

Woodside Civic Association
8713 Second Avenue
Silver Spring, MD 20910

January 25, 2005

Development Review Committee
C/O Rose Krasnow, Chief
Development Review Division
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Plan No. 1-05061

Dear Ms. Krasnow,

This letter is written in anticipation of the Development Review Committee's consideration on January 31, 2005 of the above plan, also known as Woodside Courts, at the intersection of Georgia Avenue and Noyes Drive.

Our Association has repeatedly asked to meet with the reviewing staff to provide background gained from the Planning Board consideration, testimony before the Hearing Examiner, and Oral Argument before the Montgomery County Council.

During the rezoning request preceding this preliminary plan, the Woodside Civic Association (WCA) engaged in a lengthy deliberative process with over 12 meetings leading to the adoption of the attached resolution concerning this development. The Civic Association does not support the project at its current density, and has many concerns about the impact on the community.

The preliminary plan as submitted to the adjoining property owners and to the Civic Association is deficient in a number of areas:

1. The project does not conform to the Schematic Development Plan in terms of parking, public sidewalks around the perimeter of the property, public sidewalks the full length of Noyes Drive, private driveways within the project, location and massing of units, publicly-accessible green space provided, and on-site recreation provided.
2. This subdivision action removes what little protection is offered to the existing neighborhood in the Master Plan regarding non-resident professional offices (see page 46 of Master Plan).

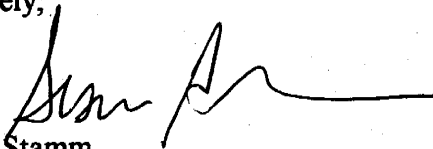
3. There is no consideration of long standing storm water problems in the immediate vicinity of the subject property (refer to page 115 of the Hearing Examiner transcript).
4. Traffic problems and pedestrian safety within the neighborhood and specifically at Noyes Drive at First Avenue and Noyes Drive at Georgia Avenue at the request of the Woodside Synagogue. The Woodside Civic Association wants the DRC to explore a range of traffic safety solutions including a round-about, a cul-de-sac for Noyes Drive, speed humps, etc.

We also believe that the developer's actions to date, while possibly within the letter of laws and regulations, have violated the spirit of cooperation and consultation that is called for in the Master Plan and other County policies. Further, we feel at an enormous disadvantage in this process and believe that our lack of expertise prevents us from engaging in this process as full participants. Therefore, we call on the DRC and the Development Review Division to assist us by providing access and information that will help offset this disadvantage and allowing us to ensure that the community's interests are being considered at the same level that the developer's interests are being considered.

Taken together, the changes from the schematic drawings seem to indicate that the project will be much less open and accessible to the Woodside community, while at the same time increasing the intrusiveness and negative impact on our community. This project was envisioned—and indeed, described by the developers -- as a place where all community members would be able to enjoy the common areas, and be able to freely use the sidewalks, benches, and other communal aspects that would help offset some of the substantial negative burden that will be placed on nearby properties and the community more generally because of the density of this project. We ask the DRC to ensure that this vision continues to serve as a guiding principle for this development.

We would be pleased to provide additional information on the concerns and issues raised above, and we look forward to your response. Please contact Susan Stamm, WCA President, at 301-588-4339, or David Souders, WCA Vice President at 301-588-4054.

Sincerely,



Susan Stamm
President, Woodside Civic Association

cc- Norman Knopf, Esq.



WOODSIDE CIVIC ASSOCIATION
8707 SECOND AVENUE; SILVER SPRING, MARYLAND 20910

RESOLUTION ON WOODSIDE COURTS
Zoning Case #: G-818
6/9/04

WHEREAS property in the vicinity of Noyes Drive and First Avenue has been the subject of several development proposals over the past decade, and

WHEREAS the Woodside Civic Association (WCA) opposed a plan to rezone property in this area from R-60 to an RT (townhouse) zone in 1999 during discussions leading up to the revision to the North Silver Spring Sector Plan, due to concern about negative impacts on the neighborhood of such an up zoning; and

WHEREAS a revised project proposal for the rezoning of Lots 1, 2, 3, and 4 north of Noyes Drive alongside Georgia Avenue, and Lot 7, 8, and 9 south of Noyes Drive along Georgia Avenue and parts of lot 10 and lot 11, accessed from the south side of Noyes Drive from R-60 to RT-12.5, has been filed; and

WHEREAS the project plan has been minimally adjusted in response to substantial input from the Association, and

WHEREAS the project received a favorable review by the Historic Preservation Commission (HPC) in May, 2004, and

WHEREAS the Montgomery County Planning Board will review this proposal in June, 2004,

BE IT THEREFORE RESOLVED

That WCA convey to the Planning Board its desire that the project proposal incorporate the positive changes to the overall project proposal identified below, and

The WCA conveys its support for the preservation of three single family homes in the project plan favorably reviewed by the HPC in May, 2004, with one historically-significant house being relocated from Georgia Avenue to Noyes Drive to emphasize the transition to existing single family houses properties alongside the project area on Noyes Drive; and

That WCA support for this project is conditioned on the following binding elements:

1. Reduce unit count to 21 townhouses. WCA appreciates the proposed reduction in the overall maximum number of townhouses from 27 to 23, in order to protect a greater number of trees, provide for more usable open space and play area for the children of residents, provide better buffering, reduce the total paved area and reduce the overall impact of traffic. However, WCA believes the number of townhouse units in this project should be reduced further in order to

break up the massing of the proposed six unit groupings at the northern and southern perimeters of the property; and

2. Construct all sidewalks shown on the development plan. In addition, the following off-site improvements should be added assuming that the Association and the Developer successfully obtain the support of affected homeowners;
 - a. Extend new sidewalks on both sides of Noyes Drive from the property boundary to the corner of Noyes Drive and First Avenue.
 - b. A sidewalk extending on the north side of Noyes Drive between First and Second Avenues at which point it connects to the existing sidewalk network in the neighborhood.
 - c. A sidewalk on the east side of First Avenue between Noyes and Highland Drives.
 - d. Replacement trees where sidewalk construction requires tree removal or re-grading.
 - e. Curb and gutter improvements for the entire block of Noyes Drive from First Avenue to Georgia Avenue (most of which is in the project area);

If approval of off-site sidewalks cannot be attained from adjacent property owners, then an equivalent dollar amount should be invested in improving the recreational park at the corner of Georgia Avenue and Spring Street.

3. Replat lots for the single-family dwellings to R-60 standards. By removing the lots occupied by single-family dwellings, the project will define Noyes Drive as single family detached in character.
4. Protect the existing specimen Tulip Poplar. The site plan for this project should finalize a landscaping plan for this area that includes areas for informal gathering and play for residents and their children.
5. Reduce the elevation of town homes abutting First Avenue and Noyes Driven existing houses on First Avenue as much as possible so that new homes do not tower over existing residences; and
6. Develop a storm-water management plan to make this project a showcase for Low Impact Development stormwater management methods to reduce runoff that may include swales, grass channels, rain gardens, permeable pavement types, etc.; and
7. Secure approval to construct the following traffic controls at developer expense.
 - a. Upgrade the Noyes and First Avenue traffic controls to a four way stop, consistent with those at most neighborhood intersections;
 - b. add a speed hump mid block on Noyes Drive between Georgia and First Avenues; and

specifics such as the height of the buildings, fencing and landscaping, and drainage.

At our meeting on June 1, 2004, the Civic Association examined the new plan carefully. After much discussion, a majority of members present agreed the following evening to support the attached resolution conditionally, that is, with the addition of 9 binding elements.

As you can see, the Woodside Civic Association devoted much time and attention to this case. No other issue has necessitated so many meetings or engendered so much discussion. Although not everyone in the community supports the re-zoning, there are many elements of this plan that are appreciated, such as the high quality of design and construction, and the developers effort to retain three existing single family homes. We look forward to hearing your comments and observations regarding this case.

Sincerely,



Susan Stamm
President, Woodside Civic Association
8713 Second Avenue
Silver Spring, MD 20910

January 27, 2005
Via Fax

The Honorable Derick Berlage
Chair, Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Plan No. 1-05061, "Woodside Courts"

Dear Chairman Berlage:

We are writing as adjacent property owners and other directly impacted property owners to express our concerns about the above-referenced project, which we understand will be the subject of a Development Review Committee meeting on January 31, 2005. As members of the Woodside Civic Association, we echo WCA's concerns about the impact of this project on our ability to use and enjoy our properties and on our community, and consistent with the resolution adopted by the WCA, we remain concerned about the negative effects of this project. These include, but are not limited to:

Aesthetics, density, compatibility and lack of green space;

Increased storm water runoff, which will increase the already significant drainage problems in this area;

Increased light and sound pollution, which will significantly diminish the use and enjoyment of adjacent and nearby properties; and

Increased risks to pedestrians in this area due to the large number of vehicles that will be introduced into the community by residents and visitors to this project. Noyes Drive and First Avenue double as pedestrian walkways for a large number of children, seniors, and often whole family groups. Noyes Drive is a narrow one-lane road, with parking permitted on the South side. It is too narrow for two cars to drive in opposite directions at the same time, and pedestrians are forced off the road when one vehicle drives through while cars are parked on the South side.

Pedestrian safety is already greatly compromised by the presence of speeding and cut-through vehicles in this area, and the addition of dozens more vehicles on these thoroughfares will greatly exacerbate the problem. The projected increase in volume of traffic from this project alone may not meet some numerical threshold for County action, but those of us who live here experience first-hand on a daily basis the problems of cut-through traffic and the lack of enforcement for speed limits and stop signs. Each speeding vehicle and traffic violation represents a potential tragedy and we are genuinely fearful for the safety of our residents. The traffic problems have multiplied in small

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increments over time, but the overall result is a starkly different situation than just a few years ago.

The Preliminary Plan appears to take several steps backward in the areas that concern us the most. It shows several changes from the initial schematic drawings that were presented during the rezoning application process for this project. These include reduced green space, reoriented units, and the elimination of a network of sidewalks within the project. In some instances, we believe that the Preliminary Plan violates some of the binding elements associated with this project, particularly the amount of green space provided. We ask the DRC to examine these issues closely, and we would like an opportunity to meet with DRC staff as soon as possible.

In the meantime, we would like the Development Review Committee to investigate an addition to this project that we believe would address many of the concerns that have been outlined above. Specifically, we propose that Noyes Drive be closed off through the construction of a cul-de-sac at the western border of the development including a landscaped pedestrian walkway at that point.

This would allow increased green space for the development while also providing more space for guest parking; it would increase pedestrian safety by reducing speeding and discouraging cut-through traffic coming into the community via Noyes; it would provide a welcoming, park-like gateway into the project, particularly if the connecting area includes landscaping and benches; and it would significantly enhance the environmental and visual appeal of the project. It may also have positive implications for stormwater runoff in the area of Noyes Drive and First Avenue.

The proposed cul-de-sac would also encourage diversion of traffic from smaller side streets to the major roads, consistent with the objectives of previous traffic mitigation plans for Woodside. There are still many convenient access points to and from the community from Georgia Avenue, including Spring Street, Grace Church Road, and Highland and Ballard Drives. Property owners on the relevant part of Noyes Drive and First Avenue are in favor of this proposal.

More generally, we believe this proposal would go a long way toward reducing the community's concerns about absorbing 23 new housing units in Woodside because it provides tangible benefits to the community in the form of reduced traffic and increased green space. We also believe this proposal will appeal to the developers because it would increase the amount of space available for the project without significantly increasing costs.

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We ask that the Development Review Committee give serious consideration to this idea as it examines the Preliminary Plan for Woodside Courts.

Thank you for your consideration of our comments and of our proposal regarding Noyes Drive. We would be pleased to provide additional information, and look forward to your response. Please contact Sarah Brookhart (301-996-8988, sbrookhart@starpower.net) or Cheryl Gannon (301-608-0832, gannon1507@aol.com). All of the addresses listed below are in Silver Spring, 20910.

Sincerely,

Sarah and Baird Brookhart
8825 First Avenue

Sally Sternbach
1503 Noyes Drive

Cheryl Gannon and John Coyle
1507 Noyes Drive

Yosefi and Michelle Seltzer
1409 Noyes Drive

Linda and Elvin Nichols
8905 First Avenue

Johanna Dickhaut
1407 Noyes Drive

Homer and Tita Wehr
1510 Noyes Drive

Nick and Olinda Tirakis
8822 First Avenue

Mimi Cameron, MD
1504 Noyes Drive

(Note: the letter is under review by several other impacted community members who may also be adding their names to this letter.)

Cc: Development Review Committee
Rose Krasnow (Chief, Development Review Division)
Woodside Civic Association

MEMORANDUM

To: Development Review Division Staff
(Rose Krasnow, Cathy Conlin, et al)

From: Woodside Civic Association

Date: Monday, February 7, 2005

Re: Plan No. 1-05061, "Woodside Courts"

Following up on our letter of January 25, 2005, requesting detailed information about the above-referenced preliminary plan, we have outlined a number of areas of specific concern that we would like the Development Review Division to address and respond to. We reserve the right to raise additional concerns beyond those described here, and we also believe that DRD staff must make every effort to identify and alert us to any other problems that might exist with this project. We appreciate your attention to these concerns and look forward to further discussions.

Review of Preliminary Plan and Site Plan

As has been raised in previous communications to you, we want to reiterate our concern that a site plan has not been filed along with the preliminary plan of subdivision. It is our understanding that the preliminary plan and site plan are usually taken together. The Woodside Civic Association does not want to be put in a position where determinations are made at the preliminary plan stage that would pre-empt resolution of the full spectrum of issues of concern to the neighborhood and adjacent property owners.

The location and orientation of lots and other aspects of the development are critical for green space, stormwater management, tree preservation and other environmental issues, traffic, and compatibility with the community. We understand that the applicant is considering filing a site plan to be considered along with the preliminary plan, but we urge that staff suspend review of the preliminary plan until the site plan is filed and accepted as complete. We do not want to see things settled by the preliminary plan that constrain or preclude negotiations or decisions at the site plan.

Rationale for Changes from the Schematic Development Plan (SDP)

The preliminary plan presents a number of significant changes from the schematic drawing that was provided by the applicant during the rezoning review process. The Schematic Development Plan and project details contained in the Hearing Examiner's report and County Council opinion was the vehicle for all discussions by all parties involved throughout the rezoning process, and the community relied on this body of information in good faith. Now, in the preliminary plan, we see the design altered in

60%
4 detached

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ways that are unacceptable to the community. We will address several of these changes in the outline below, but as a general point we ask that Development Review staff examine the Schematic Development Plan and the preliminary plan in detail to identify any changes from the former, and to request a full explanation of the changes from the applicant.

Compatibility with Existing Properties

Compatibility can be determined partially by the manner in which the new structures fit into the context of the neighborhood setting. We ask that the applicant supply the following information to aid in our review of the preliminary plan:

1. Dimensions of the new units (residences and garages)
2. Dimensions of the existing/relocated units
3. Distance between units
4. Dimensions of interior green space
5. Dimensions of setbacks
6. Finished height (front and rear) of new and existing/relocated units and the location where the measurement is taken

Elevations

Please provide the following information:

1. Finished height of all adjoining residences and the location the measurement is taken
2. Finished height of new units and the location the measurement is taken
3. Finished floor elevation for the lowest floor of new units
4. Reference or spot elevations from the centerline of Georgia Avenue, First Avenue and Noyes Drive

We continue to have concerns about the size and massing of the new units, adequacy of setbacks and buffers, and the architectural details and design of the entire project.

In determining compatibility, we believe the townhouse community of the newer Woodside Way, not the older Ottawa Place project, should be used for comparison. What are the specific criteria that will be used in determining compatibility with the community?

Traffic and Pedestrian Safety

Changes from Schematic: 2 New Driveways -- The Preliminary Plan shows two new driveways on Noyes that were not on the schematic plan. Why weren't these driveways in the schematic plan, and why are they being introduced now? What is the impact on green space and drainage due to the increase in impervious surface?

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Please supply the following information:

1. Comparison of impervious surface dimensions (driveways, walkways, roofs) used in the rezoning case with the impervious surface dimensions used for the preliminary plan

Pedestrian Safety -- What steps are being taken to ensure pedestrian safety in and around this project? Specifically, the applicant has agreed to pursue several pedestrian safety and traffic mitigation strategies, including a 4-way stop sign at First Avenue and Noyes Drive, and a speed hump on Noyes. Has the Development Review Division informed the Department of Public Works and Transportation (DPWT) of these elements? What is the process for ensuring that these steps are taken as part of the project?

The developer also agreed to supply off-site sidewalks along Noyes Drive which are not shown on the preliminary plan. What efforts have been made to consult with affected property owners along both sides of Noyes Drive? What location is most feasible for these sidewalks?

Cul-de-sac -- The majority of property owners along the affected portions of Noyes and First have jointly requested that a cul-de-sac be built on the western border of the development. The applicant has informally expressed enthusiasm for this proposal. What steps are being taken or should be taken to explore this proposal further?

Environment

Green space -- Among the binding elements for this project is a requirement of a minimum of 60 percent green space, and the Hearing Examiner found 61 percent in the schematic plan. The Preliminary Plan indicates there is 55 percent green space. It should be noted that the Hearing Examiner and County Council relied on the Developer's representations of this element which appears to contradict the binding elements and Schematic Development Plan.

Please supply detailed information on:

1. The exact locations and dimensions of green space meeting the Zoning Ordinance definition of green space
2. Is this information expressed as a percentage of net or gross acreage?

Single-family yards -- The project includes single-family houses that have distinct yards. Are these yards being counted as green space? Will such space be available to the entire project?

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Trees -- What are the specific plans for protecting trees on this property and on adjacent properties?

Stormwater Management Plan

Plan Details - On what plan will the stormwater management be based? Who will be evaluating that plan?

Impact on Existing Flooding -- Does the stormwater plan take into account existing drainage problems inadequately addressed in previous attempts by the county? Specifically, the Hearing Examiner's report (p. 31) found the history of stormwater flooding in this area "troubling" and said "this issue must be dealt with at site plan and subdivision." What steps are being taken to address existing problems?

Damage Mitigation -- What specific steps are being taken to prevent stormwater runoff from flooding and otherwise damaging adjacent and other affected properties?

Sligo Creek -- What controls are in place to protect the Sligo Creek as referenced in the Environmental section of the Park and Planning staff report?

Parking

All Parking to be On-Site -- The developer represented in written and oral testimony throughout the rezoning process that these units would have two-car garages and that all parking, including visitor parking, will be provided on-site of the project. This was represented on the schematic plan as well as in the hearing examiner's report. However, in the Preliminary Plan, the number of garage spaces varies, and the design appears to preclude parking in a number of areas. The footprint of the typical townhouse unit in this project does not allow for a parking pad in front of the garage opening in the event that the owner does not use the garage for vehicles.

1. What is the reason for these changes?
2. How will the adequacy of parking be assessed and what steps will be taken to ensure that all parking for this project will be provided on-site?

Historic Preservation

Feasibility of Moving a Historic House -- This project was approved based on having three single-family homes facing Noyes Drive. The current plan involves moving a house of historic interest from Georgia Avenue to Noyes Drive. What steps will be taken to ensure that this move is feasible?

If the move is not feasible, what steps will be taken to ensure that a single-family house of the same size and design will be built in its place? What will happen to the original house?

ATTACHMENT G



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

July 6, 2005

Mr. David L. Little, P.E.
Gutschick, Little & Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, MD 20866

Re: Stormwater Management **CONCEPT** Request
for Woodside Courts
Preliminary Plan #: 1-05061
SM File #: 215724
Tract Size/Zone: 2.68 Ac./RT-12.5
Total Concept Area: 2.68 Ac.
Lots/Block: 7-11/3 & 1-4/4
Watershed: Sligo Creek

Dear Mr. Little:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control via two StormFilters, a surface sand filter and dry wells. Onsite recharge is not required since this is considered as infill. Channel protection volume is not required for drainage areas 1, 2, 4, 5 & 6 because the one-year post development peak discharge is less than or equal to 2.0 cfs. Channel protection for drainage area 3 is waived.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The water quality structures must be on their own parcels.
6. Retaining walls must not be within the stormwater easement, nor interfere with access for maintenance.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required.



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This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,

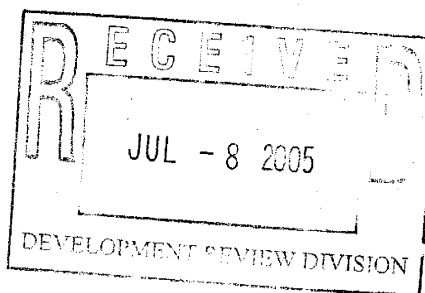


Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN215724 Woodside Courts.DWK

cc: R. Weaver
S. Federline
SM File # 215724

QN - Onsite/Waived; Acres: 2.0/0.68
QL - Onsite; Acres: 2.68
Recharge is not provided






**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Cathy Conlon, Development Review
Robert Kronenberg, Development Review

FROM: Stephen D. Federline, AICP 
CountyWide Environmental Planning

DATE: January 10, 2006

SUBJECT: Preliminary Plan #120050410 and Site Plan # 820060030:
WOODSIDE COURTS

The Environmental Planning staff recommends approval of site plan 8-05032 with the following conditions:

1. The proposed development shall comply with all conditions of the final 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. Approval includes compliance with all ISA certified arborist's recommendations and details in TPO (Tree Preservation) plans dated 10/20/2005.
2. Compliance with all exterior and interior noise mitigation recommendations and detailed building shell analysis as specified in report entitled "Traffic Noise Analysis – Woodside Courts" from Phoenix Noise and Vibration, LLC dated 2/24/2005.
 - a) Certification from an acoustical engineer that the building shell for residential dwelling units will be constructed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification shall be provided to M-NCPPC Environmental Planning staff for concurrence prior to issuance of building permits.
 - b) The builder shall provide a signed commitment to construct the impacted units in accord with the acoustical design specifications required above. Any changes to the building shell construction that may affect acoustical performance must be approved in writing by an acoustical engineer and copy to MNCPPC staff prior to implementation.

Background

The Woodside Courts property property, a 2.7-acre site, is located on the west side of Georgia Avenue on either side of Noyes Drive in Silver Spring. It contains existing dwellings with 0.34 acres of forest , and 22 trees of 24" diameter or greater throughout and just off the site, with nine of specimen size (30" or greater). Previous approvals have focused on protection of certain specimen trees of community significance found at strategic locations around the site. Indeed, the site has been designed to maximize the level of protection afforded to these special trees.

Forest Conservation/Tree Preservation

All existing forest on the property on the property will be lost, given the high density development. Based on this loss of existing forest, 0.75 acres of forestation will be required offsite. The applicant has proposed use of fee-in-lieu, which has recently been changed to \$0.90/square foot, or \$32,670 for this site. Alternatively, staff will accept off site planting or use of available forest banks.

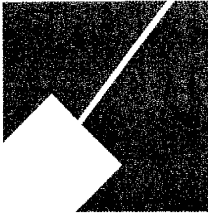
Trees on the subject property have been evaluated by an ISA certified arborist for size, health, impact, and potential for save (see "Tree Preservation Plan" dated 10/20/05). The site design has been massaged to a great degree to allow preservation of select specimen trees of community significance (Tree #44: 43" tulip poplar along Georgia Avenue; tree #71: 33" horse chestnut at the southwest corner of Noyes Drive and Georgia Avenue; and tree #68: 34" silver maple, in front of the Liberatore house south of Noyes). In addition, trees on adjoining lots have been examined for impact, and preservation measures established for implementation per the Tree Preservation Plan.

Noise

The residential units on the subject property will be impacted by vehicle noise up to 72 dBA Ldn for the first line of units along Georgia Avenue. The applicant prepared vehicle noise analysis entitled "Traffic Noise Analysis – Woodside Courts" from Phoenix Noise and Vibration, LLC dated 2/24/2005 to address vehicle noise. The noise standard for exterior noise is 65 dBA Ldn. Therefore, both exterior and interior noise mitigation is recommended to provide quieter backyard spaces and acceptable interior noise levels. Wing walls are proposed for units on Lots #26 and 58. Additionally, staff recommends a barrier along the outside wall of Lot # 27. The noise attenuation barriers will create a quieter rear yard space for the future occupants.

In order for the residential units to achieve an interior noise level of 45 dBA Ldn the applicant will have to incorporate acoustical treatments into the design and construction of the buildings. The acoustical consultant will need to provide detailed review of the proposed building shell to determine if it will meet specific acoustical design specifications. The builder must construct in accord with those specifications, or receive written approval from the consultant for any changes that may affect acoustical performance.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

Date: January 11, 2006

Noyes Lane LLC
c/o GTM Architects
7735 Old Georgetown Road
Suite 700
Bethesda, Md. 20814

Re: Final Forest Conservation Plan: "WOODSIDE COURTS"
Plan Numbers: #1-05061/#8-06003
Tract size/Zone/total plan area: 2.7acres/ RT-12.5/2.7 acres

Dear Applicant:

Based on the review by Environmental Planning staff of the Maryland National Capital Park and Planning Commission, the Final Forest Conservation Plan mentioned above is approved. The Final Forest Conservation Plan consists of the loss of 0.34 acres of forest (i.e., all the existing forest) on the site, and a planting requirement of 0.75 acres. The following items will need to be addressed prior to issuance of building permit:

- 1) Prior to plat recordation, provide documentation for use of approved forest bank (1), use of fee-in-lieu, or identify location of offsite forestation.
- 2) Offsite forestation must be protected by a forest conservation (category I) easement, and onsite trees protected by tree save (category II) conservation easement, or other legally acceptable permanent protection mechanism.
- 3) Prior to building permit release, submit financial security to M-NCPPC for offsite forest planting and maintenance, or payment of fee-in-lieu.
- 4) Maintenance and management agreement must be approved by M-NCPPC staff prior to first inspection of planted areas.
- 5) Required site inspections by M-NCPPC monitoring staff (as specified in Section 110 of the Forest Conservation Regulations). All specifications of the Tree Preservation Plan shall be followed, unless revised in writing by an ISA certified Arborist and MNCPPC Inspector.

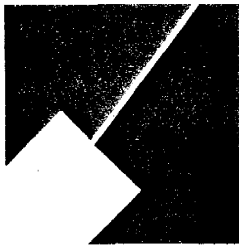
1 A Certificate of Compliance for meeting off-site reforestation requirements through a forest mitigation bank must be finalized.

This letter must appear on all reproduced copies of the approved Final Forest Conservation Plan. Any changes from the approved Final Forest Conservation Plan may constitute grounds to rescind or amend any approval actions taken, and to re-evaluate the site for additional or amended plantings. Prior to any subsequent additions or modifications for this development, a separate amendment must be submitted to M-NCPPC for review and approval. If you have any questions regarding these actions, please feel free to contact Steve Federline at 301-495-4550.

Sincerely,

Stephen Federline, Supervisor
Environmental Planning
Countywide Planning

Cc: FCP File /#8-06003 (#1-05061)



November 23, 2005

MEMORANDUM**TO:** Robert Kronenberg, Planner/Coordinator
Development Review Division**VIA:** Shahriar Etemadi, Supervisor
Transportation Planning**FROM:** Scott A. James, Planner/Coordinator *Saj*
Transportation Planning**SUBJECT:** Site Plan # 8-06003
Woodside Courts
North & West Silver Spring Master Plan

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject application for the proposed Woodside Courts residential development on Georgia Avenue in North Silver Spring.

RECOMMENDATION

Transportation Planning staff recommends approval of the above referenced site plan with the following conditions as part of the APF test for transportation requirements related to Local Area Transportation Review (LATR):

Limit the site plan to 23 town homes and three single-family residences.

Extend the center median on southbound Georgia Avenue towards Noyes Drive and provide a marked pedestrian crosswalk with pedestrian refuge if approved by Maryland State Highway Administration (SHA).