



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB**  
**Item #**  
**2/19/09**

**REVISED MEMORANDUM**



**DATE:** February 6, 2009

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *CRK for RK*  
Catherine Conlon, Subdivision Supervisor *CC*  
Development Review Division

**FROM:** Richard Weaver, Coordinator (301-495-4544) *RAW*  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** One (1) lot for a house of worship

**PROJECT NAME:** Miracle Temple Assembly of God

**CASE #:** 120080290

**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations, including review of a Subdivision Regulations Waiver under Section 50-38

**ZONE:** R-200

**LOCATION:** In the southwest corner of the intersection of Woodwell Road and Alderton Road

**MASTER PLAN:** Aspen Hill

**APPLICANT:** Miracle Temple Assembly of God

**ENGINEER:** RDA

**FILING DATE:** July 22, 2008

**HEARING DATE:** February 19, 2009 (continued from January 22, 2009)

**RECOMMENDATION:** Approval, including a waiver of Section 50-29(b)(2) of the Subdivision Regulations pursuant to Section 50-38, and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one (1) lot for a house of worship with no weekday education facilities or weekday daycare.
- 2) The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
- 3) The Applicant must comply with the Landscape Plan which will be further modified to include a lighting plan for staff approval, prior to issuance of building permits.
- 4) Applicant must construct 5 foot wide sidewalks along the property frontage and an off-site 5 foot wide sidewalk connection along Alderton Road to connect to the Matthew Henson Trail.
- 5) The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated August 29, 2007. These conditions may be amended by MCDPS provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 6) The Applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated December 16, 2008. These conditions may be amended by MCDOT provided the amendments do not conflict with other conditions of the preliminary plan.
- 7) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.
- 8) Other necessary easements must be shown on the plat.

## **BACKGROUND**

At the January 22, 2009 public hearing, the Planning Board considered this application for the Miracle Assembly Temple of God and staff's findings and recommendations as contained in the January 9, 2009 staff report. At that hearing, the Planning Board discussed the applicability of the resubdivision criteria as specified in Section 50-29(b)(2) of the Subdivision Regulations to this application, and raised concerns about staff's finding that the proposed lot met the requirements. Specifically, the Planning Board did not agree that there is a high correlation in the size, width, area and frontage of the proposed lot as compared to other lots in the resubdivision Neighborhood identified by staff and reviewed in the staff report. However, the Planning Board believed that there might be unusual circumstances that prevented the application from being able to fully complying with the Subdivision Regulations and that these could justify granting a waiver in this instance. Specifically, the Board noted that the Subject Property was left as a remainder of a resubdivided lot when Lot 16 to the south was separated from it and platted as a buildable lot and that it should have been platted at that same time as Lot 16. Based on the possibility of these circumstances the Board accepted the applicant's request to defer the hearing so that a formal waiver request could be submitted and reviewed. The request for a waiver is discussed in the resubdivision section of this report. The applicant has now submitted a waiver request and this revised staff memorandum contains staff's updated analysis of the application. This report supersedes but incorporates the relevant findings.

**SITE DESCRIPTION (See attachment A)**

The subject property “Property” or “Subject Property” is identified as Part of Lot 8, Harry Martin Subdivision, on Tax Map JR 23. It is 96,926 square feet in size and is zoned R-200. It is located in the southeast corner of the intersection of Woodwell Road and Alderton Road in the Aspen Hill Master Plan area. Surrounding uses are consistently residential in all directions and developed under R-200 densities. The Matthew Henson State Park and trail, formerly the Rockville Facility right-of-way, lies to the south of the Property. Alderton Road currently terminates at the Matthew Henson Park.

The Subject Property is improved with a one family residential structure of unknown age and a number of associated outbuildings. There is no forest on the property, and there are no environmentally significant features. The Property drains to the Northwest Branch, a Use-IV-P watershed. The Property is currently served or is accessible to water, sewer, gas, electric and telecommunications utilities.

**PROJECT DESCRIPTION (see attachment B)**

The application proposes to plat the part of a lot into a single lot of approximately 96,700 square feet after dedication for the corner truncation. The proposed use on the lot is a religious institution with a capacity of 360 seats and associated parking. Access to the church will be at two locations, one on Woodwell Road and the other from Alderton Road. The location of the church has been revised as the review of the plan has progressed. The initial application showed the church located in the center of the lot, with asphalt parking surrounding the structure on all four sides. Staff believed that the church should be fronted up to the streets and that the parking surfaces between the structure and streets should be removed so this area could be used as green space. The applicant willingly worked with staff to relocate the structure and move parking to the rear of the building. Because of the 40 foot front yard setback required by the R-200 zone and the more stringent established building line setback on Woodwell Road, there is ample area for green space between the building and the streets. Given that building locations are not required to be specified on a preliminary plan, staff recognizes the applicant’s cooperation in this instance.

**ANALYSIS AND FINDINGS**

**Master Plan Compliance**

The Aspen Hill Master Plan does not specifically make recommendations for this site. The Plan supports continuation of the current R-200 zoning. The proposed use is consistent with the Master Plan land use objectives of protection, enhancement and continuation of the current land use pattern. Religious institutions are permitted within the R-200 zone; nothing in the master plan would prohibit such a use on the Property. Given the large size of the existing part of a lot, and its location on a primary street, this is an appropriate location for this use.

## **Public Facilities**

### **Roads and Transportation Facilities**

The proposed use will not generate 30 or more vehicle trips during the morning or evening peak-hours, therefore, the application is not subject to Local Area Transportation Review. Staff finds that the current vehicle and pedestrian access for the subdivision will be safe and adequate with the public improvements proposed by this plan, namely sidewalks, widening of Woodwell Road and the access driveways. The eventual future connection of Alderton Road to the south, as envisioned by the Master Plan, will provide additional access to the Property from the approved Poplar Run (Indian Spring) subdivision and Randolph Road to the south.

### **Other Public Facilities and Services**

The application has been reviewed by all local utility agencies (gas, electric, and telecommunications) who have recommended approval of the plan and a finding that their respective utility can adequately serve the development. Other public facilities and services, such as schools, police stations, firehouses and health services, are operating within the standards set by the Growth Policy Resolution currently in effect. The Property is not subject to payment of a School Facilities Payment.

## **Environment**

### **Forest Conservation**

The forest planting requirements of the Forest Conservation Law will be met off-site for this application. A determination of the off-site planting locations will be made at the time of Final Forest Conservation Plan review.

### **Stormwater Management**

The application has an approved stormwater management concept dated August 29, 2007. The concept consists of on-site infiltration via sand filters and trenches and channel protection measures via on-site detention using a shallow pond. The application meets the requirements of Chapter 50-24(j) for stormwater management.

## **Compliance with the Subdivision Regulations and Zoning Ordinance**

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets or qualifies for a waiver of all applicable sections including the requirements for resubdivision, as described below.

The lot was reviewed for compliance with the dimensional requirements for the R-200 zone as specified in the Zoning Ordinance. The lot, as proposed, will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The application has been

reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

### **Conformance with Section 50-29(b)(2) Resubdivision**

#### **A. Statutory Review Criteria**

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

#### **B. Neighborhood Delineation**

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate neighborhood "Neighborhood" for evaluating the application. In this instance, the Neighborhood consists of 15 lots (Attachment C) all platted under the standard R-200 zone. Included are those lots north of Woodwell Road and east of Alderton Road, with frontage on Woodwell Road, Bennet Road and Alderton Road as well as those lots to the east and south. The Neighborhood excludes lots on the west side of Alderton Road because they were all approved under the R-200, density control method of development. Staff included Lot 3 to the south of the Subject Property as part of the Neighborhood. Lot 3 was platted in 1954 as a buildable lot. Lot 3 remains the largest lot in the Neighborhood but because of its current ownership as a public entity it is no longer buildable in the sense that it once was. The lot was purchased by the State to accommodate the Rockville Facility, a southern branch of the Inter-County Connector. The property has now reverted to park use and is part of the Matthew Henson State Park. The designated Neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of the lots based on the resubdivision criteria is included in Attachment D.

#### **C. Analysis**

##### **Comparison of the Character of Proposed Lot to Existing**

In performing the analysis, the above-noted resubdivision criteria were applied to the delineated Neighborhood. The existing part of a lot is currently the second largest division of land in the Neighborhood and, if approved, the lot will be the second largest lot in the Neighborhood and at the high end of the Neighborhood range for size, area, width and frontage. However, as discussed below, there are grounds for waiving the requirement that the proposed lot be highly correlated with other lots for these characteristics. With respect to shape, alignment

and suitability for residential use staff finds that the proposed lot is in character. Therefore, staff finds that the proposed resubdivision complies with Section 50-29(b)(2). As set forth below, the attached waiver justification, tabular summary, and graphical documentation support this conclusion:

**Frontage:**

The lot frontages in the Neighborhood range from 102 feet to 400 feet. The proposed lot will be the second largest in the Neighborhood at 249 feet but will remain identical to the existing part of a lot.

**Size:**

Lot sizes range from 20,156 square feet to 283,576 square feet within the Neighborhood. The proposed lot (96,000 sf) will be the second largest in the Neighborhood but smaller than the largest lot (Lot 3).

**Width:** (at the building restriction line (brl))

Lot widths for existing lots range from 101 feet to 400 feet, with the proposed lot being the second widest at 249 feet. The width will remain the same as the existing part of lot 8.

**Area:**

The buildable areas for the lots in the Neighborhood range from 10,140 square feet to 155,966 square feet. The proposed lot will have a buildable area of approximately 52,628 square feet and will be the second largest. The buildable area will be unchanged from current conditions.

**Alignment:**

All lots are perpendicular to the street including the proposed lot.

**The proposed lots are of the same character as existing lots with respect to the alignment criterion.**

**Shape:**

Lots in the Neighborhood are described as rectangular, irregular or square. The Proposed lot will be rectangular.

**The shapes of the proposed lots will be in character with shapes of the existing lots.**

### **Suitability for Residential Use:**

Both the existing and the proposed lots are zoned residential and the land is suitable for residential use.

### **D. Discussion of Waiver Request**

Given the Board's previous concerns regarding the proposed lot's size, area width and frontage as compared to existing lots, the applicant has submitted a request for a waiver of Section 50-29(b)(2) of the Subdivision Regulations as they pertain to these criteria.

This request is summarized in the applicant's letter dated January 23, 2009 (Attachment E). The waiver request cites practical difficulties and unusual circumstances that prevent full compliance with the Regulations. The request confirms the statements of record at the public hearing which implied that the Subject Property is in fact the remainder, or unplatted residue, resulting from a previous action by the Planning Board in 1994 and that had both pieces been comprehensively reviewed at that time, they both would have been found to be in conformance with the resubdivision criteria.

The applicant also cites the historical aspects of the Subject Property. If approved, the resulting lot will not change substantially from its current size or shape; rather, the plat would look almost identical to the property's current boundaries. It would continue to be the second largest division of land remaining in this neighborhood of historically large lots.

The Planning Board has the authority to grant such a waiver pursuant to Section 50-38(a)(1) of the Subdivision Regulations provided certain findings can be made. The section states:

*"The Board may grant a waiver from the requirements of this Chapter upon a determination that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is: 1) the minimum necessary to provided relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interest."*

### **Staff's Position**

While the applicant's letter provides numerous points upon which to consider a waiver, staff believes that the most compelling unusual circumstance preventing full compliance with the Subdivision Regulations is the fact that the Subject Property is a part of a lot created by previous Planning Board action. Prior to 1994, the Subject Property was part of a larger record lot (Lot 8, Harry Martin Tract) which was 3.0 acres in size. In 1993, that lot was split into two unbuildable pieces by an illegal subdivision that was done by deed, not by plat. In 1994, the Planning Board reviewed one of those pieces and created the 0.75-acre Lot 16 immediately abutting the Subject Property to the south. The remaining 2.22 acre portion of Lot 8, now the Subject Property, was inexplicably not reviewed as part of that application and was left as an unplatted remainder of

Lot 8, or what the tax assessment office refers to as a part of a lot. This circumstance left the existing house on the Subject Property with certain limitations regarding issuance of building permits. By all current practices today, these limitations would be strictly avoided.

In staff's opinion, the entirety of Lot 8 should have been evaluated as a resubdivision of one lot into two lots, and, given the past history of Board actions in similar circumstances such a resubdivision would have been approved. This conclusion is based on the fact that the Planning Board has typically found that an existing lot which is one of the largest lots in a defined Neighborhood may be resubdivided into smaller lots that are still at the large end of the Neighborhood range because the two smaller lots are more in character with the neighborhood than the one larger lot. It is staff's opinion that this finding could have been made if the entirety of the original Lot 8 had been reviewed as a resubdivision into what are now Lot 16 and the Subject Property. The Subject Property, at 2.2 acres, would have been a reasonable lot to request since the house, outbuildings, pool and paved surfaces on the Property, which also existed in 1994, are relatively expansive and require a large lot to accommodate. Therefore, in staff's opinion a resubdivision finding that the size, width, area and frontage of the lot that is now under consideration by the Board are in character with its Neighborhood could have been made if the evaluation had been appropriately done in 1994. And the fact that the Subject Property was not appropriately evaluated as part of the resubdivision in 1994 is an unusual circumstance that justifies waiving the requirement to make those findings now, and permitting the lot to be created as part of the current application.

As an alternative to this waiver, this applicant could create two 1.1 acre lots, then the religious institution could quite easily be built within the setbacks of one lot, while the parking facility could be placed on the remainder of the property crossing the lot lines. However, it seems to staff that, given the fact that development of this property would not be for residential dwellings, there would be little purpose in creating multiple lots at this time. Therefore, staff recommends approval of the requested waiver as the most reasonable course of action.

#### **Citizen Correspondence and Issues (Attachment F)**

This plan was properly processed in accordance with the current submittal procedures. A pre-submission meeting was held with interested neighbors on March 26, 2008 at the Argyle Middle School. Fifteen individuals attended the meeting; a copy of the meeting minutes is attached. Concerns raised at the meeting included:

- Would this project require the opening of Alderton Road through the Matthew Henson State Park? *(Alderton Road will not be changed substantially and will not go through the park as part of this plan approval. A curb cut for access and a sidewalk will be the only additions.)*
- Will the church be purchasing Lot 16 to the south of the Property to expand? *(No plans to purchase the lot to the immediate south to allow for expansion have been suggested by the applicant)*
- Overflow parking on local streets *(The plan proposes a few spaces in excess of the required amount of parking for a 360 seat church. Although possible, it is reasonable to expect that the church will not be consistently at full capacity for services.)*



- Lighting shining on facility at all times. (*Lighting of parking for safety reasons is necessary; however, any lighting will need to comply with the lighting plan required by staff. Shrouds on light standards will direct light downwards rather than outward or upward*)
- Expansion of church and/or future plan (*There are no current plans for expansion*)

A letter was also received dated July 29, 2008. Concerns raised by adjoining residents are summarized below:

- Location shown on Notice of Application is incorrect. (*The application was re-noticed to correct this error*)
- The church is not on a main artery but is at a dead end. There will be too many cars and lives will be endangered. (*Alderton Road is a primary residential street with 36 feet of pavement width to accommodate parking on both sides and two through lanes. The location of a church on a primary street is appropriate. Although Alderton Road is currently a dead end, it connects to Bonifant Road, an arterial highway. Additionally additional access routes via secondary residential streets to Bonifant and Layhill Road also exist.*)
- The Church will hurt home values. (*Not typically germane to the Board's decision, however, staff is not aware of any evidence to support this statement*)
- Traffic signals will be required with additional traffic. (*This project will not require traffic signals to be placed at the intersection of Bonifant and Alderton roads. All trips to and from this Property will be off-peak hour (weekend). The need for a traffic signal at Bonifant Road and Alderton Road will likely be re-evaluated if or when Alderton Road is completed as a through street to the Poplar Run development as proposed by the Aspen Hill and Kensington Wheaton Master Plans*)

Staff has also been in contact with the citizen who owns the vacant lot immediately to the south of the Property (Lot 16). That owner has expressed some regret over the use of the Property for an institutional use as he wished one day to build a private residence on his lot. The Board has before them a landscape plan that proposes a row of Pin Oaks with the addition of supplemental evergreen plantings along the common property line which will screen the parking area from Lot 16. Staff believes that the Pin Oaks and evergreen screening, in combination with some tree save along this common property line by the applicant, will provide a reasonable buffer from the proposed use.

Since the previous hearing staff has received an email dated February 3, 2009, that raises concerns about parking, lighting, traffic and church attendance. These issues were discussed at the previous hearing. Parking on the site slightly exceed the amount required by code and should be sufficient for the vast majority of services held at the facility. A lighting plan will be reviewed and approved by staff prior to record plat, and it will need to meet industry standards. Traffic will be only during non-peak hour periods on the weekends; the Board has limited authority to review traffic impacts at these times. Since the church is capped at 360 seats, any expansion will require an amendment to the preliminary plan.

Staff finds that the residents' concerns have been addressed to the extent possible by this plan.

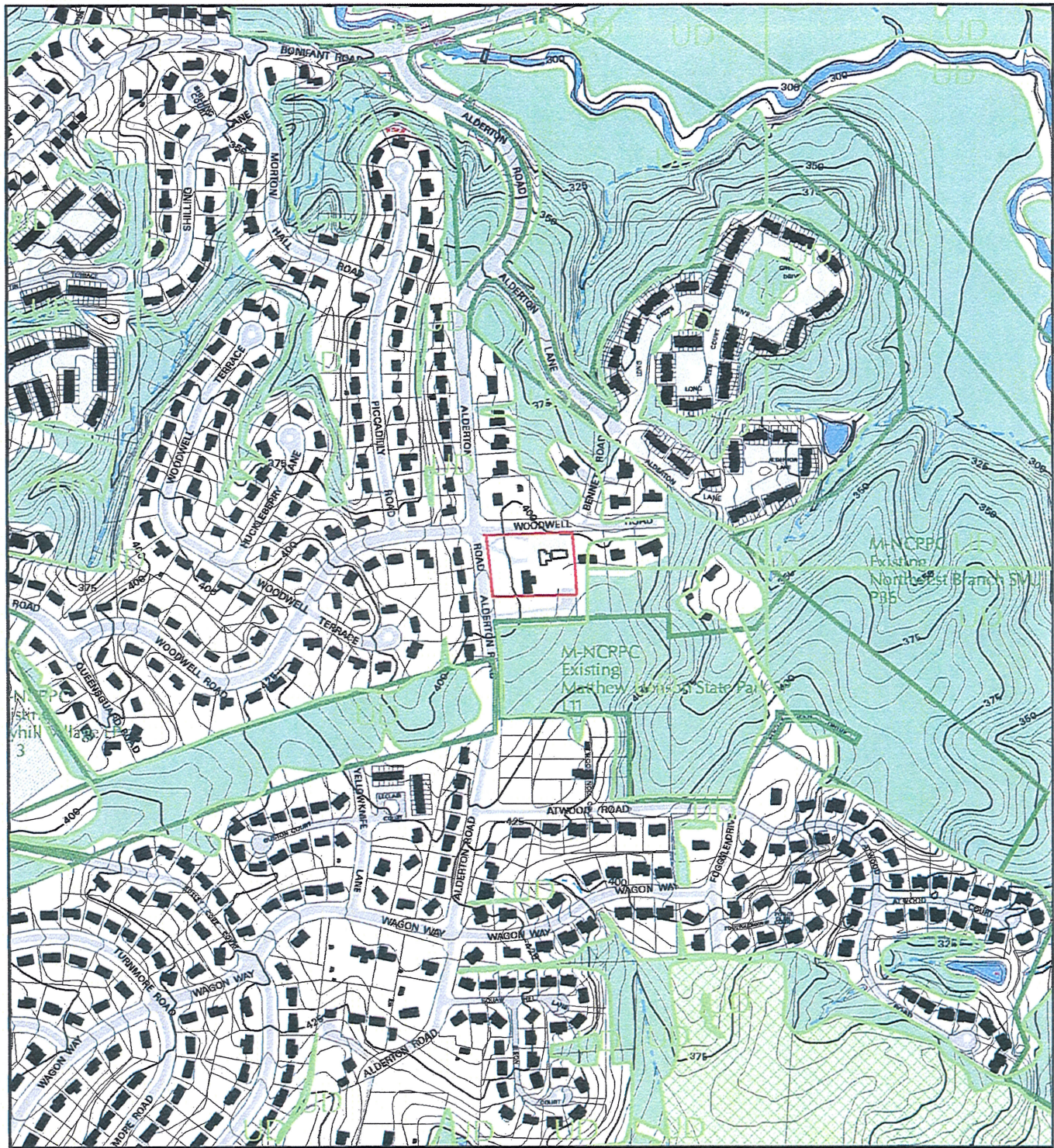
## **CONCLUSION**

The Planning Board's failure to evaluate the entirety of former Lot 8 in 1994 is an unusual circumstance that prevents the application from fully complying with the Subdivision Regulations. Staff recommends that the Planning Board find this justification to be valid and approve a waiver of Section 50-29(b)(2) pursuant to Section 50-38 of the Subdivision Regulations. The proposed lot meets all remaining requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Aspen Hill Master Plan. Access and public facilities will be adequate to serve the proposed lot and use, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

### **Attachments:**

- A – Vicinity Map
- B – Preliminary Plan
- C – Resubdivision Neighborhood
- D- Resubdivision Table
- E – Waiver Request
- F – Citizen Correspondence

# MIRACLE TEMPLE ASSEMBLY OF GOD 120080290



Map compiled on January 22, 2009 at 10:05 AM | Site located on base sheet no - 219NW02

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1 inch = 600 feet  
1 : 7200





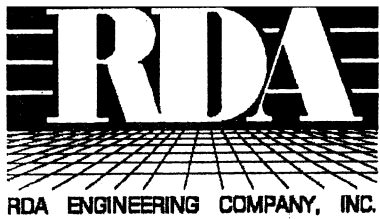
**120080280 Miracle Temple Resubdivision Table**

Lot #	Lot Size	Frontage	Alignment	Lot Shape	Width	Buildable Area	Suitability
SUBJECT	96,926	249	perpendicular	rectangular	249	52,628	
3*	283,576	400	perpendicular	rectangular	400	155,966	Yes
13	48,081	130	perpendicular	rectangular	130	21,636	Yes
14	48,081	130	perpendicular	rectangular	130	21,636	Yes
15	49,890	140	perpendicular	rectangular	140	22,450	Yes
16	34,192	100	perpendicular	rectangular	100	15,386	Yes
22	20,609	142	perpendicular	irregular	131	10,300	Yes
23	20,133	142	perpendicular	pipestem	125	10,250	Yes
24	22,523	142	perpendicular	irregular	142	12,009	Yes
12	59,982	126	perpendicular	irregular	146	29,997	Yes
11	45,302	125	perpendicular	irregular	136	23,557	Yes
21	36,953	165	perpendicular	rectangular	178	16,200	Yes
17	39,382	165	perpendicular	square	165	21,661	Yes
18	20,258	102	perpendicular	irregular	101	10,150	Yes
19	20,156	105	perpendicular	rectangular	105	10,140	Yes
20	20,156	105	perpendicular	rectangular	105	10,140	Yes

**NOTES**

All lots are suitable for residential development

Lot 3 is owned by the State and is within the Matthew Henson Park but was platted originally as a building lot



January 23, 2009

The Honorable Dr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Miracle Temple Assembly of God  
Preliminary Plan of Subdivision  
Case Number: 120080290  
Waiver from §50-29(b)(2)

Dear Chairman Hanson:

This letter is written on behalf of the applicant, the Miracle Temple Assembly of God, to request that the Planning Board grant a waiver from the requirements of §50-29(b)(2) of the Subdivision Ordinance in connection with the referenced case. Section 50-29(b)(2) requires that the Board find that lots in a resubdivision "shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision."

The conditions giving rise to the request are as follows: The subject case involves the resubdivision of a tract of land known as "Part of Lot 8, Harry M. Martin Tract" into a single lot of record. While the alignment, shape and suitability for residential use are of the same character as the defined neighborhood, the technical staff from the Development Review Division has noted in its report to the Board that the subject lot, at 2.23 acres in size, is the second-largest in a 15-lot neighborhood. Other lots in the defined neighborhood more typically approximate an acre in size. From this difference in size, proportionate differences in street frontage, width and area also follow.

Discussion on the matter has focused on whether the variance in the size of this lot from the average of the others in the designated neighborhood would place this lot as an outlier in a measure of similar character; rather than debate the issue of similarity of character, the applicant has agreed to pursue this waiver (without foreclosing its rights to appeal) on the basis of the applicant's belief that if the Board found different character of size, width, frontage and area exists, good cause also exists in the form of practical difficulties and unusual circumstances for granting a waiver from the provisions of §50-29(b)(2).

First, it is important to recognize that the need for the subject resubdivision exists only because an earlier resubdivision, which was approved by the Planning Board in 1994 and

Email: rda@rdaengineers.com

UPPER MARLBORO, MD  
(301) 952-8200  
(301) 627-3100  
FAX (301) 952-8204

Shekhar Dhalwala PE  
Harley Sampson PE  
Mark G. L. Ferguson RA

Over 30 Years Experience

Roscoe Tippett PLS  
Ben Robertson RLS  
Chris Wyvill Survey Tech

PRINCE FREDERICK, MD  
(301) 855 9500  
(410) 535-8600  
FAX (301) 855-9042

which created the adjacent Lot 16, left the subject tract as a residue rather than affirmatively establishing a new record lot.

Second, the subject resubdivision will not be changing the character of the existing tract: The limits of the proposed lot will be substantially the same as the existing lot, differing only by a small area of dedication for a right-of-way truncation at the corner of Alderton Road and Woodwell Road.

Finally, the applicant believes that it is also instructive to examine the subdivision history of the neighborhood a little further: The original subdivision in 1954 created seven lots ranging between one-and-a-half and six-and-a-half acres, with a three-acre average. The subject Lot 8 was created two years later in 1956 as a resubdivision of one of the larger lots into two three-acre lots. At the time of its creation, it was of the same character as the surrounding neighborhood and the surrounding subdivision. A number of other subsequent subdivisions have since reduced the size of the lots now existing within the boundary of that original subdivision down to what has been described in your staff's report.

The criteria for approval of waiver from the provisions of the Subdivision Ordinance are laid out in §50-38(a)(1). They are that:

“practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is 1) the minimum necessary to provide relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interest.”

The applicant believes that all of those criteria are met.

The practical difficulty which prevents full compliance is that the subject subdivision is proposed only to validate the entirety of the existing tract as a lot of record so that it may be legally used; creation of new lots are not proposed, so the size of the tract can not be altered.

The applicant believes that unusual circumstances also exist: The pattern of successive resubdivisions in the neighborhood over the years has gradually moved the size of the subject tract from the mean area towards an extreme. Also, the tract exists in its present legal status as the result of a prior Board action, namely the 1994 resubdivision which left this tract as a residue.

Because the action would only validate the existing tract and would not serve to increase the number of lots or the net density of the tract, granting of this waiver is the minimum relief necessary to allow for the approval of the plan of subdivision as a whole.



Because the absolute size of the lot is not large (which necessarily limits the scale of development which could occur on it), because the proposed lot is in any case not greatly out of character with the existing lots in the surrounding neighborhood, and noting that no special or extraordinary approval is being sought for the use of the lot, the applicant believes that granting this waiver would not be inconsistent with the purposes and numerous objectives of the Land Use, Housing, Employment, Transportation, Environment, Community Identity and Regionalism elements of the General Plan.

And finally for the same reasons of scope and relative scale, the applicant believes that granting this waiver would not be adverse to the public interest.

We thank you and the Planning Board for your kind consideration of the applicant's request; I am of course available to answer questions, provide clarification, or supply you or your staff with any additional information you might require to consider this request.

Sincerely,  
RDA Engineering Company, Inc.



Mark G. L. Ferguson, R.A.  
Senior Land Planner

Cc: Rev. Dr. Ebenezer Caternor, Miracle Temple Assembly of God  
R. Sterling Hughes, Warder & Associates, Inc.

Church Construction on 14111 Alderton Road

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

RECEIVED

JAN 21 2009

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

BY FAX: 301-495-1320

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

Dear Mr. Chairman,

As a member of the Layhill East Village Association I would like to bring to your attention a number of issues related to the construction of a new church in the middle of small single family homes on a dead end street.

The Layhill East village is a development with small, single family homes on mostly small lots. The houses in the neighborhood are comparable in lot and home size. Our neighborhood is idyllic, quiet, with little traffic and with children playing safely in the street. We believe that, with the construction of the new church, the whole character of our area will change drastically. A number of major issues, including traffic, trash, pollution, parking, and flooding will need to be addressed. Currently the lot is occupied by a single family home with similar characteristic to the surrounding homes.

The following are some of our major concerns related to the construction of the Church:

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The Board also should consider the eventual connecting of Alderton Road to the south through the Hansen Trail to the traffic from Indian Spring development. The eventual opening of Alderton will pose great safety concerns. With all of the additional traffic now coming from all directions throughout the neighborhood will increase 10 fold the chance for a serious traffic related incident involving church traffic coming and going. I would be most hesitant to allow my child to leave my yard for any reason w/out me. This will be like living on a major artery which is one of the primary reasons I selected this place to live because of the extremely low volume of traffic. This will forever destroy my peace and quite enjoyment of this neighborhood and will likely lead to my selling of the property as it would be a most undesirable place to live.

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The church certainly will affect home values. I wont be able to sell my property at anywhere near what I paid unless the pastor purchases my land for him self. If the church is built I would no longer be interested in building on or retaining this property.

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Sincerely,

1) Phillip Jones

2) Ronald Timbo

3) J. Davis

4) Emmanuel Igbo

5) Hudson Craves.

Woodwell rd residents

Church Construction on 14111 Alderton Road

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

RECEIVED

JAN 21 2009

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

BY FAX: 301-495-1320

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

Dear Mr. Chairman,

As a member of the Layhill East Village Association I would like to bring to your attention a number of issues related to the construction of a new church in the middle of small single family homes on a dead end street.

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**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large in size and height Church building will be erected on the site. This structure will definitely alter the look and feel of our neighborhood. The Staff report states in part "There are no current plans for expansion" That is today. They have no plans to expand as they haven't built the building yet. Once that happens it's only a matter of time before they are "busting at the seams" and will expand.

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**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton Road have issues with flooding on rainy days. With the construction of houses on the other side of the Hansen Trail, this problem has increased. Now, with the construction of the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." And we feel it should be used for residential only as it is in the center of our neighborhood.

I and the members of the community request you and the entire Board review all the facts of this plan for the construction of the new church and carefully consider the negative effects on the community including all of the issues related to the Hansen Trail, Community Center, play grounds and the church at the crossing of Layhill and Queensgaard. We request that you postpone the vote scheduled for January 22<sup>nd</sup> and that you ask for a complete review by the appropriate departments: traffic, environmental & conservation, and flood water management, etc. before any decision is made. This is something that effects people and our reason for living in this neighborhood. Not to say that the ICC is being built right in our backyard.

Sincerely,

  
Yesenia Portillo  
A Shilling Lane Resident.

*Called 2/16/09*  
**RECEIVED**  
JAN 21 2009

.....  
**facsimile transmittal**

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

**To:** Mr. Royce Hanson / Chairman - **Fax:** 301-495-1320  
Montgomery County Planning Board -  
8787 Georgia Avenue, Silver Spring,  
MD 20910

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**From:** Mensah & Ruth Adjogah / 14113 **Date:** January 21, 2009  
Huckleberry Lane - Silver Spring, MD  
20906

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**Re:** New Church Construction at 14111 **Pages:** 4 (Including Cover page)  
Alderton Road, Silver Spring, MD  
20906

.....

**CC:**

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**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

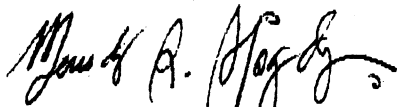
Dear Mr. Hanson:

We are joining our neighbors living in "Layhill East Village", and as a members of Layhill East Village Association (LEVA) to request from you and your board members to "POSTPONE" the review and deliberation, regarding the proposed construction of a "New CHURH" at 14111 Alderton Road, Silver Spring, MD 20906.

We have lived in this neighborhood since 1993. We believe that it is appropriate to "BUILD" a New Church, regardless of its denomination, in the **Middle** of an **existing and established** neighborhood with **NO EXIT**.

Thank you very much for your understanding of the "CONCERNS" of the members of the Layhill East Village Association (LEVA).

Sincerely,

  
Mensah & Ruth Adjogah

.....



## Church Construction on 14111 Alderton Road

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

Dear Mr. Chairman,

We, the members of the Layhill East Village Association would like to bring to your attention a number of issues related to the construction of a new church in the middle of small single family homes on a dead end street.

The Layhill East village is a development with small, single family homes on mostly small lots. The houses in the neighborhood are comparable in lot and home size. Our neighborhood is idyllic, quiet, with little traffic and with children playing safely in the street. We believe that, with the construction of the new church, the whole character of our area will change drastically. A number of major issues, including traffic, trash, pollution, parking, and flooding will need to be addressed. Currently the lot is occupied by a single family home with similar characteristic to the surrounding homes.

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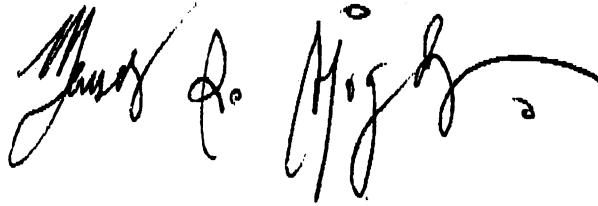
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Yours sincerely,

**Messanvi & Ruth Adjogah / 14113 Huckleberry Lane, Silver spring, MD20906**

**Members, LEVA**

A handwritten signature in black ink, appearing to read "Mandy Q. High". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave.  
Silver Spring, MD 20910-3760

RECEIVED

JAN 21 2009

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

January 21, 2009

Mr. Hanson,

**TOPIC:**

Proposed church construction on 14111 Alderton Road. Flooding to the area.

**EXPLANATION:**

The lots on Alderton Road in front of the proposed church is in an area that's already prone to flooding, erosion, and sinking. This is around a wetlands area.

There are many reasons in terms of water, flood and erosion control that putting a large parking lot would be fatal to the land and homes on the opposite side of Alderton Road to the church.

There is already a new drainage culvert from the recently built homes on the other side of the Matthew Henson Trail. It drains into the woods next to the Steinberg lot. Heavy rains now consistently cause water to flood that area of the woods & spill over the flat land. It then washes over the curb sending a heavy stream of water and debris onto Alderton Road and then into the very drain that is opposite the dry pond.

The *existing drainage pipe* is only 18 inches in diameter. This pipe, according to an expert will not be able to handle the additional water caused by the proposed parking lot at the proposed church site. The back-up at the 18 inch pipe drain and the additional drainage from the dry pond would be too great for the already constantly saturated soil.

Putting the drainage into a dry pond will eventually leach the soil and wash away the land, causing sinkage from under Alderton Road, the properties, and bringing water into and under the homes across the street.

The water will drain down toward the homes across the street from the proposed church. Excess water overflow of the 18" drainage pipe & dry pond will raise the water level & flood the basements of the existing homes. These homes already are prone to flooding. The great amount of additional water from the proposed church parking lot along with the additional drainage already coming from above the Matthew Henson Trail will flood the basements & weaken the foundations of these homes. This is not just a possibility it is a guarantee.

We have seen this already, and I submit the following as proof. When a former owner of the proposed church property (Scholsser Nursery) watered heavily; the basements of the homes across the street would flood. Additionally, the soil under the properties have sunk and become uneven, necessitating the addition of extra soil that had to be purchased. This land is known to have instability because of water and erosion. Furthermore, there is a possibility that there is an underground stream already flowing under 14108 and 14112 Alderton Rd. This was told to me by the previous owner of 14112 who, when she had her basement re-finished had to have special drainage constructed. The contractors told her that an underground stream was the problem.

If you look at the contour of the road coming in on either side of 14108 and 14112 and contour of the proposed church property and parking lot, you can easily see that the homes across the street are in a bulls eye path to have extreme water problems and that this could extend to 14104 and 14116. It seems to us that, in view of the already documented problems with water in this area, that further study is warranted before allowing a neighborhood speculator and the church that bought the property from him to directly cause irreparable damage to the pre-existing 35 year old homes located across the street.

Sincerely,

 1/21/09

Susie & Dave Humphrey  
14104 Alderton Road  
Silver Spring MD 20906

Church Construction on 14111 Alderton Road

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

RECEIVED

JAN 22 2009

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

BY FAX: 301-495-1320

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

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The Board also should consider the eventual connecting of Alderton Road to the south through the Hansen Trail to the traffic from Indian Spring development. The eventual opening of Alderton will pose great safety concerns. With all of the additional traffic now coming from all directions throughout the neighborhood will increase 10 fold the chance for a serious traffic related incident involving church traffic coming and going. This will be like living on a major artery.

If we combine all the above, the traffic will be 1000 fold increase on the small streets of our community.

The frequency of accidents at the Bel Pre and Layhill intersection is on the rise and this can be verified from the public information available with the MVA and the local police department.

Currently Queensguard Road and Punch Street are being used by the public to park their cars during weekdays. Making a left turn on Layhill from Queensguard Road during rush hours has become very difficult.

**CHURCH MEMBER PARKING:** According to the preliminary plan the church parking lot (on church property) will accommodate over 90 vehicles of which they propose 6 will be handicapped parking. As stated above, if each of the 360 members belongs to (on average) a family of 4, that means there will be approximately 90 families. There will be no parking for clergy or staff and no room for growth in the future. Immediately upon completion there will be fewer parking spaces than required which will mean overflow onto the streets of our neighborhood.

**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large in size and height Church building will be erected on the site. This structure will definitely alter the look and feel of our neighborhood. The Staff report states in part “There are no current plans for expansion” That is today. They have no plans to expand as they haven’t built the building yet. Once that happens it’s only a matter of time before they are “busting at the seams” and will expand.



The church certainly will affect home values.

**ENVIRONMENTAL ISSUES:** Environmental issues include pollution due to increased, heavy traffic, noise pollution, additional trash, which is inevitable from large gatherings, big lights, etc will alter this quiet, clean and nice neighborhood by turning it into a commercial area. We will lose more trees which are providing beauty, shade, a sound barrier, and mitigates pollution. We also have to consider that the church will bring dumpsters requiring additional trash trucks, deliveries of all sorts for various functions (religious functions, Weddings, fundraising events, parties etc) which will bring in large trucks of various types. There will be additional, commercial lighting and noise. A congregation, of the size proposed, converging even 2 to 3' times every week in our neighborhood all at once will reduce our privacy and greatly increase the environmental problems and inconvenience to all.

**FOREST CONSERVATION:** The forest conservation plan mentioned on page 5 states "the requirements of the forest conservation law will be met off-site." This is the complete opposite of what is needed in the community. We were under the impression that via landscaping and forest conservation efforts to build a large if not complete buffer of the neighborhood from the church. It is not clear how much green buffer will be planted around the church property. For the church to do anything off site totally defeats the intended purpose of shielding and buffering.

**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton Road have issues with flooding on rainy days. With the construction of houses on the other side of the Hansen Trail, this problem has increased. Now, with the construction of the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." And we feel it should be used for residential only as it is in the center of our neighborhood.

I and the members of the community request you and the entire Board review all the facts of this plan for the construction of the new church and carefully consider the negative impacts on the community including all of the issues related to the Hansen Trail, Community Center, play grounds and the church at the crossing of Layhill and Queensgaard. We request that you postpone the vote scheduled for January 22<sup>nd</sup> and that you ask for a complete review by the appropriate departments: traffic, environmental & conservation, and flood water management, etc. before any decision is made.

Sincerely,



Trevor and Stephanie Needham  
1508 Woodwell Road  
Silver Spring, MD 20906

R L S U S U V S U

JAN 22 2009

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

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

January 21, 2009

**URGENT!**

**BY FAX: 301-495-1320**

**Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290**

Dear Mr. Chairman,

As founders and past Board members of the Layhill Village East Citizens Association, we bring to your attention a major issue related to the construction of a new church in the middle of our small community, made up of approximately 180 single family homes on a majority of dead end streets.

We have lived in Layhill Village East for more than 35 years — we are one of a handful of still remaining “original” residents so know the history of our neighborhood and surrounding county quite well. We founded LVECA because of our concern for our quality of life and those of our neighbors and while we understand change happens and can be of value to us, we now find it necessary to speak out about the possibility of a church — *a business* — being permitted to be built in our small, idyllic and quiet community, where there is little through traffic because of dead-end streets and children play safely on those streets.

We believe with the construction of a church, the whole character of our neighborhood will change drastically. Currently, *and for at least the past 25 years*, this lot set in the most private and enclosed portion of our dead-end streets, has been occupied by a single family home with similar characteristics to the surrounding homes. *It has NOT occupied a business although zoned for such.* When we first moved to LVE, the lot consisted of a single family home where the occupants (Schloss family) ran their landscaping and tree nursery business from the lot—a business whose main work took place *off* the grounds of the site and/or consisted of growing trees. This was long before Alderton Road was a through street, and the landscaping business had so little traffic and employees traveling through the neighborhood, it was of little consequence. At most, they had 8-10 trucks, which the neighbors rarely saw. In fact, we only knew of the business because our children rode the bus with their children.

We now understand that the current occupants want to sell the lot to a church, taking advantage of the old zoning. *We feel this is a completely inappropriate addition to LVE.* This is the only lot we are aware of zoned for a business in LVE, and we feel that there has been a *gross oversight* in not previously rezoning this lot to fit into the rest of our residentially zoned area.

The following are some of our major concerns related to the construction of the Church and the inappropriate manner in which it will not fit into a residentially zone area:

**TRAFFIC:** The church claims that they currently have 360 members. They have indicated that none of its present members live in our community, thus traveling long distances from Virginia,

Frederick, etc. Assuming that number is not a low estimate, one of the big issues is going to be the significant traffic increase in our neighborhood coming from both Layhill Road and Bonifant Road to Alderton Road. A major issue: we already understand from our conversations with Park & Planning about the new Rec Center that a light can not be installed at Layhill and Queensguard. How will traffic flow without one?

We can safely presume that the congregation will grow once they are in their new location, as that is often the reason churches move to new sites. Having the church driveway on Alderton Road will force more traffic onto the small dead end of residential Alderton Road. As the church membership grows, the parking lot for ~90 will not be adequate since there is no room for growth to facilitate a growing membership. This will force overflow parking onto our neighborhood streets, primarily Alderton Road and Woodwell Road.

The church states they will have services exclusively on Saturday and Sunday and not use the building at any other time for any other reasons. This is just unrealistic! It is common practice for any place of worship to offer a number of activities to their members, often including classes, a day care center, ceremonies, fund raisers, meetings, parties, and renting the space out—all to generate income for expenses (i.e., mortgage, utilities, etc.) and upkeep of the facility and staff salaries. This will generate an enormous amount of additional traffic in our small, enclosed community. *Any business is inappropriate on a lot in our small community that has been primarily a residential community for more than 25 years and has not had a business on the proposed lot for a majority of its existence!*

There are other structures recently constructed which have also created a very high volume of traffic on our neighborhood streets:

- 1) The Matthew Hansen Trail: volumes of people drive to Alderton Road, park their cars and walk/run on the trail
- 2) Mid-County Recreation Center: This will increase the traffic and parking on all the roads in the community—without benefit of a light at Layhill Road and Queensguard Road.
- 3) Playing fields on Queensguard Road: these already create massive road traffic and parking problems, where driveways are often blocked, and ignorant drivers stop at the corner of Layhill and Queensguard for pickup/dropoffs, creating unsafe conditions and “visitors” that do not care about LVE residents.
- 4) Parker Farm homes: traffic and commuter parking at the top of Queensguard and Punch Streets has already increased dramatically, creating unsafe turns from Layhill Road.

The Bel Pre Road and Layhill intersection has already been deemed one of the unsafest *in the region* and accidents are on the rise. This can be verified from the public information available with the MVA and the local police department.

**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large Church building, both in size and height, will be erected on the site. This structure will *dramatically* alter the look and feel of our neighborhood. The staff report states in part “there are no current plans for expansion”. “*No current plans.*” As we are aware by all the growth in Layhill, that can change in an instant and it’s unrealistic to assume expansion *won’t* happen—unless this is a cult or closed church where newcomers are unwelcome. *Any business on this lot*

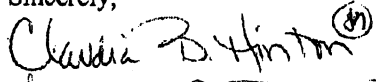

***in a community that has been primarily a residential community for more than 25 years, and has not had a business on the proposed lot for a majority of its existence, is inappropriate!***

**ENVIRONMENTAL ISSUES:** In our ever-increasing awareness of the environment and ways we can help to *preserve*, these issues include pollution due to increased, heavy traffic, noise pollution, additional trash (inevitable from large gatherings), and large outdoor parking and building lights, which will alter this quiet, clean neighborhood *by turning it into a commercial area. Any business on this lot in a community that has been primarily a residential community for more than 25 years, and has not had a business on the proposed lot for a majority of its existence, is inappropriate!*

**RESIDENTIAL USE:** Page 8 of the report states, "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." ***We feel the lot should be for residential use only because LVE has been primarily a residential community for more than 25 years and this lot has not had a business on the proposed lot for a majority of its existence. A church/business is inappropriate for this site!***

We respectfully ask that the Park and Planning Commission carefully consider the negative effects on the community of a proposed church/business in our small community. We request that you postpone the vote scheduled for January 22<sup>nd</sup> and that you seek rezoning of this lot to fit in with the community as it has existed for more than 30 decades.

Sincerely,

— Claudia B. Hinton – Past Board Treasurer & Co-Founder  
Felicia M. Barlow – Past President & Founder  
Layhill Village East Citizens Association

14112 Woodwell Terrace  
Silver Spring, MD 20906  
H: 301-460-9351

# RECEIVED

JAN 22 2009

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

January 21, 2009  
Andrew Groebner  
14109 Huckleberry Lane  
Silver Spring, MD 20906

To: Montgomery County Planning Board  
c/o Mr. Royce Hanson, Chairman, MCPB  
Re: January 9, 2009 Memorandum from Richard Weaver  
Project Name: Miracle Temple Assembly of God  
Case #: 120080290

To the Board,

The referenced memorandum recommends approval of the construction of a building with a capacity of 360 seats and associated parking on the lot at Woodwell Road and Alderton Road in the Layhill Village East neighborhood. I am writing to express my disagreement with these findings and will describe why I think this is an inappropriate proposal for this neighborhood.

Section B, Neighborhood Delineation, uses a far too strict definition of the neighborhood as 15 lots. Since there are only two exits from the community, to Layhill Road and to Bonifant Road, there are scores of lots in the neighborhood and all the residents in them are affected by the proposed lot development.

It is unbelievable to think the facility would only be used on weekends and during off peak hours and I ask the Board to consider the impact such a facility would have on the neighborhood. This facility will likely draw patrons every day of the week, contrary to the memo's assertion that 30 or more vehicle trips during peak hours will not be generated.

In Section C, the comparison contends that the proposed lot will not change to any significant degree from its current configuration. I strongly disagree with this opinion. The current lot does not accommodate 360 people nor does it have a parking lot. My own house, typical of the houses in the neighborhood, does not hold one-tenth of the capacity of the proposed dwelling. And even if I had a house full of guests, they would be able to park in my driveway and the street, without any need for a parking lot. I contend that any parking lot – for 10 cars, 50 cars or 150 cars – is out of the ordinary for this neighborhood and would certainly be a significant change from the existing lot.

The frontage, alignment, shape and width criteria as described mask the true, altered nature that the proposed lot would become. They are irrelevant. Focus instead on the size and area criteria of the lot: of inhabited lots, it is the largest of the neighborhood (Figure 1). It is more than 50% larger than is typical and the majority of existing lots could not accommodate the proposed lot, by a considerable margin.

There are many houses of worship in our community along New Hampshire Avenue. I ask the Board to deny the proposal and the permanent change to our quiet neighborhood that it would bring. Please find another location for the intended purposes.

Sincerely,



Andrew Groebner

## MCP-CTRACK

---

**From:** swncrafts@aol.com  
**Sent:** Monday, January 19, 2009 12:21 AM  
**To:** MCP-Chairman  
**Subject:** Public comment for 120080290  
**Attachments:** TempleChurchHearing.docx; TempleChurchHearing.rtf

**RECEIVED**  
JAN 22 2009

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

Dear Chairman Hanson,

Phillip & I, will not be able to attend the hearing on Thursday January 22, 2009, however, we have provided the following comments to the Miracle Temple Assembly of God church project. I have attached a MS Word 2007 document and a duplicate word pad .rtf document which contains comments to the staff report.

Thanks for you time and consideration of the comments provided.

Sincerely,

Phillip & Nina Jones  
1404 Woodwell Rd  
Silver Spring MD 20906

---

**A Good Credit Score is 700 or Above. See yours in just 2 easy steps!**

January 19, 2009

Dear Chairman Hanson,

Nina and Phillip Jones at 1404 Woodwell Rd would like to provide the following comments for the planning hearing reviewing subdivision file number 120080290.

**Road issues:**

- 1) Woodwell Rd east of the church parking lot has a dead end and has no exit; therefore, putting a parking entrance/exit on Woodwell will significantly limit the ability of residents east of the exit/entrance to leave during the 9:30, 10:30, and 12:30 programs on Sunday. No other exits on Woodwell Rd are planned and building another exit on Woodwell Rd is not really feasible due to the layout of the land.
- 2) Currently east bound Woodwell Rd is lined with mature trees, when the residents built the current road on Woodwell Rd we attempted to preserve these trees.
- 3) Even though Alderton Rd will be extended to connect to the southbound side of Alderton Rd, until that time there will be limited access to the church from Alderton Rd and this will definitely cause increased traffic on west bound Woodwell to Queensgaard Rd and northbound Alderton.
- 4) Queensgaard Rd is already expecting increased traffic due to the construction of the Mid-County Recreation Center.
- 5) Members of the church going west bound on Bonifont Rd will find it difficult to make the left turn onto Alderton Rd due to the winding nature of Bonifont Rd and the speed of the traffic coming down the hill facing them as they turn onto Alderton Rd. The curving nature of the road also limits the line of sight of the oncoming traffic and significantly shortens a driver's decision making time.
- 6) To complicate the left turn option on Bonifont Rd to Alderton Rd; there is no left turn lane. While making a left turn from this winding 2 lane road with a very small shoulder, there is an increase probability of being rear ended and if a significant amount of people are making left turns, traffic could back up significantly west bound on Bonifont Rd.

**Parking:**

- 1) Based on the site plan provided by RDA there is enough parking assuming people arrive 4 per car, however, if there are significantly less people per car then where will the overflow cars park. Woodwell Rd east is a narrow road with no room for parking cars.

**Aesthetic Issues:**

- 1) Woodwell Rd east is in a wooded setting that has been lost in most of the Washington Area. This setting is what led us to purchase and build our home here 15 years ago. We feel that putting a church here is disruptive to the woodland setting we currently enjoy.

Here's a link to a bird's eye view of the neighborhood in question.

<http://maps.live.com/default.aspx?v=2&FORM=LMLTCP&cp=qhf5j28kdh1v&style=b&lvl=1&tilt=-90&dir=0&alt=-1000&scene=31335740&phx=0&phy=0&phscl=1&encType=1>

If you remove the labels you will see that Woodwell Rd east is a very small road.

- 2) The church site is in a residential area as you reported. The church will be surrounded by homes on all sides. I don't agree that the church is consistent with a residential neighborhood. Most churches are on major thoroughfares such as New Hampshire Ave, Layhill Rd, Georgia Ave, and Bel Pre Rd. Alderton Rd and Woodwell Rd are small residential roads with single family homes on both sides. In fact, I don't know of any church located in the middle of a residential neighborhood.

Thanks for your time and I hope this discussion motivates you to correct the problems I have identified.

Sincerely,

Nina and Phillip Jones



RECEIVED

JAN 22 2009

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

**Fax**

To: Royce Hanson From: Amanda Saavedra  
Fax: 301-495-1320 Pages: 4  
Phone: 301-460-3130 Date: 01/20/2009  
Re: Church Construction - Alderton<sup>14111</sup> Rd. CC:

Urgent  For Review  Please Comment  Please Reply  Please Recycle

Amanda Saavedra  
1601 Woodwell Rd.  
Silver Spring, MD 20906  
(H) 301-460-3130

Church Construction on 14111 Alderton Road

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

**BY FAX: 301-495-1320**

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

Dear Mr. Chairman,

As a member of the Layhill East Village Association I would like to bring to your attention a number of issues related to the construction of a new church in the middle of small single family homes on a dead end street.

The Layhill East village is a development with small, single family homes on mostly small lots. The houses in the neighborhood are comparable in lot and home size. Our neighborhood is idyllic, quiet, with little traffic and with children playing safely in the street. We believe that, with the construction of the new church, the whole character of our area will change drastically. A number of major issues, including traffic, trash, pollution, parking, and flooding will need to be addressed. Currently the lot is occupied by a single family home with similar characteristic to the surrounding homes.

The following are some of our major concerns related to the construction of the Church:

**TRAFFIC:** The Church claims that they have 360 members at this point. It seems none of the present church members live in this community and travel long distances from Virginia, Frederick, etc... Assuming that number is true, and not a low estimate, one of the big issues is going to be the significant traffic increase in our neighborhood coming from both Layhill Road and Bonifant Road to Alderton Road. Assuming that this new church is typical, we can presume that the congregation will grow once they are in their new location. Having the Church driveway on Alderton will cause even more of a nightmare forcing more traffic to use the dead end of Alderton to get into the church vs. an entrance at Woodwell & Alderton.

The church states they will have services exclusively on Saturday and Sunday and not use the building at any other time for any other reasons. It is common practice for any religious place of worship to offer a number of activities including religious classes, a day care center, rent the space for functions, ceremonies fund raisers and for various meetings and parties which will generate a huge amount of additional neighborhood traffic and clog our neighborhood roads. Page 9 states that all trips to and from this property will be at off peak hours (weekends). This is simply not true, not realistic and not feasible for the church.

We would like to notify the Planning Board that there are other structures that were recently constructed which have also created a very high volume of traffic on these roads:

- 1) Hansen Trail: A number of people drive to Alderton road, park their cars and walk/run on the trail

We would like to notify the Planning Board that there are other structures that were recently constructed which have also created a very high volume of traffic on these roads:

- 1) Hansen Trail: A number of people drive to Alderton road, park their cars and walk/run on the trail
- 2) The construction of Community Center on Queensguard road: This will increase the traffic to all the roads in the community and parking.
- 3) The playgrounds on Queensguard road has already created massive road traffic and parking problems.
- 4) The property at the corner of Queensguard and Layhill belongs to a church and we understand they might expand the church in the near future.

With all these structures constructed in a small community, the traffic is already a nightmare.

The staff report on page 4, paragraph 2, states, "this church will not generate 30 or more vehicle traffic trips, therefore the application is not subject to Local Area Transportation Review". We have concerns about how this conclusion was derived. There will be over 90 parking spaces on the proposed property and the church membership is about 360. If each of the 360 members belongs to (on average) a family of 4, that will mean approximately 90 families. There will be no parking for clergy or staff and no room for growth in the future. It will also mean 90 or more vehicle trips on average.

The Board also should consider the eventual connecting of Alderton Road to the south through the Hansen Trail to the traffic from Indian Spring development. The eventual opening of Alderton will pose great safety concerns. With all of the additional traffic now coming from all directions throughout the neighborhood will increase 10 fold the chance for a serious traffic related incident involving church traffic coming and going. I would be most hesitant to allow my child to leave my yard for any reason w/out me. This will be like living on a major artery which is one of the primary reasons I selected this place to live because of the extremely low volume of traffic. This will forever destroy my peace and quiet enjoyment of this neighborhood and will likely lead to my selling of the property as it would be a most undesirable place to live.

If we combine all the above, the traffic will be 1000 fold increase on the small streets of our community.

The frequency of accidents at the Bel Pre and Layhill intersection is on the rise and this can be verified from the public information available with the MVA and the local police department.

Currently Queensguard Road and Punch Street are being used by the public to park their cars during weekdays. Making a left turn on Layhill from Queensguard Road during rush hours has become very difficult.

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**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large in size and height Church building will be erected on the site. This structure will definitely alter the look and feel of our neighborhood. The Staff report states in part "There are no current plans for expansion" That is today. They have no plans to expand as they haven't built the building yet. Once that happens it's only a matter of time before they are "busting at the seams" and will expand.

The church certainly will affect home values. I won't be able to sell my property at anywhere near what I paid unless the pastor purchases my land for him self. If the church is built I would no longer be interested in building on or retaining this property.

**ENVIRONMENTAL ISSUES:** Environmental issues include pollution due to increased, heavy traffic, noise pollution, additional trash, which is inevitable from large gatherings, big lights, etc will alter this quiet, clean and nice neighborhood by turning it into a commercial area. We will lose trees which are providing beauty, shade and a sound barrier to this area. We also have to consider that the church will bring dumpsters requiring additional trash trucks, deliveries of all sorts for various functions (religious functions, Weddings, fundraising events, parties etc) which will bring in large trucks of various types. There will be additional, commercial lighting and noise. A congregation, of the size proposed, converging even 2 to 3 times every week in our neighborhood all at once will reduce our privacy and greatly increase the environmental problems and inconvenience to all.

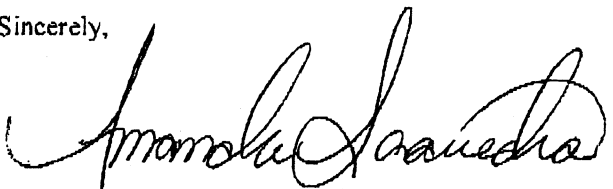
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**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton Road have issues with flooding on rainy days. With the construction of houses on the other side of the Hansen Trail, this problem has increased. Now, with the construction of the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." And we feel it should be used for residential only as it is in the center of our neighborhood.

I and the members of the community request you and the entire Board review all the facts of this plan for the construction of the new church and carefully consider the negative effects on the community including all of the issues related to the Hansen Trail, Community Center, play grounds and the church at the crossing of Layhill and Queensgaard. We request that you postpone the vote scheduled for January 22<sup>nd</sup> and that you ask for a complete review by the appropriate departments: traffic, environmental & conservation, and flood water management, etc. before any decision is made.

Sincerely,



Amanda Saavedra  
1601 Woodwell Rd.  
Silver Spring, MD 20906  
301-460-3130

Church Construction on 14111 Alderton Road

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

RECEIVED

JAN 22 2009

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

BY FAX: 301-495-1320

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

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The Layhill East village is a development with small, single family homes on mostly small lots. The houses in the neighborhood are comparable in lot and home size. Our neighborhood is idyllic, quiet, with little traffic and with children playing safely in the street. We believe that, with the construction of the new church, the whole character of our area will change drastically. A number of major issues, including traffic, trash, pollution, parking, and flooding will need to be addressed. Currently the lot is occupied by a single family home with similar characteristic to the surrounding homes.

The following are some of our major concerns related to the construction of the Church:

**TRAFFIC:** The Church claims that they have 360 members at this point. It seems none of the present church members live in this community and travel long distances from Virginia, Frederick, etc... Assuming that number is true, and not a low estimate, one of the big issues is going to be the significant traffic increase in our neighborhood coming from both Layhill Road and Bonifant Road to Alderton Road. Assuming that this new church is typical, we can presume that the congregation will grow once they are in their new location. Having the Church driveway on Alderton will cause even more of a nightmare forcing more traffic to use the dead end of Alderton to get into the church vs. an entrance at Woodwell & Alderton. The other concern is that the driveway as planned will be immediately next to the driveway of my property which with out a doubt church goers will end up using or even worse blocking my drive way. This is inevitable especially as the church membership grows as their parking lot is not adequate to facilitate the entire membership parking and forcing overflow onto the streets, Primarily Alderton Rd.

The church states they will have services exclusively on Saturday and Sunday and not use the building at any other time for any other reasons. It is common practice for any religious place of worship to offer a number of activities including religious classes, a day care center, rent the space for functions, ceremonies fund raisers and for various meetings and parties which will generate a huge amount of additional neighborhood traffic and clog our neighborhood roads. Page 9 states that all trips to and from this property will be at off peak hours (weekends). This is simply not true, not realistic and not feasible for the church.

We would like to notify the Planning Board that there are other structures that were recently constructed which have also created a very high volume of traffic on these roads:

- 1) Hansen Trail: A number of people drive to Alderton road, park their cars and walk/run on the trail
- 2) The construction of Community Center on Queensgaard road: This will increase the traffic to all the roads in the community and parking.
- 3) The playgrounds on Queensgaard road has already created massive road traffic and parking problems.
- 4) The property at the corner of Queensgaard and Layhill belongs to a church and we understand they might expand the church in the near future.

With all these structures constructed in a small community, the traffic is already a nightmare.

The staff report on page 4, paragraph 2, states, "this church will not generate 30 or more vehicle traffic trips, therefore the application is not subject to Local Area Transportation Review". We have concerns about how this conclusion was derived. There will be over 90 parking spaces on the proposed property and the church membership is about 360. If each of the 360 members belongs to (on average) a family of 4, that will mean approximately 90 families. There will be no parking for clergy or staff and no room for growth in the future. It will also mean 90 or more vehicle trips on average.

The Board also should consider the eventual connecting of Alderton Road to the south through the Hansen Trail to the traffic from Indian Spring development. The eventual opening of Alderton will pose great safety concerns. With all of the additional traffic now coming from all directions throughout the neighborhood will increase 10 fold the chance for a serious traffic related incident involving church traffic coming and going. I would be most hesitant to allow my child to leave my yard for any reason w/out me. This will be like living on a major artery which is one of the primary reasons I selected this place to live because of the extremely low volume of traffic. This will forever destroy my peace and quite enjoyment of this neighborhood and will likely lead to my selling of the property as it would be a most undesirable place to live.

If we combine all the above, the traffic will be 1000 fold increase on the small streets of our community.

The frequency of accidents at the Bel Pre and Layhill intersection is on the rise and this can be verified from the public information available with the MVA and the local police department.

Currently Queensguard Road and Punch Street are being used by the public to park their cars during weekdays. Making a left turn on Layhill from Queensguard Road during rush hours has become very difficult.

**CHURCH MEMBER PARKING:** According to the preliminary plan the church parking lot (on church property) will accommodate over 90 vehicles of which they propose 6 will be handicapped parking. As stated above, if each of the 360 members belongs to (on average) a family of 4, that means there will be approximately 90 families. There will be no parking for clergy or staff and no room for growth in the future. Immediately upon completion there will be fewer parking spaces than required which will mean overflow onto the streets of our neighborhood.

**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large in size and height Church building will be erected on the site. This structure will definitely alter the look and feel of our neighborhood. The Staff report states in part "There are no current plans for expansion" That is today. They have no plans to expand as they haven't built the building yet. Once that happens it's only a matter of time before they are "busting at the seams" and will expand.

The church certainly will affect home values. I won't be able to sell my property at anywhere near what I paid unless the pastor purchases my land for himself. If the church is built I would no longer be interested in building on or retaining this property.

**ENVIRONMENTAL ISSUES:** Environmental issues include pollution due to increased, heavy traffic, noise pollution, additional trash, which is inevitable from large gatherings, big lights, etc will alter this quiet, clean and nice neighborhood by turning it into a commercial area. We will lose trees which are providing beauty, shade and a sound barrier to this area. We also have to consider that the church will bring dumpsters requiring additional trash trucks, deliveries of all sorts for various functions (religious functions, Weddings, fundraising events, parties etc) which will bring in large trucks of various types. There will be additional, commercial lighting and noise. A congregation, of the size proposed, converging even 2 to 3 times every week in our neighborhood all at once will reduce our privacy and greatly increase the environmental problems and inconvenience to all.

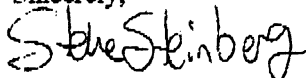
**FOREST CONSERVATION:** The forest conservation plan mentioned on page 5 states "the requirements of the forest conservation law will be met off-site." This is the complete opposite of what is needed in the community. We were under the impression that via landscaping and forest conservation efforts to build a large if not complete buffer of the neighborhood from the church. It is not clear how much green buffer will be planted around the church property. For the church to do anything off site totally defeats the intended purpose of shielding and buffering.

**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton Road have issues with flooding on rainy days. With the construction of houses on the other side of the Hansen Trail, this problem has increased. Now, with the construction of the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

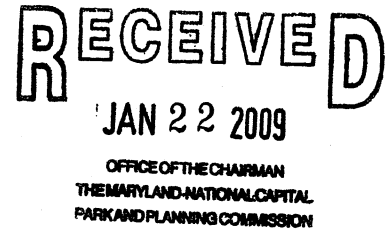
**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." And we feel it should be used for residential only as it is in the center of our neighborhood.

I and the members of the community request you and the entire Board review all the facts of this plan for the construction of the new church and carefully consider the negative effects on the community including all of the issues related to the Hansen Trail, Community Center, play grounds and the church at the crossing of Layhill and Queensgaard. We request that you postpone the vote scheduled for January 22<sup>nd</sup> and that you ask for a complete review by the appropriate departments: traffic, environmental & conservation, and flood water management, etc. before any decision is made.

Sincerely,



Steve Steinberg  
14105 Alderton Rd  
301-977-9020



**Subash Duggirala**  
**1406 Woodwell road, Silver Spring, MD 20906**

January 20, 2009

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
**File Number: 120080290**

FAX: 301 495 1320

Dear Chairman,

I live at 1406 Woodwell road since 1992. The property 14111 Alderton is adjacent to my property. This property has gone through zone changes before and the previous owner did not follow the instructions given by the Planning Board in relation to forest conservation and green buffer between my property and theirs. This may happen again this time also, unless you take specific actions.

I would like to bring to your attention a number of issues related to the construction of a church in the middle of small single family homes on a dead end street.

The Layhill East village is a development with small single family homes on mostly small lots. The houses in front of the site are also small houses. This locality is very quite neighborhood with children playing on the streets. With the construction of the church, the whole character of the area will change and a number of issues: such as traffic, pollution, flooding has to be looked into. Currently the lot is occupied by a single family home with similar characteristic of the other houses.

The following are my main concerns related to the construction of the Church:-

- **Buffer between my Property and 14111 Alderton road**
- **Pollution due to the big parking lot of church lot next to my property**
- **Traffic on Alderton and Woodwell roads**
- **Over flow parking on to Woodwell road**



**BUFFER between Properties:** The present plan does not show any green or otherwise buffer of Barriers between my property and the lot. The plan shows 90 car parking lot next to my property. This will create pollution, loss of privacy and disturbance.

**CHURCH MEMBER PARKING:** According to the preliminary plan the church parking lot (on church property) will accommodate over 90 vehicles of which they propose 6 will be handicapped parking. This 90 car parking lot will also create pollution and create respiratory problem to my family and others.

Since this parking lot can not accommodate all the members of the church, there will be overflow to side of the Woodwell road and create difficulty for us.

**TRAFFIC:** The Church claims that they have 360 members at this point. It seems none of the present church members live in this community and travel long distances from Virginia, Frederick, etc... They all have to drive to this address. Assuming that number is true and not a low estimate, one of the big issues is going to be the significant traffic increase in our neighborhood coming in from both Layhill Road as well as Bonifant road to Alderton Road. Which business or organization does not intend to or plan to grow? The church will grow once they are in the new building where ever they build. It is not the real world to believe otherwise. The driveway on Alderton will cause even more of a nightmare forcing more traffic to use the dead end of Alderton to get into the church vs. an entrance at Woodwell & Alderton. This is inevitable especially as the church membership grows and their parking lot is not adequate to facilitate the entire membership parking forcing to overflow onto the streets.

Though the church states, they will have activities only on weekends but it is common practice of any religious place to offer a number of activities (religious classes, day care center, rent the space to others for various meetings and parties) which will generate huge amount of traffic and clogging the roads. Page 9 states that all trips to and from this property will be at off peak hour (weekend). This is simply not true, not realistic and not feasible to the church.

We would like to bring to notice to the Planning Board, there are other structures which recently being constructed also creating very high volume of traffic on these roads:

- 1) Henson Trail: A number of people drive to Alderton road, park their cars and walk/run on the trail
- 2) The construction of Community Center on Queensgaud road: This will increase the traffic to all the roads in the community and parking.
- 3) The playgrounds on Queensgaud road has already created massive road traffic and parking problems.
- 4) The property at the corner of Queengaurd and Layhill belongs to a church and we understand they may like to construct the church in near future.

With all these structures constructed in a small community, the traffic is a nightmare.

But the staff report on page 4, para 2, states, this church will not generate 30 or more vehicle traffic trips, therefore the application is not subject to Local Area Transportation Review. We did not understand how this conclusion was derived. There will be over 90 parking spaces on the proposed property and the church membership is about 360.

If we combine all the above, the traffic will be 1000 fold increase on the small streets of our community.

The Board also should consider the traffic with a possibility of connecting the Alderton road to the south through the Henson Trail to the traffic from Indian Spring development.

The frequency of accidents at the Bel Pre and Layhill intersection is on the rise and this can be verified from the public information available with the MVA and the local police department.

Currently Queensquard Rd and Punch Street are being used by public to park their cars during work days. Making a left turn on Layhill from Queensquard RD during rush hours in being difficult.

**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large in size and height Church building will be erected on the site. This structure will definitely alter the neighborhood.

**ENVIRONMENTAL ISSUES:** The pollution due to increased heavy traffic, sound pollution, large gatherings, big lights, etc will alter this quiet, clean and nice neighborhood into a commercial area. We may loose trees which are providing beauty and shade to this area. We also have to consider the few other items: Dumpsters, deliveries of all sorts for various functions (religious functions, Weddings, fundraising events; parties etc) Lighting, Trees & shading and noise. A congregation, that large, converging 3-4 times a week on our neighborhood at once will reduce our privacy and greatly increase the environmental problems and inconvenience to all.

**FOREST CONSERVATION:** The forest conservation plan mentioned on page 5 states "the requirements of the forest conservation law will be met off-site." This is the complete opposite of what is needed in the community. We were under the impression that via landscaping and forest conservation efforts to build a large if not complete buffer of the neighborhood from the church. It is not clear how much green buffer will be planted around the church property. For the church to do anything off site totally defeats the intended purpose of shielding and buffering.

**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton road get water into the basements on rainy days. With the construction of houses on the other side of the Henson Trail, this problem has increased. Now with the construction of

the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." I strongly feel it should be used for residential as it is in the center of our neighborhood.

I earnestly request you and the Board to review all the facts of this pain of the construction of the church and its effects on my property and on the community along with all other issues related to the Henson Trail, Community Center, Play grounds and the church at the crossing of Layhill and Queensgaard. I request you to ask for complete review by appropriate departments: traffic, environmental & conservation issues, flood water management issues, before any decision is taken.

.yours sincerely,

Subash Duggirala

1406 Woodwell Road

Silver Spring, MD 20906



# FAX COVER SHEET

# RECEIVED

JAN 22 2009


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

American Embassy, Nairobi  
United Nations Avenue, Gigiri  
P. O. Box 606 Village Market  
0621 Nairobi, Kenya

Tel: (254)-20-363-6000

Fax: (254)-20-363-6157

Date:	21 JAN 09
To:	Montgomery County Planning Board
Attn:	Royce Hansen
Fax #:	301 495 1320
Tel #:	
From:	LORRAINE WAGER
Office:	RA
# of pages:	5 including cover

Official: <input checked="" type="checkbox"/>  Authorizing Signature	Personal: <input type="checkbox"/>  Personal Acknowledgement
---	--

Remarks/message:

Church Construction on 14111 Alderton Road

To:

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

FAX: 301 495 1320

Dear Chairman,

I am a property owner in Layhill East Village who has lived in the neighborhood since 1991 and I would like to bring to your attention a number of issues related to the construction of a church in the middle of small single family homes on a dead end street, located diagonally across from my property. If approved, not only will this church drastically change the neighborhood from a private, quiet residential community, but it affect me significantly in terms of property value and quality of life.

The Layhill East village is a development with small single family homes on mostly small lots. The houses near to the site are also small houses. This locality is very quite neighborhood with children playing on the streets. With the construction of the church, the whole character of the area will change and a number of issues: such as traffic, pollution, flooding has to be looked into. Currently the lot is occupied by a single family home with similar characteristic of the other houses.

The following are my concerns related to the construction of the Church:-

**TRAFFIC:** The Church claims that they have 360 members at this point. It seems none of the present church members live in this community and travel long distances from Virginia, Frederick, etc... They all have to drive to this address. Assuming that number is true and not a low estimate, one of the big issues is going to be the significant traffic increase in our neighborhood coming in from both Layhill Road as well as Bonifant road to Alderton Road. Which business or organization does not intend to or plan to grow? The church will grow once they are in the new building where ever they build. It is not the real world to believe otherwise. The driveway on Alderton will cause even more of a nightmare forcing more traffic to use the dead end of Alderton to get into the church vs. an entrance at Woodwell & Alderton. This is inevitable especially as the church membership grows and their parking lot is not adequate to facilitate the entire membership parking forcing to overflow onto the streets.

Though the church states, they will have activities only on weekends but it is common practice of any religious place to offer a number of activities (religious classes, day care center, rent the space to others for various meetings and parties) which will generate huge amount of traffic and clogging the roads. Page 9 states that all trips to and from this property will be at off peak hour (weekend). This is simply not true, not realistic and not feasible to the church.

I would like to bring to notice to the Planning Board, there are other structures which recently being constructed also creating very high volume of traffic on these roads:

- 1) Henson Trail: A number of people drive to Alderton road, park their cars and walk/run on the trail
- 2) The construction of Community Center on Queensguard road: This will increase the traffic to all the roads in the community and parking.
- 3) The playground and sports fields on Queensguard road have already created massive road traffic and parking problems.
- 4) The property at the corner of Queensguard and Layhill belongs to a church and we understand they may like to construct a church in the near future.

With all these structures constructed in a small community, the traffic is a nightmare.

But the staff report on page 4, para 2, states, this church **will not generate 30 or more vehicle traffic trips, therefore the application is not subject to Local Area Transportation Review.** We did not understand how this conclusion was derived. There will be over 90 parking spaces on the proposed property and the church membership is about 360.

If we combine all the above, the traffic will be 1000 fold increase on the small streets of our community.

The frequency of accidents at the Bel Pre and Layhill intersection is on the rise and this can be verified from the public information available with the MVA and the local police department.

Currently Queensguard Rd and Punch Street are being used by the public to park their cars during work days. Making a left turn on Layhill from Queensguard Rd during rush hour is extremely difficult.

**CHURCH MEMBER PARKING:** According to the preliminary plan the church parking lot (on church property) will accommodate over 90 vehicles of which they propose 6 will be handicapped parking. Where will the other 260 or so vehicles park?

**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large in size and height church building will be erected on the site. This structure will significantly alter the neighborhood in terms of physical appearance, traffic and noise.

**ENVIRONMENTAL ISSUES:** The pollution due to increased heavy traffic, sound pollution, large gatherings, big lights, etc will alter this quiet, clean and nice neighborhood into a commercial area. We will lose trees which are providing beauty and shade as well as food/homes to local birds. We also have to consider some other items: dumpsters, deliveries of all sorts for various functions (religious functions, weddings, fundraising events, parties, etc.) lighting, loss of trees & shading, and noise. A congregation that large, converging 3-4 times a week on our neighborhood will reduce our privacy, affect our quality of life, and greatly increase the environmental problems.

**FOREST CONSERVATION:** The forest conservation plan mentioned on page 5 states "the requirements of the forest conservation law will be met off-site." This is the complete opposite of what is needed in the community. We were under the impression that via landscaping and forest conservation efforts to build a large if not complete buffer of the neighborhood from the church. It is not clear how much green buffer will be planted around the church property. For the church to do anything off-site totally defeats the intended purpose of shielding and buffering.

**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton road get water into the basements on rainy days. With the construction of houses on the other side of the Henson Trail, this problem has increased. Now with the construction of the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." I feel strongly that it should be continued to be zoned for residential use as it is in the center of a very quiet neighborhood at the intersection of two dead-end streets.

**QUALITY of LIFE:** In 1991, I bought my property because it was located in a quiet, private residential neighborhood. I like living near dead-end streets, due to the limited thru-traffic. In fact, there is so little thru-traffic that children play in the street (Alderton Rd) at the site of the proposed church. On Sunday mornings during warmer weather I enjoy breakfast outside on my screened-in porch, hearing only the birds. Since my house is diagonally across the street from the proposed church, this tranquil environment will no longer be possible to enjoy if services are held on Sunday mornings and the overflow of cars park in the street next to my house. In fact, my quality of life (as well as that of my neighbors) will *significantly deteriorate* due to the noise, pollution and added traffic if/when the church is built.

As a long-time homeowner (17 years) who lives within line-of-sight to this property, I request that the Board review all the facts of this proposal and its effects on the community along with all other issues related to the Henson Trail, Community Center, playgrounds and the church at the crossing of Layhill and Queensguard. I respectfully request no decision be made until a complete review by appropriate departments: traffic, environmental & conservation issues, flood water management issues.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Lorraine T. Wager". The signature is fluid and cursive, with a large initial "L" and "W".

Lorraine T. Wager

1501 Woodwell Road, Silver Spring, MD 20906



Church Construction on 14111 Alderton Road

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

RECEIVED  
JAN 22 2009

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

**BY FAX: 301-495-1320**

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

Dear Mr. Chairman,

As a member of the Layhill East Village Association I would like to bring to your attention a number of issues related to the construction of a new church in the middle of small single family homes on a dead end street.

The Layhill East village is a development with small, single family homes on mostly small lots. The houses in the neighborhood are comparable in lot and home size. Our neighborhood is idyllic, quiet, with little traffic and with children playing safely in the street. We believe that, with the construction of the new church, the whole character of our area will change drastically. A number of major issues, including traffic, trash, pollution, parking, and flooding will need to be addressed. Currently the lot is occupied by a single family home with similar characteristic to the surrounding homes.

The following are some of our major concerns related to the construction of the Church:

**TRAFFIC:** The Church claims that they have 360 members at this point. It seems none of the present church members live in this community and travel long distances from Virginia, Frederick, etc... Assuming that number is true, and not a low estimate, one of the big issues is going to be the significant traffic increase in our neighborhood coming from both Layhill Road and Bonifant Road to Alderton Road. Assuming that this new church is typical, we can presume that the congregation will grow once they are in their new location. Having the Church driveway on Alderton will cause even more of a nightmare forcing more traffic to use the dead end of Alderton to get into the church vs. an entrance at Woodwell & Alderton. The other concern is that the driveway as planned will be immediately next to the driveway of my property which with out a doubt church goers will end up using or even worse blocking my drive way. This is inevitable especially as the church membership grows as their parking lot is not adequate to facilitate the entire membership parking and forcing overflow onto the streets, Primarily Alderton Rd.

The church states they will have services exclusively on Saturday and Sunday and not use the building at any other time for any other reasons. It is common practice for any religious place of worship to offer a number of activities including religious classes, a day care center, rent the space for functions, ceremonies fund raisers and for various meetings and parties which will generate a huge amount of additional neighborhood traffic and clog our neighborhood roads. Page 9 states that all trips to and from this property will be at off peak hours (weekends). This is simply not true, not realistic and not feasible for the church.

look and feel of our neighborhood. The Staff report states in part "There are no current plans for expansion" That is today. They have no plans to expand as they haven't built the building yet. Once that happens it's only a matter of time before they are "busting at the seams" and will expand.

The church certainly will affect home values. I won't be able to sell my property at anywhere near what I paid unless the pastor purchases my land for him self. If the church is built I would no longer be interested in building on or retaining this property.

**ENVIRONMENTAL ISSUES:** Environmental issues include pollution due to increased, heavy traffic, noise pollution, additional trash, which is inevitable from large gatherings, big lights, etc will alter this quiet, clean and nice neighborhood by turning it into a commercial area. We will lose trees which are providing beauty, shade and a sound barrier to this area. We also have to consider that the church will bring dumpsters requiring additional trash trucks, deliveries of all sorts for various functions (religious functions, Weddings, fundraising events, parties etc) which will bring in large trucks of various types. There will be additional, commercial lighting and noise. A congregation, of the size proposed, converging even 2 to 3 times every week in our neighborhood all at once will reduce our privacy and greatly increase the environmental problems and inconvenience to all.

**FOREST CONSERVATION:** The forest conservation plan mentioned on page 5 states "the requirements of the forest conservation law will be met off-site." This is the complete opposite of what is needed in the community. We were under the impression that via landscaping and forest conservation efforts to build a large if not complete buffer of the neighborhood from the church. It is not clear how much green buffer will be planted around the church property. For the church to do anything off site totally defeats the intended purpose of shielding and buffering.

**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton Road have issues with flooding on rainy days. With the construction of houses on the other side of the Hansen Trail, this problem has increased. Now, with the construction of the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." And we feel it should be used for residential only as it is in the center of our neighborhood.

I and the members of the community request you and the entire Board review all the facts of this plan for the construction of the new church and carefully consider the negative effects on the community including all of the issues related to the Hansen Trail, Community Center, play grounds and the church at the crossing of Layhill and Queensgaard. We request that you postpone the vote scheduled for January 22<sup>nd</sup> and that you ask for a complete review by the appropriate departments: traffic, environmental & conservation, and flood water management, etc. before any decision is made.

Sincerely

*Joseph Vincent*

~~Steve Steinberg  
14105 Alderton Rd  
301-977-9020~~

*14100 Alderton Rd*

*Silver Spring MD 20906*

*301-871-3754*

RECEIVED

JAN 22 2009

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

Church Construction on 14111 Alderton Road

To,

Mr. Royce Hanson, Chairman  
Montgomery County Planning Board  
8787 Georgia Ave  
Silver Spring, MD 20910-3760

Sub: Church Construction at 14111 Alderton Rd, Silver Spring  
File Number: 120080290

Dear Chairman,

We, the members of the Layhill East Village Association members would like to bring to your attention a number of issues related to the construction of a church in the middle of small single family homes on a dead end street.

The Layhill East village is a development with small single family homes on mostly small lots. The houses near to the site are also small houses. This locality is very quite neighborhood with children playing on the streets. With the construction of the church, the whole character of the area will change and a number of issues: such as traffic, pollution, flooding has to be looked into. Currently the lot is occupied by a single family home with similar characteristic of the other houses.

The following are our concerns related to the construction of the Church:-

**TRAFFIC:** The Church claims that they have 360 members at this point. It seems none of the present church members live in this community and travel long distances from Virginia, Frederick, etc... They all have to drive to this address. Assuming that number is true and not a low estimate, one of the big issues is going to be the significant traffic increase in our neighborhood coming in from both Layhill Road as well as Bonifant road to Alderton Road. Which business or organization does not intend to or plan to grow? The church will grow once they are in the new building where ever they build. It is not the real world to believe otherwise. The driveway on Alderton will cause even more of a nightmare forcing more traffic to use the dead end of Alderton to get into the church vs. an entrance at Woodwell & Alderton. This is inevitable especially as the church membership grows and their parking lot is not adequate to facilitate the entire membership parking forcing to overflow onto the streets.

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We would like to bring to notice to the Planning Board, there are other structures which recently constructed also creating very high volume of traffic on these roads:

- 1) Hansen Trail: A number of people drive to Alderton road, park their cars and walk/run on the trail
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With all these structures constructed in a small community, the traffic is a nightmare.

But the staff report on page 4, para 2, states, this church will not generate 30 or more vehicle traffic trips, therefore the application is not subject to Local Area Transportation Review. We did not understand how this conclusion was derived. There will be over 90 parking spaces on the proposed property and the church membership is about 360.

If we combine all the above, the traffic will be 1000 fold increase on the small streets of our community.

The Board also should consider the possibility of connecting the Alderton road to the south through the Hansen Trail to the traffic from Indian Spring development.

The frequency of accidents at the Bel Pre and Layhill intersection is on the rise and this can be verified from the public information available with the MVA and the local police department.

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**CHURCH MEMBER PARKING:** According to the preliminary plan the church parking lot (on church property) will accommodate over 90 vehicles of which they propose 6 will be handicapped parking. Where will the other 260 or so vehicles park?

**THE STRUCTURE:** The house currently on the property will be torn down and a fairly large in size and height Church building will be erected on the site. This structure will definitely alter the neighborhood.

**ENVIRONMENTAL ISSUES:** such as pollution due increased heavy traffic, sound pollution, large gatherings, big lights, etc will alter this quiet, clean and nice neighborhood into a commercial area. We may lose trees which are providing beauty and shade to this area. We also have to consider the few other concerns to consider are Dumpsters, deliveries of all sorts for various functions (religious functions, Weddings, fundraising events, parties etc) Lighting, Trees & shading and noise. A congregation, that large, converging 3-4 times a week on our neighborhood at once will reduce our privacy and greatly increase the environmental problems and inconvenience to all.

**FOREST CONSERVATION:** The forest conservation plan mentioned on page 5 states "the requirements of the forest conservation law will be met off-site." This is the complete opposite of what is needed in the community. We were under the impression that via landscaping and forest conservation efforts to build a large if not complete buffer of the neighborhood from the church. It is not clear how much green buffer will be planted around the church property. For the church to do anything off site totally defeats the intended purpose of shielding and buffering.

**FLOOD WATER MANAGEMENT:** Presently some of the houses around Alderton road get water into the basements on rainy days. With the construction of houses on the other side of the Hansen Trail, this problem has increased. Now with the construction of the Church, the parking lot and the collection pond, this will increase the flooding into the houses.

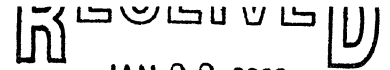
**RESIDENTIAL USE:** As mentioned on page 8 "Suitability for residential use: Both the existing and the proposed lots are zoned residential and the land is suitable for residential use." And we feel it should be used for residential as it is in the center of our neighborhood.

We the members of the community request you and the Board to review all the facts of this plan of the construction of the church and its effects on the community along with all other issues related to the Hansen Trail, Community Center, Play grounds and the church at the crossing of Layhill and Queensgaard. We request you to request complete review by appropriate departments: traffic, environmental & conservation issues, flood water management issues, before any decision is taken.

Yours sincerely,

JOE VINCENT

Members, LEVA



JAN 22 2009

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

Dave & I have been editing this over the phone... last change

"The lots on Alderton Road in front of the proposed church is in an area that's already prone to flooding, erosion, and sinking. This is a wetland area.

The new drainage culvert from the new houses on the other side of the Matthew Henson Trail drains into the woods next to Mr. Steinberg's lot. Heavy rains now cause water to pond & spill over the curb.

The *existing* 18" pipe cannot handle the amount of water coming off the proposed church parking lot.

Putting the drainage into a dry pond will eventually wash away the soil & cause sinkage from under Alderton Road, the yards, and under the houses across the street.

The water will drain down toward the homes across the street from the proposed church. Excess water overflow of the 18" drainage pipe & pond will raise the water level & flood the basements of the existing homes. These homes already are prone to flooding. The great amount of additional water from the proposed church parking lot will flood the basements & weaken the foundations of these homes.

When a former owner of the proposed church property (Scholsser Nursery) watered heavily; the basements of the homes across the street would flood."

Susie & Dave Humphrey

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**Blackman, Jason**

*Added  
2/6/09  
psc*

**From:** Ginna Goodenow [gingood@yahoo.com]  
**Sent:** Tuesday, February 03, 2009 9:16 AM  
**To:** MCP-Chairman  
**Cc:** sd duggirala; Elise Shurie  
**Subject:** Church in our neighborhood off Alderton Road

**RECEIVED**  
0171  
FEB 04 2009

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

Hello Chairperson --

I was unable to attend the January 22nd meeting about the new church that is slotted to be built in our neighborhood. We have lived here for many years and know of no one in our neighborhood who is actually a member of this church as you mentioned in the meeting. (I watched the video).

Our neighborhood is NOT for building this church. We are NOT pleased to have yet ANOTHER public venue added to our streets. The rec center is already creating problems at the front end. We don't need another facility creating traffic and parking issues at the back end.

The issues of parking, lighting, traffic and attendance have not been addressed adequately in my (and several other neighbors) opinion. We want to know what the county is going to do to ensure that this facility doesn't clog our streets with cars and unnecessary traffic. We have MANY small children in this neighborhood.

I would like to hear more reflections from the board about what WE have to say and hear some acknowledgment from the about our concerns.

Sincerely,

Virginia Goodenow  
14305 Piccadilly Road