

DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

June 2, 2006

Mr. Steven A. Robins
Attorney at Law
Suite 460
3 Bethesda Metro Center
Bethesda, Maryland 20814-5367

Ref: Winchester Homes/Indian Spring Preliminary Plan

Dear Mr. Robins:

This letter acknowledges the meeting that was held with you and Michael Lemon of Winchester Homes regarding the preliminary plan of the subdivision for Indian Spring Country Club property. We likewise, thought the discussion was positive.

To recap our discussion and understanding, Winchester's proposal for a new subdivision on the site of the Indian Spring Country Club will entail 773 dwelling units. There was discussion as to the possibility of Ride On providing direct service to this new development.

Ride On is amenable to providing regularly scheduled service linking Wheaton and Glenmont MetroRail Stations with the condition that road access is permitted between your development and Tivoli Lakes Blvd. This access allows for seamless transit service on the existing route 31 while providing service to this community. Funding for this additional service will also be contingent upon county budget approval (the estimated cost for this service is \$100,000 annually plus the capital cost of a vehicle).

Solely accessing this development from Layhill Rd presents operational and fiscal challenges for Ride On. Without access to Tivoli Lakes Blvd from this development, Ride On is unable to commit to regularly scheduled future transit service at this time.



Office of the Director

MEMORANDUM

July 6, 2006

**TO: Richard Weaver, Subdivision Review, Development Review Division
Cathy Conlon, Subdivision Supervisor, Development Review Division**

**FROM: Doug Powell, Plan Review Coordinator, Park Planning and Resource
Analysis Unit, Countywide Planning Division**

RE: Preliminary Plan 1-04108, Indian Spring

The Countywide Park Trails Master Plan that was approved by the Planning Board in 1998 provides for a hard surface trail from Alderton Drive south to Wheaton Regional Park. This trail has major regional significance by linking the Matthew Henson Trail to the Northwest Branch trail system thereby ultimately enabling users to travel on bicycle or foot along the entire Northwest Branch Stream Valley Park hard surface trail system to the Master Planned Matthew Henson Trail and then west to connect with the Rock Creek Trail system. This trail connection is recommended in the Plan to be located outside the Northwest Branch stream valley to best protect the natural resources. Consequently, the Applicant is dedicating a green corridor through the development for the trail that is outside stream buffers and will best serve the residents of the proposed development as well as other trail users passing through. This alignment will also provide the most logical trail crossing of Bell Pre Creek. To enhance protection of the existing parkland and aquatic resources therein, the Applicant will be dedicating considerable additional parkland along both Northwest Branch and Bell Pre Creek.

In addition, this subdivision offers an ideal opportunity to link the proposed community, as well as existing nearby residents, to Northwest Branch Stream Valley Park and the master planned natural surface trail that lies on the east side of Northwest Branch. This plan includes the proposed construction by Applicant of a natural surface trail from the development to the master planned natural surface trail along the east side of Northwest Branch, including a pedestrian bridge over Northwest Branch.

Park Planning and Resource Analysis Unit would thereby request the following **Conditions of Approval** for this Plan:

- Applicant to establish and dedicate to M-NCPPC, a 35' minimum width green corridor, as shown on the Preliminary Plan, through the subject property from

the existing Foggy Glen Drive terminus on the north side of the subject property, to the existing Tivoli Lake Boulevard on the south side. The green corridor should be primarily located away from roads, outside of the floodplain and stream buffers, and away from private residences and fences wherever possible, and give the impression and feel to the user of a park like setting.

- Applicant to construct within the dedicated parkland, an 8' minimum width hard surface trail from the existing Foggy Glen Drive terminus on the north side of the proposed development, to the existing Tivoli Lake Boulevard terminus located south of Bel Pre Creek. Exact trail alignment, width and signage to be determined in coordination with M-NCPPC staff by time of site plan. Trail to be constructed to park standards and specifications and include necessary bridges, stream crossings and adequate signage. Trail to cross Bel Pre Creek on the same bridge as the proposed road crossing if such road crossing is constructed, but should be adequately separated from the roadway for user safety. If the road is not constructed, Applicant to construct the trail bridge crossing of Bel Pre Creek at the same location within the road right of way or adjacent parkland.
- Applicant to provide a natural surface trail connection from the community to the master planned natural surface trail system on the east side of Northwest Branch. Trail to include necessary boardwalk and bridge across Northwest Branch. Location of trail and bridge to be acceptable to M-NCPPC staff. Trail and bridge to be constructed to park standards and specifications within existing and dedicated parkland to allow adequate public access to the trail.
- Applicant to dedicate to M-NCPPC all land as indicated on the Preliminary Plan along Northwest Branch and Bel Pre Creek to be added to current stream valley parkland. Land to be conveyed at time of record plat and to be free of trash and unnatural debris with boundaries staked and signed to delineate between parkland and private property. Existing ponds within the dedicated parkland to be removed, if M-NCPPC staff determines such removal to be desirable, by Applicant prior to conveyance.

Att No:
Candy Bunnas
1 - Page Sent

Attachment # 9
P. 1/1
Maryland Office
225 Lowe House Office Building
Annapolis, Maryland 21401-1991
301-858-3001
1-800-492-7122 Ext. 3001
E-Mail carol_petzold@house.state.md.us



Criminal Justice Subcommittee

THE MARYLAND HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

CAROL S. PETZOLD

April 12, 2006

RECEIVED

APR 18 2006

NONTIDAL WETLANDS & WATERWAYS
WATER MANAGEMENT ADMIN., MDE

Robert Cooper, Chief, Southern Division
Maryland Department of the Environment
1800 Washington Boulevard, Ste. 430
Baltimore, MD 21230-1702

Dear Mr. Cooper:

It is my understanding that development plans for the Indian Spring Country Club residential community have changed since 2004 to increase the number of homes built in the community. The Tivoli Community Association contacted me with concerns about this change. The Association is concerned that the increase in the number of homes will adversely impact the environment if the planned extension of Tivoli Lake Boulevard to Randolph Road continues. In addition, the Association raises many other concerns about the extension, including traffic congestion and safety hazards.

Before issuing the permits for construction of the extension, I would respectfully request a review to evaluate the environmental impact from the extension, given the increase in the number of homes in the community and the traffic generated by a new "cut-through" route.

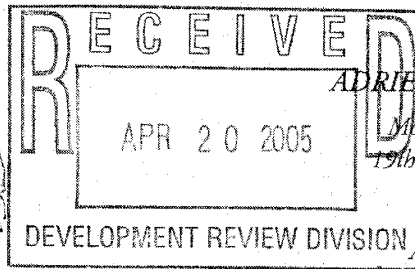
Thank you for your consideration of my request.

Sincerely yours,

Carol S. Petzold

Carol S. Petzold

cc: U.S. Army Corps of Engineers
Operations Division
Attn: Jack Dinne
P.O. Box 1715
Baltimore, MD 21203-1715



ADRIENNE A. MANDEL

Montgomery County
19th Legislative District

Annapolis Office
220 Lowe House Office Building
301-858-3045 · 410-841-3045
1-800-492-7122 Ext 3045

District Office
13816 North Gate Drive
Silver Spring, MD 20906-2215
301-460-0295

The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401-1991

*Added
7/7/06
PSC*

April 18, 2006

Member
Health and Government
Operations Committee
Subcommittees
Public Health · Health Occupations
Long-Term Care
Joint Committee on Children,
Youth, and Families
Deputy Majority Whip
Chair
Montgomery County Delegation
Bi-county Committee
Past President
Women Legislators of Maryland

U.S. Army Corps of Engineers
Operations Division
Attn: Jack Dinne
P.O. Box 1715
Baltimore, MD 21203-1715

RE: Montgomery County/Tivoli Community/Indian Spring Country Club Development
Bel Pre Creek/Northwest Branch—Wetland/Flood Plain/Creek Crossing

Dear Mr. Dinne:

I am writing on behalf of my constituents in the Tivoli Homeowners Association who have asked for my assistance. Tivoli is an environmentally concerned community of 527 homes situated next to the Indian Spring Country Club. Currently there is an application pending with the Maryland National Capital Park & Planning Commission (MNCPPC) to redevelop the site into 773 single-family and attached homes. This proposed development impacts the Northwest Branch, Bel Pre Creek, flood plains and wetlands.

It is my understanding from the homeowners that MNCPPC has requested that the developer include in their plan the extension of Tivoli's main road, Tivoli Lake Blvd., to provide ingress and egress to the proposed development. The proposed road extension would go through a flood plain and over the Bel Pre Creek. If the road were to be extended to meet the request of the MNCPPC, severe environmental damage could be caused. Extending the road involves crossing 450 feet of flood plain, correcting a substantial grade differential of 46 feet, clearing as much as 2 acres of forest, and crossing county park land. Approximately 59,000 cubic yards of fill would be required to connect the existing Tivoli Lake Blvd. with the proposed development. Apparently this fill would lie in the Stream Valley of Bel Pre Creek disturbing at least 4 acres of stream valley.

The Tivoli Homeowners Association indicated that main access to the proposed community would be provided by an improvement of Indian Spring Road and a secondary access connection to Foggy Glenn Road. Two traffic studies contracted by the developer have both determined that the Tivoli Lake Blvd. extension is not necessary to service the proposed community. Yet, according to the Homeowners Association MNCPPC insists on the road extension because of the existing Kensington/Wheaton Master Plan.

I am asking that you closely examine these issues and weigh the environmental damage that could occur. I appreciate your consideration of this issue.

Sincerely,



Adrienne A. Mandel

Cc: Robert Cooper, Chief, Southern Division
Maryland Department of Environment
1800 Washington Boulevard, Suite 430
Baltimore, Maryland 21230-1702

✓ Maryland National Capitol Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910



RECEIVED
0625
MAY 09 2006

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

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

Douglas M. Duncan
County Executive

May 5, 2006

Ms. Sharon Helms
1404 Foggy Glen Court
Silver Spring, Maryland 20906

Thank you for your letter regarding the development of the Indian Spring Country Club. I understand your concern about the traffic associated with the construction of over 700 new homes on the property, and specifically your fear of traffic using Foggy Glen Drive when entering and leaving the development.

The access points will be discussed in great detail when the project comes before the Planning Board. The hearing on the Preliminary Plan is not yet scheduled, to my knowledge. I am aware that there are environmental constraints associated with the Tivoli Boulevard access point which will be considered as part of the Preliminary Plan, as will the impacts on Foggy Glen Drive.

I hope you will continue to make your views known to the Planning Board and its staff as the application proceeds through the process.

Sincerely,

Original Signed By
Douglas M. Duncan
Douglas M. Duncan
County Executive

DMD:lr

cc: ✓ Derick Berlage, Chairman
Montgomery County Planning Board



LAW OFFICES OF

KNOPF & BROWN

401 EAST JEFFERSON STREET
SUITE 206
ROCKVILLE, MARYLAND 20850
(301) 545-6100

FAX: (301) 545-6103

E-MAIL BROWN@KNOPF-BROWN.COM

WRITER'S DIRECT DIAL

(301) 545-6105

DAVID W. BROWN

April 19, 2006

VIA EMAIL AND REGULAR MAIL

rose.krasnow@mncppc-mc.org

Rose Krasnow, Chief
Development Review Division
The Maryland National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: **Indian Spring Development; Request for Meeting**

Dear Ms. Krasnow:

As you know, this law firm represents the Tivoli Homeowners Association, comprised of over 500 homes, in the community adjacent to the proposed Indian Spring development. On behalf of the Tivoli HOA, I request a meeting with you and the appropriate members of your staff to discuss this project. Specifically, we wish to call relevant information to the attention of you and your staff and to obtain information from the staff so that we may better understand the project and prepare our testimony for the public hearing. We would appreciate at such a meeting having representatives from the Transportation Staff and the Environmental Staff.

As you are well aware, our community's principal concern is the extension of Tivoli Lakes Boulevard. Whether the road should be extended requires an evaluation of transportation and environmental issues. Tivoli believes that a proper evaluation requires obtaining the factual information requested through this letter. One of the purposes of our meeting is to obtain and discuss this information. I am sure you will agree that it is important not only for the residents affected by this project to have this information, but it is essential for the staff in making its recommendations and for the Board in making its decision.

1. What is the need, from a transportation/traffic standpoint, for the extension?
2. Assuming a need, can all or some of the need be satisfied by connecting the development with Foggy Glen Road?

3. If the extension is constructed, how will the Master Plan requirement be satisfied of "preventing cut-through traffic" (Kensington-Wheaton Master Plan, p.98)?

4. Will land be reserved for an elementary school site? We understand that the Board of Education has so requested and that the applicant is obligated to provide at least a portion of the school site to service its development. The plans we have been provided show no site location.

5. During the proceedings on the original plan, staff identified Maryland National Capital Park & Planning parkland in the immediate vicinity of Bel Pre Creek and that the proposed road extension would traverse this parkland. We were unable to locate such parkland on the revised preliminary plan submitted by the applicant. Can the staff identify the location of the parkland, vis-à-vis the proposed roadway and the impact of the roadway and its construction on the parkland?

6. What is the elevation of various points along the proposed roadway extension:

- a. at the highest point on the Tivoli property in the vicinity of the beginning of the extension?
- b. at the first intersection in Indian Spring?
- c. at Bel Pre Creek?
- d. at 100 foot stations along the roadway centerline?

7. What is the paved width of the road extension between the existing Tivoli Lake Boulevard and the first intersection on Indian Springs, with different areas specified if not a uniform paved width?

8. What is the width and length of span of the bridge that spans Bel Pre Creek?

9. What is the total length of the road from the existing improved roadway ending in the Tivoli community to the first intersection at Indian Spring?

10. What is the width of the road, including improved portions and extensive side slopes, i.e., distance from toe of slope to toe of slope, between existing Tivoli Lake Boulevard and the first intersection in Indian Spring, through the flood plain, through the stream buffer, and on Tivoli property?

Rose Krasnow, Chief
April 19, 2006
Page 3

11. What is the height of the road through the flood plain and over the flowline of the stream? We assume the road will be placed on fill dirt, as it goes through the flood plain except for the proposed span bridge.

12. What is the number of linear feet of flood plain that the road and its fill will occupy?

13. What retaining walls, if any, will be required, including their location, height, linear feet? What are the limits of disturbance for construction of the retaining walls?

14. What is the height of the roadway over the Bel Pre Creek; the width of the creek and its banks spanned by the proposed bridge?

15. What are the locations of any support, i.e., piers and abutments and wingwalls, for the bridge over Bel Pre Creek? Are they in a flood plain and stream buffer?

16. What are the provisions for wildlife to go under the bridge? What are the provisions for the hiker/bikers to go under the bridge if parkland or other publicly accessible areas are involved?

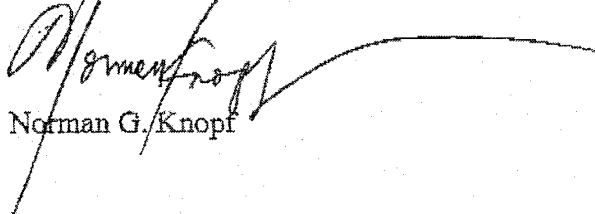
17. What is the number/acreage of trees that will be destroyed by the construction/existence of the road?

18. What is the distance of the extension of the right-of-way and any improvements in the right-of-way from the closest home in Tivoli (Andersen home)?

19. What is the approximate number of cubic yards of fill involved in the construction of the roadway/bridge; and how extensive will the grading be on the Tivoli property?

Please call to advise when you and your staff may be available for a meeting. We thank you in advance for meeting with us.

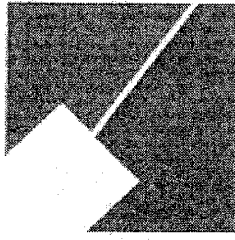
Sincerely yours,



Norman G. Knopf

cc: Marge Gertzman, President
Tivoli Homeowners Association
Ralph Schofer, P.E.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-493-4300, www.mncppc.org

June 26, 2006

Norman G. Knopf
Knopf & Brown
401 East Jefferson Street, Suite 206
Rockville, Maryland 20850

Dear Mr. Knopf:

We offer the following responses to the detailed questions in your April 19, 2006 letter. We apologize for the length of time we took to respond to your letter, many aspects of the project were still under review at the time of the letter. In addition, some details, for example, the bridge section length of the Tivoli Lake Boulevard crossing have only been worked out recently or will be addressed at time of site plan review. We are pleased to know that the applicant and their engineer have already met with you to present much of this and other related information.

Pointed answers to your questions follow:

1. The need for Tivoli Lake Boulevard extension:

At this point Department of Public Works and Transportation (DPWT), Ride-On, State Highway Administration (SHA), and Maryland-National Capital Park and Planning Commission (M-NCPPC) all agree on the need for Tivoli Lake Boulevard to be constructed by the applicant for the following reasons:

- a. To meet the Master Plan objectives for this site (P. 98 Kensington/Wheaton Master Plan).
- b. To provide more than a single primary point of access for a proposed community of 773 homes and a potential elementary school site.
- c. To offer emergency, transit, delivery, and service vehicles, as well as the motoring public an alternate point of ingress/egress to a significant sized community. To collect and distribute vehicular traffic to arterials.
- d. To match the general character of the surrounding roadway network.
- e. To support public transit, which works more efficiently on circular routes than an in-and-back pattern.
- f. To meet the County code guidance for number of households accessed by a primary residential street (200+ homes).
- g. To support general connectivity and improved access as a general smart growth goal.

2. Foggy Glen Drive:

Staff believes that these needs cannot be functionally met by a Foggy Glen Drive connection, but does support the Foggy Glen Drive connection for similar reasons.

3. The roadway could be designed to prevent cut-through traffic through:

- a. Physical means, such as chicanes, speed humps, neckdowns, traffic circles, curves in the roadway and reduced design speed. Some of these are identified at Preliminary plan, such as the proposed traffic circles and the one-way "community square" feature. Some features could be selected and sited at the site plan stage.
- b. Operational means overseen by DPWT such as four way stop conditions, reduced speed limits and turning restrictions during peak hours. These are elements designated at time of site plan or at any time through community petition of support.

4. Staff understands that Montgomery County Public School (MCPS) is currently discussing with the applicant a proper site for a possible elementary school. Staff understands from MCPS that the northwest quadrant of the site, closest to Layhill Road, is currently seen as suitable for such a site.

5. Impact to the sliver of parkland from the Tivoli Lake Boulevard construction is being avoided through the use of retaining walls within existing right-of-way, as well as on the Indian Spring site that are currently being reviewed by DPWT. Currently, there does exist dedicated right-of-way from the stub of Tivoli Lake Boulevard to the Indian Spring property that avoids road construction on Park property.

6. Elevations of proposed Tivoli Lake Boulevard.

- a. At the highest point on the Tivoli Property: Elev. 346.0 +/-
- b. At the first intersection in Indian Spring: Elev. 310.0 +/-
- c. At Bel Pre Creek: Elev. 301.0 +/-
- d. At 100 foot stations along the roadway centerline:

343.0 (STA 1 + 00), 335.0, 327.0, 319.0, 312.3, 307.6, 303.4, 301.0, 302.5, 305.4, 308.4 (STA 11 + 00).

7. Paved width of proposed Tivoli Lake Boulevard from existing stub to first intersection on Indian Spring property:

26 feet wide plus an eight-foot-wide shared-use path.

8. Width and length of span of the bridge over Bel Pre Creek:

Approximately 100 feet wide parallel to the stream, approximately 54 feet long perpendicular to the stream (measured from headwall to headwall).
9. Total length of road from Tivoli Lake stub to first intersection:

1,200 feet +/-.
10. Width of the improved sections and side slopes:

Ranges from 80 feet wide at existing Tivoli Lake Boulevard to 180 feet wide. It averages about 140 feet wide.
11. Height of the road over the stream:

17 feet above the ground, approximately 20 feet above the water.
12. Linear feet of floodplain occupied:

approximately 250 feet of floodplain at the roadway crossing.
13. Retaining walls:

About 200 feet of retaining walls are proposed along segments of the roadway, averaging six feet high. The wall is located in the road right-of-way where Tivoli Lake Boulevard crosses the property line.
14. Height of the roadway over the creek, width of the creek and its banks spanned by the proposed bridge:

The road will be about 20 feet above the water where the width of the creek is 20 to 25 feet wide.
15. Support for the bridge:

No piers for the span bridge are located adjacent to the creek within the floodplain.
16. Provisions for wildlife under the bridge:

An unpaved pathway will allow for pedestrian access and wildlife passage.

Mr. Knopf
June 26, 2006
Page 4 of 4

17. Acreage of trees removed for the construction:
 - a. About 0.35 acres of trees will be removed.

18. Distance of Tivoli Lake Boulevard Right of way and improvements from the closest home in Tivoli (Andersen home):

The home sits 13 feet from the existing right-of-way. Approximately 34 feet from the home to the paved section.

19. Amount of fill involved in the construction:
 - a. Approximately 50,000 to 60,000 cubic yards of fill.

Staff is happy to meet with you and the Tivoli Homeowners Association to discuss the details of the application, its status in the application process, as well as staff's current thinking on recommendations to the Montgomery County Planning Board. Please phone ahead to let us know of your availability.

Sincerely,


Richard C. Hawthorne, Chief
Transportation Planning

RCH:DP:gw

cc: Rose Krasnow
Steve Robins



REPLY TO
ATTENTION OF

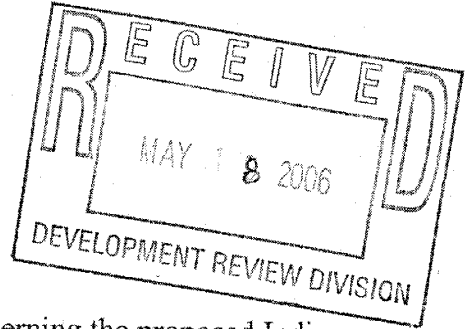
DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

May 11, 2006

Operations Division

Honorable Adrienne A. Mandel
Maryland House of Delegates
13816 North Gate Drive
Silver Spring, Maryland 20906-2215

Dear Ms. Mandel:



I am writing in response to your April 18, 2006 letter concerning the proposed Indian Spring residential development in Montgomery County, Maryland.

Issues related to compliance with elements of the Montgomery County Master Plan and the review and approval of preliminary site development plans for a proposed subdivision generally lie outside the scope of our Regulatory purview. However, any grading or filling of Waters of the United States, including jurisdictional wetlands, requires Department of the Army authorization from this office. Currently, the Baltimore District does not have an application request for the subject development. If we receive an application for a Department of the Army permit for work in Waters of the United States associated with the subject residential development in the future, we will consider your comments during our evaluation of the application.

Thank you for your interest in this matter. Copies of this letter will be forwarded to the Maryland Department of the Environment and the Maryland National Capital Park and Planning Commission for their information. Please contact me or my Division Chief, Ms. Christina E. Correale, if you have any questions or comments. Mr. Jack Dinne, at 410-962-6005, is our point of contact regarding this matter.

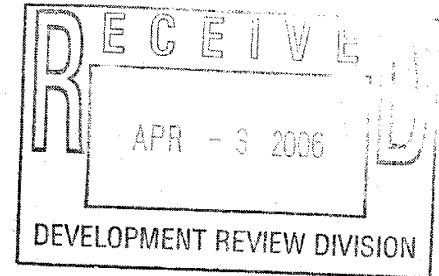
Sincerely,

Robert J. Davis
Colonel, Corps of Engineers
District Engineer

LAYHILL VILLAGE EAST CITIZENS ASSOCIATION

March 30, 2006

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



Re: Indian Spring Site – Plan # 120060501

Dear Mr. Chairman:

The Layhill Village East Citizens Association (LVECA) respectfully requests that the Planning Board schedule the first public hearing for the proposed development of Indian Spring Site – Plan # 120060501, for an evening time slot on the Planning Board's schedule. This development and the resulting traffic will significantly impact Layhill Village East. LVECA requests an evening hearing so that our residents who wish to attend this important hearing will be able to attend without having to miss work.

Sincerely,

A handwritten signature in cursive script that reads "Mark G. Chalpin".

Mark G. Chalpin
President, LVECA
1509 Woodwell Road
Silver Spring, MD 20906
(301) 460-5900

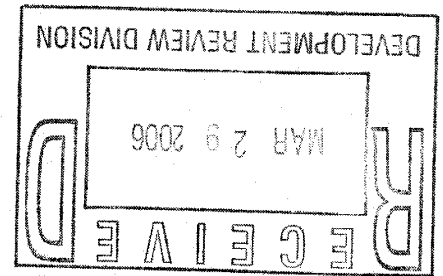
✓ Added
6/5/06
jon

cc: Catherine Conlon

12006 0510

1309 Atwood Road
Silver Spring, MD 20906
March 24, 2006

✓ Added
7/7/06
PSC



MD National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910
ATTN: Chair, Derick Berlage

Dear Mr. Berlage and fellow Planning Board Commissioners:

We are writing this letter to express our concern about the over-development of houses in the Indian Spring country club area in Silver Spring, MD. We have great concerns about 1) the excess traffic possibility in the Layhill View subdivision, 2) the environmental impact that the overdevelopment will cause because of too many houses and thus, too many cars in an already crowded area, and 3) the possibility of opening up Foggy Glen Road in the Layhill View II subdivision.

My husband and I bought our house on Atwood Road two years ago. We were looking for a place that was close to the metro and yet tucked away from all the traffic and main roads near the development. We went to the Montgomery County Park and Planning Commission and spoke with some people there.

At that time, the great concern was the ICC and whether it would go through. We were told that the ICC would probably **not go through** and that the greater concern should be the Indian Spring Country Club development possibility.

As an aside, my husband and I looked at Small's Nursery and Llewellyn Fields areas, and Whitehaven Road, and Brooke Manor areas, and all these possibilities were squelched by the possibility of the ICC coming through the side and back yards!!!

Our realtor told us that the ISCC development by Winchester Homes would be the original plan of 556 homes and the Country Club remaining with an 18-hole golf course. My husband and I are members of the ISCC and we know how beautiful the golf courses are. We will hate to see the club and the golf courses go!

When a house near the golf course opened up and it was such a beautiful home in a lovely setting, we bought, thinking that we would have ONE OR THE OTHER Developments HAPPEN, BUT NOT BOTH!!

Now, we learn that the ICC is going to break ground and will be going in just above Layhill and Bonifant Roads. Will this bring more traffic down Layhill Road? Absolutely!

I take my husband to the metro every morning, so that he doesn't have to park in the metro garage. That garage is completely full by 7:30 am!! NOW!! He has tried on

several occasions to park in the garage after that time and he has been forced to drive around the garage, exit and fight traffic on Georgia Avenue, and then ultimately park in the Wheaton garage, making him anywhere from ½ hour to an hour late to work.

At this time, if we travel any later than 7:15 am up Layhill Road toward Georgia Avenue, the traffic is backed up almost to Middlebridge! There is no possibility of going left on Georgia for several lights, as that intersection is already backed up from Georgia (cars coming from Olney) and from Randolph Road (cars coming from Rt 29!!). This area is already on OVERLOAD with traffic. We cannot believe that you will give your approval to more traffic in this area. It would be unconscionable! Why should we have another Northern Virginia traffic fiasco?

We thought Montgomery County was supposed to have a real concern for urban sprawl. If you agree to this number of houses in the ISCC area, you will ruin our area. We already have the ICC – why should we have all these houses built in addition?

If you give your consent to build 776 more houses in the Layhill View area (ISCC), where will this traffic go? Please be realistic and have some concerns for our well-being in this one-time sleepy area of Silver Spring. Why do we have to have inner-city traffic in the suburbs?

We don't know what the statistics are, but we cannot believe that you will approve this kind of development in addition to the ICC that is going in our backyard.

Suggestions for development in the ISCC:

1) Build FEWER DWELLING UNITS than are now planned – Isn't there a limit to the number of dwelling units that can be built per access road? The number used to be 225 units per road. If the number is the same or slightly higher then there will need to be **at least** three access roads to meet the proposed 775 units: Indian Spring entry road, Tivoli Lake Boulevard, and an egress on Foggy Glen. To make an egress on Foggy Glen does not make sense for two very important reasons: 1) the street was never intended to be used as a major access way; if it is, the property values of the houses along that road will be significantly diminished because the road will need to be widened substantially. 2) Using Foggy Glen as an access road means that inhabitants will need to drive up to Wagon Way and then double back to Middlevale, a very long and circuitous route just to get to Layhill.

The Montgomery County master plan generated back in the 1980 decade included connecting Tivoli Lake Boulevard with Middlevale Road (? – is this true). To accomplish a second access road, the suggestion is to keep to the master plan and make the connection a reality. By doing so, some of the traffic from the proposed area heading East will be able to avoid the huge bottleneck at Georgia and Layhill or Randolph.

The way to reduce construction costs and maintain a semblance of civility in the neighborhood is to have fewer than three access ways, thus requiring fewer dwelling units to be built.

2) Maintain environmental control of the area, while reducing costs – The best way to accomplish this suggestion is to keep some of the beautiful grounds of the ISCC and keep the Club House and recreational facilities for the County and use it as a public course and public facilities. Tearing down these already-built facilities will be most wasteful and expensive to reconstruct. Montgomery County needs more parks and public facilities. The ISCC facilities (the pools, the tennis courts, and just a 9-hole golf course) would be most welcome and much needed in Montgomery County!

3) Keep control of the major traffic problems that will be caused by this new development. In meetings with representatives from the commission as well as from Winchester Homes, it was made very clear that the traffic studies performed for this development plan did not include analysis of the increased traffic from the construction of the ICC. That thoroughfare will add significant traffic to the already congested Layhill Road corridor. In addition, the studies have not taken into account the construction of other developments along the corridor. **Traffic is already terrible on Layhill,** particularly during rush hour periods. Without a traffic light at Middlevale, it would be almost impossible to turn left onto Layhill during that timeframe. What will it be like trying to exit from the Indian Spring entry road during rush hour without a traffic light. IMPOSSIBLE! I do not think it fair or right that the only way to have a traffic light installed at an intersection is to have traffic fatalities!

The way to avoid mass concern and citizen outrage is to reduce the amount of traffic. The way to accomplish that is to reduce the number of cars, which in turns equates to building fewer units!

Thank you for your time and consideration!

Sincerely,

Richard D. Burnes

Judith S. Burnes

Two very concerned citizens in Montgomery County

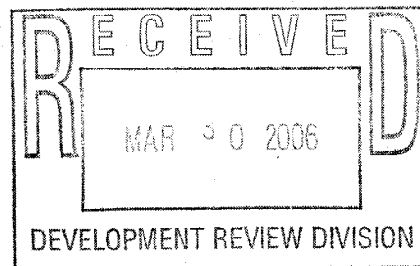
Layhill View Citizen's Association
C/o Anne Errigo
13505 Middlevale Lane
Silver Spring, MD 20906

March 23, 2006

✓ added
7/7/06
PSC

To: Chairman Derick Berlage
Montgomery County Planning Board

CC: Ms Rose Krasnow, Chief
Ms Catherine Conlon



Mr Chairman,

The members of The Layhill View Citizen's Association respectfully request that the Planning Board schedule the first public hearing for the proposed development of the **Indian Spring Site- Plan # 120060501**, for an evening time slot on the Planning Board's schedule. This development will have a huge impact on our community and we wish to be able to attend the hearing. If the hearing is not scheduled for an evening slot, many residents that wish to attend this important hearing will not be able to schedule time off from work to attend the meeting.

Sincerely,

A handwritten signature in cursive script that reads "Anne S. Errigo".

Anne Errigo and
Members of The Layhill View Citizens Association
Signatures Attached

Signatures of Layhill View Citizen's Association for Request of Evening Time Slot for the First Public Hearing on Indian Spring Site- Plan # 120060501

1. Richard Burns } 1309 Atwood Rd
2. Judith Burns } Silver Spring, MD.
3. Warwick Laxon
4. ~~Paul Gouss~~ 1317 Atwood Rd
5. ~~Caroleen Joseph~~
6. ~~Kathy Gombis~~ 13724 Dogwood Rd
FOS 197d 20906 1317 Atwood Rd
7. Nancy Masullo 13705 Town Line Rd
8. Darlene Hebbert 1808 Crystal Lane
9. Marlene Olson 14029 Wagon Way
10. Molly Fernandez } 13701 TURNMORE RD
11. Phillip Fernandez } Silver Spring
12. ~~Blair~~
13. Pamela S. Garington } 1809 Crystal Ln
Silver Spring, MD 20906
14. Sharon S. Helms 1404 Foggy Glen Ct. S.S. 20906
15. Dorothy A. Walsh
16. Annmarie
17. Robert B. Helms 1404 Foggy Glen Ct. S.S. 20906