



# LITTLE FALLS WATERSHED ALLIANCE

## EDUCATION - ACTION - STEWARDSHIP

**Date:** September 11, 2016

**To:** John Marcolin, Montgomery Park and Planning  
Susanne Paul, Montgomery Parks

**From:** Sarah Morse, Executive Director, Little Falls Watershed Alliance

**Re:** Little Falls Watershed Alliance Response to Equity One Revised Sketch Plan of Sept 2, 2016

Hi John and Susanne,

Members of the Little Falls Watershed Alliance have reviewed the revised Sketch Plan from Equity One. We just got it yesterday, so we probably missed things, but we wanted to share with you some points we are concerned about. We are grateful for the stakeholders meetings and hopeful that they will produce a park that the entire County can be proud of, however based on Equity One's response to the extensive DRC comments, we do not believe that they share the same vision for the Sector. Below are just some of their responses (changes and refusal to make changes) that lead us to this conclusion.

### 1. Willett Branch

- Equity One adds Willett Branch to the Sketch Plan justification document in more places, but not all – not in the objectives of the Sector Plan.
- Did not add WB to any maps except a slight reference in the massing diagrams and the pedestrian link at American Plant in the ped/bike diagram. Added a new diagram showing WB and the proposed “buffer” it wants to recognize – see p. 123
- Makes it clear in comments that it will dedicate land up to its buffer line only.
- Only agreed to a “potential” provision of funds for the project. In the comments: “Further monetary contribution will need to be examined by Applicant in the context of other provided public benefits [i.e. the street realignment?] and imposed constraints [i.e. the garage?].”
- Is not counting dedication or funds as a public benefit. It therefore does not count the land as public space, and continues to count private land as public space in its 10% calculation. It also points out that it doesn't need to include the WB in public benefits because it has already exceeded the number of required public benefit points – now 106 (see #4 below) instead of the required 50 for any project over 10,000 SF.
- Continues to hide behind the fact that this is a Parks project to avoid adding anything about naturalization, trails, bike paths, etc.
- The footprint of Bowlmor has been pulled back some from the stream, as was shown in the cross-sections we saw at the Planning Dept. (so it is not so much on the steep slope)
- Still includes the parking garage. Added it to the first (but not second) massing diagram, and said it is expected to be 50 feet high.

2. **Manor Care site.** Planners challenged the Manor Care site proposal as causing encroachment of a forested steep slope and too close to the stream. Equity One responded that this is acceptable, given the Sector Plan's balancing language and did not change the siting of those properties.

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3. **Street realignment.** The planners requested that the Westbard road realignment be the only option in the Sketch Plan and asked Equity One to remove the alternate option (in which Westbard Ave remains in its current location). Equity One refused to remove the alternative, stating that it would accept street alignment at time of preliminary plan IF it can keep the utilities where they are (as in above ground), they get the needed approvals from government agencies, and *“the alternative (existing) alignment is not removed from the plans until Willett Branch and Kenwood Tributary stream valley buffers are established and permit development acceptable to Applicant.”*

**LFWA: *Appears they are pitting the stream against the street.***

4. **No longer claims exceptional design as a public benefit**

- Leaves out “exceptional design” from the list of public benefits. In the comments, Equity One stated that this is because planners want to put utilities underground Westbard Avenue. Also refuses to put the utilities underground with its road realignment in response to a comment from MCDOT – if forced, it would refuse to realign the road at all.
- Another reason may have been to avoid having buildings along the stream embrace the WB.
- Perkins Eastman, the architect in the original Sketch Plan is no longer listed.

**LFWA: *Will the buildings still be planned with good design?***

- Its refusal to include exceptional design as an amenity means that it also refuses to comply with transit requests to provide a lot of indoor and outdoor transit information displays, public pavilions for outreach events, and a place to get transit info and buy passes.
5. **Will not discuss buildings embracing stream.** In response to comments that the buildings along the WB should face the stream, Equity One states that those buildings needs to face the street with retail entrances and cannot have the back of the building along the road. [This makes sense, but buildings can have two fronts.] It goes on to state that “As the improvements to the stream are further defined, the Applicant will evaluate activating the residential space facing onto the stream,” and later says it will address building architecture near the stream at the time of Site Plan. It will not commit to anything now.
6. **Cemetery.** Despite a request from planners that a reference to a cemetery be included, Equity One refused, saying it wasn’t needed in its statement of justification of the plan and said “there is no conclusive evidence to suggest any graves currently exist on the property.”

**LFWA: *We have been looking into this and can find no evidence that the graves were moved. We have contacted all the cemeteries that are rumored to have received the graves as well as the funeral home that was rumored to have done the work. None have any records of receiving moved remains from this area. Oral history suggests that the graves were not moved or at the very least, only some of them were moved.***

7. **Phasing changes.** Changed the phasing to include the Giant and the two parks and Manor Care in the phase 1, Westwood II in phase 1 or 2, and the THs by the Giant and the HOC first building and garage in phase 2. The second HOC building in front of American Plant would be phase 3 and Bowlmor phase 4.
8. **WSSC.** Equity One plans to address all WSSC issues in the preliminary plan and site plan. Even refuses to show water and sewer connections, which WSSC called “critical” for it to be able to comment.

**LFWA: *Will these be in the buffer? Will that be a problem for the creek restoration?***

Equity One (probably unintentionally) left out #51 in response to Amy Quant comments – that existing water mains and pipe sizes, material, etc. should be shown on the plan. (They responded to a similar comment on sewers).

9. **SWM.** Removed a sentence on supplementing SWM with structural facilities such as underground vaults or a fee in lieu thereof – due to a comment challenging the fee portion, and said that it will address SWM at preliminary plan.

10. **Affordable housing.** In the comments regarding 15% affordable housing throughout the project, Equity One's response was vague. It's not clear where it will put all that housing, and may avoid putting much in the townhouses. Its comments suggest it will rely on HOC agreements that satisfy the requirement by putting this housing on other sites in the Sector Plan.

11. **Central green lawn.** Refused to commit to a central lawn and replied to Parks that everything shown is illustrative [all concrete mainly] and will deal with this issue at Site Plan.

**LFWA: *This makes the need for the greenway even more important.***

12. **Miscellaneous.**

- The county has a new fee structure that may help developers as part of a revised Subdivision Staging Policy. Equity One is not agreeing to some fee payments in advance if it can get the better deal – it is determining whether the new or old rules apply.
- Won't agree to more than 2 bikeshare stations, as opposed to the requested 4.
- Has not agreed to do one preliminary plan for the whole project, as requested. It appears to hinge on whether the Sketch Plan is approved to its satisfaction.

Thank you for your work on this project,

Sarah Morse  
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Little Falls Watershed Alliance