

# APPENDIX A

EPD Recommendation to Dev Rev Div: \_\_\_\_\_ Approve w/conditions as noted below  
\_\_\_\_\_ Hold for revision/additional information \_\_\_\_\_ Disapproval

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS

TO: Richard Weaver  
Development Review Division

SUBJECT: Plan # 8-06006, Name 5500 Edson Lane/Peace Palace  
DRC date: Monday, August 29, 2005

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, and other county regulations that may apply. The following recommendations are made for the DRC meeting:

**SUBMITTAL ADEQUACY**

Plan is **incomplete**. The following items must be submitted:

- Tree Save Plan - The tree save plan needs to show which large and specimen trees may be retained and protected, and which trees will be removed. A critical root zone analysis must be done on the trees on-site and on the adjacent properties.

**EPD RECOMMENDATIONS:**

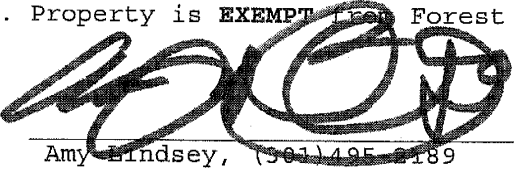
Hold for the following Revisions/Additional Information before scheduling for Planning Board:

- Submit Tree Save Plan

**Comments:**

1. Property is **EXEMPT** from Forest Conservation Law as per 4-05307E (Small property)

SIGNATURE:



Amy Lindsey, (301) 495-2189  
Environmental Planning  
Countywide Planning Division

DATE:

8/29/2005

cc: Site Solutions, Inc  
Global Country of World Peace

**Reminder:** Address your submissions/revisions to the Reviewer who completed the Comments sheet.  
Put the Plan numbers on your cover/transmittal sheets.

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES  
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: August 25, 2005

MEMO TO: Michael Ma, Supervisor  
Development Review Committee, MNCPPC

FROM: David Kuykendall  
Senior Permitting Services Specialist  
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review  
Site Plan # 8-06006, 5500 Edson Lane/Peace Palace  
Project Plan #  
Preliminary Plan # , DPS File # 218130  
Subdivision Review Meeting of

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100-year floodplain. The following summarizes our findings:

**SM CONCEPT PLAN PROPOSED:**

- On-site:  CPv  WQv  Both  
 CPv < 2cfs, not required  
 On-site/Joint Use  Central (Regional): waived to  
 Existing  Concept Approved June 29, 2005  
 Waiver:  CPv  WQv  Both  
 Approved on  
 Other

**Type Proposed:**

- Infiltration  Retention  Surface Detention  Wetland  Sand Filter  
 Separator Sand Filter  Non Structural Practices  Other

**FLOODPLAIN STATUS:** 100 Year Floodplain On-Site  Yes  No  Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:  
 Source of the 100-Year Floodplain is acceptable.  
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.  
 Dam Breach Analysis:  Approved  Under Review:  
 100-Year Floodplain study:  Approved  Under Review:

**SUBMISSION ADEQUACY COMMENTS:**

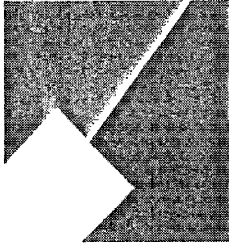
- Provide verification of Downstream notification.

**RECOMMENDATIONS:**

- Approve  as submitted  with conditions (see approval letter)  
 Incomplete; recommend not scheduling for Planning Board at this time.  
 Hold for additional information. See below  
 Comments/Recommendations:

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01



March 6, 2006

**MEMORANDUM**

**TO:** Robert Kronenberg, Development Review Division

**FROM:** Kristin O'Connor, Planner, Bethesda-Chevy Chase/<sup>Vo</sup>North Bethesda Team  
Community-Based Planning Division (301-495-2172)

**SUBJECT:** Comments for Site Plan 8-06006: 5500 Edson Lane Peace Palace

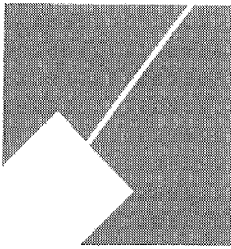
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The proposed site plan is located in the *North Bethesda/Garrett Park Master Plan* (1992). The site is located in the C-T (Commercial Transition) Zone along the south side of Edson Lane, near the intersection with Rockville Pike/MD 355. The site is improved with a single-family dwelling. The Master Plan identifies the parcel in Area 10. (Figure 24, p. 73) The Wickford subdivision, zoned R-90, is located to the south of the project. To the north, along Edson Lane, is a 12-story office building with two levels of open deck parking and a PD-11 (Planned Development) Zone with a 132-unit townhouse development. An existing Vedic Center/Wellness Center (under different ownership) is located to the west of the site in the C-T Zone.

The applicant is proposing 4,800 square feet of office/commercial, a private educational institution for 20 students, and four (4) tourist homes. The applicant has requested several alternatives for the site to accommodate future changes to the uses within the building. This application proposes to remove a brick wall along the northern edge of the property. Along with the removal of the wall, the applicant proposes to construct a new sidewalk with a landscaped grass panel along Edson Lane.

**Master Plan Compliance**


The Master Plan confirms the C-T zone and supports the proposed office/commercial/institutional use on the south side of Edson Lane. The Master Plan does not specifically reference the site, however it does highlight the importance of "providing a transition of uses" from *office* to the north and east (along Rockville Pike/MD 355) to the *residential* areas west and south. According to the Plan, the greatest challenge for Edson Lane has been to find "an appropriate transition from west to east, and particularly from south to north, between single-family detached housing and a 12-story office structure". (p. 79) Community-Based Planning staff recommends the following:




March 6, 2006

**MEMORANDUM**

TO: Robert Kronenberg, Acting Supervisor  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning 

FROM: Ed Axler, Coordinator/Planner   
Transportation Planning

SUBJECT: Adequate Public Facilities Review for the Future Building Permit and  
Site Plan No. 820060060  
Peace Palace or 5500 Edson Lane  
North Bethesda Policy Area

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This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the future building permit as a non-residential development on a recorded lot at the time of the subject site plan review. The existing single-family detached unit on Lot 3 is to be replaced and redevelop in the C-T zone. The APF review is based on the land uses on Lot 3 that is controlled by the board of directors for the non-profit "Global Country of World Peace." In accordance with the *Local Area Transportation Review Guidelines (LATR)*, the adjacent Lot 2 is not considered to be in common ownership because a different board of the directors for the non-profit "Global Administration through Natural Law" controls Lot 2.

**RECOMMENDATIONS**

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

1. Limit the site plan to the redevelopment to up to 4,800 square feet of general office use, a weekday private educational institute for up to 20 students in 7<sup>th</sup> to 12<sup>th</sup> grade, and up to four tourist suites/guest rooms.

2. Enter into a Traffic Mitigation Agreement with the Montgomery County Department of Public Works and Transportation and the Planning Board to participate in the North Bethesda Transportation Management Organization. The Traffic Mitigation Agreement must be fully executed prior to release of the building permit.
3. Enter into an access easement agreement for a cross easement between the applicant of the subject Lot 2 and the adjacent Lot 3 prior to release of the building permit.
4. Provide 2 inverted U- bike racks within 50 feet of the main entrance given the sites proximity to the North Bethesda Trail prior to release of the use and occupancy permit.

## **DISCUSSION**

### Site Location, Vehicular Site Access Points, and Internal Circulation

The subject site is located on the south side of Edson Lane between Rockville Pike (MD 355) and Woodglen Drive. Vehicular access points are three one-way curb cuts from Edson Lane serving the subject Lot 3 and adjacent Lot 2 with a cross easement described in Recommendation No. 3. For Lot 3, the ingress point is located in the northeastern corner and the common egress point for Lots 2 and 3 are located in the northeastern corner of the adjacent Lot 2. The existing wall on the north side of the site along the Edson lane frontage is to be removed to provide better sight distance from the egress point on adjacent Lot 2.

The internal circulation consists of two one-way drive aisles on the east and south sides of the proposed building. On the east side, a southbound drive aisle along the eastern property line is proposed to connect the one-way Edson Lane ingress point to the parking area located on the south side of the proposed building. On the south side, a westbound drive aisle connects the parking area on the south side of the building to Lot 2's one-way northbound drive aisle and the shared egress point to Edson Lane.

### Pedestrian and Bicycle Facilities

Pedestrian facilities would not be adversely impacted by the proposed redevelopment. A five-foot-wide sidewalk exists along Edson Lane, while the applicant plan shows a lead-in sidewalk from Edson Lane to the main entrance. Bicycle racks are required as described in Recommendation No. 4.

### Public Transit Availability

Although no bus service operates along Edson Lane, Ride-On routes 5 and 46, and Metrobus route J-5 provide public transit service along nearby Rockville Pike.

### Master-Planned Roadway and Bikeway

In accordance with the *Bethesda/Garrett Park Master Plan*, Edson Lane is designated as a primary residential street, P-6 with a 70-foot right-of-way, and a Class III or on-road bikeway.

### Adequate Public Facilities/Local Area Transportation Review

Based on the submitted traffic statements dated February 27, 2006 and February 28, 2006, the proposed combinations below 1) square footage of general office use, 2) number of students enrolled in a weekday private educational institute, and 3) number of tourist suites/guest rooms generate the following number of peak-hour trips:

Proposed Land Use	Square Feet, Students, or Rooms	Site-Generated Peak-Hour Trips within the Weekday Peak Periods	
		Morning (6:30 a.m. to 9:30 a.m.)	Evening (4:00 p.m. to 7:00 p.m.)
General Office	4,800 Square Feet	7	11
Weekday Private Educational Institute	Up to 20 Students	16	3
Tourist suites/Guest Rooms	Up to 4 Rooms	2	2
Total Peak-Hour Trips		25	16

A traffic study was not required to satisfy LATR because the proposed combinations of land uses generates less than 30 peak-hour trips during the weekday morning and evening peak hours.

### Alternative Land Use Scenarios

In response to our copy of Steven Robins' letter to Robert Kronenberg dated February 28, 2006, other combination of land use scenarios were proposed that were different from the land uses specified in Recommendation No. 1. The other land use scenarios are as follows:

Proposed Land Use	Square Feet, Students, or Rooms	Site-Generated Peak-Hour Trips within the Weekday Peak Periods	
		Morning (6:30 a.m. to 9:30 a.m.)	Evening (4:00 p.m. to 7:00 p.m.)
Scenario No. 1 Land Use Combination			
General Office	8,500 Square Feet	12	19
Weekday Private Educational Institute	None	N/A	N/A
Tourist suites/Guest Rooms	Up to 4 Rooms	2	2
Total Peak-Hour Trips		14	21
Scenario No. 2 Land Use Combination			
General Office	3,200 Square Feet	23	4
Weekday Private Educational Institute	Up to 30 Students	4	7
Tourist suites/Guest Rooms	Up to 4 Rooms	2	2
Total Peak-Hour Trips		29	13
Scenario No. 3 Land Use Combination			
General Office	3,900 Square Feet	5	9
Weekday Private Educational Institute	Up to 30 Students	23	4
Tourist suites/Guest Rooms	Up to 2 Rooms	1	1
Total Peak-Hour Trips		29	14
Scenario No. 4 Land Use Combination			
General Office	7,123 Square Feet	10	16
Weekday Private Educational Institute	None	N/A	N/A
Tourist suites/Guest Rooms	Up to 2 Rooms	1	1
Total Peak-Hour Trips		11	17



Transportation Planning staff agrees with the conclusion in Steven Robins' letter that these other land use scenarios generate less than 30 peak-hour trips during the weekday morning and evening peak hours. Thus, a traffic study would not be required to satisfy LATR under the current APF standards. Although these other land use scenarios may generate less than 30 peak-hour trips now, a selected alternative land use scenario must undergo another APF review under the applicable APF standards in place at that time.

EA:gw

cc: Wayne Cornelius  
Chuck Kines  
Ivy Leung  
Ed Papazian  
Steve Robins – Lerch Early & Brewer

mmo to Kronenberg re 5500 Edison Lane 806006

## **APPENDIX B**

**CHEN, WALSH, TECLER & MCCABE, LLP.**

ATTORNEYS AT LAW

200A MONROE STREET

SUITE 300

ROCKVILLE, MARYLAND 20850

(301) 279-9500

FAX: (301) 294-5195

JOHN BURGESS WALSH, JR.  
WILLIAM JAMES CHEN, JR.\*  
KENNETH B. TECLER\*  
JOHN F. MCCABE, JR.\*

\*ALSO ADMITTED IN THE  
DISTRICT OF COLUMBIA

1-800-229-9510

FACSIMILE TRANSMITTAL SHEET

Date: April 7, 2006

Please deliver the following pages to:

Name: Robert Kronenberg

Fax No.: 301-495-1306

From: William J. Chen, Jr., Esq.

Re: Peace Palace 5500 Edson Lane, Site Plan No. 8-06006, and Vedic Center, 5504 Edson Lane, Site Plan 8-98010A

Message: See, attached.

We are transmitting this cover sheet + 2 pages.

If you do not receive all pages, please call back immediately. Telephone Number: (301) 279-9500

Telecopy Operator: Mychele Lehman

**CONFIDENTIAL NOTICE:** THIS FACSIMILE CONTAINS CONFIDENTIAL INFORMATION WHICH MAY ALSO BE LEGALLY PRIVILEGED AND WHICH IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE(S) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR COPYING OF THIS FACSIMILE, OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS TELECOPIED INFORMATION, MAY BE STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ENTIRE FACSIMILE TO US AT THE ABOVE ADDRESS VIA U.S. POSTAL SERVICE. THANK YOU.

**CHEN, WALSH, TECLER & MCCABE, LLP.**

ATTORNEYS AT LAW

200A MONROE STREET

SUITE 300

ROCKVILLE, MARYLAND 20850

(301) 279-9500

FAX: (301) 294-5195

\*ALSO ADMITTED IN THE  
DISTRICT OF COLUMBIA

1-800-229-9510

JOHN BURGESS WALSH, JR.  
WILLIAM JAMES CHEN, JR.\*  
KENNETH B. TECLER\*  
JOHN F. MCCABE, JR.\*

April 6, 2006

Steven A. Robins, Esq.  
Lerch, Early & Brewer, Chartered  
3 Bethesda Metro Center, Suite 460  
Bethesda, Maryland 20814

Re: Peace Palace 5500 Edson Lane, Site Plan No. 8-06006, and  
Vedic Center, 5504 Edson Lane, Site Plan No. 8-98010A

Dear Steve:

Enclosed please find a revised page 2 to my April 6, 2006, letter to you with regard to the above-referenced matter.

Naturally, if you have any questions or concerns with regard to the enclosure, please do not hesitate to contact me.

Sincerely,



William J. Chen, Jr.

WJC:mm1

cc: Andrew G. Cassidy (w/encl.)  
Robert Kronenberg, M-NCPPC (w/encl.)

**CHEN, WALSH, TECLER & MCCABE, LLP.**

Steven A. Robins, Esq.  
Lerch, Early & Brewer, Chartered  
April 6, 2006  
Page Two

corresponding reduction in the space devoted to other on-site uses. The absolute maximum number of students that could be accommodated on-site would be thirty-seven (37) students if the school was the only use on the property. The foregoing, again, should be a condition of the site plan approval and any change would require an amendment to the site plan.

4. Both site plans: Tourist Home – The tourist home use would have apartment styled rooms which would be available only to those individuals that make use of the main facility, such as professors, teachers, students. The rooms would not be available to the general public as in a hotel operation. Again, the foregoing should be a condition for site plan approval and the language to be submitted to the technical staff of the Park and Planning Commission for this condition is: “The tourist home units may only be used by those individuals that also are using or are affiliated with the Peace Palace facility. The tourist home units are not to be rented or made available to the general public.” Any change as to the foregoing condition would require an amendment to the site plan.

5. Site Plan No. 8-06006: Height – The building height is as reflected on the site plan reviewed by the M-NCPPC Technical Staff.

6. Site Plan No. 8-06006: Lighting – The same type of lighting that is used for the Wellness Center (Vedic Center) will be used. There will be bollard lights 36 inches high. There will be sixteen (16) lights.

The conditions would be printed on the signature copy of the final approved site plan.

All of the foregoing will be proposed conditions of site plan approval to be submitted to the technical staff for inclusion in the staff report to the Planning Board.

Sincerely,



William J. Chen, Jr.

WJC:mml  
cc: Andrew G. Cassidy

**Krass, Dorothy**

**From:** Englishcourt@aol.com  
**Sent:** Monday, October 24, 2005 11:40 AM  
**To:** MCP-Chairman  
**Subject:** Re:Application File Number 8-06006

RECEIVED  
799  
OCT 24 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

October 24, 2005

Dear Chairman:

As an owner of a townhouse located on Edson Lane, I would like to express my personal opinion concerning the brick walls in front of the Peace Palace. It is my belief that the wall should remain in place because it is more capable to the community. In fact, the wall I understand was even built with taxpayers funds. The walls certainly provide an appearance which is capable to our community privacy. I would not like to see the walls removed.

Your consideration of this request would be greatly appreciated. If you have any further questions, I can be reached on (301) 770-7499.

Sincerely,

Rodella Berry

Krass, Dorothy

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From: kris srinivasan [krissrinivasan@hotmail.com]  
Sent: Tuesday, October 25, 2005 1:30 AM  
To: MCP-Chairman  
Subject: Application File Number 8-06006

RECEIVED  
1800  
OCT 25 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Chairman:

I am one of the residents of the Edson Park Condominiums (off Edson Lane) and I live at 11027, Edson Park place.

I understand that the brick wall in front of the peace palace is to be demolished and I am really concerned about it. I am of the opinion that the wall should not be taken out since the wall gives a lot of privacy in addition to providing a certain amount of security. I would request you to please give due consideration to the above request.

Thank you.

Sincerely,

Kris Srinivasan

October 24, 2005

Dear Chairman:

It has been a great joy to live in the North Bethesda community at the Edson Park Condominium. I am the original owner at 11209 Edson Park Place.

As a mother with a daughter, I really value the security and family type environment of our condominium. Directly across from us is the wall that we value as a protective structure that keeps all the goings on from over there away from our neighborhood.

When my daughter, who is eleven years old, goes out on her bike, I am always watching as she rides and am pleased that I only have to watch for the couple of driveways because the brick wall limits the number of driveways from which cars can emerge suddenly. Quite frankly the wall preserves our community as such. We must maintain it and I respectfully request that you convey my sentiments in this regard.

I can be reached on my cell phone at 202 210 4621, which is the best number.

Sincerely,

The Honorable Joyce Berry, M.A., Ph.D., J. D.  
Former United States Commission on Aging  
U. S. Department of Health and Human Services



Krass, Dorothy

**From:** maryam mahdavi [mmahdavi2003@yahoo.com]  
**Sent:** Wednesday, October 26, 2005 9:21 PM  
**To:** MCP-Chairman  
**Subject:** Peace Palace development on Edson Lane

RECEIVED  
1814  
OCT 27 2005

OFFICE  
THE MARYLAND  
PARK AN

October 26, 2005

Dear Chairman:

As an owner of a townhouse located on Edson Lane, I would like to express my personal opinion concerning the brick walls in front of the Peace Palace. It is my belief that the wall should remain in place because it is more capable to the community. In fact, the wall I understand was even built with taxpayers funds. The walls certainly provide an appearance which is capable to our community privacy. I would not like to see the walls removed.

Your consideration of this request would be greatly appreciated. If you have any further questions, I can be reached on (301) 770-5791.

Sincerely,

Maryam Mahdavi

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Yahoo! FareChase - Search multiple travel sites in one click.

**MCP-Chairman**

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**From:** David Shekel [rotors2003@yahoo.com]  
**Sent:** Wednesday, October 26, 2005 10:26 AM  
**To:** MCP-Chairman  
**Subject:** Application File Number 8-06006

RECEIVED  
1792  
OCT 26 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

October 26, 2005

Dear Chairman:

As an owner of a townhouse located on Edson Lane, I would like to express my personal opinion concerning the brick walls in front of the Peace Palace. It is my belief that the wall should remain in place because it is more capable to the community. In fact, the wall I understand was even built with taxpayers funds. The walls certainly provide an appearance which is capable to our community privacy. I would not like to see the walls removed.

Your consideration of this request would be greatly appreciated. If you have any further questions, I can be reached on:

Residence (301) 816 0503  
Mobile 240 447 8886

Sincerely,

David Shekel

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[Yahoo! FareChase - Search multiple travel sites in one click.](#)

**Krass, Dorothy**

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**From:** Berry, Joyce (SAMHSA/CMHS) [Joyce.Berry@samhsa.hhs.gov]  
**Sent:** Monday, October 24, 2005 4:56 PM  
**To:** MCP-Chairman  
**Subject:** Peace Palace Development on Edson Lane  
**Importance:** High

SEE ATTACHMENT

RECEIVED  
1801  
OCT 25 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION



## Early, Cassidy & Schilling, Inc.

...an Assurex Global Partner

Insurance – Surety Bonds  
Employee Benefits – Estate Planning



March 7, 2006

Derick P. Berlage, Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Re: Proposed Developments on Edson Lane, Rockville, MD  
Site Plan 8-06005 - 5420 Edson Lane  
Site Plan 8-06006 - 5500 Edson Lane  
Site Plan 8-98010A - 5504 Edson Lane

Dear Chairman Berlage and Board Members,

I am writing regarding the proposed developments on the referenced properties. I am the property owner at 11109 Waycroft Way directly behind and adjacent to these three properties.

During the summer of 2005 I was notified by Site Solutions, Inc (SSI) that the owner of 5500 Edson Lane had submitted an application to develop this property. In early August I called MNCPPC's offices and was told Mary Beth O'Quinn was handling this site plan. After numerous attempts to reach her by phone (the voice mail was constantly full, so I was not able to leave messages) I visited her office in late August. She was not in but I was able to review some of the material on this development.

I was finally able to contact her and met with her on September 2. We discussed numerous aspects of the proposed plan. Specifically, the tree save plan, the landscape plan (primarily any proposed barrier along my property line), the lighting plan, the location and height of the proposed structure, the layout of the parking area and number of spaces, the placement of a dumpster and most importantly the proposed use of the facility. I conveyed to her at that time that I was very concerned about the landscape, lighting, height and dumpster issues but foremost was the proposed use, specifically the purpose of the "tourist homes" noted in the plan. She explained she had similar concerns on these issues and that she still needed answers to these items. She advised that she was no where near ready make a decision on this plan. A copy of her August 28, 2005 Memo to File on these issues is attached.

On November 16<sup>th</sup> I again spoke to Mary Beth on the status of the plan. She advised me the owner had just submitted a "composite plan" that she had not yet reviewed and that I should check back in 2-3 weeks. I should note that the composite plan is due to the fact that there appears to be common ownership of 5500 and 5504 Edson Lane. 5504 Edson Lane is an existing structure (built approximately 1999) and operates as the Wellness Center. The intent for the development at 5500 Edson Lane (to operate as the Peace Palace) will be to operate in conjunction with the Wellness Center. The legal owner of 5504 did apply to modify their site so as to share traffic flow and parking with 5500 Edson Lane.

In early December I called Mary Beth to check on the status of the plans. I advised her that our homeowners' association was meeting in mid December and I wanted to advise them on the status of



1375 Piccard Drive • Suite 375 • Rockville, Maryland 20850-4311  
Phone (301) 948-5800 • Fax (301) 948-5959



THE  
COUNCIL  
OF INSURANCE  
AGENTS &  
BROKERS

Derick P. Berlage, Chairman  
March 7, 2006  
Page 2

these developments. On December 7<sup>th</sup> I met with Mary Beth and Kristin O'Connor. In attendance at that meeting was my brother Dennis Cassidy who is the president of the Wickford Homeowners Association. In scheduling this meeting Mary Beth advised she could discuss all *three* proposed developments. I told her I was completely unaware of the third development at 5420 Edson Lane. I have attached a copy of my e-mails to her which confirm this. I was never notified by (SSI) of any proposed development at this location. The Wickford Homeowners Association has been notified of changes surrounding the area, the development at Georgetown Prep, the proposed development at the ASHA property and other smaller changes in the area. Yet we were not notified of any of the changes that are proposed at all three of these locations which directly adjoin our community.

At this December 7<sup>th</sup> meeting we again discussed all of the issues that I presented at my September 2<sup>nd</sup> meeting with respect to 5500 Edson Lane. All of these same issues were also discussed as respects 5420 Edson Lane. Mary Beth confirmed that most of these issues were still outstanding at 5500 Edson Lane and that she still had unanswered issues on 5420 Edson Lane. She provided me a copy of her Memo to File on this location dated September 12, 2005 (copy attached). We discussed in detail the following items on both properties:

1. Height of each of the proposed structures. I could not get a firm answer as to where and how elevation was measured and whether the proposed height was allowed.
2. The landscaping plan. I did not see where the 5500 Edson Lane plan had been amended to improve the barrier at the common property line which was in the August 28<sup>th</sup> memo. The 5420 location did not have a landscape plan but I expressed similar concerns as respects any proposed plan.
3. Lighting. It was my understanding that neither of the locations had submitted sufficient detail as respects location and type of lighting.
4. Dumpsters. Both locations proposed placing dumpsters close to my property line. I am strongly against this due to the potential for rats, which have been a problem in our community and noise from emptying them. Given that neither of the owners had submitted a project description which would outline the intended use of these buildings, I did not know what these dumpsters would contain or how often they would need emptying.
5. As noted in number 4 neither of the owners had submitted project descriptions. During this meeting it was difficult to put either of the proposed plans in any context due to not understanding the intended occupancies. More importantly, there was still no answer to the intended use of the "tourists homes" referenced at the 5500 Edson Lane location.

Shortly after our December 7<sup>th</sup> meeting, my brother tried to reach Mary Beth to clarify several items and learned she was on extended leave. In late January I tried to contact her and found she was still on leave. At the end of February I tried again to contact and she was still out. Her e-mail gave me two other people to contact; one was Michael Ma who was also out on extended leave. I then left a message for Rose Krasnow who advised me that Kristin O'Connor would be handling the case. Kristin called me to advise

Derick P. Berlage, Chairman  
March 7, 2006  
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that Robert Kronenberg would actually be handling the case and she arranged a meeting for the three of us on March 1<sup>st</sup>.

My brother and I met with Kristin but Robert was out that day. We once again reviewed all of the same issues as in my previous two meetings. Items 1 – 5 noted above still were unresolved except that SSI had submitted a project description for 5420 Edson on February 24, 2006. Kristin could not find a copy of a project description for 5500 Edson Lane. In reviewing the files for both properties, Kristin agreed that it did not appear that any of the issues I had raised going back to early September 2005, and noted in Mary Beth's Memos to File had been effectively addressed. One of the staff members with expertise in landscape reviewed the files with us and agreed that improvement was needed, not only in the proposed barrier at my property line but throughout both lots. Subsequent to this meeting I did receive a fax from Kristin of a letter from the attorney handling all three of these plans. The letter was dated February 28, 2006 and is the project description which outlines the possible uses of the property at 5500 Edson Lane. I say possible uses since it lays out several scenarios at this location, one of which is a school which raises additional questions. It does not identify how they intend to use the tourist homes, which to me appear effectively to be a motel use which is not permitted in a C-T zone.

I set my meeting for March 1<sup>st</sup> on February 27<sup>th</sup> and was advised at that time that both of these plans were set to go to the Planning Board on March 30<sup>th</sup>. I fail to understand how these proposed developments can be ready to be presented to the Board. I have been actively involved with the staff at MNCPPC since I first learned of these proposed developments. I have identified numerous specific concerns with these plans which were also concerns of staff. I have had multiple meetings with staff and the plans presented to me at the March 1<sup>st</sup> meeting are nearly identical (lighting, landscape, parking, etc.) as the plans in the file dating back to early September 2005. None of them appear to have been addressed with or by the owners. In fact, it appears that these site plans were scheduled to be heard by the Planning Board before the owners of 5500 Edson Lane had even submitted a project description.

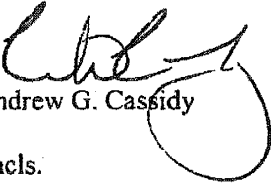
When I purchased my home in January 2000 I understood the adjoining properties on Edson Lane were zoned C-T. I accepted the fact that the single family residence use would likely change, and the current owners of the Wellness Center are good neighbors. But the proposed developments (in their current form) at 5500 and 5420 Edson Lane at the same time present a significant change from my (and my neighbors) perspective which could be mitigated by adequately dealing with my (and staffs) concerns presented in this letter.

I cannot determine if the staff at MNCPPC has effectively presented these issues to the owners or whether they have been presented and simply ignored, but there has been ample time to do so and nothing has been done. As a property owner in the Wickford Homeowners Association I absolutely oppose these plans going before the board on March 30<sup>th</sup> until these issues have been adequately addressed. Our Association has taken the same position.

Derick P. Berlage, Chairman  
March 7, 2006  
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As time is of the essence, I would appreciate an immediate response to my letter.

Sincerely,



Andrew G. Cassidy

Encls.

cc: Dennis M. Cassidy, President, Wickford Homeowners Association

Montgomery County Planning Board:

Wendy C. Perdue, Allison Bryant, Ph.D., John Robinson, Meredith K. Wellington

Montgomery County Council:

George Leventhal, Phil Andrews, Mike Knapp, Tom Perez, Howie Denis,

Marilyn Praisner, Steve Silverman, Mike Subin, Nancy Floreen

William Chen, Esq.

Robert Kronenberg

Steven A. Robins, Esq.