From: [redacted]
To: Gatling, Tsaiquan
Cc: [redacted]
Subject: FW: Comments on Application #62020008A and Request for a Hearing
Date: Wednesday, July 28, 2021 2:15:43 PM

Dear Planning Department,

We are writing to comment on the above-referenced application and related matters. We live at 5309 Moorland Lane, Bethesda, across the street from the sites at 5310 and 5314 Moorland Lane, the site to which the application applies. We are very concerned about the project to which that application applies, for the reasons stated below.

Our Neighborhood Block and the Impact of the Application

We have lived in our house since 1978. Built in 1966, it has 4 bedrooms. We raised our children here and now welcome our grandchildren to visit. During that time, we have seen changes in the neighborhood and the block, with older houses being replaced by newer ones. But the new houses on our block have generally been approximately the same size as those they replaced. Many people walk on our block, often walking to or from downtown Bethesda. Other streets that parallel ours are wider, such as Wessling, Manning, Hampton and Edgemoor Lanes. Our street is a narrow one in contrast, lined by mainly old and very large trees. Our street is so narrow that parking is only permitted on one side of the street. If a car is parked across from our driveway, it is difficult for us to maneuver our car out of the driveway. In sum, the block can fairly be characterized as a quiet neighborhood street.

The application, however, seeks approval to combine two lots into a very large single lot on which a very large building will be constructed which would be far out of proportion to the existing houses on the block. We believe such a large building will change the character of our block. The application states that it will be a "single family residence", but the size and scope of the project make that characterization misleading. It appears that the building will be approximately 4000 SF of ground floor area but with a second story and a basement. The lot slopes significantly and steeply downward towards the rear and the project contemplates significant patio areas, a spa and pool and other uses in back, from which it appears that the basement will likely be a "walk-out" or "daylight" basement. The size of the house therefore appears to be something in the range of 10,000 to 12,000 SF. It is also notable that one wing of the house will have its own 2 car garage, apart from a second two-car garage seemingly meant for use by the main part of the house. This feature suggests that this wing of the house might be intended for live-in help. Does the Planning Department consider such an arrangement as a "single-family residence"?

Our concern is not limited to the size and scope of the proposed building. There is reason to expect that the application's project relates to a building to be used for significant entertaining functions, or perhaps work functions beyond merely an ordinary "home office". The applicants are [redacted]. Both are accomplished people, and we are proud to have them in our neighborhood. The following should therefore not be taken as a judgment about them personally, But an understanding of the likely uses of the building at issue require a discussion of the positions they each hold.

[redacted]. [redacted] is a publicly traded company (New York Stock Exchange) with 569,000 employees and $44 Billion of annual revenues. While technically headquartered abroad, [redacted] has significant operations in the Washington, D.C. area. According to [redacted] website, [redacted] is also on other Boards of Directors and on Boards of Trustees of non-profit organizations. One of the boards on which she serves

is the [redacted]. This is a political advocacy group comprised of the chief executive officers of many major corporations. The [redacted] lobbies on issues before Congress and the Executive Branch of the Federal Government. See businessroundtable.org.

[redacted], which its website calls "a global advisory firm and investment bank exclusively focused on the security sector." [redacted] previously served as chief of staff of the U.S. Department of Homeland Security, and co-founded [redacted] with [redacted], Secretary of that cabinet-level agency "to consult with companies and governments on their own security as well as to advise on mergers and acquisitions … in the security industry." See [redacted]. [redacted] as advised on $8 Billion of such transaction, according to that site. In addition, [redacted] served as Campaign Chairman for a candidate for the U.S. Presidency in 2016.

The nature of the positions and activities of both [redacted] make clear to us that the plan at issue here is about building a place suitable to host significant receptions and other entertainment activities of the type typical for political Washington, D.C. Such events could arise from [redacted] internal corporate responsibilities with [redacted] or from her outreach/political responsibilities with [redacted] or the [redacted] or with other organizations. Such events could also arise out of Chad Sweet's political activities or his role as CEO of a consulting and investment firm whose clients are companies and governments, requiring a certain level of corporate and political entertaining. The likelihood that the building will be used for large gatherings of these types is enhanced by the plans for the rear area of the house. The plan sent to us shows that an area in the rear of the house about equal to the ground area of the building is to be occupied by patios, lawns and a large pool. In our experience living in the Washington area for more than 50 years, these kinds of spaces are often used for large gatherings for receptions and other entertainment functions. In addition to use by the owners, business, political and non-profit organizations in the Washington area are always seeking permission from such owners for the use of their property for large gatherings.

Of course, what applicants do in the privacy of their own home is their business, except as it impacts on neighbors. We are concerned, however, that events of this type, with large guest lists, would create significant traffic and parking issues for our block. We are also concerned that such large gatherings, particularly for events held in whole or in part outdoors, would upset the currently quiet soundscape that we enjoy here.

Tree Removal

Our neighborhood has long been desirable because of its significant old, large trees. The applicants filed a Tree Variance Request on June 7, 2021, stating that their project cannot be implemented without the removal of 12 significant/specimen trees "on or adjacent to the subject property." We are not certain which particular trees are to be removed, but from our house we can see a number of very major trees that would appear to be in the way of the project. Many of the trees at issue appear to be on the property located at 5314 Moorland Lane, where applicants propose to raze the existing house and combine that lot into a single lot with 5310 Moorland. These trees provide a significant element of charm and beauty to our block and neighborhood. We oppose any county approvals that would lead to the removal of these trees. We are unclear what applicants mean when they refer to a "fee in-lieu" for "afforestration," but no fee can substitute for destroying the historic and beautiful trees at issue here.

Moreover, it is unclear what applicants mean when they refer in their Tree Variance Request to trees "adjacent to the subject property." The only trees adjacent to the subject property which are not on other private owners' property are three enormous trees that sit on what we assume is the county land between the street and the sidewalk in front of the subject properties. If applicants propose to remove those trees, we strongly object and ask the county to deny any such permit.

Stormwater Management Issues

We understand that the county has denied the applicants stormwater concept plan**.** This is a technical issue beyond our ability to comment. But we urge the county not to allow any development that would create stormwater management issues in our neighborhood.

Request for a Hearing

In light of the issues discussed above, we request that the Planning Board hold a public hearing on the application and on the related Tree Variance Request.

Please feel to reach out if you have any questions about these comments.

Sincerely

[redacted]
5309 Moorland Lane
Bethesda. Maryland
[redacted]
[redacted]

THE LAW OFFICE OF MICHELE ROSENFELD, LLC

July 27, 2021

Christina Sorrento, Chief, IRC
Tsaiquan Gatling, Plan Reviewer
Montgomery County Planning Department
2425 Reedie Drive, 14th Floor
Wheaton MD 20902

RE: Administrative Subdivision M-NCPPC FILE No. 62020008A
5310 Moorland Lane and 5314 Moorland Lane

Ms. Sorrento and Mr. Gatling:

I submit this letter on behalf of my clients [redacted], who live at 5316 Moorland Lane and as such are abutting property owners. We request that this Administrative Subdivision, and the associated forest conservation variance request, be presented to the Planning Board for a hearing and decision. We support this request with the following justification:

1. The plan proposes a very high impervious surface lot coverage, owing to the size of the proposed building footprint; the driveways; the pool and several additional water features; and the extensive additional hardscape features. The level of impervious coverage likely explains why the associated stormwater management plan has been denied three times. (To our knowledge, no SWM plan resubmission is now pending.)
2. The application includes a request for a tree variance relating to both on-site and off-site trees, including a significant impact to a 40" tulip poplar on my client's property.
3. We understand that there are other neighboring property owners who intend to raise concerns, and so this application is the subject of broader community interest that merits a public hearing.

My clients are in the process of retaining an engineering firm to look at these and other regulatory issues from a technical point of view, which our engineer will be unable to complete by August 6. Additionally, while we appreciate the extension to August 6 to submit comments, responding in this time frame is further complicated by vacation schedules (my client and I both have long-scheduled plans) which combined will have us largely unavailable over the course of the next week.

Regardless of the immediate time constraints, however, given the complexity of this application a Board hearing is appropriate.

I appreciate your attention to this matter and ask that you respond to this request at your earliest convenience.

Best regards,

Michele McDaniel Rosenfeld

Michele McDaniel Rosenfeld

1 Research Court Suite 450 | Rockville MD 20850 | 301-204-0913 | rosenfeldlaw@mail.com

July 29, 2021

Christina Sorrento, Chief, IRC
Tsaiquan Gatling, Plan Reviewer
Montgomery County Planning Department
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Ms. Sorrento and Mr. Gatling,

We are writing with respect to Application Plan #62020008A 5310 & 5314 Moorland Lane (the "Plan"). We live at 5307 Moorland Lane, across the street from 5310 and 5314 Moorland Lane.

We have significant concerns about the Plan. We believe that it is inconsistent with rules designed to protect the environment and the quality of life in Montgomery County.

The Plan's impermeable footprint is extremely extensive and will drastically reduce the land's ability to absorb water. The size of the main building is completely out of sync with both the neighboring homes and the size of the lot. At about 140 feet long, it's almost half the length of a football field. The impervious footprint of the main structure alone will significantly increase runoff. Adding to the extensive hardscape areas, a swimming pool, multiple reflecting pools and a spa will make the problem even worse.

These concerns would be significant if it were a normal lot, but 5310 Moorland is not a normal lot. The previous owner of 5310 described it as a "wet lot," which is not surprising since it slopes to the bottom of a hill and (we understand) is above an underground brook.

If approved, the result of the Plan would inevitably be that surrounding areas are more likely to be flooded and more sediment will be driven into our fragile Chesapeake Bay watershed. This becomes everyone's problem.

These concerns are heightened because the Plan calls for the removal of a significant number of trees. Trees absorb water, protect the land from eroding (and ending up in the Bay), reduce greenhouse gasses and are a beautiful part of our community. For these reasons and others, Montgomery County has made planting additional trees and protecting existing trees a significant priority. Because the Plan covers up so much of the lot with impermeable surfaces, replacing trees – even if there were a reasonable amount of open land to do so, which there isn't – would take decades. We oppose any action that would facilitate the removal of trees.

It is unclear to us as to whether the Plan also calls for the removal of trees on public land. We note that 5310 and 5314 Moorland are on the side of the street that does not have power lines and therefore the trees have been able to grow to full height without excessive pruning. This canopy is so important to the street.

To the extent the application attempts to mitigate the harmful impacts to the environment and the neighborhood by, for example, funding other initiatives or diverting water to the edge of the

property – which will affect surrounding properties – we urge you to reject those efforts. We see no compelling reason to grant any waivers or provide any approvals sufficient to justify shifting the environmental responsibility for the Plan's harm to others.

We have additional concerns about the application especially given the change in the way many have been working over the past 16 months, as homes have become *individual* workplaces. The scale of this proposed building and a parking lot that is over 90 feet long in a residential area begs the question of whether it will be used as a place of business and whether it will attract excess traffic to this residential area.

There have been many construction projects that we have not liked, but none have compelled us to object. Our strong preference is to support each of our neighbors. However, this Plan, if permitted to move forward, would be so destructive to the character of our neighborhood and, more importantly, to our environment, that we feel that we must share our objections with you.

We urge you to hold a public hearing to review the Plan.

Thank you for your consideration of our concerns,

[redacted]

5307 Moorland Lane
Bethesda, MD 20814

From: [redacted]
To: Gatling, Tsaiquan
Cc: [redacted]
Subject: Application Plan #62020008A 5310 & 5314 Moorland Lane, Bethesda
Date: Sunday, July 25, 2021 1:25:38 PM

Good afternoon Tsaiquan,

We received the plan for the proposed subdivision of 5310 and 5314 Moorland Lane. My wife and I live at 5311 Moorland which is across the street from the proposed project. I wanted to let you know that we think that the scale of the proposed development is far too large and is not at all consistent with the existing homes in the neighborhood. The proposed home appears to have ~4,000 SF of ground floor area which is more than 2X the scale of the neighboring properties. Additionally, the proposed plan includes what appears to be a massive paved drive area, multiple pools and water features and two 2 car garages. It certainly appears that the amount of paved areas on the property are not in keeping with the County's efforts to reduce stormwater runoff. This is especially true given the slope of the existing lots which already face drainage challenges and the reality that most of the existing trees on the property will need to be cleared to accommodate construction.

We are not in favor of approving the proposed subdivision or development plan. Please let us know if you have any questions for us or would like to discuss further.

Best regards,
[redacted]
5311 Moorland Lane
Bethesda, MD