, or charge students who ride the bus?

Good Counsel would charge for parking on campus, and the School charges for riding the bus.

9. What incentives do you contemplate for student car pools?

Good Counsel may not charge for parking associated with car pooling, and the School can also regulate the number of parking permits.

10. How do you define a car pool?

The School defines a car pool as a vehicle containing more than one person directly linked to the School (i.e., student/staff/faculty).

11. What plans do you have to work with Metro or Ride-On to adjust or to supplement their schedules and routes to encourage public transportation?

The School has no current plans to adjust Metro or Ride-On schedules and routes, although there may be adjustments made to the public transit schedules/routes in recognition of the School's presence. The School's intent is to provide its own bus service, as well as possibly share buses with the Sandy Spring Friends School.

12. Please address the feasibility of having traffic enter and leave the school property only from Route 108, as is the case at Sherwood High School.

The School's main entrance is from MD 108 onto the relocated portion of Batchellors Forest Road. The present or old Batchellors Forest Road is not intended to be an access road to the School.

13. What are your plans for enforcing the traffic restrictions that you institute?

The School will have staff monitor traffic accessing the site to preclude School-related vehicles from using "old" Batchellors Forest Road. School student contracts can be used as a vehicle to prohibit access to/from Batchellors Forest Road, and parents and students sign the student handbook which can require compliance with this prohibition.

14. What are the staff hours of arrival and departure?

Staff arrivals are from 7:30-8:00 AM, and teachers leave at approximately 3:30 PM.

15. Are you planning to request a traffic light at the intersection of Batchellors Forest Road/Old Vic Road and Route 108, and would it be synchronized at Dr. Bird Road?

The School will seek to have a traffic signal installed at the MD 108/Old Vic Boulevard/Relocated Batchellors Forest Road intersection if the intersection meets traffic signal warrants and is approved by the MD SHA. The School would assume the cost of installing the traffic signal if it is approved. If the traffic signal is approved and installed, the signal would be interconnected with the adjacent signals along MD 108.

Event Traffic

1. How many and what types of evening and weekend events do you project to be held at the Olney campus?

*Athletics: Fall - Five Friday evening football games
Two soccer games per week - Tuesday and Thursday
Several Field Hockey games - most are played after school*

*Winter - Basketball games each Tuesday and Friday evening
Wrestling matches one or two times a week*

*Spring - Ten evening lacrosse games
Baseball 8-10 evening home games*

*Softball 8-10 evening home games
Track one or two Saturday meets*

*Social Events: Homecoming Dance in the Fall
Winter Formal in January or February
Three mixers - one each in Fall, Winter, and Spring*

*Cultural Events: One play in the Fall
One musical in the Spring
Three Concerts - one each in Fall, Winter and Spring*

*Academic/School Two back-to-school nights in September
Events: Three report card conference nights
Open House on a Sunday in November
Family Mass and Breakfast on a Sunday in February
Parent club meetings one Wednesday evening per month
Senior/Mother Mass and Dinner on the Monday after Mother's Day
Junior Leadership Mass one evening in the Spring
National Honor Society Induction in the Spring*

2. What types and how many of such events are held now in Wheaton, including football games, basketball games, other athletic events, concerts, plays and other school functions?

All of the above is true at Wheaton with the following exceptions.

There are no home baseball, softball, or field hockey games on our campus.

3. What times do they begin and end?

*Football begins at 7:00 and runs until 9:30PM
Soccer and Lacrosse run from 7 until 8:30PM
Dances are generally from 8-11PM
Concerts run from 7-9PM and plays from 8:30 -10:00PM
Back-to-school nights from 7-10PM
Report card conferences from 5-8PM
Open House from 9AM-3PM
Family Mass and Breakfast from 9:30-11:30AM
Parent Club meetings from 7:30-9:00
Senior Mother Mass and Dinner from 6-8:30PM
Junior Leadership Mass 7-9PM
National Honor Society Induction 7:30-8:30PM*

4. What is the attendance?

*Football average attendance is 2500
Lacrosse, Soccer, 300
Field Hockey, 100
Baseball/Softball under 100*

- Basketball between 500 and 100
- Plays and concerts 400-500
- Back to school nights between 500 and 700
- Report card conferences approximately 200
- Open House approximately 1000 people staggered over the entire time
- Family Mass and Breakfast between 300 and 400
- Parent Club meetings 50-100
- Senior Mass and Dinner 500
- Junior Leadership Mass 500-600
- National Honor Society Induction approx. 200

5. What are the capacities of the venues for school events?

- Athletic Field (Wheaton) 800 seats with additional space on hillside
(Olney) seating capacity for 2600
- Gym (Wheaton) 900 seats
(Olney) 1000 seats
- Auditorium (Wheaton) 500 seats
(Olney) 600 seats
- Cafeteria (Wheaton) 400 seats
(Olney) 400 seats

6. What plans are there for coordinating after-school or weekend events with Sherwood High School?

Answer 6-9: We should be able to coordinate our events with each of the local schools as well as with the Olney Theater.

7. With Blake High School?

8. With Sandy Spring Friends School?

9. With Olney Theatre?

10. Do you anticipate simultaneous events at the Good Counsel site?

We try hard not to schedule simultaneous events.

11. How often does this occur now?

It rarely happens now.

Environmental Issues

1. During our consideration of the Olney Theatre development, we found residents in the Arden Woods development had strong concerns about drainage from the theatre into their neighborhood. Given that Good Counsel is building parking lots, ball fields, and other facilities that may be drained under Route 108, have you done studies that show whether the area has the capacity to accept both the theater drainage and the runoff you will create?

We have retained Macris, Hendricks & Glascock, P.A. to investigate the drainage issues in connection with this project. As part of the Subdivision Process, a Stormwater Management Concept Plan will be reviewed and approved by the Montgomery County Department of Permitting Services. In their review, Montgomery County will take into account other development proposals within the watershed in determining the appropriate levels of stormwater management to be provided by any given project. We understand that the Stormwater Management Concept Plan will specify precisely how the drainage from our project will be addressed. Good Counsel intends to adhere to all environmental standards for its property, including stormwater management.

2. What plans are there for light and sound buffering from Route 108 and the Centex homes?

We have the opportunity to create an earth berm at the northern end of the stadium and this berm will be landscaped to buffer the stadium from Maryland Route 108. A similar opportunity to provide berming and landscaping exists along relocated Batchellors Forest Road; we will be developing these plans in conjunction with our neighbors.

3. How high above Route 108 is the promontory on which you would place the school?

The first floor elevation of the school building is approximately twenty-four feet (24') above the existing pavement elevation of Maryland Route 108 at the proposed driveway entrance. We would like to point out that the building is set back over two hundred feet (200') from Maryland Route 108. We will have our consultants prepare a cross section diagram to be presented at our meeting on March 13, 2002.

4. Please address the feasibility of placing the school in a location that will retain the rural atmosphere for traffic approaching Olney from the east and southeast.

We considered other locations to site the building. Our planners are restricted by existing nontidal wetlands, stream valley buffers and tree stands from locating the building in a less visible location further from Maryland Route 108. Given the environmental constraints and the shape of the property, the present site is considered the best location for the building.

5. The Good Counsel campus appears to be deficient in its reforestation. Will the Centex properties be expected to make that up?

Good Counsel intends to preserve as many trees as possible. Making room for athletic fields will, of course, require removing trees. We do plan to reforest within the stream valley buffers on the Centex properties.

6. Please provide details about the type of housing and other facilities proposed for the 150 acres not being used by the school.

7. How many housing units will be proposed?

8. Will they be clustered?

9. Has a traffic study been done?

10. What access will these houses have for nearby roads?

11. Why is it reasonable to consider this project separately from yours?

Good Counsel's proposal is a permitted use under existing zoning. Our project can and will proceed independently of the balance of the property. At the same time, when the residential plans are appropriate to move forward, it's anticipated that it will all be done comprehensively.

#8

4-3-03

March 28, 2003

Stephen Z. Kaufman
301.650.7056
szk@linowes-law.com

Via Hand Delivery

Mr. Malcolm Shaneman
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Preliminary Plan No. 1-02082: Good Counsel Site in Olney – Proposed Preliminary Plan Language

Dear Mr. Shaneman:

Pursuant to the attached letter dated December 20, 2002 to Charles Loehr, we understand that Good Counsel High School (“Good Counsel”) has now provided all the changes to the original preliminary plan requested by Park and Planning staff at the two Development Review Committee (DRC) meetings. These changes include, but are not limited to the following:

1. include the entire Hyde property as part of the subdivision application;
2. move the entire school portion of the subdivision application onto the western side of Batchellors Forest Road;
3. retain substantially all existing tree cover which staff requested to be preserved;
4. relocate proposed school building and stadium away from the frontage along Route 108; and
5. realign and agree to construct in two phases the Master Plan relocation of Batchellors Forest Road (Old Vic Boulevard).

Additionally, we understand that the subdivision process will be completed in two phases wherein the approval of the subdivision lot for Good Counsel will be the first phase and the balance of the Hyde property (the second phase) will be deferred until after the amendment to the Olney Master Plan is adopted and the ultimate zoning reclassification is placed on the entire property. Accordingly, for purposes of clarification, we request that the conditions of approval, set forth on the blue sheet prepared by staff and the final written opinion, include language similar to the language set forth in the attached letter to Charles Loehr and repeated below. We believe that the proposed language below is important to preserve the right to ultimately

Mr. Malcolm Shaneman
March 28, 2003
Page 2

transfer density from the school site to the balance of the Hyde property once the ultimate rezoning classification of the entire property occurs, provided all development standards are satisfied.

Proposed Opinion Language

As part of this preliminary plan of subdivision approval, the underlying residential densities associated with the subject lot under either the existing RC cluster zoning, or a different zoning classification permitting cluster subsequently applied as a result of a rezoning of the total subject property acreage (all in accordance with final adoption of amendments presently being considered as part of the Olney Master Plan amendment process), are hereby reserved for future transfer to the outlots/unsubdivided parcels of the subject property, and the entire property that is the subject of this preliminary plan application will be reviewed as a whole for all zoning and subdivision requirements pursuant to §§ 50-36(q) and 50-39 of the Montgomery County Subdivision Code and § 59-C-9.5 of the Montgomery County Zoning Ordinance, respectively.

Thank you for your continued attention and cooperation on this matter. Should you have any questions, please feel free to contact me.

Sincerely yours,

LINOWES AND BLOCHER LLP



Stephen Z. Kaufman

Enclosure

cc: Mrs. Betty Hyde
Mr. Art Raimo
Mr. Howard Katz
Mr. Steve Crum

LINOWES AND BLOCHER LLP

ATTORNEYS AT LAW

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December 20, 2002

Stephen Z. Kaufman
301.650.7056
szk@linowes-law.com

Via Hand Delivery

Mr. Charles Loehr
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Preliminary Plan No. 1-02082: Good Counsel Site in Olney – Agreed process to amend Application to include submission of entire Hyde property for consideration and in order to preserve the ability to transfer residential development rights to the balance of the Hyde property after the Olney Master Plan Process is completed

Dear Mr. Loehr:

The purpose of this letter is to confirm the understanding reached in our telephone conversation on December 5, 2002 regarding the process of submitting an amendment to the Preliminary Plan Application for the Good Counsel Site in Olney. Accordingly, with the understanding that there is an ongoing Olney Master Plan amendment in process, which will result in a zoning reclassification for the entire Hyde property, it was agreed that the Good Counsel application will be amended to include the entire Hyde property in order to allow the applicant to both comply with Staff's recommendation for a reconfiguration of the school site and, at the same time, reserve the right in the future to transfer the existing or potential new residential density to the balance of the property.

The amendment to the Preliminary Plan Application will permit reconfiguration of the Good Counsel Site to be in conformance with staff recommendations, allow existing Batchellors Forest Road to remain open, and provide for the relocation of new Batchellors Forest Road. Subdivision of the balance of the Hyde property will then be deferred until such time as the amendment to the Olney Master Plan is adopted and a final zoning reclassification is placed on the entire property.

Thus, by proceeding in this manner, the best plan for the new Good Counsel High School can be achieved, the applicable underlying density will be reserved for transfer to the balance of the Hyde property and the entire property can be reviewed as a whole for all zoning and

LINOWES AND BLOCHER LLP

Mr. Charles Loehr
December 20, 2002
Page 2

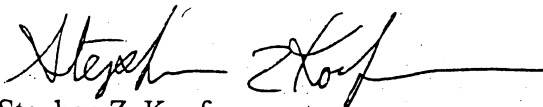
subdivision requirements, including open space, for both the current Good Counsel Preliminary Plan Application and the ultimate platting of the balance of the property.

Lastly, in order to assure achievement of the steps outlined here, we have enclosed suggested language for inclusion as a condition in the preliminary subdivision plan opinion for the Good Counsel parcel.

Thank you for your cooperation on this matter. Should you have any questions, please feel free to contact me.

Very truly yours,

LINOWES AND BLOCHER LLP


Stephen Z. Kaufman

Enclosure

cc: Malcolm Shaneman
Michele Rosenfeld, Esquire

DRAFT

Preliminary Plan Language

As part of this preliminary plan of subdivision approval, the underlying residential densities associated with the subject lot under either the existing RC cluster zoning, or a different zoning classification permitting cluster subsequently applied as a result of a rezoning of the total subject property acreage (all in accordance with final adoption of amendments presently being considered as part of the Olney Master Plan amendment process), are hereby reserved for future transfer to the outlots/unsubdivided parcels and the entire property that is the subject of this preliminary plan application will be reviewed as a whole for all zoning and subdivision requirements pursuant to §§ 50-36(q) and 50-39 of the Montgomery County Subdivision Code and § 59-C-9.5 of the Montgomery County Zoning Ordinance, respectively.