



# LITTLE FALLS WATERSHED ALLIANCE

## EDUCATION - ACTION - STEWARDSHIP

December 14, 2020

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Testimony on the Staff Report on the Westwood Shopping Center Preliminary Plan Amendment #12017017A and Kensington of Bethesda Senior Living Site Plan #820200200 Planning Board Hearing 12.17.20

Little Falls Watershed Alliance (LFWA) is an environmental stewardship group for the Little Falls watershed located in the Bethesda Chevy Chase area and upper NW DC. We were founded in 2008 by a group of neighbors who wanted to ensure that the beautiful natural areas in our watershed were protected and improved so they would continue to delight residents for generations to come. From our first meetings in neighborhood living rooms, we have grown to more than 2,800 members and have tackled trash, habitat restoration and other issues related to the health of our parks and natural areas.

In 2013, we were excited to support a planning department proposal to naturalize the Willett Branch and create a new stream valley park in the Westbard Sector. After many, many hours of meetings, creek tours, and public outreach, the park became the central unifying theme of the Westbard Sector Plan approved in 2016 and a central element for all new development in the Westbard Sector. The Kensington of Bethesda property is the second parcel to be developed under the new Sector Plan. The first parcel, Westbard Self Storage, conveyed parcel 177 (located on the banks of the Willett Branch) to Parks and great care was taken in designing the interface with the storage facility and the new Park. Further, the storage building is to be built entirely outside the stream valley buffer.

Kensington of Bethesda Senior Living is the first “residential property” to submit redevelopment plans. It will be located at the Gateway to the new Willett Branch Greenway and the units, and its common areas will overlook the new park – a huge amenity for the residents. When the graffiti is gone and the concrete is removed, the residents will have front row seats for the sparkling new creek and natural areas. What is now something that can best be described as “urban blight” will be replaced by green space, trees and a lovely trail paralleling the waterway. The Gateway Park will welcome walkers and bikers and provide a shady respite from the surrounding urban buildings. It will provide valuable outside open space for the residents of the new building and the community. **It will be the first example of the wonderful vision that THRIVE has for our County - a walkable urban area with a commitment to physical, mental and environmental health.**

It is important that we get this right. This property sets a precedent for development to come.

Below, to refresh your memories are pictures of the Willett Branch as it is today at the Westwood Center II.



Figure 1: Kenwood Tributary outlet to the Willett Branch at River Road, adjacent to the Westwood Center II parking lot



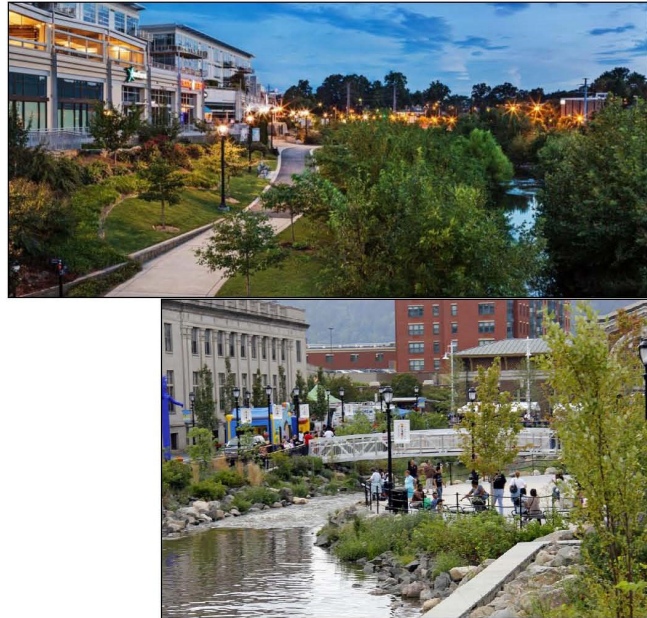
Figure 2: Looking downstream from the Westwood Center II parking lot towards American Plant.

And below is the vision for the new Willett Branch, described in the Sector Plan is “the crown jewel of the Westbard area.” The pictures on the left are the Willett Branch, on the right are pictures from actual urban stream restorations in other parts of the country.

### Vision: Turn This....



### ....Into This



The park, the naturalized stream and the trails will serve generations of county residents. Hopefully our children’s grandchildren will be enjoying the fruits of our labor. The whole project is a crown jewel for Montgomery County. Building it is an awesome responsibility. Our comments are offered with this in mind.

### **Micro-biorententions are a Good Choice for Stormwater Management**

We are very happy to see that the applicant was able to achieve 100% stormwater management using Environmental Site Design (ESD) and is not employing any structural methods. We would like to commend them for their extensive use of micro-biorentention planters. These planters will allow the stormwater runoff to soak into the soil and recharge the ground water, preventing flooding and helping to maintain a healthy base flow for the new creek. We were very pleased to see that the applicant is using 24-inch underdrains. These large gravel bases for the planters will further improve the infiltration rates. In addition, the planters will provide native vegetation to the site and will look attractive alongside of the building.

While we agree with the DSP comment that applicant should try to find more places to use green roofs, we do not recommend that green roofs replace micro-biorententions. While green roofs treat stormwater runoff, they do not allow it to infiltrate. Maximum infiltration should be the goal of this project as it is right up to the 100-year flood plain. It only takes one big storm to show what happens when there isn’t enough infiltration in the stormwater management system. We support the DPS request to see how the runoff from the green roofs will be tied into the micro-biorentention planters. This is an important step in the treatment plan and allows the green roof runoff to soak into the ground.

## **The Gateway Park with a Water Feature and Landscaping Must be a Condition of Approval**

The Sector Plan shows a Gateway Park for the new Willett Branch Greenway at the corner of River and Ridgefield Roads. This park will be a little oasis of green in an area that is almost entirely paved over. It will create a sense of place for the area and serve as a powerful educational tool for the community on the history of Westbard. With the naturalized stream, it will be a model for the nation on urban stream restoration. We understand that the entire park cannot be created with this development – all of the parcels are not in place. **But, we need the Gateway Park with a daylighted Kenwood Tributary, landscaping and benches, now. If there is one thing that the Pandemic has shown us, it is the value of outdoor spaces for our physical and mental health.**

An important part of the Sector Plan is daylighting the Kenwood Tributary where it meets the Willett Branch and creating a waterfall-like feature at that juncture. This is not a hard sell if you recall the Figure 1, the picture of the confluence of the waterways. The best time to create this feature is concurrent with the road alignment and the construction of the new building. The Kenwood Tributary runs under River Road, and will have to be redirected when the road is moved. It runs under the asphalt of the parcel being conveyed to the Park. The area will already be torn up and the heavy equipment needed to dig out the creek will be onsite. **The incremental costs of daylighting while the road is being constructed and the pavement is being removed is small. The benefits to the community are huge.**

The staff report argues that conveying the land to the Parks Department graded and covered with grass seed is all that the applicant should be required to do to meet their obligations for open space; we respectfully disagree. The staff report implies, in fact, that the applicant is maybe even overly generous with the donation, citing the square feet donated (27,888) and the requirement for open space (a mere 3,226). This is specious. The land dedication is not that significant when one examines the usefulness of the property being donated. In truth, the applicant reaps great benefits from the donation as

- 1) the dedicated land is unbuildable as it is entirely in the flood plain and in the stream buffer,
- 2) once conveyed, Kensington will not have to pay taxes or do maintenance on this land, and
- 3) **most important, Kensington will get a beautiful County Park right in their backyard.** Their facility has no open space. The park is their backyard - a place for their residents and employees to enjoy a picnic, walk or break. They have designed their building with outside terraces so that their residents can sit and have a meal or snack with a view of the park. A park and stream at their back door add considerable value to the property as countless hedonic studies have shown. It will be a selling feature in years to come.

Kensington has much to gain from the new park. They can and should do better for the community. It is in both theirs and the community's interest that this park be created as soon as possible. **We ask that the developer be required to create the water feature and provide landscaping for this park as a condition to satisfying their requirement for providing open space.**

## **Walking/Biking Path is Not Inviting: The New Building Should be Moved Back from the Property Line**

This is not the building we were promised or the park we expected. The Sector Plan showed a building with shops and cafes abutting the trail, places to sit, and trees on either side of the Greenway trail. In the Preliminary Plan, we were shown a mixed-use residential building that transitioned seamlessly with the park. Needless to say, it is quite disappointing that an assisted-living facility is going there instead. However, that does not excuse the design or the huge walls right up to the trail's edge, without even a shoulder to stand on to let people pass.

The building's parking garage is on ground level and there are 54-foot windowless walls along the trail, as the applicant has asked for a transparency waiver. With the 90-foot Kenwood Building on the other side of the creek, these walls create a scary canyon-like corridor, not an inviting Gateway Park. The path itself may also feel dangerous. **With the steep banks of the creek on one side and the huge building walls on the other side, it is easy to envision a situation where pedestrians are pushed up against the wall or down the steep bank by people passing aggressively.** It is hard to imagine fire and rescue vehicles navigating the building.

Parks create a sense of place and community. They are necessary for our physical, mental, and environmental health. Just as the entrance to the Capital Crescent Trail in Bethesda is wide and inviting with plazas and a double path for the first 100 yards, so should it be for this park. **Moving the building away from the new trail is a priority and must be a condition for approval.**

### **100% Stormwater Management (SWM) for Westbard Avenue Should be Required**

The issue of stormwater management for the new road was raised at the November 19 road abandonment hearing. At that time, Chair Anderson said that it was not relevant for the abandonment hearing, but that it could and should be handled at the December 17 hearing. The road was given an 84% waiver for stormwater management despite the fact the runoff from the road will flow directly into the Willett Branch. If there is one source of rainwater runoff that should not be given a waiver, it would be the road directly uphill from the new creek. Toxic chemicals and debris from the road surface are a major source of pollution. And as we all have observed in recent storms, the volume and velocity of stormwater runoff entering a creek will seriously blow out the its banks. It is not in the best interest of anyone to have the health of our new creek compromised this way by stormwater. The new creek will serve us for generations. It needs to have the best start possible.

In 2018, LFWA hired an engineering firm to study the preliminary plans and offer suggestions on how to achieve 100% stormwater management on the site without reducing the footprint of the development. They found that with use of more micro-bio-retentions, permeable pavement and other small ESD, that a large waiver was not necessary. We submitted the study to both the applicant and the Department of Permitting. The applicant was still granted the waiver, but was instructed by DPS

to look for ways of providing additional ED and structural treatment, with the goal of achieving full stormwater management compliance, and reflect these in the stormwater management concept revision to be submitted at the time of Site Plan application. Any proposed treatment located within the public right-of-way must be acceptable to MCDOT.

At the hearing on the road abandonment, the Applicant's lawyer dismissed the possibility of doing SWM on the abandoned road pieces stating it wouldn't work to treat the stormwater as it was "uphill." That shows a regrettable lack of understanding of stormwater management. Uphill water is treated and infiltrated so that it does not flow downhill and into the creek. The more water that can be infiltrated uphill, the less to treat further down in the treatment train. The abandoned triangle of land noted in the abandonment hearing as Lot 24, Block D (shown on Figure 6, p. 16 of the Kensington Staff Report) is a perfect place for SWM.

The applicant must also consider other ESD including installing permeable pavement wherever possible on roads, sidewalks, and parking areas, and using the medians and sidewalk areas for micro-bioretenion. **We ask that the Board ensure that more is being done for SWM on the road, including requiring that applicant to use the abandoned road site for stormwater management.**

## **Silva Cells for Street Trees**

We would like to remind the Board the Preliminary Plan specifically requires that the developer use Silva Cells or similar modular suspended pavement systems instead of tree boxes. This would apply to the street trees shown by the new road.

*F. The Streetscape shall utilize techniques such as Silva Cells, continuous soils panels or other techniques subject to MCDPS approval, which will maximize the available spaces for root growth and/or SWM features as applicable, as shown on the Certified Site Plan. (Staff Recommendations, 10, f – page 13)*



**Cross section of Silva Cells**

The use of suspended pavement, rather than traditional tree boxes, encourages maximum tree growth and survival. The suspended pavement allows the tree roots to spread out under the pavement, which allows the roots to function properly. The modular building blocks can contain unlimited amounts of healthy soil beneath the paving while supporting traffic loads and accommodating surrounding utilities. The high quality, uncompacted soil allows the trees to grow, as well as manages the rate, quality and volume of stormwater. We would like to see this type of planting system across the entire county.

**More than anything, we want the Willett Branch Greenway Park to be the jewel of Montgomery County** envisioned by the Sector Plan. We want it to thrive and delight future generations. We want the country to see what Montgomery County can do for urban stream development. But we need every project to be the best it can be for this to happen. We have one chance to get this right for the Gateway Park.

Thank you for your work on this,

Sarah Morse  
for the Little Falls Watershed Alliance