



# LITTLE FALLS WATERSHED ALLIANCE

EDUCATION - ACTION - STEWARDSHIP

Sarah Morse  
Executive Director

Montgomery County Park and Planning Staff and Planning Board  
John Marcolin, Planning, john.marcolin@montgomeryplanning.org  
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**Board of Directors:**

August 17, 2016

Jack Sobel  
President

Re: Comments on Equity One Sketch Plan for Development in the Westbard Sector

Mikel Moore  
Vice President

Dear Mr. Marcolin and Ms. Paul,

Sara Scheeberg  
Robinson  
Secretary

As the Executive Director of the Little Falls Watershed Alliance (LFWA), I represent many members of the Westbard community who care deeply about the local environment, and in particular about the Willett Branch Urban Greenway project, a critical part of the Westbard Sector Plan.

Jonathan Breul  
Wendy Cohen  
Dan Dozier  
Maurie Kathan  
Suzanne Richman

LFWA is pleased to be part of the Planning Staff's Willett Branch Coordination meetings. We hope this effort will help all of the interested parties to work together to realize a naturalized Willett Branch stream with a greenway park that features a path connecting the Capital Crescent Trail (CCT) to the Westbard shopping area. We appreciate the Planning Staff's support for this project, and their interest in making the greenway truly unique, with buildings facing the stream and integrated into the stream valley. In the community at large, there is enthusiastic support for the greenway, but also a concern that the project may fall through the cracks. However, it is our feeling that with all our efforts it will be realized and we look forward to working together in the years to come.

[Board@lfwaw.org](mailto:Board@lfwaw.org)

On review of the Equity One Sketch Plans, we have the following concerns:

**1. Willett Branch Must be Included in the Sketch Plan**

LFWA has been disappointed that the Equity One Sketch Plan completely omits any mention of the Willett Branch or the greenway project. We are pleased that in the Willett Branch Coordination meetings, Equity One has committed itself to revise the Sketch Plan—to include the stream valley in maps and text, and to include dedication of land and the provision of funds for the park project as some of the public benefits they plan to provide. Such Sketch Plan amendments would also be consistent with representations made by Equity One in their meetings with the community in early 2014 and in the picture on the back cover of the Sketch Plan.

As a matter of record, LFWA requests that Equity One follow through with this commitment. It is our understanding that the Sketch Plan **MUST** reflect the Sector Plan, in which the Willett Branch Park is a top priority and a required amenity. It is critical that the Sketch Plan show the Willett Branch greenway in all maps and relevant text. For example, on p. 95 of the Sketch Plan, the stream is not listed as one of the objectives

that Equity One will meet even though it is a major objective of the Sector Plan. On p. 110, the Sketch Plan's amenity matrix leaves out dedication of Willett Branch stream buffer area and Equity One's provision of funds to realize the project. Further, the creek is not indicated in the massing studies and diagrams. These are only a few examples of the many places in the Sketch Plan where the Willett Branch should be added.

**We ask that substantial stream valley dedication and accompanying funds be a required part of this Sketch Plan.** It is vital that Equity One's donation of funds and dedication of land occur *early*—in their first phase of construction. This will not only give the public some comfort that the park project will proceed, but it will ensure that properties that are developed late (or never) do not hold up the stream restoration. This was a point we raised at the June 1, 2016 public meeting on the Sketch Plan, and one we feel is extremely important.

## **2. New Buildings Must not be Allowed in the Willett Branch Buffer**

The Montgomery County Environmental Guidelines require a minimum of 100 feet for stream buffers, in some places 150 feet. Since the buffer is already compromised by existing buildings in much of the stream valley, keeping it as large as possible is paramount. The buffer is needed to help with stormwater management, provide a hospitable environment for wildlife, and to create a wider park for the public. There are also many trees identified on the Natural Resources Inventory (NRI) in the buffer area.

Although there was balancing language in the Sector Plan to allow for some development in the stream valley buffer, LFWA understood that **language was meant to allow buildings ALREADY in the stream buffer to remain.** Therefore, the HOC building could remain in the stream buffer, and Westwood II could be reconstructed on its site, but no new building would be allowed to compromise the buffer. On p. 100 of the Sketch Plan, the Bowlmor building is shown as filling out the entire property – including a grade over 25 feet and within the flood plain and buffer. Any building on the Bowlmor site should not invade the buffer.

**We also oppose the proposed parking structure** topped by a pool that the Sketch Plan shows behind the HOC building. This structure is located entirely in the stream buffer. The Sketch Plan notes that the HOC property site slope drops significantly on the east (p. 89), near where Equity One plans to put the parking garage. We have serious concerns that this infringement into the buffer will lead to erosion into the stream. The parking lot there has already caused considerable bank damage and parts of it are falling into the creek.

We believe that parking should be underground and/or other options explored. On p. 92, the Sketch Plan states that the "vast majority" of parking will be underground; we believe all parking for any new buildings except for some limited street parking should be underground and not in new structures – especially not facing the stream and in the buffer.

Please note also that the massing studies shown at Equity One's June 1 public meeting and included as pages 108 and 109 of the Sketch Plan do not include the parking structure behind the HOC building. As the garage was not in the Sketch Plan at the June 1 public meeting, we feel it should not be added now.

### **3. Plan Must include Circulation between New Park and the Shopping Centers**

By omitting the greenway, the Sketch Plan does not show the connectivity required by the Sector Plan for bikes and pedestrians from the Capital Crescent Trail to the Westwood Shopping Center. On p. 86 of the Sketch Plan application, Equity One notes that “[a]dding a network of green open spaces connected by trails and bikeways that provide places for outdoor recreation, gathering and relaxation” was an objective of the Sector Plan – but Equity One then largely ignores this objective in the Sketch Plan. Their map on p. 105 leaves out the Willett Branch path for bikes and pedestrians, as well as a similar link to the American Plant Food site. The connectivity provided by the greenway is one of the many reasons why the Willett Branch project is so essential to the Sector Plan. New buildings should not block public access to the Greenway and gateway areas should welcome the public to the park and lead them into the commercial areas.

### **4. Commitment to “Design Excellence” Must Call for Buildings to Embrace the New Park**

In the Sketch Plan, Equity One has committed to providing “design excellence” as an amenity. LFWA believes that the term “design excellence” should apply to all new construction along the Willett Branch park and must include embracing the Park as design requirement. Buildings on the Willett Branch should face the stream and embrace the natural areas provided by the buffer. Users of the stream park should have an aesthetically pleasing view of the new denser development, and not see just the backs of buildings. This is consistent with Equity One’s promise on p. 97 of the Sketch Plan that loading facilities “will be designed to minimize conflicts and visual impacts.” Design Excellence must include creating ways for residents to access the creek and to take advantage of this unique urban greenway. We are pleased that the Planning Staff has asked Equity One to embrace the stream and to provide spaces for sitting, eating, etc. along it.

We hope that as the Site Plan approval progresses, the term “design excellence” will also mean that the large blocks of buildings in the Sketch Plan will be softened. The design precedents used by Equity One beginning on p. 114 of the Sketch Plan show more setbacks, hardscape for public gatherings, and green parks than are in the Sketch Plan drawings. We therefore expect Equity One to conform to the feel of those illustrations, which are the same as or similar to the drawings it has shown in public meetings since 2014 and on its Westwood website.

### **5. Stormwater Management Must include Green Infrastructure to the Maximum Extent Possible**

LFWA would like to ensure that stormwater management (SWM) on Equity One properties be performed consistent with regulations for new construction. On p. 92, the Sketch Plan states that Equity One will use Environmental Site Design (ESD) criteria to the Maximum Extent Practical—but the language is somewhat ambiguous, stating that this may include green roof, micro bio retention, and permeable pavement to treat runoff. We feel there should be a clearer commitment to these practices. We also feel that the County should not allow Equity One to pay a fee in lieu of underground treatment, as it states it may do in the Sketch Plan. The Equity One development should be consistent with the Sector Plan which states that SWM “should be done on-site wherever feasible and the use of waivers should be limited.” This is also consistent with the County’s MS4 permit. We would also like to see a commitment to green roofs where the buildings interact with the creek. They would be an environmentally sound addition.

The area is also a good candidate for a **Green Street treatment**. With the new road construction and work on Westbard Avenue, there is an opportunity for pervious pavement, curb-cut gardens, tree boxes, and other environment site design elements that are being installed in other areas of the County.

Installation of a Green Street would also be consistent with Montgomery County's MS4 requirements to retrofit impervious areas and use ESD.

**6. Willett Branch Flood Plain Must be Determined Based on a Naturalized Stream**

LFWA believes that the engineering studies of the flood plain to be used for construction should take account of the stream naturalization project that is a vital part of the Westbard Sector Plan. This is not an ordinary development, where the existing conditions in the NRI can be used as a basis for construction boundaries, as the NRI does not deal with the flood plain that will result from a naturalized stream. If that flood plain is wider, then it would restrict new development accordingly. Naturalization of the stream should not be negotiable between the American Plant bridge and the CCT. We ask that all engineering studies for new construction honor the naturalization of the Willett Branch.

**7. Early African-American Cemetery Must be Included in Sketch Plan**

The Sector Plan specifically recommends that new development reflect the history of the area. The history of area and evidence of an African-American cemetery dating from 1860s is well documented in the Sector Plan (p. 103-105). The cemetery located on or near the HOC property is a concern for the public and an opportunity to honor the early African-American residents in the new stream valley park. The Sketch Plan notes there are no sites or structures in the Equity One properties that are listed in the Locational Atlas and Index of Historic Sites or the Master Plan for Historic Preservation. LFWA wonders if the omission of the cemetery site from those documents should be corrected. We believe the cemetery should be officially recognized and further that the NRI is incorrect as showing no cultural or historic sites—the cemetery should be included and the Sketch Plan modified accordingly. **Further, we recommend that a cemetery delineation be conducted before a Preliminary Plan or Site Plan is adopted** so that the extent of the cemetery can be understood before development occurs and giving the public an opportunity to be involved in approving an appropriate plan for the property ahead of time. The HOC parking structure should not be allowed to rest on the graves of these early residents.

Thank you for your attention to these points. We are grateful to the Planning Staff's commitment to the naturalization of the Willett Branch and formation of the new park. It will be a real asset to the community and a show piece for Montgomery County. We look forward to seeing it to fruition.

Sincerely,



Sarah Morse  
Executive Director