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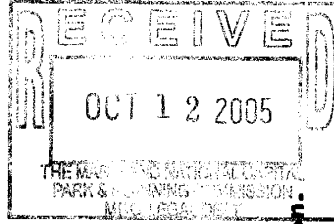
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Re: URGENT: Reconsideration Demact

Urgent For Review Please Comment Please Reply

Please refer to the attached reconsideration request concerning the Woodcrest Community. If there are any questions concerning this, please contact me at either of the numbers below.

Thank you.
Daniel Goldberg
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Call 301-545-4259 if there is any problem with this transmission.

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October 11, 2005

13303 Dutrow Way
Clarksburg, MD 20871
October 10, 2005

Daniel Goldberg & Mary Lynn George

Mr. Derrick Berlage & Planning Board
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Dear Mr. Berlage et. al.,

As adjacent property owners to the proposed Woodcrest Development in Clarksburg, MD, we are writing to request Reconsideration by the Planning Board of its decision to approve both the Preliminary Plan and the Site Plan for this community. Below we will outline our reasons for this request as well as some of the issues we would like to raise, and would have raised sooner, were we to have been notified that this development was in the planning stages.

First, we only became aware that this development was in the works about 1 month or so prior to today by the fact that a survey crew was out surveying for a water line for WSSC. When directly confronted, they were not able to tell me any information about any kind of development, as they were unaware, and only knew that they were to be surveying for a water line. When we began researching this further, we made several calls to our builder and to the developer, Natelli, and they informed us that they only knew of the road, A305 (Snowden Farm), that was being built and that it was being built by Miller & Smith. Our builder indicated that they believed that this road was being built as an extension to Piedmont Road and also as an access road to the Parkside community currently in development by Miller & Smith.

We then called Miller & Smith and, in our discussion with one of their Representatives, were surprised to hear that not only were they building a road, but also that they were in preparations to begin constructing a community called Woodcrest. We then ascertained the project manager's name and he referred us to the architectural firm responsible for planning this development as we were informed there would be a row of townhouses, 27 to be exact, behind our and our neighbor's properties, unbeknownst to any of us! We were forwarded a set of the plans by the architect for the townhouses, which also shows a key map that indicates where the remainder of the planned Woodcrest homes are slated to be built.

We then contacted the Planning Board's offices to find out what stage this community was in and were informed that the Preliminary Plan was approved on June 6(5th?) 2004 and that the Site Plan was approved on December 14 (though meeting minutes we found show that a final Water Quality Plan and Site Plan review took place on December 23rd), 2004.

According to the Rules of Procedure for the Montgomery County Planning Board under Section 2 forwarded to me by your office, the Applicant is required to "obtain the names and addresses of the confronting and adjacent property owners and mail them a notice of application as soon as possible, but not later than 10 calendar days after the date of application. Also, it states that for a "cluster type development" of which the Woodcrest community will be, especially the 27 townhomes behind our home, that "notice shall be sent to the homeowner's association..."

At no time were we, or any of our neighbors, adjacent to the property sent notice of application and at no time during this process was notice sent to the Clarksburg Ridge HOA as required by the development process Rules of Procedure. We called the Planning Board and upon checking, the only address of note was a Clarksburg-Natelli that may or may not have been sent notice (as we have been unable to speak with them and confirm). Neither our builder, NV Homes, the Clarksburg Ridge HOA, nor ourselves were listed on the documents submitted by Miller & Smith. Next, in checking with the Clarksburg Civic Association, we were informed by one of their representatives that they also were not sent notice of these hearings.

We have several points that, given our due process, we would like to raise with the Planning Board during Reconsideration. First, the issue of the location and density of the townhomes directly behind our homes and in relation to where the remainder of the Woodcrest community homes will be placed, as well as the environmental impact, i.e. complete destruction, this will cause to the wetlands behind our homes. Second, the potential storm water management issues that any home development behind our and our neighbors properties will face due to the steep incline that occurs directly behind our property. Lastly, there is the issue of development that is now being proposed for the Carlisle property directly adjacent, to our and several neighbors, of yet another dense cluster of townhomes that will further negatively impact our properties.

Regarding the location and density of the Woodcrest community townhomes, it appears that Miller & Smith has decided that to maximize their potential profits, they will locate townhomes at the farthest point from their single families, which will then afford them the opportunity to charge the highest prices and significant lot premiums to back a large number of their single family homes directly against Little Bennett State Park and as far from the townhomes as possible. We take issue with the fact that the large majority of the 34 proposed townhomes, 27 of the 34, sit south of A305 directly adjacent to our properties, yet all 52 single family homes sit north of A305 and north of the power lines and the corresponding 80-foot easement that exists on either side. The remaining 7 townhomes are then crowded to the northwest corner of the property development to further increase their already significant profits and minimize the potential impact townhomes may have on their ability to charge high lot premiums. So, while Miller & Smith are able to then sell each and every one of their homes for a significant sum, they shove the required cluster housing right next to our unsuspecting community of Clarksburg Ridge and right behind our house, just 20-30 feet back from our lot, thereby casting any potential resale value impact on our row of single family homes.

Not only does this planned community and especially the townhomes impact our community by blocking views of Little Bennett Park but it also wrecks a wetlands environment that is teaming with all kinds of wildlife I (Daniel Goldberg) had not seen in my entire life growing up in Rockville, MD. This past spring brought numerous frogs, dragonflies, Luna moths, fox, raccoon, deer and snakes and a variety of other animals that are supporting this delicate ecosystem. Development of this area will mean destroying this entire wetlands, as the developer will then need to cart in truckloads of fill dirt that will be required just so that this "land" can support home structures. All naturally occurring storm water management will then be destroyed as well.

In terms of storm water management issues, the Clarksburg Ridge development was also created with the wetlands in mind as our properties are developed and graded such that water runoff is directed towards the wetlands in addition to our community storm water management ponds, so any development will then also risk potential flooding of these homes due to the inherent sloping that exists from our lots, and continuing down significantly into the proposed development site.

Finally, regarding the Carlisle property, two days following receipt of the Woodcrest plans, we received a registered letter from the same architects for Miller & Smith as they have entered a pre-planning stage for the Carlisle property which is also adjacent to our home, that adjacent to several of our neighbors. Again, Miller & Smith is proposing to build yet another 12 townhomes on this property which is also directly adjacent to our property, further surrounding us by more townhomes. Clarksburg's Master Plan called for a mix of homes to be sure but these two proposed developments are creating a very crowded and unpleasant situation. After speaking with several members of the Clarksburg Civic Association we have come to the conclusion that this is definitely not the kind of development plans they had in mind when they went about working with the county to put the revised Master Plan together. They envisioned a significant amount of open space and a town in which one did not feel like they were being crowded out completely by their neighbors. In fact, the current plans for open space in Woodcrest include the "open space" that exists under and 80 feet to each side of the power lines. This would clearly not have been the intent of creating laws requiring certain percentages of open space in each proposed new community. We find it very hard to believe that any Woodcrest community residents or their kids would ever try, or even be allowed by law, to walk, run or play anywhere within the vicinity of these power lines, thus the reason for the 80 foot easements on both sides. Considering this as open space in the community in our opinions is just wrong.

We propose a redrawing of the Woodcrest community, to integrate the townhouses with the single family development, and should the decision remain to develop right behind our home, to then integrate single family dwellings there as well to create a more equally distributed community. Further, we would hope that the board would reconsider what should be deemed as open space particularly within this community and have the developer build in further actual useable open space for those residents as well as connecting communities residents to also enjoy as

we will be connected to it by the road system currently being built out.

We certainly have some other issues, which we can outline during a Reconsideration hearing, and we respectfully request the right to be afforded our due process.

Respectfully,
Daniel Goldberg & Mary Lynn George

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