

# LEGEND

## EXISTING FEATURES

	Ex. Storm Drain with Manhole
	Ex. Sewer Line with Cleanout
	Ex. Sewer Manhole and Invert
	Ex. Water Line with Valve
	Ex. Gas Line with Valve
	Ex. Overhead Utility with Pole
	Ex. Drain Pipe and Inlet
	Ex. Downspout Pipe / Spilled
	Ex. Underground Utility Line
	Ex. Two-And Ten-foot Contours
	Ex. Spot Elevation
	Ex. Chain Link or Wire Fence
	Ex. Wood or Stockade Fence
	Ex. Metal or Iron Fence
	Ex. Retaining Wall
	Ex. Soil Test Location
	Ex. Soil Line with Soil Types
	Ex. Roadside Tree
	Ex. Significant Tree
	Ex. Specimen Tree
	Ex. Tree To Be Removed

## PROPOSED FEATURES

	Limit Of Disturbance (L.O.D.)
	Prop. Water-House Connection
	Prop. Sewer-House Connection
	Prop. Gas-House Connection
	Prop. Electric-House Connection
	Prop. Contour with Elevation
	Prop. Spot Elevation
	Prop. Retaining Wall
	Prop. 4" PVC Drain Pipe
	Prop. Downspout with Flow Direction
	Prop. Surface Flow Direction
	Prop. Pipe Flow Direction
	Prop. Spot Elevation
	Prop. Super Soil 1" Pitch
	Prop. Super Soil 2" Pitch
	Prop. Micro Infiltration Trench Protection Fence
	Gravel Dry Well with the Perforated Pipe Layout, Downspout, Leader, Pipe Flow Direction, and Pipe Invert Elevation
	Prop. Micro Infiltration Trench
	Prop. Permeable Pavers

EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.						
UTILITY CO.	REQUEST DATE	BY	INFO. RECEIVED	PLAN REVISED	BY	
AT&T	02/13/2019	DMJ	02/20/2019	NO FACILITIES	DMJ	
VERIZON	02/13/2019	DMJ	02/20/2019	NO FACILITIES	DMJ	
PEPCO	02/13/2019	DMJ	04/17/2019	OVERHEAD UTILITIES	DMJ	
VERIZON/DMJ	02/13/2019	DMJ	-	-	DMJ	
W.S.S.C.	02/13/2019	DMJ	04/15/2019	05/08/2019	DMJ	
SEWER CONTRACT DRAWING						
SEWER CONTRACT DRAWING						
HOUSE-CONNECTION PLUMBING CARDS						

FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-257-7777, OR LOG ON TO [WWW.MISSUTILITY.NET/ATC](http://WWW.MISSUTILITY.NET/ATC) 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

TREE DATA (SPECIES AND SIGNIFICANT TREES ONLY)					
TREE NO.	SPECIES	BOTANICAL NAME	D.B.H. (IN.)	CONDITION	COMMENTS
100	White Pine	Pinus strobus	24	good	(REMOVE)
101	White Pine	Pinus strobus	27	good	(REMOVE)
102	Black Cherry	Prunus serotina	24	fair	Heavy ivy, dieback, co-dominated with IB, hazard (REMOVE)
103	American Elm ★	Ulmus americana	33	good	Offsite, Tain tree, co-dominated with IB, hazard tree. Located in Woodhaven Blvd Right-of-Way. (REMOVE)
104	Red Oak	Quercus rubra	28	poor	Offsite, Severe dieback, hazard limbs, mostly dead. Located in Woodhaven Blvd Right-of-Way. (SAVE)
105	Pin Oak	Quercus palustris	25	good	Offsite, Located on Whily Drive right of way (SAVE)

**8104 Woodhaven Boulevard  
Lot 10, Block A  
West Bethesda Park  
Proposed Lots A & B  
Administrative Subdivision Plan**

**ADMINISTRATIVE SUBDIVISION PLAN NOTE:** Unless explicitly noted on this Administrative Subdivision Plan or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, sidewalks, and other proposed features are for illustrative purposes only. The final locations of the proposed improvements will be determined at the time of building permit issuance. Please refer to the Zoning Data Table for development standards such as setbacks, building restriction lines, building height, and lot coverage. Other site development limitations may be included in the conditions of the planning board or planning staff approvals.





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

July 5, 2019

Brett Ulrich  
8104 Woodhaven Boulevard  
Bethesda, MD 20817

Re: Forest Conservation Exemption Request and Simplified NRI/FSD No. 42019204E  
Property Name: West Bethesda Park, 8104 Woodhaven Boulevard  
Action Taken: Exemption Confirmed & Simplified NRI/FSD Approved

Dear Brett Ulrich:

On June 23, 2019, Montgomery County Planning Department Staff received a revised Simplified Natural Resource Inventory / Forest Stand Delineation "Simplified NRI/FSD" for West Bethesda Park, 8104 Woodhaven Boulevard. This Simplified NRI/FSD is part of a Chapter 22A-5(s)(2) Exemption Request for an activity on a small property.

A Chapter 22A-5(s)(2) Exemption Request is for an activity on a tract of land of less than 1 acre that will not result in the clearing or more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and not result in reforestation requirements more than 10,000 square feet.

The project's tract area is approximately a half acre. The proposed construction limits of disturbance area is less than 1 acre. No forest or champion trees will be cleared during the project. This activity does not trigger reforestation requirements. The roots of at least one specimen tree will be impacted by the proposed project and as a result a Tree Save Plan is required to be submitted for review and approval with the Administrative Subdivision Plan.

**The Forest Conservation Exemption Request No. 42019204E for West Bethesda Park, 8104 Woodhaven Boulevard is confirmed with the Tree Save Plan Provision. The revised Simplified NRI/FSD submitted on June 23, 2019 for the project is approved with the Tree Save Plan Provision. The Tree Save Plan Provision is the requirement to submit for review and approval a Tree Save Plan for the project with the Administrative Subdivision Plan pursuant to Chapter 22A-6(b) of the Forest Conservation Law.**

Any changes from the confirmed Forest Conservation Exemption Request and approved Simplified NRI/FSD may constitute grounds to rescind or amend any approval actions taken.

Sincerely,

Stephen Peck  
Senior Planner  
Development Applications and Regulatory Coordination  
M-NCPPC - Montgomery County Planning Department

CC: Jeff Robertson, CAS Engineering



DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher R. Conklin  
*Director*

March 4, 2020

Ms. Grace Bogdan, Planner Coordinator  
Area 1 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

RE: Administrative Plan No. 620200020  
8104 Woodhaven Boulevard

Dear Ms. Bogdan,

We have completed our review of the Administrative Plan dated February 26, 2020. A previous plan was reviewed by the Development Review Committee at its October 29, 2019 meeting. We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

**Significant Plan Review Comment**

1. The proposed driveways shall conform to Montgomery County Standard MC-301.01 and must be American Disabilities Act (ADA) compliant.

**Office of the Director**

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101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*

2. On the certified preliminary plan, show the sidewalks along the street frontage of the proposed lots. The applicant may be able to obtain a waiver from the Department of Permitting Services (DPS).
3. **Sight Distance:**
  - a. **Woodhaven Boulevard:** The sight distance **does not** meet the minimum 200-feet required. We **do not approve** the sight distance since the sight distance is obstructed by existing vegetation. Prior to DPS approval of the record plat, the applicant will need to submit an updated Sight Distances Evaluation certification form, for proposed driveway, which indicates tree trimming and vegetation removal has been completed to achieve a minimum of 200-feet of sight distance in each direction.
  - b. **Wahly Drive:** The sight distance has been **accepted**. Measurements to the left represent distance to end of proposed cul-de-sac. A copy of the Accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. **Storm Drain Analysis:** The revised storm drain analysis dated February 26,2020 was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.
5. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
6. Posting of a right-of-way permit bond is a prerequisite to DPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
  - a. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
  - b. Erosion and sediment control measures as required by Montgomery County Code 19-10(02) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.



Ms. Grace Bogdan  
Administrative Plan No. 620200020  
March 4, 2020  
Page 3

Thank you for the opportunity to review this Administrative Subdivision plan. If you have any questions or comments regarding this letter, please contact myself for this project at [brenda.pardo@montgomerycountymd.gov](mailto:brenda.pardo@montgomerycountymd.gov) or (240) 777-7170.

Sincerely,



Brenda M. Pardo, Engineer III  
Development Review Team  
Office of Transportation Policy

SharePoint\Transportation\Director's Office\Development Review\Brenda\Administrative Subdivision\AS20200020 8104 Woodhaven Blvd\Letter\ 620200020-8104 Woodhaven Blvd-DOT Administrative Letter\_3.4.20

cc: Letters notebook

cc-e:	Jeffrey Robertson	CAS Engineering
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Mark Terry	MCDOT DTEO
	Rebecca Torma	MCDOT OTP





**MONTGOMERY COUNTY, MARYLAND**  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: West Bethesda Park Preliminary Plan Number: 1- Admin. 620200020

Street Name: Wahly Drive

Master Plan Road  
Classification: Secondary Residential

Posted Speed Limit: 30 mph

Street/Driveway #1 ( Lot A ) Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet)      OK?  
Right 200                      OK  
Left 200                        OK

Sight Distance (feet)      OK?  
Right \_\_\_\_\_  
Left \_\_\_\_\_

Comments: Site distance views cul-de-sac to  
the left. Full cul-de-sac visible from  
proposed driveway entrance point.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**GUIDELINES**

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

\*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Curt A. Schreffler

Signature

19568

PLS/P.E. MD Reg. No.

2/13/2020

Date



**Montgomery County Review:**

☒ Approved

☐ Disapproved:

By: Brenda Pardo

Date: 3/4/2020





DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Hadi Mansouri  
Acting Director

March 5, 2020

Mr. Jared Pantella, P.E.  
CAS Engineering  
10 South Bentz Street  
Frederick, MD 201701

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
8104 Woodhaven Boulevard  
Preliminary Plan #: 620200020  
SM File #: 285362  
Tract Size/Zone: 0.494 Acres R-90  
Total Concept Area: 0.494 Acres  
Lots/Block: Proposed A & B  
Parcel(s): N/A  
Watershed: Cabin John Creek

Dear Mr. Pantella:

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 proposes to meet required stormwater management goals via Environmental Site Design.

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

1. The plan will need to incorporate sections of the best available topography for the 10 year conveyance downstream and upstream of the subject property. This is to demonstrate safe conveyance of the flow until it enters a Public Storm Drain.
2. The site will be treated via Environmental Site Design.
3. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
4. An engineered sediment control plan must be submitted for this development.
5. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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 not required**.



255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permitting-services](http://www.montgomerycountymd.gov/permitting-services)



*Mr. Jared Pantella, P.E.*

*March 5, 2020*

*Page 2 of 2*

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 Andrew Kohler at 240-777-6275.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: ak

cc: N. Braunstein  
SM File # 285362

ESD: Required/Provided Lot A 495.3 cf / 496.7 cf Lot B 565.4 cf / 476.8 cf  
PE: Target/Achieved: 1.8"/1.8"  
STRUCTURAL: N/A cf  
WAIVED: N/A ac.



**From:** [Mustafa, Hemal](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** RE: 8104 Woodhaven Administrative Subdivision Plan 620200020  
**Date:** Tuesday, March 3, 2020 11:29:15 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Hi Grace,

Based on Chapter 22, Section 22-32 (f), Montgomery County Code. The project is not subject to fire apparatus access requirement. Group L-3 occupancies, as specified in chapter 8 of the County Code when such occupancies are not physically attached and contain two (2) living units or less in a building, may be exempt from the provisions of this section. (1975 L.M.C., ch. 23, § 1.)

Thank you,

*Sincerely,*  
*Hemal Mustafa, C.B.O.*  
*Division Chief*  
*Fire Prevention and Code Compliance*  
*Montgomery County Dept. of Permitting Services*  
*255 Rockville Pike, 2nd Floor*  
*Rockville, Maryland 20850*  
*Ph.No: (240) 777-6226*  
*Visit us at:*  
<http://permittingservices.montgomerycountymd.gov>

---

**From:** Bogdan, Grace <grace.bogdan@montgomeryplanning.org>  
**Sent:** Tuesday, March 3, 2020 10:05 AM  
**To:** Mustafa, Hemal <Hemal.Mustafa@montgomerycountymd.gov>  
**Cc:** Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Robert Kronenberg <robert.kronenberg@montgomeryplanning.org>  
**Subject:** 8104 Woodhaven Administrative Subdivision Plan 620200020

**[EXTERNAL EMAIL]**

Good Morning Hemal-

I am the lead reviewer from Parks and Planning for the Administrative Subdivision Plan for 8104

Woodhaven Boulevard. I wanted to follow up with you regarding an email I received from Pat Harris, their attorney. She said that a Fire Department Access Plan would not be required for this subdivision, which is a departure from our usual process for subdivisions.

This project proposes to demolish the house on the existing lot, and create two new lots which two new houses could be built upon. Typically, a Fire Department Access Plan is required for any new lot and therefore would be required in this instance. Could you please confirm and/or clarify?

Thanks!

Grace



**Grace Bogdan, AICP**  
**Planner Coordinator, Area 1**

Montgomery County Planning Department  
8787 Georgia Avenue, Silver Spring, MD 20910  
[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)  
o: 301.495.4533



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<https://www.montgomerycountymd.gov/census/>





DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Hadi Mansouri  
Acting Director

March 5, 2020

Mr. Jared Pantella, P.E.  
CAS Engineering  
10 South Bentz Street  
Frederick, MD 201701

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
8104 Woodhaven Boulevard  
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*Mr. Jared Pantella, P.E.*

*March 5, 2020*

*Page 2 of 2*

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Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: ak

cc: N. Braunstein  
SM File # 285362

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DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher R. Conklin  
*Director*

March 4, 2020

Ms. Grace Bogdan, Planner Coordinator  
Area 1 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

RE: Administrative Plan No. 620200020  
8104 Woodhaven Boulevard

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**Significant Plan Review Comment**

1. The proposed driveways shall conform to Montgomery County Standard MC-301.01 and must be American Disabilities Act (ADA) compliant.

**Office of the Director**

---

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[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*

2. On the certified preliminary plan, show the sidewalks along the street frontage of the proposed lots. The applicant may be able to obtain a waiver from the Department of Permitting Services (DPS).
3. **Sight Distance:**
  - a. Woodhaven Boulevard: The sight distance **does not** meet the minimum 200-feet required. We **do not approve** the sight distance since the sight distance is obstructed by existing vegetation. Prior to DPS approval of the record plat, the applicant will need to submit an updated Sight Distances Evaluation certification form, for proposed driveway, which indicates tree trimming and vegetation removal has been completed to achieve a minimum of 200-feet of sight distance in each direction.
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Ms. Grace Bogdan  
Administrative Plan No. 620200020  
March 4, 2020  
Page 3

Thank you for the opportunity to review this Administrative Subdivision plan. If you have any questions or comments regarding this letter, please contact myself for this project at [brenda.pardo@montgomerycountymd.gov](mailto:brenda.pardo@montgomerycountymd.gov) or (240) 777-7170.

Sincerely,



Brenda M. Pardo, Engineer III  
Development Review Team  
Office of Transportation Policy

SharePoint\Transportation\Director's Office\Development Review\Brenda\Administrative Subdivision\AS20200020 8104 Woodhaven Blvd\Letter\ 620200020-8104 Woodhaven Blvd-DOT Administrative Letter\_3.4.20

cc: Letters notebook

cc-e:	Jeffrey Robertson	CAS Engineering
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Mark Terry	MCDOT DTEO
	Rebecca Torma	MCDOT OTP



**MONTGOMERY COUNTY, MARYLAND**  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: West Bethesda Park Preliminary Plan Number: 1- Admin. 620200020

Street Name: Wahly Drive

Master Plan Road  
Classification: Secondary Residential

Posted Speed Limit: 30 mph

Street/Driveway #1 ( Lot A )

Street/Driveway #2 ( \_\_\_\_\_ )

Sight Distance (feet)      OK?  
Right 200                      OK  
Left 200                         OK

Sight Distance (feet)      OK?  
Right \_\_\_\_\_  
Left \_\_\_\_\_

Comments: Site distance views cul-de-sac to  
the left. Full cul-de-sac visible from  
proposed driveway entrance point.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**GUIDELINES**

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

\*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Curt A. Schreffler

Signature

19568

PLS/P.E. MD Reg. No.

2/13/2020

Date



**Montgomery County Review:**

☒ Approved

☐ Disapproved:

By: Brenda Pardo

Date: 3/4/2020

## Email

## Written testimony for appl...

## Email

**From**  Emma Starr

**To**  <MCP-Chair MCP-Chair>;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

**Cc**

**Subject** Written testimony for application 620200020

**Date Sent** **Date Received** 4/1/2020 11:00 AM

To the Planning Board,

We have lived on Woodhaven Boulevard for almost ten years. In that time, we've personally known two families who lived at 8104 Woodhaven Blvd and have spent time inside of the house and on the property. This house is rare for our neighborhood (in fact, its rare for much of our region), an original farmhouse from the mid-1800's with a beautiful property. The various owners of this house took great care in maintaining it, and it is in perfect condition, making it all the more heartbreaking and incomprehensible to tear it down.

We understand that this is not considered a registered 'historic' home based on some additions done over the century. It's a shame that the historic designation doesn't cover the interior of this house, which is filled with amazing original details -- again, a treasure in an area with a dearth of historical architecture.

The loss of green space will also be a concern for the neighborhood should this property be converted from a single unit with a large garden to two houses with very little garden, along with the destruction of trees that often comes with construction in this area.

Other neighbors have offered to purchase this property 'as-is' from the current owners. We can't imagine that the current owners would make much more profit from selling to a builder (who must then invest in building two new additional houses) than selling it at market value to a willing buyer who will preserve this historic property.

We fully understand that Bethesda in general, and our neighborhood in particular, is undergoing development. We don't reject that out of hand, but we do believe there should be some limits. Should the Planning Board and the County allow the destruction of 8104 Woodhaven Blvd. to go forward, it will be yet another indication that developers are more important than residents.

Please reconsider this plan.

Thank you for your time,

Emma & Josh Starr  
8215 Woodhaven Blvd.  
Bethesda, MD. 20817

## Attachments


File Name	File Size (Bytes)	
0 - 0 of 0 (0 selected)		
		Page 1









## Email

# 8104 Woodhaven Boulevard

## Email

**From**  Tessa Burke

**To**  <MCP-Chair MCP-Chair>;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

**Cc**  Gloria Reid;  [jacobjamesburke@gmail.com](mailto:jacobjamesburke@gmail.com)

**Subject** 8104 Woodhaven Boulevard

Date Sent

Date Received

3/25/2020 9:06 AM


Dear Casey Anderson

I am writing to object to the demolition of the beautiful old farmhouse at 8104 Woodhaven Boulevard. We were lucky enough to live there for two years, we did a considerable amount of work to it and then sold it, in good order, to the present incumbents. I stress the words 'good order', because this is not a sad old house, with sagging roof and rotten frame - its a beautiful family home that has been loved, protected and treasured by different families since 1857. It's a wonderful house to live in, in a caring and friendly neighbourhood.

I've had a great many emails from our old neighbours - all of them indignant and full of dismay, that the jewel of the Woodhaven community, could be destroyed. There are some neighbours who have lived in the area since the 60's - they have great stories about Halloweens, summer parties and pot-lucks at the house, it features in all of their collective histories, so it would be a considerable shame, if the community was robbed of such a beauty and all the wonderful old trees that surround it. My neighbours tell me that there are locals who would really like to buy the property - so I don't understand why that isn't the best option for Montgomery County, since the whole of the community is up in arms about losing the house. Why destroy something unique and remarkable to replace it with the bland and everyday? I could honestly cry, when I think of the beautiful period features in the house, original staircase, fireplaces, Palladian windows, which have survived intact since 1857, they made it through the Civil War, hurricanes, tornadoes and now, for goodness knows what reason, in 2020 - when we should be celebrating the ability of anything to make it through, its going to be knocked down to make room for something that nobody wants. Please keep this historic house standing.

Yours sincerely


Attachments





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0 - 0 of 0 (0 selected)		Page 1


## Email

# Testimony for 8104 Woodh...

## Email

**From**  J Barr

**To**  <MCP-Chair MCP-Chair>;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

**Cc**  [barr.jillh@gmail.com](mailto:barr.jillh@gmail.com)

**Subject** Testimony for 8104 Woodhaven Blvd - April 2nd

Date Sent

Date Received

3/31/2020 4:26 PM

Dear Mr. Anderson,

My neighborhood, Woodhaven – and in particular Gloria Reid -- has written you to ask for a postponement of the Planning Board action on 8104 Woodhaven Blvd. As far as I know we have received no response to our request, neither yes or no. I hope you are postponing.

In any case, I have signed up to speak (or write) my concerns. There are my main comments:

I have lived in Woodhaven for more than 30 years. This is a long-established, unique development with many stone houses, mostly built in the 1940s. The oldest house is the one at 8104 Woodhaven which was in fact built before the Civil War. It sits on an attractive plot of land, well treed and set back a bit from Woodhaven Blvd.

I hope that the Planning Board will consider the problems which bulldozing this home—with many original 19th century features – will create. It will require many mature trees to be cut down and nature disturbed in order to fit in two modern houses. As the name Woodhaven implies, we are a wooded part of Montgomery County. The new construction is likely to result in drainage problems and certainly will damage the natural surroundings which we value and need. The placement of the two new houses is also problematic.

I hope (and have heard) that a buyer is available who would preserve this home and prevent the destruction and problems which will ensue if it is bulldozed and two houses are built—awkwardly—in that space.

I hope I will an opportunity to speak at the Planning Board meeting—whether tomorrow, or perhaps at a later date.

Sincerely yours,  
Jill Barr  
8313 Woodhaven Blvd.



## Email

**RE: 8104 Woodhaven Blvd....**

## Email

**From**  [Giles Hopkins](#)

**To**  [<MCP-Chair MCP-Chair>](#);  [MCP-Chair #](#);  [mcp-chair@mncppc-mc.org](#);  [MCP-Chair@mncppc-mc.org](#)

**Cc**  [Grace Bogdan](#);  [Grace.Bogdan@montgomeryplanning.org](#)

**Subject** RE: 8104 Woodhaven Blvd. - Administrative Subdivision No. 620200020

Date Sent

Date Received

3/30/2020 6:37 PM

## Via

electronic mail to: [MCP-Chair@mncppc-md.org](mailto:MCP-Chair@mncppc-md.org)

## cc:

[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)

## Chairman

Casey Anderson

## Montgomery

County Planning Board

8787

Georgia Ave.

Silver

Spring, MD 20910

## RE:

8104 Woodhaven Blvd. - Administrative Subdivision No. 620200020

## Dear

Chairman Anderson and Commissioners:

## We

appreciate the opportunity to share with the Board our views and concerns about the development of the property at 8104 Woodhaven Blvd which abuts ours at 8201 Wahly Drive.

## We

are, of course, disappointed that the developers have decided to tear down the lovely historical house on the property for which there are ready buyers. We have enjoyed living next to the original house in our area and watching a series of owners maintain its beautiful setting.

**We**

**share the concerns with regard to the inaccurate setback and EBL calculations as detailed in Michele Rosenfeld's letter to the Board of March 30, 2020. We request that these be remedied before approval is granted.**

**In**

**order to ensure that the two new proposed structures blend into the neighborhood as much as possible, we would like to request consideration of the following:**

**1.**

**That the requirement for the proposed sidewalks in front of the two new houses be waived since there are no sidewalks elsewhere in the immediate neighborhood and these sidewalk segments would be sidewalks to nowhere. We understand the developers could instead contribute to a fund for county-wide sidewalks.**

**2.**

**That the developers follow the proposed plan to save many of the existing trees, particularly the large magnolia which abuts our property. We understand the need to take down trees and would like to have some input into the final decisions about which trees on or near the shared boundary are preserved. We request that the Board enable our participation in the pre-construction meeting to mark trees and set the limits of disturbance that is required before trees are cleared from the lots.**

**3.**

**That the developers propose a plan to provide adequate screening on the abutting side boundaries which might include new fast growing trees and line fences. We have maintained the existing fence on our shared boundary in cooperation with all the previous owners and we would like to do so in the future.**

**Thank**

**you for your consideration,**

**The**

**owners of the abutting property at 8201 Wahly Drive**

**Will**

**A. Irwin**

**Frances**

**H. Irwin**

**Robbins**

**S. Hopkins**

**Giles**

**P. Hopkins**

**--**

**Giles Hopkins**

## Email

# Objections to Hearing and ...

## Email

**From**  Stan Freeman

**To**  <MCP-Chair MCP-Chair>;  Casey Anderson;  Casey Anderson;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

**Cc**  cparajon@aol.com;  Fani-Gonzalez, Natali;  Gerald Cichy;  Grace Bogdan;  Grace.Bogdan@montgomeryplanning.org;  Natali Fani-Gonzalez;  Natali Fani-Gonzalez;  Partap Verma;  Stephanie Dickel;  Stephanie.Dickel@montgomeryplanning.org;  tina.patterson@mncppc-mc.org

**Subject** Objections to Hearing and Preliminary Comments - 8104 Woodhaven Blvd Subdivision App

Date Sent

Date Received

4/1/2020 9:44 AM

Casey Anderson, Chair  
Montgomery Planning Board

In Re: 8104 Woodhaven Blvd Subdivision Application  
Plan Number: 620200020  
Hearing Date: April 2, 2020  
Agenda Item 6

Dear Mr. Anderson:

Stanley A. Freeman and Cecilia M. Parajon are the owners of the property at 8205 Wahly Dr., Bethesda, Maryland. Our home is immediately adjacent to the property at 8104 Woodhaven Blvd that is subject of the above-referenced Administrative Subdivision Plan Application (the "Application"). This email is sent by Stanley A. Freeman on our behalf. We are strongly opposed to the destruction of the historic home adjacent to us, to the subdivision of that property, and to the multi-home construction plan, all of which will do grievous and irreparable harm to our community.

This written submission is a preliminary statement. It does not constitute, and should not be treated as, our complete or final written presentation on this matter. We reserve our right to make our full submission later, in advance of and during a properly convened public hearing. We seek postponement of the April 2 hearing and instead we ask for a hearing that (unlike the planned defective April 2 hearing): 1) is preceded by the legally mandated 10-day notice period; 2) gives us an adequate opportunity for preparation; 3) gives us the opportunity to cross examine the out-of-state applicant and his technical advisers; and 4) is not conducted via internet, under a format with no opportunity for participation apart from telephonic call-in, in the midst of a historic pandemic that has fundamentally disrupted the lives of every single person involved. We ask that the Chair reconsider its prior determination that the hearing will go forward, and if he does not postpones the hearing, we ask that a roll call vote on that question be taken at the outset of Agenda Item 6. We submit these preliminary remarks and any oral testimony under protest.

As is established below, our objections to the April 2 hearing are not just technicalities; they are backed by substantive objections that necessitate denial, or at least deferral, of the Application. We strenuously object to any Planning Board approval of the 8104 Woodhaven Blvd Subdivision Application (the "Application"), and our objection is based upon substantive grounds that we have not yet had any meaningful opportunity to research, develop, prepare, or present in detail. Our objections constitute substantial grounds for denial or at a minimum deferral of the Application. We are entitled to an adequate opportunity to develop our objections later, as we have thus far been afforded no such adequate opportunity. Any approval action on April 2 would violate our right to a hearing and our rights of due process.

Our reasons for these objections to the April 2 hearing and to the Application include the following:

1. Illegal tardy notice. Attached is a copy of the notice we received concerning the April 2 hearing. As is plain from the cover of the notice, it was stamped on March 24 and postmarked on March 25. Neither of those two dates meets the mandatory 10 days advance notice requirement that is legally binding upon this Board. This is not a question of when the notice was received. The notice makes clear on its face that the Planning Board did not even put the notice in the mail until it was already too late. Based upon this defect, the hearing on the Application cannot lawfully be convened on April 2 consistent with the Board's published rules, and the hearing must be postponed.
2. Substantial prejudice caused by the late notice. The Board's obvious but unexplained failure to abide by its own notice requirements is not just a technical concern. As the direct result of the lack of adequate notice, we are severely prejudiced because we have been given no adequate advance opportunity to research, analyze, develop and present our objections to the Application. After I received the tardy notice with less than a week remaining before the hearing, I looked at the webpage cited on the notice and I pulled up the proposed subdivision design drawing (see drawing titled, "Administrative Subdivision Plan – M-NCP&PC No. 62000020)". I identified legal and technical issues that preclude Board approval of the Application. As is detailed below, I identified a defect in the Application showing that the plans do not comply with the applicable zoning rules. The shortened and defective notice left us no adequate opportunity to engage and consult the experts needed to develop and present those objections. Here are the particulars of what I found:

The Application appears to be predicated upon encroachment onto our property. Yet we have had no advance opportunity to fully research the matter or to prepare and present that objection at the hearing. This is prejudicial to our right of meaningful participation, not just a technicality. More specifically: The design submitted with the Application would position the proposed new house on Lot A at a location that purports to be a distance of 8'6" from the Freeman/Parajon property line. That assertion that there is an 8'6" setback is inaccurate. The 8'6" measurement in the drawing is counting roughly 2 feet of property that is on the Freeman/Parajon side of a fence that has divided the two properties for more than 25 years. The land on the Freeman/Parajon side of that fence contains substantial shrubbery planted adjacent to the fence and maintained by Freeman/Parajon throughout those 25 years. The out-of-state applicant is asserting compliance with the Planning Board's minimum 8-foot side yard setback requirement by encroaching onto two feet of what appears from the drawing, and from the acknowledged location of the fence, to be property of Freeman/Parajon, not the applicant. When the encroached property is excluded from the measurement, the planned new house is less than 8 feet from our property and violates the zoning requirement specifying a minimum 8-foot side yard setback.

Perhaps the out-of-state applicant has identified some basis, such as a survey, to support an assertion that the property line is two feet beyond the fence. We are unaware of any such survey. We have never authorized any applicant surveyor to enter our property for such purpose. We have had no opportunity to consult with experts, in the middle of a pandemic, to ascertain what land records or other information may be pertinent to this question. We have been given no adequate notice of this issue or advance opportunity to research the matter or to hire a surveyor.



But in any event, even if there is a survey or other indication of a property line extending beyond the fence, that would not be dispositive, as we believe that Freeman/Parajon now owns the property under the legal doctrine of adverse possession. That fence has been there for more than 25 years. We have utilized and occupied the land on our side of the fence throughout that timeframe. We have planted and maintained numerous shrubs there (which shrubbery is omitted from the Application drawings) continuously throughout that timeframe. Our possession of that land has been actual, open, notorious, visible, exclusive, hostile and continuous and notwithstanding any survey that might exist, it is our property under the doctrine of adverse possession.

I am not a real estate attorney, and the time frame of less than a week during a pandemic that remained prior to the April 2 hearing afforded me no opportunity to retain counsel on the matter. But the Application's unexplained encroachment onto the Freeman/Parajon-occupied property in order to meet the 8-foot side setback requirement presents legal and technical concerns that can only be fully presented to this Board with the benefit of adequate advance opportunity for preparation, consultation with legal and technical experts, and an opportunity to cross examine the out-of-state Applicant and its technical advisors at a truly public hearing. There is no other valid means of testing the Application's assertion that it somehow can meet the 8-foot minimum setback requirement by using two feet of land that is in the Freeman/Parajon yard and that is apparently the property of Freeman/Parajon. The April 2 hearing, which was not preceded by the legally mandated notice period, and which features only telephonic testimony without any opportunity for cross-examination, gives us no opportunity to consult technical advisors, to retain counsel, or to develop and present our case.

This objection based upon encroachment and adverse possession is not just a civil dispute between the property holders, and the Board should not view it as such. We do presently intend, once we have had an opportunity to consult with counsel and technical advisers, to file suit to quiet title or otherwise obtain a judgment from a court of law to preclude the planned encroachment. However, as already explained, that litigation aside, the encroachment/adverse position issue has an immediate and direct nexus to the Application that the Board is slated to consider on April 2. The Application is premised on the assertion that the house to be built on Lot A meets the 8-foot minimum based upon a measurement that appears to directly encroach onto our property. That flaw directly implicates the Application, which should be denied or, at a minimum, deferred.

3. Again, please note that this objection is a preliminary statement presented under protest, and not our testimony or complete statement of reasons why the application should be denied. We were not provided sufficient advance notice to enable us to consult with technical and legal experts or to fully substantiate and present our encroachment objections. This is the direct result of the Board's manifest failure to provide timely notice.
4. There are multiple other substantive bases for objection as to which the objecting parties have had no adequate opportunity to develop, prepare, and present. They include but are not limited to the following:
  - a. Another set of adjacent neighbors (Bing Lu and Yingzi Yang) appears to have the same or similar encroachment concerns. The planned house to be built on Lot B is shown to be only 8'5" from their purported property line, and again, the drawing shows that roughly two feet of that distance is on the other side of an existing fence between the properties. Here again, the Application seeks to demonstrate compliance with the Board's side yard setback requirements by treating a strip of land on the other side of an existing fence as Applicant's property. We cannot speak for those neighbors, but they too are entitled to due process.
  - b. Beyond these faulty setback measurements, other substantive concerns have been raised by objecting parties who too have been prejudiced by the late and unlawful hearing notice. Those objections include other setback issues cited in statements from neighbors or their lawyer and

questions about ground water runoff and sewage plans that threaten properties adjacent to the proposed subdivision. And I have questions about unidentified and unexplained entries on the design drawings that can only be addressed with the benefit of technical input, questions about the existence or adequacy of any surveys that may have been relied upon in design drawings, and legal issues surrounding all of those collective concerns as well as the historic nature of the dwelling slated for destruction.

5. The electronic and telephonic means by which the April 2 hearing is to be conducted are wholly inadequate for purposes of presenting these various objections. The ability to place a telephone call and have a group of people listen does not constitute a meaningful opportunity to participate in a public hearing where cross examination of multiple individuals is needed in order to elicit facts and details relevant to the objections, but is not possible.
6. And the current circumstances -- where every would-be participant is struggling with extraordinary challenges posed by the coronavirus pandemic -- further establishes that the April 2 hearing should not be convened. People who would otherwise participate have children at home who must be cared for. Would-be participants have computer access issues occasioned by distance learning commitments that cannot be sacrificed. Would-be participants are dealing with overwhelming commitments and distractions associated with the illness of friends, work colleagues, or even family members, with financial concerns, and with the many tragic and unique challenges posed by the raging coronavirus crisis. And even if one attempts to set that aside (which is impossible), telephonic access alone, coupled with an illegally shortened advance notice period, does not yield a "public hearing" where the purpose of such hearing is to provide citizens with meaningful participatory rights.

The notion that a compliant, effective, public hearing will be conducted on April 2 that meets basic standards of due process is false. It is frankly astounding that under this combination of circumstances -- where no lawful notice was given, where objecting parties were not given any adequate opportunity to prepare, where no true public hearing can be convened, and where every person involved is struggling to deal with one of the worst catastrophes in our County and nation's history -- the April 2 hearing has not yet been postponed.

As a Montgomery County resident and taxpayer for 50 years, I expect more of my county government. I urge the Board not to proceed with this flawed hearing or to rubberstamp the incomplete staff report and recommendation.

For all these reasons we urge the Board to postpone the hearing. If the Board proceeds with the hearing, we urge that it deny or defer the Application.

Stanley A. Freeman

8205 Wahly Drive

Bethesda, MD

## Attachments

File Name	File Size (Bytes)	
<a href="#">Pub Notice.pdf</a>	73,105	
<a href="#">Pub Notice2.pdf</a>	95,700	
1 - 2 of 2 (0 selected)		Page 1

## Email

# 8104 Woodhaven Boulevard...

## Email

**From**  Michele Rosenfeld

**To**  <MCP-Chair MCP-Chair>;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

**Cc**  Gloria Reid

**Subject** 8104 Woodhaven Boulevard - Administrative Subdivision No. 620200020

Date Sent

Date Received

3/30/2020 5:06 PM


**Chairman Anderson:**

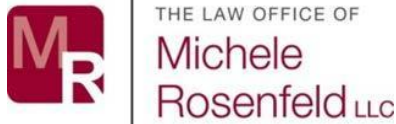
**Please enter the attached letter into the record for the above-referenced hearing currently scheduled for April 2. This submission does not waive my clients' prior request for a continuance on the grounds set forth in those prior submissions.**

**Best regards, Michele.**

**Michele Rosenfeld**  
**The Law Office of Michele Rosenfeld LLC**  
**1 Research Court**  
**Suite 450**  
**Rockville MD 20850**  
**301-204-0913 (direct)**  
**rosenfeldlaw@mail.com (email)**  
**michelerosenfeldllc.com (website)**

**Attachments**

File Name	File Size (Bytes)	
 <p>There are no Attachments to show in this view. To get started, create one or more Attachments.</p>		
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March 30, 2020

Via electronic mail to: MCP-Chair@mncppc-mc.org

Chairman Casey Anderson  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring MD 20910

RE: 8104 Woodhaven Boulevard - Administrative Subdivision No. 620200020

Dear Chairman Anderson and Commissioners:

On behalf of my clients Scott and Gloria Reid, who live at 8106 Woodhaven Boulevard, which abuts the subject property ("8104 Woodhaven"), please accept the following comments in connection with the above-referenced subdivision plan. We ask that it be denied because it fails to meet minimum setback requirements in two respects:

1. Lot A front setback

The setback shown on the Administrative Plan is not consistent with the Applicant's Zoning Chart on page one of the submission, and in any event is not properly shown on the plans.

First, sheet one of the Plan under the zoning table shows that the "established building restriction line" ("EBL") is 31.9 feet. Attachment One (excerpt from subdivision zoning table). The dimensions shown on the approved stormwater plan (which is a predicate to the subdivision plan) shows a 30-foot "building restriction line (Establ)" of 30', which is less than the EBL calculated by the Applicant. See Attachments Two (approved stormwater management plan) and Three (excerpt from approved stormwater management plan). This is incorrect as per the Applicant's zoning chart.

Second, this error is exacerbated by the fact that the measurement to the front of the house is not at the closest point between the front property line and the façade of the structure. Rather, it is taken from a point that maximizes the distance between the façade and the front property line. This overstates the true setback.

The footprint of the building on Lot A should be reduced to conform to the 31.9 EBL, measure from the closest point between the property line and the building façade.





THE LAW OFFICE OF  
Michele  
Rosenfeld LLC

## 2. Lot B "lot width"

The Zoning Code ("Code") requires a minimum 75-foot lot width at the "front building line." "Lot width" is defined as "the horizontal distance between the side lot lines." Zoning Code Section 1.4.2.L. The footprint of the proposed home, however, is not shown as horizontal between the lot lines, but rather parallel to the rear lot line. See Attachment Four (Staff report p. 5, Figure 5). Accordingly, the front of the home is not placed on the lot at the point where it is 75 feet wide and thus does not comply with the zoning standards.

### Request to Deny Or, In The Alternative, Impose Additional Condition of Approval

While the plan includes a note that the building footprints are "illustrative", building footprints are shown, in part, to confirm to the Board that the proposed lots are indeed buildable. These two dimensions discussed herein are inaccurate and it is unclear to us whether sufficient building pads would remain if these setbacks were satisfied. We would ask that the Board deny the plan until such time as the applicant submits a plan that confirms it can design lots that conform to the code, including the ability to locate a home on them in accordance with the Code.

Alternatively, should the Board elect to approve the plan, we ask that the following condition be added:

A front setback of no less than 31.9 feet must be provided on Lot A, to be measured from the shortest distance between Wahly Drive and the façade of the structure; and the lot width on Lot B must be measured from the horizontal distance between the side lot lines.

Thank you in advance for your consideration of these requests.


Sincerely,  
Michele Rosenfeld /s/  
Michele Rosenfeld



THE LAW OFFICE OF  
Michele  
Rosenfeld LLC

Cc: Grace Bogden, Planner Coordinator, Area 1  
Scott and Gloria Reid, 8106 Woodhaven Boulevard (abutting property owners)  
Giles P. & Robbins S. Hopkins, 8201 Wahly Drive (abutting property owners)  
Bing Lu 8102 Woodhaven Boulevard (abutting property owner)  
Stan Freeman & Cecilia Parajon, 8205 Wahly Drive (abutting property owners)  
William and Fran Irwin, 8201 Wahly Drive (abutting property owners)  
Melissa Junge 8304 Loring Drive  
Jonathan & Julie Fritts 6312 Alcott Road  
James Gerstenzang & Genie Wetstein, 8203 Thoreau Drive  
Dan & Nicole Levine, 8317 Woodhaven Boulevard  
Arthur & Susana Riel, 8105 Woodhaven Boulevard  
Reuben & Pat Siraganian, 6600 Melody Lane  
David & Lizzie Sowell, 8206 Thoreau Drive  
Josh & Emma Starr, 8215 Woodhaven Boulevard  
Symeon & Merve Williams, 8203 Woodhaven Boulevard

R-90		PROVIDED	
LOT AREA	0.494 ACRES 21,515 S.F.	LOT A	LOT B
		0.26 ACRES 11,394 S.F.	0.23 ACRES 10,111 S.F.
Principal Building Placement			
LOT WIDTH AT FRONT LOT LINE / FRONT BUILDING LINE	25' / 75'	75' OR MORE	25' OR MORE
FRONT SETBACK (MINIMUM)	30'(OR ESTABLISHED)	31.9'(ESTABLISHED) OR MORE	30'(ESTABLISHED) OR MORE
SIDE SETBACK	SIDES: 8' MIN. 25' TOTAL	8' OR MORE ONE SIDE	8' OR MORE ONE SIDE
		25' OR MORE TOTAL	25' OR MORE TOTAL
REAR SETBACK	25'	25' OR MORE	25' OR MORE
Accessory Structure Placement			
FRONT SETBACK (MINIMUM)	60'	60' OR MORE	60' OR MORE
SIDE SETBACK (MINIMUM)	5'	5' OR MORE	5' OR MORE
REAR SETBACK(MINIMUM)	5'	5' OR MORE	5' OR MORE
Other			
BUILDING HEIGHT (PRINCIPAL AND ACCESSORY)	35'	35' OR LESS	35' OR LESS
LOT COVERAGE	30% less 0.001% per square foot of lot area exceeding 6,000 SF	30% less 0.001% per square foot of lot area exceeding 6,000 SF	30% less 0.001% per square foot of lot area exceeding 6,000 SF


 Applicant has  
 established the  
 EBL as 31.9 feet



# ADMINISTRATIVE SUBDIVISION PLAN - M-NCP&PC No. 620200020

## GENERAL NOTES

- Boundary information and two-foot contour data are based upon surveys performed by CAS Engineering, dated May, 2019.
- Total lot area: Lot 10 = 21,515 sq. ft. (0.494 ac.)
- Property is located on Tax Map QN53 and WSSC 2007 Sheet 210NW06.
- Property is located on Soils Survey Map Number 26.
- Soil type(s): ZUB, Glenelg-Urban land complex, HSG "B".
- Flood zone "X" per F.E.M.A. Firm Maps, Community Panel Number 24031C0435D.
- Property is located in the Cabin John Creek Watershed.
- Water Category - 1, Sewer Category - 1
- Local utilities include:
  - Water / Sewer - Washington Suburban Sanitary Commission
  - Electric - PEPCO
  - Telephone - Verizon
  - Gas - Washington Gas
- This plan was created without the benefit of a title report.

## CONCEPTUAL SEQUENCE OF CONSTRUCTION

- Prior to clearing trees, installing sediment control measures, or grading, a pre-construction meeting must be conducted on-site with the Montgomery County Department of Permitting Services (MCDFS) Sediment Control Inspector (240) 777-0311 (48 hours notice) and the MNCPPC Planning Department, Plans Enforcement Inspector (301)495-4550 (48 hours notice), the Owners representative, and the site Engineer. In order for the meeting to occur, the applicant must provide the MCDFS Sediment Control Inspector with one approved copy of the approved Sediment Control Plan and one approved copy of the Right-of-Way and Roadside Tree Plan (when one is required) at the pre-construction meeting. If no plans are provided, the meeting shall not occur and will need to be rescheduled prior to commencing any work.
- The limits of disturbance (L.O.D.) must be field marked prior to clearing of trees, installation of sediment control measures, construction, or other land disturbing activities.
- Staging, access, and stockpiling activities may not occur beyond the approved limits of disturbance (L.O.D.) defined by this plan.
- The permittee must obtain written approval from the MNCPPC inspector, certifying that the limits of disturbance and tree protection measures are correctly marked and installed prior to commencing any clearing.
- Clear and grade for installation of sediment control devices.
- Install sediment control devices.
- Once the sediment control devices are installed, the permittee must obtain written approval from the MCDFS inspector before proceeding with any additional clearing, grubbing or grading.
- Reze portion of existing structure.
- Initiate rough grading, temporarily seed any areas not to be re-graded within 14 days.
- Install base courses for driveway, construct house, accessory building, and addition to existing house.
- Final stormwater management devices and associated piping but do not connect to downspouts at this time.
- Pave driveways, install entrances per MDSHA permits, permanently stabilize all remaining areas.
- Connect downspouts to roof drain piping and stormwater management devices.
- Provide signed record set of plans to the sediment control inspector.
- Obtain written approval from MCDFS inspector, prior to the removal of any sediment control device.

## SHEET NOTES:

- Final size and location of proposed stormwater management facilities subject to change at the design/permitting stage.
- Planter boxes can be either cast in place or precast. Structural computations to be provided at the time of permit submittal.
- Prior to construction of planter boxes, the engineer of record and the Montgomery County DPS shall review and approve shop drawings.
- Final landscape design of planter boxes and landscape infiltration facility to be provided by a licensed landscape architect prior to permit issuance.
- Overflow from 10-year storm to be either via an underdrain pipe or over the low wall of the planter box, depending on existing or proposed grading.

## LEGEND

EXISTING FEATURES	
	Ex. Storm Drain with Manhole
	Ex. Sewer Line with Cleanout
	Ex. Sewer Manhole and Invert
	Ex. Water Line with Valve
	Ex. Gas Line with Valve
	Ex. Overhead Utility with Pole
	Ex. Drain Pipe and Inlet
	Ex. Downspout (Piped) / Spilled
	Ex. Underground Utility Line
	Ex. Two-And-Ten-foot Contours
	Ex. Spot Elevation
	Ex. Chain Link or Wire Fence
	Ex. Wood or Stockade Fence
	Ex. Metal or Iron Fence
	Ex. Retaining Wall
	Ex. Soil Test Location
	Ex. Soil Line with Soil Types
	Ex. Roadside Tree
	Ex. Significant Tree
	Ex. Specimen Tree
	Ex. Tree To Be Removed
PROPOSED FEATURES	
	Limit of Disturbance (L.O.D.)
	Prop. Water-House Connection
	Prop. Sewer-House Connection
	Prop. Gas-House Connection
	Prop. Electric-House Connection
	Prop. Contour with Elevation
	Prop. Spot Elevation
	Prop. Retaining Wall
	Prop. 4" PVC Drain Pipe
	Prop. Downspout with Flow Direction
	Prop. Surface Flow Direction
	Prop. Pipe Flow Direction
	Prop. Silt Fence
	Prop. Super Silt Fence
	Root Pruning Trench/Tree Protection Fence
	Gravel Dry Well with the Perforated Pipe Layout, Downspout Leader, Pipe Flow Direction, and Pipe Invert Elevation
	Prop. Micro Infiltration Trench
	Prop. Permeable Pavers

## ZONING DATA

1. Zoning: R-90  
Minimum Lot Area = 9,000 sq. ft.  
Front B.R.L. = 30 ft. (Woodhaven Blvd) (1)  
Front B.R.L. = 31.9 ft. (Wahly Drive) (2)  
Rear B.R.L. = 25 ft.  
Minimum Lot Width at B.R.L. = 75 ft.  
Side B.R.L. = 8 ft. min., 25 ft. total  
Side B.R.L. = 8 ft. min., 25 ft. total  
Side B.R.L. = 8 ft. min., 25 ft. total
- (1) Per Montgomery County Code Section 4.4.1.4.b, the applicant may choose to calculate as a front setback the average front setback of the two abutting lots.  
30.6 ft. + 23.5 ft. = 54.1 ft. 54.1 ft. / 2 = 27.1 ft.
- (2) Per Montgomery County Code Section 4.4.1.4.b, the applicant may choose to calculate as a front setback the average front setback of the two abutting lots.  
31.8 ft. + 32.2 ft. = 63.8 ft. 63.8 ft. / 2 = 31.9 ft.

## TOPSOIL NOTE

TOPSOIL MUST BE APPLIED TO ALL PREVIOUS AREAS WITHIN THE LIMITS OF DISTURBANCE PRIOR TO PERMANENT STABILIZATION IN ACCORDANCE WITH MDE "STANDARDS AND SPECIFICATIONS FOR SOIL PREPARATION, TOPSOILING, AND SOIL AMENDMENTS".

## UTILITY INFORMATION

EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.					
UTILITY CO.	REQUEST DATE	BY	INFO. RECEIVED	PLAN REVISION	BY
AT&T	09/13/2019	DMJ	NO FACILITIES	DMJ	
COMCAST	09/13/2019	DMJ	NO FACILITIES	DMJ	
PEPCO	09/13/2019	DMJ	OVERHEAD UTILITIES	DMJ	
VERIZON	09/13/2019	DMJ	OVERHEAD UTILITIES	DMJ	
WASH. GAS	09/13/2019	DMJ	04/15/2019	05/08/2019	DMJ
M.S.C.:					
SEWER CONTRACT DRAWING					
WATER CONTRACT DRAWING					
HOUSE-CONNECTION PLUMBING CARDS					
MISS UTILITY					
FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-267-7777, OR LOG ON TO WWW.MISSUTILITY.NET/48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY. THE ELEVATOR MUST NOTIFY ALL PUBLICITY COMPANIES WITH UNDERGROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.					

## SOILS TABLE

SYMBOL	SOIL	HYDRO	PRIME FARMLAND	HIGHLY ERODIBLE	SERPIENTINE
ZUB	GLENELG-URBAN LAND COMPLEX, D-65	NO	YES	NO	NO

## TREE DATA (SPECIMEN AND SIGNIFICANT TREES ONLY)

TREE NO.	SPECIES	BOTANICAL NAME	D.B.H. (IN.)	CONDITION	COMMENTS
100	White Pine	Pinus strobus	24	good	(REMOVE)
101	White Pine	Pinus strobus	27	good	(REMOVE)
102	Black Cherry	Prunus serotina	24	fair	Heavy ivy, dieback, co-dominated with IB, hazard (REMOVE)
103	American Elm	Ulmus americana	33	good	Offsite: Twin trees, co-dominated with IB, hazard tree. Located in Woodhaven Blvd Right-of-Way. (REMOVE)
104	Red Oak	Quercus rubra	28	poor	Offsite: Severe dieback, hazard limbs, mostly dead. Located in Woodhaven Blvd Right-of-Way. (SAVE)
105	Pin. Oak	Quercus palustris	25	good	Offsite: Located on Wahly Drive right of way (SAVE)

\* INDICATES SPECIMEN TREE, IB = INCLUDED BARK

## CULVERT FLOW COMPUTATIONS

### PROPOSED 12" CMP

CALCULATE Q(10) TO PIPE UPSTREAM LOCATION  
 $Q(10) = C \cdot (10) \cdot A$   
 $A = 22,112 \text{ S.F. (0.508 AC; ZONED R-90)}$   
 $C = 0.44 \text{ (MC-DOT DRAINAGE DESIGN, TABLE 3-5, R-90)}$   
 $(10) = 5.85 \text{ IN./HR (10-YR FREQUENCY/10 MIN. TC)}$   
 $Q(10) = (0.44) \cdot (5.85 \text{ IN./HR}) \cdot (0.508 \text{ AC}) = 1.31 \text{ CFS}$

CONFIRM THAT Q(10) THROUGH CULVERT WILL DISCHARGE AT A NON-EROSIVE VELOCITY.  
USE FLOWMASTER, CIRCULAR CHANNEL DESIGN FOR CULVERT

SOLVE FOR ACTUAL DEPTH AND VELOCITY USING MANNING'S EQUATION.

DIAMETER: 1.00 FT (12" CMP)  
PIPE SLOPE: 0.0120 FT/FT (1.2%)  
MANNING'S N: 0.024 (CORROGATED METAL PIPE)  
1.31 CFS (SEE ABOVE)

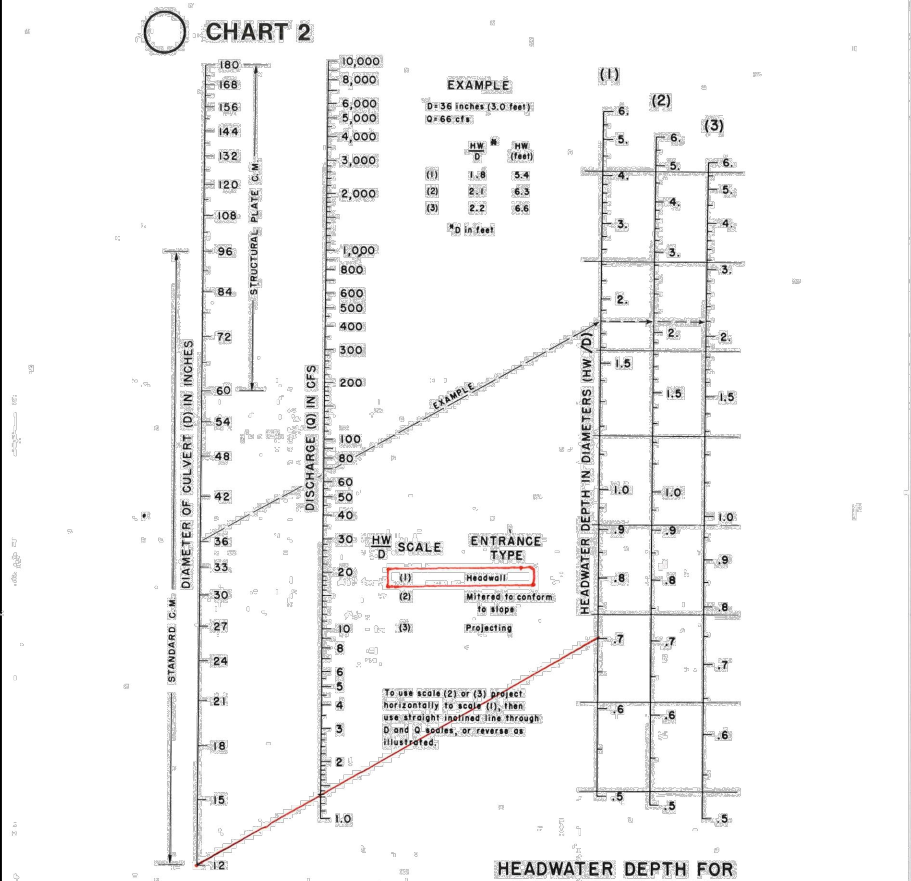
VELOCITY: 2.83 FPS  
FLOW AREA: 0.45 SF  
CRITICAL DEPTH: 0.4066 FT/FT  
FROUDE #: 0.73

SINCE THE VELOCITY OF THE DISCHARGE (2.83 FPS) IS LESS THAN 5 FPS, 10-YR DISCHARGE IS NON-EROSIVE.

## CULVERT HEADWATER COMPUTATION

### PROPOSED 12" CMP

#### HYDRAULIC DESIGN OF HIGHWAY CULVERTS (USDOT-FHA)



## DOWN STREAM SAFE CONVEYANCE COMPUTATION

### CROSS-SECTION "A-A"

#### LONGITUDINAL SLOPE=0.023 FT/FT

ROUGHNESS COEFFICIENT=0.15 (GRASS) \*\*

DEPTH: 0.94 FT

VELOCITY: 0.46 FPS

FLOW AREA: 2.04 SF

PLAN TOP WIDTH: 4.97 FT

CRITICAL DEPTH: 0.47 FT

CRITICAL VELOCITY: 0.46 FPS

FROUDE #: 0.21

LONGITUDINAL SLOPE=0.023 FT/FT

ROUGHNESS COEFFICIENT=0.15 (GRASS) \*\*

DEPTH: 0.94 FT

VELOCITY: 0.46 FPS

FLOW AREA: 2.04 SF

PLAN TOP WIDTH: 4.97 FT

CRITICAL DEPTH: 0.47 FT

CRITICAL VELOCITY: 0.46 FPS

FROUDE #: 0.21

LONGITUDINAL SLOPE=0.023 FT/FT

ROUGHNESS COEFFICIENT=0.15 (GRASS) \*\*

DEPTH: 0.94 FT

VELOCITY: 0.46 FPS

FLOW AREA: 2.04 SF

PLAN TOP WIDTH: 4.97 FT

CRITICAL DEPTH: 0.47 FT

CRITICAL VELOCITY: 0.46 FPS

FROUDE #: 0.21

## SAFE UPSTREAM & DOWNSTREAM CONVEYANCE STATEMENT

### PLAN #: 285362

The proposed site design includes the replacement of the existing 12" CMP culvert with the installation of a new, relocated and extended 12" CMP driveway culvert. The culvert conveys drainage from the northern end of the site to the southern end of the site. The anticipated 10-YR discharge is 1.34 cfs, with a non-erosive discharge velocity of 2.83 fps.

An upstream analysis was performed utilizing the Hydraulic Design of Highway Culverts (USDOT-FHA) Chart, utilizing a 12" culvert and a discharge of 1.3 cfs. The chart yields 0.7' of headwater. The proposed invert at the upstream end is 298.5. The lowest elevation along the northern property line is 299.2. Therefore, upstream ponding from a 10-YR storm will not extend beyond the subject property.

A downstream analysis was performed along a cross-section through the adjacent property, utilizing available topographic information (sourced from MNCPPC topography, WSSC contract No. 2765). The downstream analysis Existing ground elevations along the nearest house corner (8102 Woodhaven Blvd) have been assumed to be 298.0 ft. Interpolating the topographic information yields an elevation of 297.1 ft, approximately 5' away from the building. Assuming a V-channel swale bisects the property, the 10-YR water surface elevation of the discharge exiting the subject property is approximately 297.7 ft. As such, the 10-YR water surface elevation will be approximately 3.8 ft from the house.

## SWM CONCEPT SUMMARY TABLE

GENERAL PROPERTY INFORMATION:	
SWF 26362	
TYPE OF CONCEPT: SWM CONCEPT	
MNCPPC PROCESSING: ADMINISTRATIVE SUBDIVISION NO. 620200020	
PROPERTY ADDRESS: 8104 WOODHAVEN BOULEVARD	
PROPERTY LEGAL DESCRIPTION: PROPOSED LOTS A & B, BLOCK A, WEST BETHESDA PARK (FORMERLY LOT 10, BLOCK A)	
PROPERTY SIZE (AC./SQ.FT.): 0.494 ACRES / 21,515 SQUARE FEET	
TOTAL CONCEPT AREA (AC./SQ.FT.): 0.494 ACRES / 21,515 SQUARE FEET	
ZONING: R-90	
WATERSHED AND STREAM: CABIN JOHN CREEK WATERSHED (CLASS 1-P)	
SPECIAL PROTECTION AREA: N/A	
100-YR FLOODPLAINS: N/A. SEE APPROVED NWFSD 420192046	
EX: IMPROVISED/REDEVELOPMENT OR NEW DEVELOPMENT- NEW DEVELOPMENT	
SWM SUMMARY:	
TARGET P2 / PROPOSED P2: LOT A = 1.60 IN. / 1.60 IN.; LOT B = 1.80 IN. / 1.84 IN.	
TARGET ESD / PROVIDED ESD: LOT A = 495.3 C.F. / 496.7 C.F.; LOT B = 565.4 C.F. / 576.8 C.F.	
ESD MEASURES: MICRO BIO-RETENTION (2); MICRO-INFILTRATION TRENCH (1); DRYWELLS (5); PERMEABLE PAVERS (224 S.F.)	
STRUCTURAL STORAGE REQUIRED/PROVIDED: 9 C.F. / 9 C.F.	
STRUCTURAL MEASURES: N/A	
WAIVER REQUEST / QL / ON / BOTH: NO	
PROVIDED ESD + STRUCTURAL STORAGE PROVIDED = REQUESTED TO BE WAIVED = 1,673.5 C.F. (PROVIDED)	
OTHER INFORMATION: N/A	

## OWNER/APPLICANT

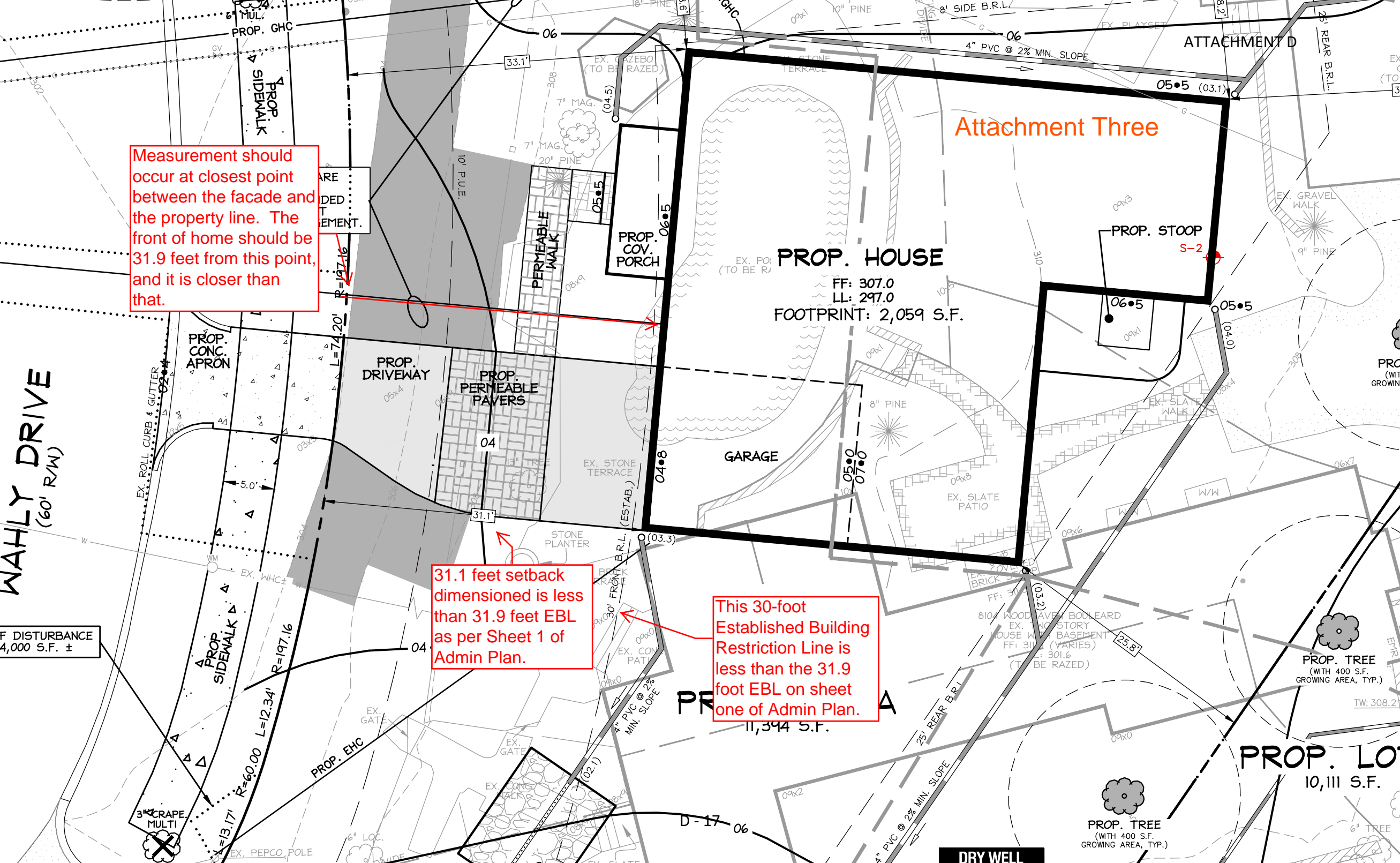
Brett Ulrich  
8104 Woodhaven Boulevard  
Bethesda, MD 20817  
914-843-7147 cell  
brettul16@gmail.com

## 8104 Woodhaven Boulevard Lot 10, Block A West Bethesda Park Proposed Lots A & B Combination Concept / Site Development SWM Plan

ADMINISTRATIVE SUBDIVISION PLAN NOTE: Unless explicitly noted on this Administrative Subdivision Plan or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, sidewalks, and other proposed features are for illustrative purposes only. The final locations of the proposed improvements will be determined at the time of building permit issuance. Please refer to the Zoning Data Table for development standards such as setbacks, building restriction lines, building height, and lot coverage. The site development limitations may be included in the conditions of the planning board or planning staff approvals.

SHEET TITLE:  
Combination Concept /  
Site Development  
SWM Plan





Measurement should occur at closest point between the facade and the property line. The front of home should be 31.9 feet from this point, and it is closer than that.

31.1 feet setback dimensioned is less than 31.9 feet EBL as per Sheet 1 of Admin Plan.

This 30-foot Established Building Restriction Line is less than the 31.9 foot EBL on sheet one of Admin Plan.

Attachment Three





**Bogdan, Grace**

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**From:** Gloria Reid <glokoo22@gmail.com>  
**Sent:** Friday, February 21, 2020 8:02 AM  
**To:** Anderson, Casey  
**Cc:** Fani-Gonzalez, Natali; Patterson, Tina; Cichy, Gerald; Verma, Partap; Ballo, Rebecca; Dickel, Stephanie; Liebertz, John; Bogdan, Grace; Sartori, Jason; MCP-Chair; Reid, Scott; Dan Levine; Nicole Levine; Emma Starr; Joshua Starr; Melissa Junge; Elizabeth Sowell; Susana; Merve S Williams; Will Irwin; franirwin@gmail.com; Giles Hopkins; Robbins Hopkins; Stan Freeman; Cecilia Parajon; James Gerstenzang; Bing Lu; Patricia Siraganian; Coleman, Delisa; Mills, Matthew; Sondra; Chris Chernow  
**Subject:** Re: Request: comment addition to Agenda Item 5 February 6th, 2020 Planning Board Meeting

Good morning Mr. Anderson

Thank you so much for your reply and explanation. We very much appreciate your acknowledgement of our comments. I am cc-ing two more neighbors onto this email who had requested to be added onto the initial email I sent out on 2/12/20.

Best regards,  
 Gloria

On Feb 19, 2020, at 3:15 PM, Anderson, Casey <[Casey.Anderson@mncppc-mc.org](mailto:Casey.Anderson@mncppc-mc.org)> wrote:

Dear Ms. Reid and Neighbors:

Thank you for your e-mail regarding 8104 Woodhaven Boulevard in Bethesda. I acknowledge your comments but cannot make them a part of the official record of this case because the record includes only information that the Planning Board used in making its determination, which happened at the conclusion of the presentation of testimony at the February 6, 2020 Planning Board meeting.

Sincerely,

Casey Anderson  
 Chair, Montgomery County Planning Board

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**From:** Gloria Reid <[glokoo22@gmail.com](mailto:glokoo22@gmail.com)>  
**Sent:** Wednesday, February 12, 2020 11:45 AM  
**To:** Anderson, Casey <[Casey.Anderson@mncppc-mc.org](mailto:Casey.Anderson@mncppc-mc.org)>; Fani-Gonzalez, Natali <[Natali.Fani-Gonzalez@mncppc-mc.org](mailto:Natali.Fani-Gonzalez@mncppc-mc.org)>; Patterson, Tina <[tina.patterson@mncppc-mc.org](mailto:tina.patterson@mncppc-mc.org)>; Cichy, Gerald <[Gerald.Cichy@mncppc-mc.org](mailto:Gerald.Cichy@mncppc-mc.org)>; Verma, Partap <[Partap.Verma@mncppc-mc.org](mailto:Partap.Verma@mncppc-mc.org)>; Ballo, Rebecca <[rebeccah.ballo@montgomeryplanning.org](mailto:rebeccah.ballo@montgomeryplanning.org)>; Dickel, Stephanie <[Stephanie.Dickel@montgomeryplanning.org](mailto:Stephanie.Dickel@montgomeryplanning.org)>; Liebertz, John <[John.Liebertz@montgomeryplanning.org](mailto:John.Liebertz@montgomeryplanning.org)>; Bogdan, Grace <[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)>; Sartori, Jason <[Jason.Sartori@montgomeryplanning.org](mailto:Jason.Sartori@montgomeryplanning.org)>; MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)>  
**Cc:** Reid, Scott <[Scott.Reid@smith-nephew.com](mailto:Scott.Reid@smith-nephew.com)>; Dan Levine <[levined@gmail.com](mailto:levined@gmail.com)>; Nicole Levine <[nicolelevine@earthlink.net](mailto:nicolelevine@earthlink.net)>; Emma Starr <[emmastarr13@gmail.com](mailto:emmastarr13@gmail.com)>; Joshua Starr <[starrjp@gmail.com](mailto:starrjp@gmail.com)>; Melissa Junge <[MCJ@fededgroup.com](mailto:MCJ@fededgroup.com)>; Elizabeth Sowell <[lizzie.sowells@gmail.com](mailto:lizzie.sowells@gmail.com)>; Susana <[susana@riel.com](mailto:susana@riel.com)>; Merve S Williams <[msalepcioglu@gmail.com](mailto:msalepcioglu@gmail.com)>;

Will Irwin <[willairwin44@gmail.com](mailto:willairwin44@gmail.com)>; [franirwin@gmail.com](mailto:franirwin@gmail.com); Giles Hopkins <[giles.hopkins@gmail.com](mailto:giles.hopkins@gmail.com)>; Robbins Hopkins <[robbins.hopkins@gmail.com](mailto:robbins.hopkins@gmail.com)>; Stan Freeman <[sstanfreeman@outlook.com](mailto:sstanfreeman@outlook.com)>; Cecilia Parajon <[cmparajon@aol.com](mailto:cmparajon@aol.com)>; James Gerstenzang <[james.gerstenzang@gmail.com](mailto:james.gerstenzang@gmail.com)>; Bing Lu <[bing.lu1987@gmail.com](mailto:bing.lu1987@gmail.com)>; Patricia Siraganian <[pasiraganian@verizon.net](mailto:pasiraganian@verizon.net)>

**Subject:** Request: comment addition to Agenda Item 5 February 6th, 2020 Planning Board Meeting

To the members of Montgomery County Planning Board, HPC and DRC:

We had an opportunity to watch the February 6th Planning Board meeting online and respectfully request that these comments be added to the file of that meeting, as we wanted to clarify that our absence at the Feb 6th meeting on the HPC's recommendation in no way suggests disinterest in the property's historical significance to us and the surrounding neighborhood. This is evidenced by the 45+ signatures on a petition as well as dozens of emails from past and present neighbors which were submitted to M-NCPPC, all attesting to the importance of 8104 Woodhaven to the community's historical legacy.

We declined to attend out of respect for the report and recommendations compiled by the HPC. We completely understand the conclusions drawn in the report, but we stand by our belief that this house, originally built in 1857 and lovingly cared for over many generations by multiple owners, still maintains so much of its unique and original beauty inside and out that it is nothing less than a historic gem in our neighborhood, one that all of Montgomery County can take pride in.

The request for historic designation was based upon our community's belief in the historical significance and worth of the house. We take issue to the statement that Ms. Pat Harris made during her testimony that the request for historic designation was based solely upon the pending subdivision plan and "had nothing to do with the historic designation...somewhat unfortunate that the owner had to spend the time and money to go through this process..." A great deal of time, effort, and expense has gone into preserving this local treasure from many individuals who have no stake in the question of subdivision (and don't live adjacent to the property), only a belief in the property's community value.

Her statement is untrue. We are actually opposed to any demolition of 8104 Woodhaven *because of its* historical significance. I can assure you, the public outcry and community opposition would not have been so impassioned and heartfelt had this been a typical 1960's rambler. This is not opposition to subdivision and development, this is opposition to destroying an iconic piece of our neighborhood history.

These community members are champions of the house and its historical importance to the community. They want it protected because the home holds memories and deep personal significance to them, and are continuing to seek its preservation for this reason only. So please understand that whether the house meets the criteria or not, it is a meaningful home that has served as the anchor of our Woodhaven community for generations.

In conclusion, we would like to take this opportunity to thank you for your time and consideration of our request to place the home at 8104 Woodhaven Boulevard on the Historic Locational Atlas of Montgomery County. Although the HPC's research did not find the home's exterior met criteria for historical designation, it was still a fascinating report and we were deeply impressed by the thoughtfulness and thorough research that went into the HPC's review. In particular, we would like to especially thank Ms. Ballo and Mr. Liebertz for their efforts in bringing the history of the home and its many inhabitants over the generations to life in the report.

Sincerely,

Gloria Reid  
Scott Reid  
Dan Levine  
Nicole Levine  
Emma Starr  
Josh Starr  
Julie Fritts  
Jonathan Fritts  
Melissa Junge  
Lizzie Sowell  
Susana Riel  
Merve Williams  
Will Irwin  
Fran Irwin  
Giles Hopkins  
Robbins Hopkins  
Stan Freeman  
Cecilia Parajon  
James Gerstenzang  
Bing Lu  
Patricia Siraganian  
Reuben Siraganian

**From:** [Emma Starr](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Re: 8104 Woodhaven Blvd - 620200020  
**Date:** Wednesday, October 16, 2019 3:49:52 PM

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Dear Ms. Bogdan,

Thank you for the email and the update. Please include me and my husband on the notice list:

Emma & Josh Starr  
8215 Woodhaven Blvd.  
Bethesda, MD 20817

Sincerely,  
Emma

On Wed, Oct 16, 2019 at 3:46 PM Bogdan, Grace <[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)> wrote:

Good Afternoon-

Thank you for your comments. We have received numerous emails in opposition to the Administrative Subdivision, therefore we will be recommending the Planning Board consider this Application at a public hearing. The review process has only just begun, and is set to be discussed on the Development Review Committee agenda on October 29<sup>th</sup>. The public is welcome to attend this meeting however there is no opportunity for public comment.

The Historic Preservation office has received a request for historic designation of the existing house, and will determine next steps and an appropriate timeline. Although action on an administrative subdivision plan is required within 90 days after the application is accepted, Staff anticipates an extension will be necessary to extend beyond the 90 day review period. If you are a property owner adjacent to or confronting the Property you will receive a notice in the mail 10 days prior to the scheduled hearing. If you are not an adjacent or confronting property owner and would like to be added to the notice list, please reply with your physical address. If you have already provided your address in an email to me, I will automatically add you to the notice list. We will continue to collect public comment throughout the review process, which will be attached to the staff report to the Planning Board. Any correspondence received after the posting of the staff report, and until one day before the public hearing, will still be collected and provided to the Planning Board prior to the hearing.

The application materials are available for viewing on the Development Activity Information Center: [https://www.mcatlas.org/Development\\_Info/Default.aspx](https://www.mcatlas.org/Development_Info/Default.aspx)



Please feel free to continue to contact me with any additional questions or concerns throughout this process.

Sincerely,

**Grace Bogdan**, AICP | Planner Coordinator

Montgomery County Planning Department | Area 1

8787 Georgia Ave | Silver Spring, MD 20910

301-495-4533 | [grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)

**From:** [Lizzie Sowell](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Objections to plan M-NCP&PC file N0.620200020  
**Date:** Thursday, October 10, 2019 5:20:33 PM

---

Dear Grace Bogdan,

RE: 8104 Woodhaven Boulevard

West Bethesda Park

M-NCP&PC file N0.620200020

We are writing to you to object in the strongest terms to the idea of the lot for 8104 Woodhaven Boulevard being subdivided. Before we list our objections we would like to point out that we live in a “new build ‘ home at 8206 Thoreau Drive and that our objections have nothing to do with the development of new homes, but are related to the historic and environmental impacts of this plan, for this plot and this house.

The property on the lot at 8104 Woodhaven Boulevard is THE original farmhouse of the Woodhaven area that has a history that can be traced all the way back to the 1850s. It belonged to a well-known family in the area, the Austins, and was built by a master craftsman, John Wothmiller. It seems inconceivable to us that a property with such an illustrious pedigree should be allowed to be demolished. The Bethesda area, and Montgomery County, does not have many historic building left, and it would make more sense for the County to protect the historical properties that still remain, adding them to the preservation atlas, rather than allowing them to be destroyed.

In addition to this the house is currently in very good condition. It was lovingly and thoughtfully preserved by all previous owners, one of whom was a close family friend of ours. It should easily be able to be sold on as a historic family home. The current owners of the property have no respect for the importance of the historic nature of this property and are just looking to make a profit at the expense of the whole community. This feels totally unnecessary and plain wrong.

The Woodhaven sub division is a leafy suburb that prided itself on the number of trees that were preserved by the original developers, hence the name. Recent property development in the area is removing many of the original older trees. This has a detrimental affect on both the canopy that is still left and is fundemantaly altering the character of the area. The subdivision of the plot at 8104 Woodhaven Boulevard would only add to this destruction as it has many mature and historic trees in the grounds.

The removal of trees in the Woodhaven area exacerbates another problem, which is the run off of water caused by increased use of hard surfaces in newer developments, specifically by larger properties being built and older trees being removed. By splitting the lot at 8104 Woodhaven Boulevard in to two portions the run off from this property would significantly increase for the whole area around the lot. Already this has created localized flooding and soil erosion that would only increase in the vicinity if this development went ahead.

We therefore urge the planning committee and the County to take our objections to this development on historic and environmental grounds into consideration and hope and pray that

the County will choose to preserve the beautiful historic property.

We thank you for hearing out our concerns.

Yours sincerely,

Lizzie and David Sowell

Lizzie Sowell

+1-202-570-9166

[lizzie.sowells@gmail.com](mailto:lizzie.sowells@gmail.com)

8201 Wahly Drive  
Bethesda, MD 20817

October 10, 2019

Grace Bogdan, Lead Reviewer  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Dear Ms. Bogdan,

We have been invited to comment on the subdivision proposal for the property at 8104 Woodhaven Blvd. numbered 620200020. We live next door to the subject property.

Our view is that the proposed lots in the plan do not comply with the R-90 zoning regulations and do not fit the neighborhood. The two proposed lots are unusually irregular in shape which is puzzling. We understand from CAS Engineering that the specific locations of the house footprints and driveways are preliminary and subject to change at later stages of the design process. This adds to the difficulty of decoding the plan and its implications. We have done our best to make sense of the proposed plan.

The plan shows two houses, one facing Wahly Drive and one facing Woodhaven Blvd. We expected that these lots would both conform to the same setbacks as all the other houses in the neighborhood. It was only on closer examination that we realized that there are no rear yards identified on either of the proposed lots. In fact, where one would expect to see a rear yard setback for proposed Lot B, the B.R.L. is described as Front/Side even though there is already a Front B.R.L. on the Woodhaven street side of the proposed Lot B house location. Lot A also shows no rear yard. This has not been the standard applied to the rest of the neighborhood where we believe that most lots, even lots that are not rectangular, still have rear setbacks. With the same standard applied in this case, we believe that the sum of standard R-90 setbacks would not allow enough space to divide the current lot into two R-90 compliant lots.

The applicants are apparently also claiming that Lot B is a Through Lot defined as "an interior lot fronting on two streets excluding a corner lot." Lot B is not a Through Lot. It is a flag-shaped or pipestem lot. It



only reaches both streets because it has a pipestem added to it which otherwise makes no design sense and is not consistent with the intent of R-90 because, on the face of it, the purpose seems to be to circumvent the rear setback rules. We do not see how Lot B can “front” on two streets if Lot A fronts on Wahly and Lot B fronts on Woodhaven. It does not seem reasonable to claim that the entire lot is a Through Lot and then carve an additional interior lot out of it, thereby turning it into a pipestem lot and then claim neither lot now requires rear setbacks. Further, the proposed compliance with setbacks seems to rely on the same B.R.L. labeled Front/Side to be treated as a Front to justify one claim and as a Side to justify another. How can it be both?

The proposed plan appears to introduce a potential pipestem driveway access from Wahly Drive to Lot B. The plan itself, however, shows the driveway access for Lot B as coming from Woodhaven and gives the impression that the pipestem area is an incidental tree-lined buffer. Pipestems and particularly pipestem driveways are not in keeping with the rest of the neighborhood. A pipestem for Lot B would only be needed if there was no other access to the street which there already is on Woodhaven as drawn. In addition, adding two new driveways to the Wahly Drive circle would further reduce the limited on-street parking around the circle for the houses with minimum frontage like ours while adding more traffic to what has been a quiet cul-de-sac.

Another rationale for the pipestem provided in an initial conversation with CAS Engineering was that the pipestem was needed on Lot B to give sufficient square footage to meet the minimum square foot requirement. Since Lot B as drawn is 11,751 square feet and Lot A is 9,753 square feet, this rationale for the pipestem does not appear to be accurate. If the roughly 2000 square feet of the pipestem had been included in Lot A, Lot A would have been 11,753 square feet and Lot B would have been 9,751 square feet. Of course, in that case, there would have been no way to claim that the lots could have met the R-90 setback requirements.

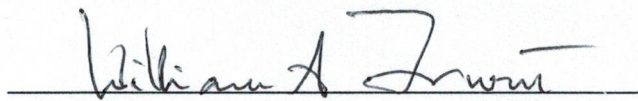
We do not see any hardship for the owners in selling the property in its current state. When the current owners (and applicants for the subdivision of the property) made it known they were moving, there was immediate interest from people living in the neighborhood in buying the house as it is. During the 40 years we have lived next door to this historic property, all of the previous owners of the property have enjoyed the historic setting and house. All of them have made substantial efforts to maintain its historic 19th-century integrity, sometimes at considerable additional expense compared to alternative options.

Even the original developer of the neighborhood in the 50's or 60's apparently believed it was important to preserve the original 19th-century house and build the neighborhood around it.

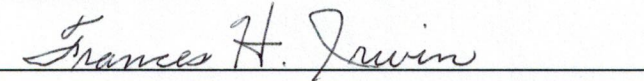
We would also like to note that we received on October 4th in the second mailing from CAS Engineering a photocopy of the pamphlet titled Development Applications in Montgomery County: Demystifying the Development Process for Applicants and Neighbors. This pamphlet states that "before filing any development application, a property owner must hold meetings with the community." If the intent of this step is to create a transparent and participative process inclusive of the surrounding community, it did not happen. In the months leading up to the application submission by the applicants, many neighbors had conversations with them about their move back to New Jersey in which they never mentioned their intent to subdivide the property.

We have already sent our comments on the stormwater management plan and registered our concern that with two abutting properties already dealing with wet basements, we do not believe that the stormwater management plan will actually work in practice. It relies on eight dry wells and similar devices that are likely to become rapidly clogged. All have to work perfectly including the free flow of water through hundreds of feet of gutter-fed 4 inch PVC pipe and a 55-foot 12-inch culvert.

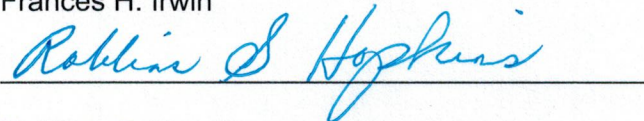
Thank you for the opportunity to provide our comments and participate in the process. We are sending this letter both by U.S. mail and as a pdf attachment to your email address provided on the county planning website. Feel free to contact us with any questions at [giles.hopkins@gmail.com](mailto:giles.hopkins@gmail.com).



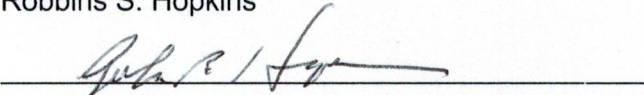
William A. Irwin



Frances H. Irwin



Robbins S. Hopkins



Giles P. Hopkins



Michael L. Lenkin  
8204 Wahly Drive  
Bethesda, Maryland 20817

October 10, 2019

M-NCPPC  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Attention: Grace Bogdan

Subject: 8104 Woodhaven Boulevard  
Plan Number: 620200020

Dear Ms. Bogdan,

On October 3, 2019, we received the attached letter from CAS Engineering. The letter also included drawing AP-4, prepared by CAS Engineering-MD and dated September 17, 2019, and a pamphlet titled Development Applications in Montgomery County.

I am very appreciative that we were sent this information. We live in a house that is across the cul-de-sac from the subject property. While a sign for Development Application For: was installed on the property around September 23 or 24, the owners of the property had not disclosed much about their intentions. The owners did advise that they were moving back to New Jersey and said that they were going to put the house on the market in the Spring of 2020.

The property at 8104 Woodhaven Boulevard, which is being proposed to be subdivided into two (2) parcels, is the remainder of a much larger tract that was once the original farm that occupied our area. While I am not qualified to speak about the historic significance of the property, I can speak to the information that has been provided.

The property at 8104 Woodhaven is zoned R-90. While the area of the lot is sufficiently large enough to create two lots that conform to R-90 zoning, the geometry of the lot at 8104 Woodhaven Boulevard does not lend itself to two (2) conforming R-90 lots. Not surprisingly, the proposed geometry for lots A and B shown on CAS Engineering drawing AP-4 do not appear to conform to the intent or zoning requirements of R-90.

R-90 zoning, as you are aware, requires the following (see attached from Montgomery County also):

Minimum lot area:	9,000 s.f.
Minimum lot width at the Street:	25'
Minimum lot width at the front of the building:	75'
Minimum setback from street:	30'
Minimum sideyard:	8'
Sum of 2 sideyards:	25'
Minimum rearyard:	25'

Neither lot A or B, as shown on CAS Engineering drawing AP-4 conforms to all of these requirements. Lot B is labeled as having two (2) front building restriction lines. Neither of the houses on the proposed lots A and B have a side labeled as rear yard nor meet the 25' minimum rear yard setback. Interestingly, except for the front building restriction line labels, all other building restriction lines are labeled as side. I am assuming that the property lines furthest from each street are the rear of each house and hence should have the required minimum rear setback resulting in 50' minimum from house to house.

The geometry of Lot B is quite irregular, and may be an attempt to use a loop hole by creating a "through lot," with the intent of negating the requirement for a minimum rearyard setback. Furthermore, the proposed Lots A and B do not appear to conform with the intent of the R-90 zoning or the surrounding community that does conform to R-90 zoning. There is nothing "through" about this property other than it touches two (2) streets by creating a gerrymandered property. If you take almost any two (2) lots that currently back up to each other, you could attempt to do the same thing. In fact, this layout could lead to a house with two (2) curb cuts and driveways, which is inappropriate and would be disruptive to our cul-de-sac.

Having planned and constructed our home, I have familiarity with our zoning, and I know that this does not meet the intent and would not have been approved when we applied for our building permit.

Lastly, given the large history of the area, and in particular the house at 8104 Woodhaven Boulevard which was constructed in 1857, there must be a reason that the property at 8104 Woodhaven Boulevard is still intact and that the property has its irregular shape. It is clear, as illustrated by the current owners' efforts, that if it was possible to turn this into two (2) separate lots, a previous developer would have done so.

I hope that you will consider all of this information, and deny the proposed sub-division of 8104 Woodhaven Boulevard unless it is re-planned to conform with R-90 zoning, the intent of R-90 zoning, and the balance of the surrounding neighborhood.

Please feel free to contact me at (301) 365-4123.

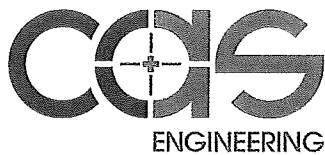
Sincerely,



Michael L. Lenkin, P.E.

MLL:hs

enclosures



Experience you can build on.

ATTACHMENT D  
corporate office  
10 south bentz street  
frederick, maryland 21701  
office 301.607.8031  
info@casengineering.com  
www.casengineering.com

civil • surveying • land planning

## NOTICE OF APPLICATION

### ADMINISTRATIVE SUBDIVISION PLAN TO BE CONSIDERED BY THE PLANNING DIRECTOR

**Plan Number: 620200020**

**Name of Plan:** 8104 Woodhaven Boulevard

**Geographic Location:** 8104 Woodhaven Boulevard, Bethesda, MD 20817, located on the west side of Woodhaven Boulevard, 200-ft north of Thoreau Drive

**Current Zone:** R-90

**Number of Proposed Lots and Use:** 2 lots, Single Family Homes

**Date:** 10/01/2019

The above referenced plan application has been filed with the Montgomery County Planning Department and is being reviewed under the provisions of Chapter 50, Division 50.6 of the Montgomery County Code and according to the procedures outlined in the regulations for Chapter 50 under COMCOR 50.00.01.

A copy of the proposed plan is enclosed. This plan may change because of specific reviews and changes suggested by Maryland-National Capital Park and Planning Commission (M-NCPPC) and other county and state agencies. You may participate in this review by sending written comments at any time to the Development Applications and Regulatory Coordination Division (DARC), M-NCPPC, 8787 Georgia Avenue, Silver Spring, Maryland 20910-3760, or by contacting the M-NCPPC lead reviewer. Contact information for the lead reviewer is available at our Development Activity Information Center (DAIC) on the M-NCPPC website at [www.montgomeryplanning.org/development](http://www.montgomeryplanning.org/development).

Comments on the proposed plan are due within 15 days of the mailing date of this notice. This application will be acted upon by the Director of the Montgomery County Planning Department within 90 days of the date the application was accepted. The Montgomery County Planning Board will not hold a public hearing on this application unless the planning director finds that any comment is substantive enough to warrant a public hearing. If so, written notification of the public hearing date will be sent to you no later than ten days before the hearing. If the Planning Director determines that a public hearing is not necessary, action will be taken without further notice.

If you have questions pertaining to this plan application, please contact the lead reviewer. If you have general questions about M-NCPPC's process, please contact the Information Counter at (301) 495-4610.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jared Pantella', is written over a horizontal line.

Jared J. Pantella, PE  
Senior Project Manager

# R-90

The R-90 Zone, at almost five du/ac, results in medium density residential neighborhoods. Properties zoned R-90 are typically found in down-County areas away from transportation hubs.

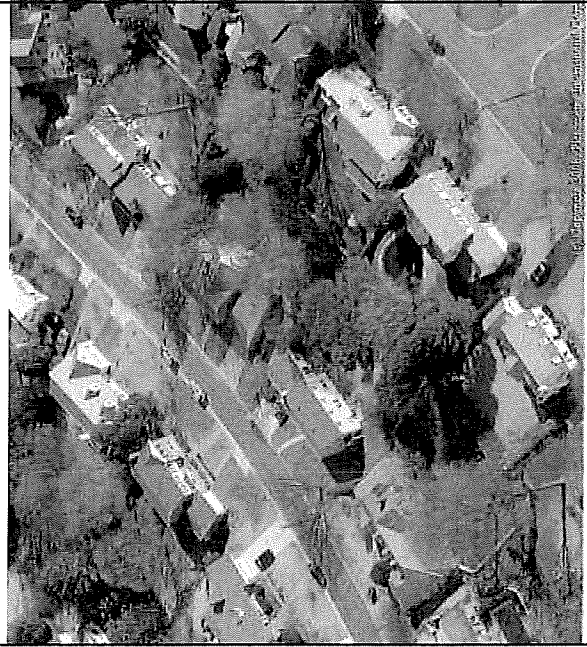
## Requirements

Minimum net lot area	9,000 sf .2066 ac
<i>Minimum lot width:</i>	
At front of building	75 ft
At street	25 ft
Minimum setback from street (or existing building line)	30 ft
<i>Sideyard setbacks (main house):</i>	
Minimum sideyard	8 ft
Sum of 2 sideyards	25 ft
Minimum rear yard	25 ft
Maximum building height (1) (main bldg: mean-30 ft to highest pt., 35 ft)	30-35 ft
Maximum building coverage	30%
Yield of units/acre (for multiple lot areas)	4.84
<i>Open Space/Green Area</i>	
None	
Parking	
2 off-street spaces/dwelling unit	
<i>Notes</i>	
1. Building height may be increased to 3 floors or 40 feet by Planning Board	
2. Resubdivisions may allow lots 50 ft wide and 5,000 sf net lot areas	
3. Refer to complete regulations in Montgomery County Zoning Code	

## Images



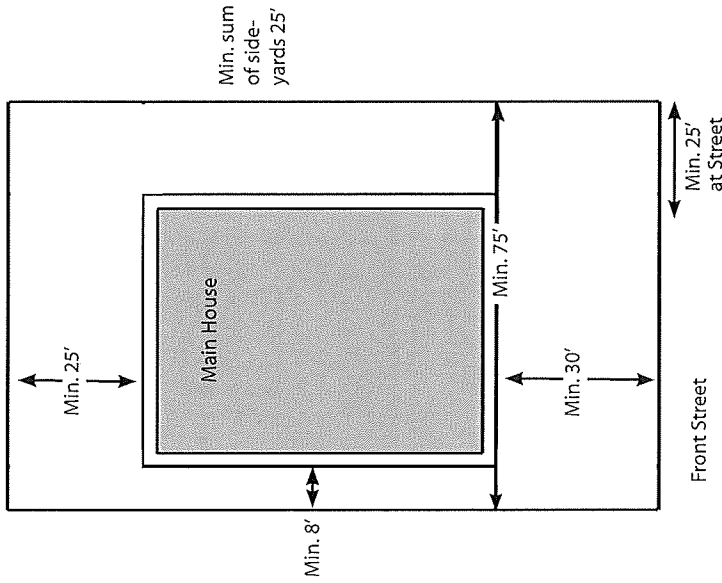
R-90 Typical Build-Out Plan Pattern and Form  
Silver Spring at Kerwin Road and Cyprus Place



Existing neighborhood in an R-90 zone

## R-90 Zone: Standard Method of Development

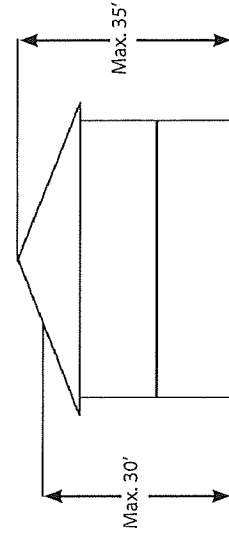
### Required Lot Size, Setback, and Coverage



Min. Lot Size	9,000 sf	Yields max	4.84 units/acre
Max. Building Coverage	30%	Yields	2,700 sf/Floor
Max. Building Height	30 ft	Yields	2.5 Floors

### Side Section of Structure (Main House)

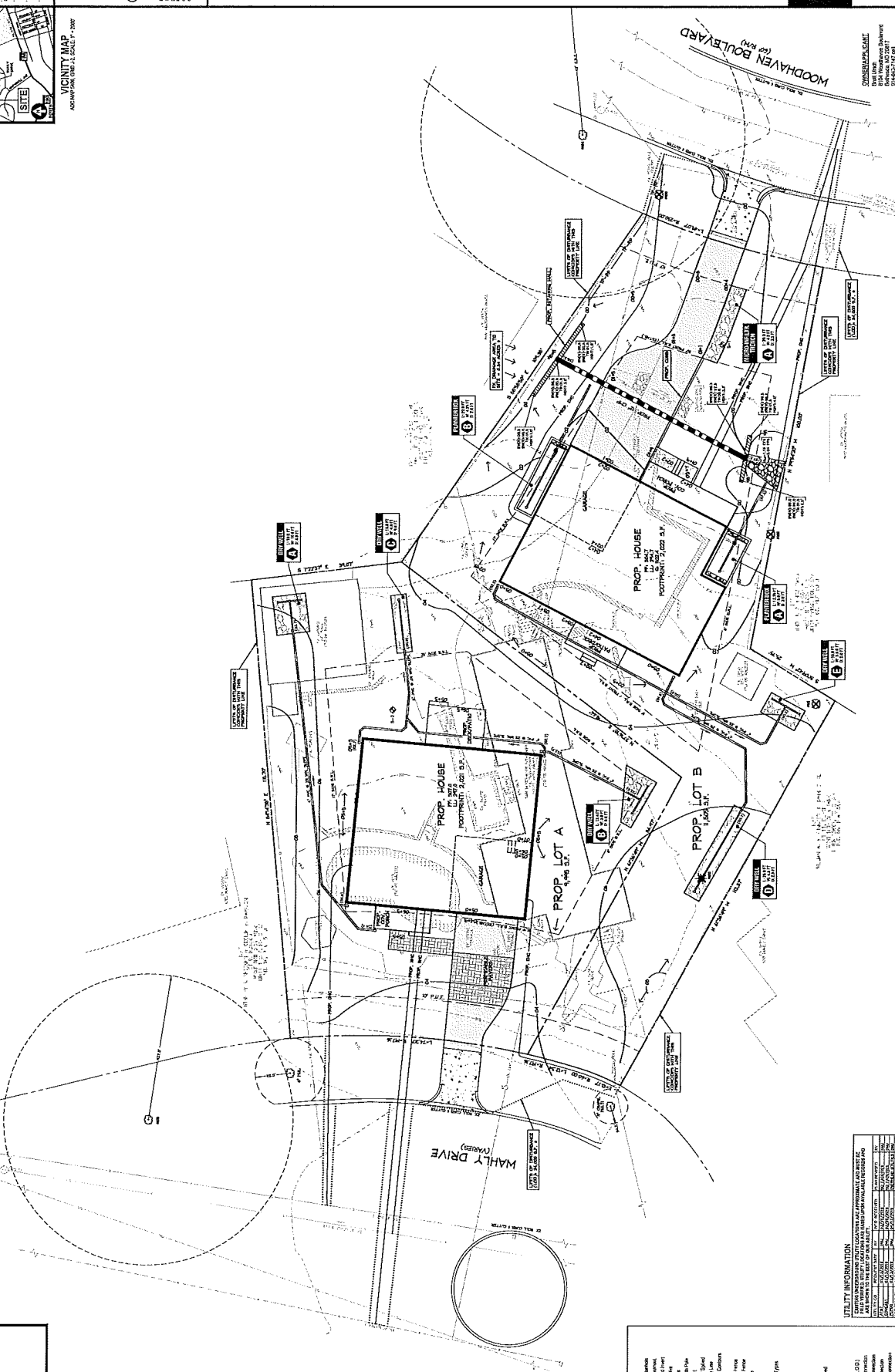
Height max. 35 ft. to highest roof point or, Height max. 30 ft measured to mid-pt. of gable, hip, mansard, or gambrel roof



### Max. Bldg. Height and Floors

**SEE SITEZONING DATA**  
**SHEET AP-1**

D - 34



8104 Woodhaven Boulevard  
Lot 10, Block A  
West Bethesda Park  
Proposed Lots A & B

**ADMINISTRATIVE SUBMISSION PLAN NOTE:** Users explicitly noted on the Administrative Submission Plan or in the Planning Board conditions of approval, the building height, building height, or other building conditions, setbacks, and other proposed building conditions for alternative purposes only. The final locations of the proposed improvements shall be determined at the time of building permit issuance. Please refer to the zoning data table for development standards such as setbacks, building maximum height, building height, and lot coverage. Once the development location may be included in the conditions of the planning board or planning staff approval.

AP-A

CAS JOB NO.:	19-097
DATE:	05/2019
DATE	REVISION
19/05/18	ENR - Building Thermal Site Plan Book Issued to Client and Architect.
19/06/18	J.P. - SDCP - Submitted to Final Plan Review.
19/07/18	J.P. - Admin - Submittal to JACOBS for final Plan Review by JACOBS.



**Curt A. Schreffler**  
CURT A. SCHREFFLER, PE  
09176298

Lot 10, Block A, West Bethesda Park  
Plat Book 66, Plat No. 5949, Recorded 06/1960  
Bethesda (7th) Election District, Montgomery County, MD  
8104 Woodhaven Boulevard  
Bethesda, Maryland 20817



**CAS ENGINEERING-MD**  
10 SOUTH BAY STREET  
FREDERICK, MARYLAND 21701  
201-667-6331 home  
info@cas-engineering.com  
www.casengineering.com

**CAS ENGINEERING-DC, LLC**  
1501 Connecticut Avenue, NW, Suite 401  
Washington, DC 20036  
info@cas-engineering.com  
202-333-7756



**SHEET TITLE:**  
Administrative  
Subdivision Plan



October 10, 2019

Emma & Josh Starr  
8215 Woodhaven Blvd.  
Bethesda, MD 20817

Grace Bogdan, AICP  
Planner Coordinator  
Montgomery County Planning Dept., Area 1  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Ms. Bogdan,

We are writing to express our concern about the proposed destruction of the house and property at 8104 Woodhaven Boulevard. The proposed plan would replace this historic house and grounds with two new houses. The house is rare for the neighborhood, as it's the original farmhouse from the mid 1800's. Historic homes like this one should be preserved, not demolished. Having been in the house many times, as a guest of the past two owners, it's easy to see that it's been well cared for over the years. This is not some falling-down relic -- it's a sturdy home with beautiful period details, like an elegant curving staircase in the entry and working fireplaces.

We are also concerned about the number of mature trees that would have to be cut down in order to build two new houses on this one lot. Woodhaven Blvd. has been rapidly losing trees to climate conditions in recent years. A tree specialist who came to my house explained that the more tall trees that are standing in the neighborhood, the better protected the others (and our homes) are during storms, since the trees act as buffers to each other. We cannot afford to lose the trees at 8104 Woodhaven as well.

We fully understand that Bethesda in general, and our neighborhood in particular, is undergoing development. We don't reject that out of hand, although the replacement of old majestic trees with new saplings that will never match the legacy trees is a grave concern. However, the intention to raze the most historic house in our neighborhood (and one of the oldest in Bethesda itself) and replace it with two houses is a step too far. We have stood silent when old trees are replaced with wisps, we have accepted the decision to not put in sidewalks -- despite the overwhelming support -- and we have not argued the decision by the county to fail to put in stop signs or speed bumps to protect our children from the cars that speed down Woodhaven. Tearing down 8104 is something that we cannot accept and if the county allows it to go forward, it will be yet another indication that developers are more important than residents.

Sincerely,  
Emma & Josh Starr

**From:** [Bing Lu](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** 8104 Woodhaven Boulevard - Administrative Subdivision No. 620200020  
**Date:** Friday, October 11, 2019 9:46:17 PM

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Dear Ms. Bogdan,

My name is Bing Lu and I own 8102 Woodhaven Boulevard which is a property that directly abuts to the proposed subdivision plan for 8104 Woodhaven Boulevard Plan # 620200020. I am quite concerned and alarmed regarding this subdivision plan to put 2 single family homes onto a very small and oddly shaped 0.49 lot.

I am most concerned about the environmental impact of this plan not only in regards to stormwater drainage concerns but also the loss of the trees and greenery that are currently on the property. Two houses, patios, driveways and walkways will exponentially increase the impermeable surfaces within the 0.49 acre lot, and even with the proposed dry wells, planter boxes, culverts, etc. I still cannot imagine the negative impact of deforestation and loss of shrubbery. I already have severe water pooling in my yard and into my basement due to the fact that I am downhill of 8104 Woodhaven, would MCPD be able to guarantee that the subdivision would not result in further or greater water damage to my property?

I'm not sure if you have had a chance to view the property that is proposed to be demolished in order to carry out the subdivision. I would very much request that you visit the property at 8104 Woodhaven. This is a beautiful home and property that was built in 1857! I cannot imagine that it is not a protected historical property. Some of the trees on this property could be close to 200 years old. In my opinion, and that of many of the neighbors in West Bethesda Park subdivision, destroying this house would be a tragedy.

After viewing the proposed subdivision plan I am also concerned that this plan does not adhere to the R90 setback regulations. How is it that both houses do not have a rear setback? I feel that the developers are trying to use an exception by calling the rear of both houses a "side." I would hope that MCPD would not allow such a blatant loophole to pass the R90 restrictions. I am also concerned of the gerrymandering of the property division to obtain the required lot sizes, again which I feel is an attempt by the developer and home owner to split a lot that is not suitable for subdivision and has previously been rejected by MCPD in the past for subdivision plans.

The noise and traffic impact of construction of two properties in such a small space would be disruptive and negative. I strongly request that MCPD look very carefully at this subdivision plan and reject the application.

Thank you very much in advance for your attention to these issues.

Sincerely,

Bing Lu

**From:** [Freeman, Stan](#)  
**To:** [Bogdan, Grace](#)  
**Cc:** [Dickel, Stephanie](#)  
**Subject:** RE: Plan No. 620200020 - Deadline for Comments  
**Date:** Saturday, October 12, 2019 9:18:48 AM

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Ms. Bogdan,  
 Thank you very much for this response.  
 Stan Freeman

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**From:** Bogdan, Grace [mailto:[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)]  
**Sent:** Thursday, October 10, 2019 9:28 AM  
**To:** Freeman, Stan  
**Cc:** Dickel, Stephanie  
**Subject:** RE: Plan No. 620200020 - Deadline for Comments

Good Morning Mr. Freeman-

Thank you for reaching out. That is correct, if the date on the notice is 10/1/2019 then the comments are due by October 16, 2019, which can be emailed directly to me. If you choose to mail in comments then the postmark should be October 16, 2019.

The application is currently under review and is scheduled to be discussed at the Development Review Committee on October 29, 2019. This meeting is open to the public and you are welcome to attend and observe, but public comment is not allowed. If you'd like to call to discuss any questions about the process that you may have prior to sending your comments, please feel free to call me at the number below.

Sincerely,

**Grace Bogdan**, AICP | Planner Coordinator  
 Montgomery County Planning Department | Area 1  
 8787 Georgia Ave | Silver Spring, MD 20910  
 301-495-4533 | [grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)

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**From:** Freeman, Stan <[Stan.Freeman@PowersLaw.com](mailto:Stan.Freeman@PowersLaw.com)>  
**Sent:** Wednesday, October 9, 2019 3:37 PM  
**To:** Bogdan, Grace <[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)>  
**Subject:** Plan No. 620200020 - Deadline for Comments  
**Importance:** High

Ms. Bogdan,

You are designated as the lead reviewer on the subdivision application that is designated as Plan Number: 620200020, pertaining to 8104 Woodhaven Boulevard, Bethesda. I am an adjacent homeowner and will be objecting to the application. I understand that comments are due within 15 days of the mailing date of the notice. The date on the notice is 10/1/19.

I have three questions about the comments deadline, as follows:

1. Am I correct in understanding that comments are therefore due by October 16?
2. Can this deadline be met by emailing comments to you at [grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org) on or before that date? If not, is there some other email address that can be utilized by that date for this purpose?
3. Alternatively, if comments are mailed to you and postmarked by October 16, will that meet the deadline?

Your prompt response will be appreciated.

Thank you,  
Stanley A. Freeman  
8205 Wahly Dr.  
Bethesda, MD

**From:** [irene hoydysh](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** M-NCP&PC File No. 620200020  
**Date:** Sunday, October 13, 2019 11:43:30 AM

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Dear Ms.Grace Bogdan:

RE:  
8104 Woodhaven Boulevard  
West Bethesda Park  
M-NCP&PC File No. 620200020  
MNCP&PC = Maryland National Capital Park and Planning Commission)

The current owner has filed an application to subdivide the property and to then tear down the historic 162 year old house, raze the mature trees, and put up two new houses. This configuration is very out of character with the rest of the neighborhood.

The plan that the owners have drawn up is to have one house on Woodhaven on one on Wahly drive in the back. **This plan has a strange configuration - a skinny part from the Woodhaven house going to Wahly, ostensibly for a driveway, so that they can claim it as a through property to avoid the county setback requirements.**

The lots will not be in keeping with the rest of the neighborhood, and that is an important criterion for approving lots. Also, the property has a lot of mature trees which will also be razed to build these new houses.

Please consider these important facts that the neighborhood residents respect. Thank you very much.

Irene Hoydysh and Dan Hoydysh  
8311 Woodhaven Blvd.  
Bethesda, MD 20817



THE LAW OFFICE OF  
Michele  
Rosenfeld LLC

October 14, 2019

Via US Mail and  
Electronic mail to: [grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)

Grace Bogden, AICP  
Planner Coordinator  
MNCPPC Planning Department  
8787 Georgia Avenue  
Silver Spring MD 20910

RE: 8104 Woodhaven Boulevard - Administrative Subdivision No. 620200020

Dear Ms. Bogden:

I send this letter on behalf of my clients Scott and Gloria Reid, who live at 8106 Woodhaven Boulevard, which abuts the subject property ("8104 Woodhaven").

As you begin review of this application, we want to bring two significant issues to your attention: (1) the proposed lots do not conform to minimum zoning requirements; and (b) the property is a credible candidate for addition to the *Locational Atlas and Inventory of Historic Places* ("Atlas").

### **1. Zoning Requirements**

8104 Woodhaven, zoned R-90, must provide for a 25-foot rear yard setback. Proposed Lot A has two "rear" lot lines. The applicant has designated the shorter of the two "rear" lot lines as a "side" lot line, and designated a corresponding 8' side-yard setback instead of a 25' rear setback. This layout would put the rear of the two proposed new homes significantly closer to each other than other homes in the neighborhood. The appropriate setback for both of the "rear" lot lines is 25", and the plan should be denied until this setback is corrected.

Even more troubling is the plan's treatment of proposed Lot B as a "through lot." The gerrymandered pipestem extending from the rear of the Lot B to Wahly Drive, abutting the length of proposed Lot A, clearly serves no purpose other than an attempt to circumvent the 25' rear setback requirement imposed by the R-90 zone. Lot B meets the minimum lot size even without the pipestem, and so the pipestem is not needed to satisfy this zoning standard. Nor is it needed for driveway access, as Lot B has ample frontage on Woodhaven Boulevard. Moreover it is unlikely that the pipestem actually could be used for driveway access to Lot B given the stormwater management facilities that are located under any potential driveway location that would serve the pipestem. This property should not be treated as a "through lot," which exists when one home is located on a single lot that truly has full frontage on both of the "fronting" streets.

In light of the subdivision's lack of conformance with setback requirements, it should be denied.





## **2. Historic Preservation Considerations**

A historically significant mid-19<sup>th</sup> century dwelling associated with a noted area family and local craftsman is located on 8104 Woodhaven. It is a rare example of an early-to-mid 19<sup>th</sup> century structure within the Bethesda area. The house is not listed on the *Atlas*. That omission, however, does not vitiate its apparent historicity. Before its scheduled demolition, this historic house deserves further examination by the Planning Board and Historic Preservation Commission in connection with its addition to the *Atlas*, and inclusion on the *Master Plan for Historic Preservation*.

According to Mark Walston, noted author and former historian for the MNCPPC, the main block of the house is a two- story frame dwelling covered in clapboard siding. It was constructed in 1857 by John Worthmiller, a noted area stone mason and plasterer. Census records indicate that Worthmiller was born in 1836 in Germany (also noted in the Census records as “Prussia”). While the exterior presents the simplicity of a typical mid-19<sup>th</sup> century gable roofed house, with an internal chimney and slight late Federal overtones, the interior of the house exhibits a sophistication of design not found in the few early-to-mid 19<sup>th</sup> century dwellings remaining in the Bethesda area. The entrance to the original house resides in the left bay of the main block. It opens to a large hall distinguished by an elegant curved staircase rising on the far wall, original to the house. The turned newel, slender balusters and overall graceful rise of the staircase displays the marks of a master craftsman. The curved staircase leads to a second-floor hallway distinguished by a fireplace on the landing, an unusual placement.

John Worthmiller was an active leader in the Masonic community of Montgomery County. He constructed a meeting hall, called Worthmiller Hall, located in downtown Bethesda, on the northwest corner of the intersection of Old Georgetown Road and Wisconsin Avenue. The hall stood beside Lothe’s blacksmith shop and was a popular meeting place for various organizations in the area. Both buildings were torn down ca. 1912 to make way for a new lodge hall.

Subsequent owners added to the main, frame block of the house, including a two- story brick wing, ca. 1940s, containing a living room downstairs and a master bedroom upstairs. This addition itself may be of architectural importance and warrants further research in connection with its historicity. The sophistication of design and fine use of details add significantly to the house’s overall architectural and historical interest.

In 1960, the original ten-acre plot surrounding the house on 8104 Woodhaven was subdivided as West Bethesda Park. Today the historic structure sits amidst modern suburban houses; the old dwelling is the only vestige of Bethesda’s 19<sup>th</sup> century beginnings in the community and in the wider Bethesda area. This house represents the



THE LAW OFFICE OF  
**Michele  
Rosenfeld** LLC

heart of the Woodhaven/West Bethesda Park neighborhood and has carefully preserved through the years and enjoyed by nearly two centuries of families and neighbors.

It came a surprise to my clients and their neighbors that this property did not already enjoy historic designation protection, and its potential demolition would constitute a great loss to the Bethesda community. Given the above, we ask that the historic and architectural significance of the property be reviewed and determined by the Historic Preservation Commission and the Planning Board before any demolition is permitted.

### **3. Conclusion**

We submit the following requests:

1. Deny the administrative subdivision based on its lack of conformance with the R-90 setback requirements;
2. Forward this information to Historic Preservation staff so that it may evaluate the property for addition to the *Atlas* and, ultimately, be evaluated for historic designation;
3. Confirm that staff will consider additional comments and information that my clients and other neighbors may submit after the 15-day deadline designated in the October 1, 2019 letter that my clients received from the property owner's engineer, Jared Pantanella (it appears that the project has not yet even gone through Development Review Committee review); and
4. Designate this plan for Planning Board review, in light of the issues raised.

Additionally, I will follow up with you to request a meeting with my clients to discuss these concerns in greater detail, and we will ask that a representative from the Historic Preservation staff attend, as well.

Thank you in advance for your attention to these issues.

Sincerely,

Michele Rosenfeld



THE LAW OFFICE OF  
Michele  
Rosenfeld LLC

Cc: Gwen Wright, Planning Director  
Rebeccah Ballo, Historic Preservation Supervisor, Functional Planning and Policy  
Scott and Gloria Reid, 8106 Woodhaven Boulevard (adjacent property owners)  
Giles P. and Robbins S. Hopkins, 8201 Wahly Drive (adjacent property owners)  
Bing Lu 8102, Woodhaven Boulevard (adjacent property owners)  
Stan Freeman and Cecilia Parajon, 8205 Wahly Drive (adjacent property owners)  
William and Fran Irwin, 8201 Wahly Drive  
Melissa Junge 8304 Loring Drive  
Jonathan and Julie Fritts 6312 Alcott Road  
James Gerstenzang & Genie Wetstein, 8203 Thoreau Drive  
Dan and Nicole Levine, 8317 Woodhaven Boulevard  
Arthur and Susana Riel, 8105 Woodhaven Boulevard  
Reuben & Pat Siraganian, 6600 Melody Lane  
David and Lizzie Sowell, 8206 Thoreau Drive  
Josh and Emma Starr, 8215 Woodhaven Boulevard  
Symeon and Merve Williams, 8203 Woodhaven Boulevard

**From:** [donna zeigfinger](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** 8104 Woodhaven Blvd house  
**Date:** Monday, October 14, 2019 12:45:43 PM

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Hi, I just found out that someone is planning on demolishing the historic home.  
My family lived on Wahly Drive from 1961 until 2017. This house was always loved by the people that lived there.  
It is a historic home and should be kept that way. How can we protect this bit of history?

Donna Zeigfinger  
7 Froude Circle  
Cabin John Maryland 20818

**From:** [tracyzeigfinger@gmail.com](mailto:tracyzeigfinger@gmail.com)  
**To:** [Bogdan, Grace](#)  
**Cc:** [Donna Zeigfinger](#)  
**Subject:** 8104 Woodhaven Blvd Bethesda, MD  
**Date:** Monday, October 14, 2019 1:46:38 PM

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Good afternoon,

I'm wondering why in the world the county would approve having a developer raze a historic home. All in the name of profit. Isn't there value or at least pride in the preservation of a historic home that's still, not only standing but intact?

I grew up in the cul-de-sac where the house backs up to – even in the 1960's and 1970's, it was so special to have in the neighborhood. It's important for children to have the opportunity to have a glimpse into what life might have been like in the 19<sup>th</sup> century.

I understand that you're not from the area or era – but please consider those that appreciate Bethesda's history. Please consider other options.

I'm hoping that others will reach out to share their concern about the power of money to prevail over community and preservation of something unique in a sea of houses that are built from templates. Historic homes shouldn't be disposable. Please don't sell out.

Tracy Zeigfinger

**From:** [Maria Smith](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Opposition to subdividing 8104 Woodhaven Blvd. Bethesda, MD  
**Date:** Monday, October 14, 2019 5:03:54 PM

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Hello- I live on 8310 Woodhaven Blvd, Bethesda, MD 20817 and am opposed to razing beautiful mature trees and tearing down one of the oldest houses in the neighborhood. I understand the house dates back to 1857 and is the original house in the neighborhood with 10 acres which was later subdivided into West Bethesda and Woodhaven.

Woodhaven Blvd. is a unique street with its own distinct characteristics, many of the homes Tudor in architecture style and there are lots of mature trees; thus, its name. I am also opposed to gerrymandering the property line to put in two houses where there is now one and avoiding the set back requirements. Please do not allow this to happen.

Sincerely yours,

/s/

Maria C. Smith  
8310 Woodhaven Blvd.  
Bethesda, MD. 20817  
301-802-5203



**From:** [James Gerstenzang](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** 8104 Woodhaven Boulevard - Administrative Subdivision No. 620200020  
**Date:** Monday, October 14, 2019 5:32:55 PM

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Ms. Bogdan:

We write to raise the strongest objection to any plan that would demolish the house at 8104 Woodhaven Boulevard, West Bethesda Park. (M-NCP&PC File No. 620200020).

We have lived around the corner (at 8203 Thoreau Drive) since 1985 and have long been thrilled that a structure from 1857 remains as a revered link to the history of Montgomery County in general and, in particular, to the history of this stretch of Bethesda between downtown and the Potomac River. The house anchors our neighborhood to its agrarian history and to life in Bethesda and the county in a distant era. There is nothing else like it in the community: What a wonderful, living and unique monument that connects each successive generation to those who came before. How good, too, that we have a planning board in Montgomery County charged with preserving those vanishing threads.

The details that have emerged in recent weeks about the history of 8104 Woodhaven only add to its value to the community. We look forward to sharing them with our grandchildren.

We are horrified that all that could be lost, and the links that the house provides to community history discarded in a heap of fallen bricks. Please do not let us down.

Please add my name and email address to the mailing list for this project:  
[james.gerstenzang@gmail.com](mailto:james.gerstenzang@gmail.com). Thank you.

Very truly yours,

James Gerstenzang  
Genie Wetstein

8203 Thoreau Drive  
Bethesda, MD 20817

[james.gerstenzang@gmail.com](mailto:james.gerstenzang@gmail.com)



Virus-free. [www.avast.com](http://www.avast.com)



8105 Woodhaven Boulevard  
Bethesda, Md 20817

ATTN: Grace Bogdan  
M-NCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910

October 14, 2019

Dear Ms. Bogdan,

We received a letter and plan in the mail on October 3rd, 2019, regarding the proposed subdivision of 8104 Woodhaven Boulevard Plan NO. 620200020, and we are submitting to you our comments and concerns. We live in a house that is across the street from 8104 Woodhaven and appreciate that we were included in the mailing list to receive information about the aforementioned application.

Our first concern and objection is that this proposed subdivision of the lot plans to raze the current home, which was built in 1857. We, along with many of our neighbors, were always under the impression that the home was a historic preserved property and to our dismay, only through the process of evaluating the proposed subdivisions of 8104 Woodhaven, have we found out that somehow this house was inadvertently omitted from the Montgomery County Historic Atlas. This omission should not minimize its historic importance or significance. This house is the crown jewel and heart of our neighborhood. It is not only loved by the many homeowners who were privileged to live there but also by the entire community. We request that prior to any demolition of the house, internal and external architectural evaluation and assessment of the dwelling be completed and the findings shared with the Historic Preservation Commission and the public.

Our second concern and objection is that this subdivision plan proposed to split the property into two lots and then build two houses upon it. The plan proposed on the drawing AP-4 proposes two dwelling that do not conform to the R-90 specifications and regulations for single family dwellings in Montgomery County. The current owners and CAS Engineering are trying to use a loophole by calling Lot B a "through lot." It is defining the lot as a through lot by sectioning off a small, narrow, 13 feet wide plot of land which is a "pipestem shape" on the eastern portion of the property in order to satisfy the requirement of an interior lot fronting on two streets. Lot B would "front" Wahly Drive by 13.17 feet only to fit the definition of a through lot, whereas Lot A would "front" Wahly Drive by 74.20 feet. Lot A, in reality, should front the street by 87.37 feet which is what the current lot does. The shape, design and intent of lot B as proposed is completely inconsistent to the current lots in the neighborhood. We understand there is the letter of the law, but the spirit of the law in this instance should be taken into greater consideration.

Our third concern and objection is the environmental impact potential stormwater drainage issues and loss of canopy by cutting down the trees on the property, some of which are from the 1800's. The only growing source of pollution in the Potomac River is from polluted runoff, namely by both urban and rural development. In unaltered landscapes, stormwater can be absorbed and filtered through the ground and filtered by vegetation, but doubling the amount of



impermeable surfaces to the current property of 8104 Woodhaven would exponentially increase the polluted run off that goes directly into our streams, specifically Booz Creek which runs right through our neighborhood and flows into the Potomac River. There will be twice the hard surface area of roofs, driveways, patios, and other hard surfaces which the proposed dry wells could not sufficiently absorb all the stormwater. In an article in [potomac.org](http://potomac.org) it states that "As development around the region increases (throughout the Chesapeake Bay region, we lose 100 acres of forests per day), there are fewer trees to absorb pollution and more paved surfaces that prevent polluted water from filtering naturally through the ground." Destroying the trees on 8104 Woodhaven for the sake of development and construction would contribute to the pollution of Booz Creek and subsequently the Potomac River as well.

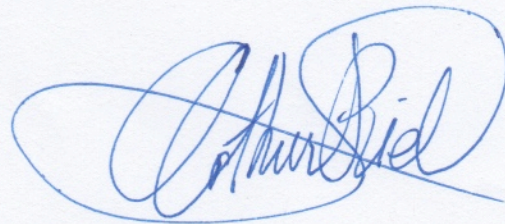
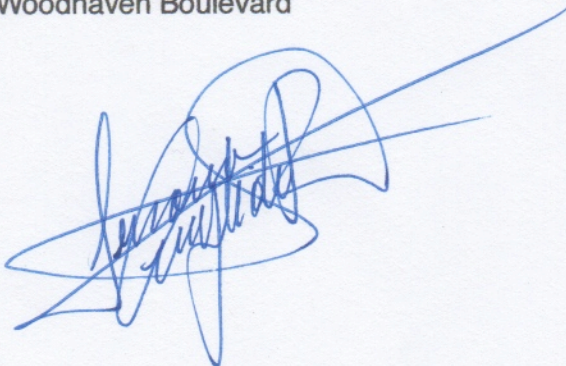
This is a remarkable and unique property. I personally know of neighbors who wanted very much to purchase the house from the current owners, but the current owners never returned emails or inquiries to these interested buyers. These neighbors are still interested in purchasing the house should it ever go on the market.

We ask that you and the Planning Board strongly reject the application for subdivision of 8104 Woodhaven. We also ask that the Historical Preservation Commission perform a thorough investigation and evaluation of the historicity of the 1857 structure before the application process moves forward any further.

Thank you for your time and attention, and I request that we are added to all mailing and notifications for this application.

Respectfully,

Susana and Arthur Riel  
[susana@riel.com](mailto:susana@riel.com)  
[arthur@riel.com](mailto:arthur@riel.com)  
8105 Woodhaven Boulevard





**From:** [Paul Levine](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Proposed housing demolition and changes in Woodhaven  
**Date:** Monday, October 14, 2019 8:01:05 PM

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Dear Ms. Bogdan:

We are very concerned about the plans to tear down 8104 Woodhaven Blvd and subdivide the property in total disregard of our community. I moved to Woodhaven from Colorado in 1968 and continue my attachment, although my son now lives in our house with his family and we live nearby in Bethesda. There are few beautiful houses of historical and architectural value left in the community.

We think it would be a shame if this property were torn down and the property gerrymandered to put two new houses up. Not only would we lose a house of historical value, but the new property lines would make no sense, as none of the other properties in this neighborhood look anything like this with strange lot shapes and houses piled on top of each other without proper setbacks.

We think it would be a shame if this property were torn down and the property gerrymandered to put two new houses up. Not only would we lose a house of historical value, but the new property lines would make no sense, as none of the other properties in this neighborhood look anything like this with strange lot shapes and houses piled on top of each other without proper setbacks.

When I lived in Woodhaven we were confronted with a similar situation around 10 years ago when our friends sold their beautiful house in lower Woodhaven at the corner of Whittier and Woodhaven and developers bought it as a teardown with multiple buildings intended. The Montgomery County Historical or Architectural Committee agreed with us and the County at least partially listened to the community and did not approve the teardown but the Woodhaven house was turned towards a side street and a new building totally out of character was built squeezed just a few feet away from the original Woodhaven house. It is a shame that these beautiful historic houses are being torn down and the property is gerrymandered to build two new houses which contribute to destruction of the community.

We hope that will you will not accept the current proposal which at least preserves this historic house and does not do damage to the neighborhood

Sincerely,  
Paul H. Levine, M.D.  
Past-President, Woodhaven Citizens Association

**From:** [Julie Fritts](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Neighbor Objecting to M-NCP&PC file No. 620200020  
**Date:** Monday, October 14, 2019 10:26:06 PM

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6312 Alcott Road

Bethesda, MD 20817

October 14, 2019

Dear Ms. Bogdan,

We are writing to express our concerns and objections regarding the proposed subdivision of the property at 8104 Woodhaven Boulevard in Bethesda (M-NCP&PC file No. 620200020).

We lived at 8309 Woodhaven Blvd for the past 10 years and recently moved into a newly built home at 6312 Alcott Road, which is also in the Woodhaven neighborhood. Let us be clear that we ourselves tore down a 1960's home, which was in very poor condition, to make way for our new build. We do not generally have an issue with neighborhood development. Our objections specifically in the case of 8104 Woodhaven Blvd are due to the historical and environmental impacts involved in tearing down this particular house and subdividing this particular lot.

The stately home at 8104 Woodhaven Blvd was built in 1857 as the original farmhouse of the neighborhood. We have been in the home recently and it is still in excellent condition after being lovingly cared for by its previous several owners. Those of us in the neighborhood assumed that it was officially listed as a historic property and we have just recently learned that it was overlooked and is not protected. We consider this to be an egregious error that should be corrected. The home was built by John Worthmiller, a prominent figure in the Bethesda area during the latter half of the 1800s. With the rapid rate of development currently happening in Montgomery County, and in Bethesda in particular, it would be a shame to allow one of the few buildings from this time period to be demolished just so that one family can earn a little extra money by subdividing the property and selling to a developer.

In addition to our objections about destroying the historic home at 8104 Woodhaven, we also have environmental concerns about the subdivision of the property for the purpose of building two new homes. The Woodhaven neighborhood was once known for its lustrous tree canopy. The large amount of new construction in the area has removed many of the older trees and has

negatively affected the canopy. In order to fit two homes onto the 8104 Woodhaven property, many old growth trees would have to be removed.

Beyond the aesthetic issues of removing so many older trees on the property, it would also cause problems with water run-off due to the increase in hard surfaces that would exist in the new homes. Allowing the property at 8104 Woodhaven to be subdivided would allow two large homes to be built where there is currently one, which would surely result in increased run-off of polluted water into our yards and, ultimately, local streams.

In summary, we urge you to reject the proposal to subdivide the property at 8104 Woodhaven Boulevard.

Thank you for your consideration,

Julie and Jonathan Fritts

6312 Alcott Road (formerly of 8309 Woodhaven Blvd), Bethesda, MD

[juliebfritts@gmail.com](mailto:juliebfritts@gmail.com)

202-329-1471



**From:** [Debbie R. Earley](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** 8104 Woodhaven  
**Date:** Tuesday, October 15, 2019 5:40:34 AM

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I am sending u this message cause I heard that the county is allowing the historical house located at 8104 Woodhaven, Bethesdsa Md. to be demolished. I don't approve of this , this house is historic and is in beautiful condition. It would be very sad if the county allows this house to be a tear down. I was given your name as someone that can stop this. Can you please prevent this house from demolition? I am a life long resident of Bethesdsa and don't like see beautiful historical houses being destroyed, the county needs to preserve our history. Thank You!

Deborah Rotwein Earley  
301 526 8060  
5606 Lone Oak Dr.  
Bethesdsa, MD 20814

Sent from my iPhone

**From:** [Tessa Burke](#)  
**To:** [Bogdan, Grace](#)  
**Cc:** [Gloria Reid](#); [Jacob Burke](#)  
**Subject:** File no 620200020 - subdivision plan 8104 Woodhaven  
**Date:** Tuesday, October 15, 2019 9:50:44 AM

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Dear Ms Bogdan

I've recently heard from my old neighbours, that our beautiful 1857 farmhouse might be razed to the ground. We sold 8104 Woodhaven to the current owners, Brett and Leanne Ulrich, in 2016 because they told us that they would cherish it for the jewel that it is, so we are aghast that this historic home, the only vestige of Bethesda's 19th century past, could be considered for demolition.

It comes as a surprise to us that this could be a possibility, because when we bought the house in 2014, we were aware that previous attempts to subdivide this unique property (Honesty Manor) had been rejected. We had to do quite a lot of restoration, including underpinning, to keep the structure intact. It seriously breaks our hearts that all this loving work will have been for nothing. We were constantly being told by our neighbours how much they appreciated our efforts and what a joy it was to have the house in the neighbourhood. A lot of the families have lived in the area since the 1960's, it will be a sad thing for them if such a special place is no more.

Our work commitments changed, which is why we had to leave Honesty Manor, but just knowing that this beautiful house was still standing, partly due to our efforts, made us happy. It only costs \$30,000.00 to demolish a house, but in this case what would be lost is priceless. Please preserve it, it is irreplaceable and deserves to be kept intact.

Yours sincerely

Tessa and Jake Burke

**From:** [Skating Tanya](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** 8104 Woodhaven Bethesda Md 20817 - Please do not allow a historical home to be torn down  
**Date:** Tuesday, October 15, 2019 2:40:07 PM

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To Whom It May Concern,

I am very concerned that Montgomery County Planning would consider approving the teardown of 8104 Woodhaven Bethesda, Md 20817. I grew up in this county in Bethesda and now live in Olney. Olney is not the same as it was when I grew up. It lost several historical buildings to fire, but others exist. The historical homes bring character and historical features that once gone can never be replicated again as they are not the same. My father was an architect in Montgomery County for many years and he would never have been so disrespectful of history. Not everything should be governed by greed. I have grandchildren and where do I show them the historical buildings I grew up with. I lived in New England as an adult for a few years and in New England they would never allow this. The towns there are charming and well kept and still preserve history as it should be. I hope that the historical features of this house along with known historical background of it's ownership will deem it an exception to the county's numerous teardowns. It is one thing to tear down a cookie cutter house as there really is no historical significance. But this house is a gem and will be a huge loss to the community.

Best,  
Tanya Russell Shuy  
14 Gainford Court  
Olney, MD 20832

- Tanya Shuy

**From:** [Comcast](#)  
**To:** [Bogdan, Grace](#)  
**Cc:** [Jim Personal Cel](#)  
**Subject:** Woodhaven Boulevard West Bethesda Park  
**Date:** Tuesday, October 15, 2019 2:48:34 PM

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There is currently an application on file to re-zone a single residential lot into a double residential lot in the Woodhaven Subdivision of Bethesda. The change in this lot would require several mature trees to be taken down and the elimination of significant green space surrounding the current historic home.

Given the loss of trees and green space we strongly object to your approval of the new development. Montgomery County and the Woodhaven Neighborhood in particular contains mature trees which help mitigate the dismal and serious affects of a warming planet. There is no need for a double lot in an already busy neighborhood and the immediate loss of mature trees and green space will cause additional environmental destruction for years to come.

Please do not allow this plan to be approved.

Catherine and James Tomsheck

8308 Bryant Drive  
Bethesda, MD. 20817

Sent from my iPhone

**From:** [Caroline Nothwanger](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** 8104 Woodhaven Blvd Bethesda, MD 20817  
**Date:** Tuesday, October 15, 2019 4:05:18 PM

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[grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)

8104 Woodhaven Boulevard  
West Bethesda Park  
M-NCP&PC File No. 620200020

Dear Ms Bogdan,

Please add me to the mailing list for this project so that I may receive information in the future. I grew up in old Bethesda and Silver Spring.

I also would respectfully request that you engage the Historic Preservation staff so that they may evaluate the property for historic designation; I believe that this house was used as a stop on the Underground Railroad? That if nothing else should help to preserve it--we are losing too much of our history every day.

Caroline Nothwanger DVM  
[acndvm@gmail.com](mailto:acndvm@gmail.com)

**From:** [melissa.junge@yahoo.com](mailto:melissa.junge@yahoo.com)  
**To:** [Bogdan, Grace](#)  
**Subject:** 8104 Woodhaven Boulevard - Administrative Subdivision No. 620200020  
**Date:** Tuesday, October 15, 2019 4:37:50 PM  
**Attachments:** [M. Junge concern letter re 620200020.docx](#)

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Dear Ms. Bogdan:

I am writing about my concern over the proposed subdivision of 8104 Woodhaven Boulevard – Administrative Subdivision No. 620200020.

First, I am concerned that the proposal would require the demolition of the current home which was built in 1857. Prior to learning about this subdivision proposal, my assumption was that house had been designated as historic by the County, and therefore could not be torn down without thorough consideration of its historic nature. I now know that the house was somehow “missed” and is not part of the Montgomery County Historic Atlas, but I sincerely hope the historic nature of the house is considered by the MNCPPC Planning Department when determining if demolition of the house is appropriate.

Second, the proposed subdivision is inconsistent with the character of the neighborhood and appears to be inconsistent with current zoning requirements. Specifically, some of the proposed setbacks do not appear to conform with requirements, and the shape of the proposed new lots, and the direction of the proposed new house on Woodhaven is inconsistent with the houses on either side.

Therefore, I respectfully request that the application for the subdivision of 8104 Woodhaven be rejected.

Thank you for your consideration of my request.

Sincerely,

<!--[if !vml]-->Melissa Junge

8304 Loring Drive; [melissa.junge@yahoo.com](mailto:melissa.junge@yahoo.com)

(Letter with signature attached)



**From:** [Julie Fritts](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Please add to mailing list for No. 620200020  
**Date:** Tuesday, October 15, 2019 4:51:14 PM

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Hello Ms. Bogdan,

Will you please add me to the email distribution list for any information pertaining to 8104 Woodhaven Boulevard in Bethesda? The case number is No. 620200020. I am a concerned neighbor of the property and would like to stay informed on this matter.

Thank you,  
Julie Fritts  
6312 Alcott Road, Bethesda MD 20817  
202-329-1471

**From:** [Dan Levine](#)  
**To:** [Bogdan, Grace](#)  
**Cc:** [Nicole Levine](#)  
**Subject:** 8104 Woodhaven Boulevard - Administrative SubdivisionNo. 620200020  
**Date:** Tuesday, October 15, 2019 4:58:08 PM

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Dear Ms. Bogdan:

We are writing to provide our input on the proposed subdivision of 8104 Woodhaven Boulevard (Plan NO. 620200020). Thank you for taking this input into consideration. I, Dan, have lived in the neighborhood from 1969- 1991 and again with my wife Nicole and 2 children since 2007. In summary, we have significant concerns about both the proposed subdivision of the lot and the implications for the current, unique house on the lot which has deep meaning for our community.

First, to be clear, we are not opponents of infill broadly. We believe in smart growth, and I have seen much appropriate development in the area in my 50 years in the area. Aging, dilapidated structures are replaced. Additions are put on. Unused lots are used. However, this growth should conform not only to county laws but also fit into the general character of the community.

The proposed plans do neither. The two planned houses would sit back to back with no setback between them, like all other neighborhood houses have. There is a strange narrow alley on one of the lots clearly designed to circumvent lot sizing and setback laws for this type of zoning. The resulting placement and proximity of the houses as proposed would be entirely out of character with the surrounding neighborhood. It does not pass the "sniff test."

Second, the current home at 8104 Woodhaven Blvd is not just another home. It is an absolutely unique and treasured part of our community and our history. As a child walking past this house to school every day, I knew that it had a special place in the neighborhood and a special role in our history.

It is our last vestige of Bethesda from more than 160 years ago. Although not yet discovered by the powers that be who define official historic property, it has significant historic importance to us, our neighbors, and others in the county. It dates to 1857, before the Civil War, which is mind-boggling, and it is the only such home that I know of in the area from any time near then. My house sits on the original 10-acre lands owned by the Worthmiller and Austin families who built and lived in the house at 8104 Woodhaven. This house is the last tie to that time and that prominent family in our community history.

The house is in beautiful condition and has many external and internal features of historical interest. The exterior evokes the agrarian times in which it was built. The fireplace, the plasterwork, and other fine details are also works of art that would be tragic to destroy.

Historical experts need time to evaluate the property for addition to the Montgomery County Historic Atlas and designation as a historic property. If this subdivision is approved today, the damage can never be undone. If the subdivision is denied, this evaluation can proceed and a decision about the property's fate can be made with the proper information in hand.

We and our community would be devastated by the loss of this beloved and historic property, a tie to our past and the people who contributed to the building of Bethesda more than 160 years ago.

Lastly, we are certain that regardless of theoretical designs by engineers engaged to propose water management solutions, water management will be a massive headache for the immediate neighbors. All of us in this neighborhood deal with the heavy summer storms and the havoc that rainwater wreaks when it doesn't have enough places to absorb it. This property sits on a hill at the highest point in the area. All adjacent properties are downhill. There are currently many, many mature shade trees 50-100 years old or more, as well as unpaved ground to absorb water. There are also grass culverts on the property to handle water. The proposed plan would significantly add to the paved and roofed areas, destroy culverts, and raze these trees. I feel for all of the neighbors whose foundations will be pummeled by water over the coming decades. The stormwater runoff impact for the environment and the Potomac watershed will also not be insignificant.

Thank you for considering these serious concerns. We ask that you and the Planning Board reject the application for subdivision of 8104 Woodhaven. We also ask that the Historical Preservation Commission perform a thorough investigation and evaluation of the historicity of the 1857 structure before the application process moves forward any further.

Lastly, please add us to your mailing list for any future activity pertaining to the application and property and confirm receipt of this email.

Warm regards,

Dan Levine, [levined@gmail.com](mailto:levined@gmail.com)  
Nicole Levine, [nicolelevine@earthlink.net](mailto:nicolelevine@earthlink.net)  
8317 Woodhaven Blvd.  
Bethesda, MD 20817

**From:** [J Barr](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Please consider my strong objection to the development being proposed at 8104 Woodhaven Blvd.  
**Date:** Tuesday, October 15, 2019 9:35:33 PM

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Dear Ms. Bogdan,

I am a long time Montgomery County and Woodhaven resident.

One of the great pleasures of this neighborhood is the unique character of the stone houses on Woodhaven Boulevard and, at the top of the hill, the old farm house which is threatened with demolition. The tendency to over-build and homogenize—as I see it— Montgomery County's houses inside the beltway is unfortunate. This is particularly true when it concerns a house which pre-dates the Civil War and which would be replaced by two houses and loss of mature trees and grounds. Further, I believe that the lot plan for the new houses does not fit with the rest of the neighborhood.

The present house is set back from the road with an attractive drive leading to the house which is slightly camouflaged from the street. Rumor has it that the house was part of the Underground Railroad. I understand that this has not been proved thus far, but it would be unfortunate if evidence were found in future and the house had been destroyed.

In any case, a house built in 1857, sited in a lovely space, deserves to remain. Replacing it with two modern houses would change the character of Woodhaven and be a real loss to us and to the county. Once gone, it cannot be restored nor its mature trees and history.

Sincerely,  
Jill H. Barr  
Woodhaven Blvd.  
Bethesda, MD

***Patricia Siraganian***  
***Reuben Siraganian***  
6600 Melody Lane  
Bethesda, MD 20817

Grace Bogden  
Planner Coordinator  
MNCPPC Planning Department  
8787 Georgia Avenue  
Silver Spring MD 20910

Re: 8104 Woodhaven Boulevard -Case 620200020

Dear Ms. Bogden:

We are writing to oppose the proposed splitting of this lot, resulting in the teardown of the existing historic house.

We live at 6000 Melody Lane at the corner of Woodhaven and Melody, two houses from 8104 Woodhaven Blvd. We see the present house/lot from several rooms of our house.

We have lived in our house for 43 years. For all this time we knew that the house at 8104 Woodhaven had been built in 1857, and that originally its owners had a farm that covered all the property in this area, including our house. We always assumed that the house on 8104 being that old had historic significance. This house, with its complimentary surrounding property, has provided our close neighborhood with a clear sense of roots that is rare in this old Washington suburb. Our children and grandchildren are fascinated and charmed by this very unusual specimen in the middle of our community. Destroying this rare pre-Civil War property would be senseless and would clearly demonstrate an ignorant contempt for our community's agricultural roots.

Over the years we got to appreciate that the developers of this area saw fit to preserve this historic house that became 8104 Woodhaven. To preserve this house, a lot was designed around it that was different than the cookie cutter type lots in the West Bethesda Park Development.

Approving the subdivision of this property and destruction of this house would change the character of the neighborhood for the worse. It would be detrimental to nearby properties, creating a dense, built-up community that differs sharply—and negatively—from that which was originally created here, and which matched the zoning requirements. The two proposed houses on Lots A and B not having the usual 25 ft setback from the rear property line would be close to each other unlike others in the neighborhood.

Thank you for considering our appeal.

Sincerely,

Patricia and Reuben Siraganian

October 15, 2019

Grace Bogden, AICP  
Planner Coordinator  
MNCPPC Planning Department  
8787 Georgia Avenue  
Silver Spring MD 20910  
Via email ([grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org))

Re: 8104 Woodhaven Boulevard – Administrative Subdivision No. 620200020

Dear Ms. Bogdan,

We are writing to you to express our concerns regarding the proposed subdivision of 8104 Woodhaven Boulevard, Bethesda Maryland 20817 (the “Property”) under Subdivision Application No. 620200020 (the “Application”) and we would like to be included in the mailing list in all communications in connection with the Application since we live in very close proximity to the Property and outcome of the Application will directly affect us.

Firstly, we are deeply concerned that the Application will be erasing the last bit of history we have left in Bethesda and therefore, we ask that the Application be rejected and the historic and architectural significance of the property be reviewed and determined by the Historic Preservation Commission and the Planning Board. We refer to the Property, which dates back to the 1800s and is a landmark of our neighborhood. Further, based on the history of the house and those who built the house and their contributions to the Bethesda community, we are shocked that this last bit of history in Bethesda could be erased forever if the Property is demolished. We, along with our neighbors, always thought that the Property was a historical property. We understand now that it was inadvertently omitted from the Montgomery County Historic Atlas. This omission, however, should not minimize its historic importance or significance in any manner. We hereby request that prior to any demolition of the Property, an internal and external architectural evaluation and assessment of the Property to be completed and the findings to be shared with the Historic Preservation Commission as well as the public.

Secondly, we are objecting to the Application as it does not conform to the R-90 specifications and regulations for single family dwellings in Montgomery County and the shape, design and intent of the new lot is inconsistent with the current lots in the neighborhood. The current owners and CAS Engineering are trying to use a loophole by calling Lot B a “through lot.” It is defining the lot as a through lot by sectioning off a small, narrow, 13 feet wide plot of land which is a “pipestem shape” on the eastern portion of the Property in order to satisfy the requirement of an interior lot fronting on two streets. Lot B would “front” Wahly Drive by 13.17 feet only to fit the definition of a through lot, whereas Lot A would “front” Wahly Drive by 74.20 feet. Lot A, in reality, should front the street by 87.37 feet which is what the current lot does. The shape, design and intent of lot B as proposed is completely inconsistent to the current lots in the neighborhood. We understand there is the letter of the law, but the spirit of the law in this instance should be taken into greater consideration.

Thirdly, we are objecting to the Application based on its potential impact on the environment. The only growing source of pollution in the Potomac River is from polluted runoff, namely by both urban and rural development. In unaltered landscapes, stormwater can be absorbed and filtered through the ground and filtered by vegetation, but doubling the amount of impermeable surfaces of the Property would exponentially increase the polluted run-off that goes directly into our streams, specifically Booz Creek which runs right through our neighborhood and flows into the Potomac River. There will be twice the hard surface area of roofs, driveways, patios, and other hard surfaces which the proposed dry wells which could not sufficiently absorb all the stormwater. An article in [potomac.org](https://potomac.org)<sup>1</sup> states that “As development around the region increases (throughout the Chesapeake Bay region, we lose 100 acres of forests per day), there are fewer trees to absorb pollution and more paved surfaces that prevent polluted water from filtering naturally through the ground.” Destroying the trees on the Property for the sake of development and construction would contribute to the pollution of Booz Creek and subsequently the Potomac River as well.

<sup>1</sup> See at <https://potomac.org/blog/2017/1/22/potomac-river-restoration-health-polluted-runoff-land-use>



In conclusion, we ask that you and the Planning Board reject the Application in an effort to preserve the history of Bethesda, have the Historical Preservation Commission to perform a thorough investigation and evaluation of the historicity of the Property before any demolition can be permitted, and we ask to be added to all mailing notifications in connection with the Application.

We thank you for your time and attention to this matter.

Respectfully,

*Symeon A Williams*

*Merve S Williams*

Symeon and Merve Williams

Symeon.williams@gmail.com

msalepcioglu@gmail.com

8203 Woodhaven Boulevard,

Bethesda MD 20817

**From:** [Emily Goldman](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Plans for 8104 Woodhaven  
**Date:** Wednesday, October 16, 2019 8:25:59 AM

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Dear Ms Bogdan,

I am writing to express my disapproval for the development of 8104 Woodhaven Blvd, Bethesda, 20817 (620200020). I live across the street at 8101 Woodhaven. The plan calls for the destruction of a historical farmhouse dating from the 1800's, and its replacement with two large houses on tiny lots. The plan to subdivide the existing lot would result in a very odd size lot with a driveway on Woodhaven and a house practically touching the houses on either side. This is not in keeping with the aesthetics of the neighborhood. I urge you to not approve this proposal.

Thank you.

Emily Goldman

Sent from my iPhone

**From:** [Larry P](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Plan for demolishing the John Worthmiller House  
**Date:** Wednesday, October 16, 2019 10:03:31 AM

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Dear Ms. Bogdan:

Regarding Development Plan # 620200020:

I became aware via a Facebook posting by Dan Levine (who I do not know) on the "Bethesda-Chevy Chase Back in the Day" page that a rare pre-Civil War house is scheduled to be demolished.

I have done an amateur study of old maps for lower Montgomery County, and learned that very few houses predating the Civil War survive in the Bethesda area. A few I know of are the Perry farmhouse (1854) across 355 from the old Bethesda Meeting House the Magruder house "Locust Grove" west of Montgomery Mall, and the circa 1790 Isaac Riley house on Old Georgetown Road.

I think the 1857 part of the house on this site, built by John Worthmiller, should be preserved and merits some type of historic preservation status. Even if it is not as historically significant as the Riley farmhouse, it represents a rare survival, and tells the story of an immigrant who established himself in the rural "Bethesda District."

In reviewing this plan, please consider that with urban and suburban development, road widening, and in some cases "demolition by neglect" this part of the County has lost too much of its 19th century built legacy. Preserving such rare old structures adds to the charm and interest of our neighborhoods, and shows that the County respects its local history.

Sincerely,

Laurence Patlen  
10500 Rockville Pike # 417  
Rockville MD 20852 ph 301 493 6364

**From:** [Leslie Smith](#)  
**To:** [Bogdan, Grace](#)  
**Subject:** Please do not develop 8104 Woodhaven Blvd, Bethesda  
**Date:** Wednesday, October 16, 2019 12:17:06 PM

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Dear Ms. Bogdan,

I am emailing regarding the application to subdivide the property located at 8104 Woodhaven Blvd in Bethesda. My mom and I moved to the Woodhaven neighborhood when I started high school. Since going to college and coming back year after year for school holidays, I've noticed more and more beautiful houses being torn down, and trees being cut. Mature trees are a precious commodity and it makes me so sad to see the "wood" of "woodhaven" being lost. Now that I'm living back home, I've decided to say something about all of this developing. 8104 Woodhaven Blvd should not be developed for historical, environmental, and aesthetic reasons.

1. Historical significance: The house was built in 1857 (It's 162 years old!) and is the oldest house in our neighborhood. It's owners had a big role in the development of Bethesda and our Woodhaven neighborhood. The house is an important local landmark.

2. Environmental: The lot has several mature trees that would be razed. Mature trees absorb carbon dioxide and other pollutants, serve as important habitat for woodland creatures, and provide many other environmental and health benefits. We are in an environmental and climate crisis and should be focusing on preserving these trees rather than destroying them. Not to mention the unnecessary waste and energy usage to develop two new houses, when the house that is there is beautiful and perfectly fine.

3. Aesthetic: I've always admired and appreciated 8104 Woodhaven and thought the house and it's yard were beautiful. It would be a shame to destroy it. Additionally, the proposed development would not fit in with the rest of the neighborhood and would look totally out of place.

Thank you so much for reading my email and considering my perspectives. I really appreciate it. See you at the Development Review Committee meeting on October 29.

Best regards,  
Leslie Smith  
Class of 2017  
Wellesley College

**Stanley A. Freeman**  
**Cecilia M. Parajon**

8205 Wahly Drive  
 Bethesda, MD 20817  
 Telephone: (301) 365-4845

October 16, 2019

Via Email to [grace.bogdan@montgomeryplanning.org](mailto:grace.bogdan@montgomeryplanning.org)

Ms. Grace Bogdan  
 Lead Reviewer  
 Development Applications and Regulatory Coordination Division (DARC)  
 M-NCPPC  
 8787 Georgia Avenue  
 Silver Spring, MD 20910-3760

In Re: M-NCP&PC File No. 620200020  
**Objections** to Administrative Subdivision Application

Dear Ms. Bogdan:

We are the owners of the property at 8205 Wahly Dr., Bethesda, Maryland. Our home is immediately adjacent to the property at 8104 Woodhaven Blvd that is subject of the above-referenced Administrative Subdivision Plan Application (the "Application.").

For the reasons presented below, and for the reasons presented by others in the multiple communications your office has received, we strenuously object to any further actions that would advance the subdivision Application towards approval, and we strenuously object to any approval action on the Application, and we respectfully urge DARC to promptly deny the Application. Our reasons for these objections, and for denial, include the following:

1. At the outset, it should be noted that one basic informational item contained on the Application, on the Related Application discussed in item #3 below, and on other paperwork pertaining to these subdivision plans deserves clarification. The Application lists the Owner of the subject property in the following manner:

Owner	Brett Ulrich
	8104 Woodhaven Boulevard
	Bethesda, MD 20817

Mr. Ulrich is similarly listed as the Applicant on the Notice List, i.e. by his name and with his address purportedly at 8104 Woodhaven Boulevard. However, please be advised that, although Mr. Ulrich is presumably still the owner of this property at 8104



Woodhaven Boulevard that he and his family moved into only three years ago, that is no longer the correct address for Mr. Ulrich and his family, as they have permanently moved out of Maryland and returned to New Jersey.

The undersigned live immediately adjacent to Mr. Ulrich. We have not seen his family in months. We last saw Mr. Ulrich in late August/early September, on a weekend when he had come into town for only one or two days. He informed us at that time that he and his family had moved back to New Jersey earlier in the summer, that his children were returning to school in New Jersey, that they were already residing in New Jersey at that time, and that they would be remaining in New Jersey indefinitely. His home is uninhabited. So Mr. Ulrich's current address is not 8104 Woodhaven Boulevard. He and his family are residents of New Jersey – not Maryland.

2. We have been provided information by our neighbors concerning formal notice of a stormwater management plan that they received from the Montgomery County Dept. of Permitting Services, Water Resources Section ("DPS"), pertaining to the property at 8104 Woodhaven Blvd. We are informed that the notice invited them to comment on the stormwater management plan pertaining to the plans set forth in the Application.

We are included on the Notice List for this matter, but to our knowledge we have received no such notice. This failure to provide us the required notice has not been explained. We have written to DPS and requested the notice to which we are entitled concerning the stormwater management concept plan for 8104 Woodhaven. (See attached copy of letter dated October 7, 2019.) As homeowners immediately adjacent to 8104 Woodhaven Blvd (we are identified as such on the Application), we are entitled to receive such notice, and enough time to comment, before any action is taken by DPS.

Similarly, DARC must wait until we have received the required notice from DPS and have had adequate opportunity to review and comment on same before it may take any action of any kind on the Application. We presume that the DPS notice contains information concerning plans for stormwater drainage to be put in place if the subdivision application were to be approved, and that it also contains other information relevant not only to the DPS process, but to the subdivision Application under review by DARC. Even if the DARC application process is separate from the DPS application, the information in the DPS application is highly material to our review and comment upon the subdivision Application. The DARC process may not proceed so long as we have not been provided the required notice from DPS because we need all of the relevant information so that we can provide informed comments, and all of our comments, on the subdivision plan. Therefore, we reserve the right to supplement these comments, the comment period must be kept open, and the process for DARC consideration of the Application must be placed in abeyance in the meantime.

3. We see that the Application makes reference to a certain "Related Application," identified as number 42019204E and labeled as an "FCP Exemption." It further appears based upon the "Approved" stamp on the pertinent drawings, that this application for an exemption in regard to tree removal may have already been approved.

The factual predicate for the apparent approval of the exemption, as stated in the “Narrative Statement/Forest Stand Analysis,” includes the following statement: “There are no cultural and/or historic features on the site.” Similarly, in the section marked, “NRI/FSD Notes,” the following statement can be found: “No cultural and/or historical features exist onsite based on available records, onsite observation, and the use of the MNCPPC online locator wizard.”

Each of these two statements was a key element of the factual predicate for approval of the FCP Exemption. But those assertions are inconsistent with the fact that a 150-year old home – an extremely rare structure from the early to mid-19<sup>th</sup> century – is situated on the property and would be torn down if the administrative subdivision were granted.

More specifically, the home that is located on 8104 Woodhaven is a historically significant mid-19<sup>th</sup> century dwelling associated with a noted area family and local craftsman. It is a rare example of an early-to-mid 19<sup>th</sup> century structure within the Bethesda area. It was constructed in 1857 by John Worthmiller, a noted area stone mason and plasterer. We urge the historic preservation staff at Park and Planning to research this property, as in our view it would qualify for historic designation. We recognize that the home has not yet been formally designated as historic. Even so, given the absence of any prior disclosure of the history of the home to DPS or to DARC, the absence of any prior consideration of the historic features by DPS or by DARC, and DPS’ apparent reliance upon a contradictory factual predicate that “no historical features exist onsite,” it is plain that the DPS approval was based upon incomplete information, that the DPS should reconsider and reverse its approval of the FCP Exemption, and that the subdivision Application should be denied.

4. Furthermore, the Application must be dismissed because it seeks approval based upon multiple flawed and inaccurate misinterpretations of the zoning rules.

First, it appears that the Application would seek to qualify Lot B as a “through lot” and thereby exempt the planned home on the lot from the 25-foot rear setback requirements. This makes no sense. It is the existing un-subdivided lot that is a through lot, as it abuts two streets on opposite sides. But that lot cannot be split in half and then still include a through lot. The Application defies logic by suggesting, that after the existing lot gets subdivided into two separate tracts, each with its own driveway connecting to its respective abutting street, one of those two resulting lots would somehow still qualify as a “through lot.” Obviously once the existing through lot has been split into one lot facing one street, and another lot facing the other street, neither of the two resulting halves can still be a through lot.

Second, the gerrymandered design of the proposed Lot B proves that this is a phony “through lot.” A narrow panhandle has been stuck onto Lot B, but it serves no useful purpose other than to enable the applicant to try and argue for an artificial through lot. The panhandle is a narrow strip devoid of any practical value, application, or potential use. Its square footage is not even needed for Lot B to meet minimum square footage

Ms. Grace Bogdan  
October 16, 2019  
Page 4

criteria based upon the plans submitted with the Application. Instead, even a cursory review of the tortured appendage grafted onto Lot B in the drawings demonstrates that the sole purpose of that panhandle is to seek to qualify Lot B as a through lot by adding a narrow strip that will reach all the way across and then barely touch a small bit of Wahly Drive. This is an artifice and a device that defies the purpose and intent of the through lot definition and of the relevant zoning requirements, and it would allow the applicant to build two houses practically on top of each other in defiance of those zoning requirements. This false interpretation must be rejected, and the Application must be denied.

Third, the drawings plainly establish that the proposed setback at the rear of the home planned on Lot A fails to comply with the applicable 25 foot rear setback requirement. First off, the setback line on the drawing is inaccurately labeled as "25' SIDE BRL," when it should be labeled, "25' REAR BRL." Second, and more importantly, from the place where that line bends, in the southern portion down to the corner that is situated on Dry Well B, that setback line is mistakenly labeled as "8' SIDE BRL." That portion of the setback line is not a side setback – it is behind the rear of the home planned for Lot A, and it must meet the denomination, "25' REAR BRL." But the plans are defective as they would violate the R-90 25 foot rear setback requirement. From the point of the bend in that line, and south to the corner on Dry Well B, that setback line fails to meet the 25 foot rear setback requirement. For this reason alone, the Application must be denied.

For all of the reasons set forth in this letter and in the other objections filed with the DARC, if the Application is allowed to proceed, the planned subdivision will cause substantial harm and deterioration to the local community in the following important respects: 1) by encouraging subdivision applications predicated upon artifice, inaccuracy, and incomplete information; 2) by allowing homes to be built much closer to one another than any other houses anywhere in the entire community; 3) by allowing subdivision and other development applications that ignore and fail to disclose the planned destruction of unique historical structures to proceed without due consideration; and 4) by allowing DPS applications to proceed without adequate notice to stakeholders.

For all of these reasons, any and all further action aimed at approval of the Application must cease, and the subdivision application must be denied.

Sincerely,



Stanley A. Freeman  
Cecilia M. Parajon

Enclosure

**Stanley A. Freeman**  
**Cecilia M. Parajon**

8205 Wahly Drive  
Bethesda, MD 20817  
Telephone: (301) 365-4845

October 7, 2019

Mark Etheridge, Manager  
Montgomery County Dept. of Permitting Services  
Water Resources Section  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, MD 20850-4166

In re: Stormwater Management Concept No. 285362  
M-NCP&PC File No. 620200020

Dear Mr. Etheridge:

We are the owners of the property at 8205 Wahly Dr., Bethesda, Maryland. Our home is immediately adjacent to the property at 8104 Woodhaven Blvd. that is the subject of a plan for subdivision.

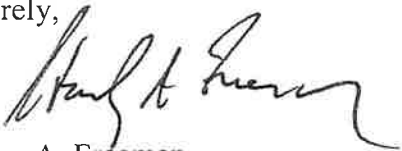
We have been provided information by our neighbors concerning formal notice of a stormwater management plan that they received from your office pertaining to the property at 8104 Woodhaven Blvd. We are informed that the notice they received invited them to comment on the above-referenced plan.

We have not received any notice from your office of the above-referenced stormwater management concept plan. As homeowners immediately adjacent to 8104 Woodhaven Blvd (we are identified as such on the subdivision plan), we are entitled to receive such notice, and enough time to comment, before any action is taken on the plan.

Therefore, we ask as follows:

- That your office provide us with notice of the above-referenced plan as required;
- That your office take no action in regards to the plan until we have been provided notice, and an adequate opportunity to comment;
- That all actions (if any) taken to date in regard to approval of the above-referenced plan be considered null and void based upon lack of required notice.

Sincerely,




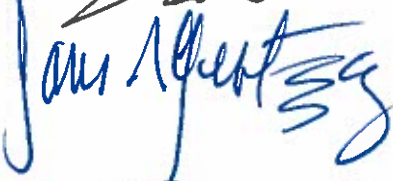


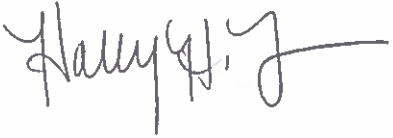



Stanley A. Freeman  
Cecilia M. Parajon

## PETITION AGAINST SUBDIVISION OF 8104 WOODHAVEN BOULEVARD

We, the undersigned, residents and friends of West Bethesda Park, are petitioning against the proposal for subdivision of the land and demolition of the house at 8104 Woodhaven. We are asking that the historic and architectural significance of the property be reviewed and determined by the Montgomery County Historic Preservation Commission and the Planning Board before any demolition is permitted. In 1960, the original ten-acre plot surrounding the house was subdivided as West Bethesda Park. Today the historic structure is the only vestige of Bethesda's 19<sup>th</sup> century beginnings in the community and in the wider Bethesda area.

This house represents the heart of the Woodhaven/West Bethesda Park neighborhood and has been lovingly cared for and enjoyed by nearly two centuries of families and neighbors. We were always under the impression that this home was already a protected property on the Montgomery County Historic Atlas. Its omission, however, does not preclude its apparent historicity. It is with great sorrow that we hear this beautiful home could be potentially razed and the lot subdivided. Our hope is that the unique and original qualities of this 1857 gem is substantive enough to garner its preservation and protection for future generations to enjoy.

Name	Signature	Address/Contact information
Kathy Krumm	see attached	8312 Thoreau Dr.
Chris Chernow		6315 Poe Rd
Stephen Chernow		6315 Poe Rd
Irene Hoydysch	Irene Hoydysch	8311 Woodhaven
DAN HOYDYSCH		8311 Woodhaven
JAMES GERSTENBERG		8203 Thoreau Dr.
James Xu		8515 Woodhaven Blvd
Lisa LaCourse		6308 Poe Rd.
Nancy C. Remach		8509 Woodhamm Blvd.
Haley/Franklin		6300 Alcott Rd.
Annanda Pong		6303 Poe Rd

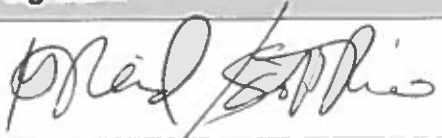
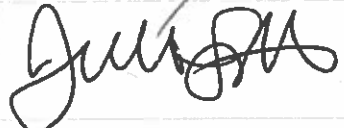







more signatures  
on back



## PETITION AGAINST SUBDIVISION OF 8104 WOODHAVEN BOULEVARD

We, the undersigned, residents and friends of West Bethesda Park, are petitioning against the proposal for subdivision of the land and demolition of the house at 8104 Woodhaven. We are asking that the historic and architectural significance of the property be reviewed and determined by the Montgomery County Historic Preservation Commission and the Planning Board before any demolition is permitted. In 1960, the original ten-acre plot surrounding the house was subdivided as West Bethesda Park. Today the historic structure is the only vestige of Bethesda's 19<sup>th</sup> century beginnings in the community and in the wider Bethesda area.






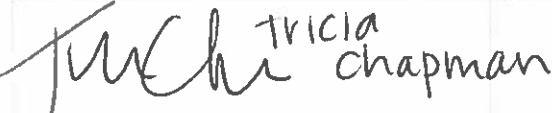
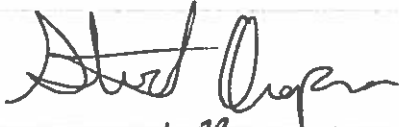


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Name	Signature	Address/Contact Information
Scott + Gloria Reid		8106 Woodhaven Blvd Bethesda MD 20817
Julie + Jonathan Fritts		6312 Alcott Rd Bethesda MD 20817
Merve + Symeon Wilkonn		8203 Woodhaven Blvd. Bethesda MD 20817
Lizzie + David Sowell		8206 Thoreau Drive Bethesda MD 20817
Rebecca Smith		8409 Westmont Ter Bethesda MD 20817
Susana Comphido-Riel		8105 Woodhaven Blvd Bethesda, MD 20817
Emma + Josh Starr		8215 Woodhaven Blvd Bethesda, MD 20817
NICOLE + DAN LEVINE		8317 Woodhaven Blvd Bethesda, MD 20817
Blane Clayton		8113 Thoreau Dr. Bethesda, MD 20817

# PETITION AGAINST SUBDIVISION OF 8104 WOODHAVEN BOULEVARD

We, the undersigned, residents and friends of West Bethesda Park, are petitioning against the proposal for subdivision of the land and demolition of the house at 8104 Woodhaven. We are asking that the historic and architectural significance of the property be reviewed and determined by the Montgomery County Historic Preservation Commission and the Planning Board before any demolition is permitted. In 1960, the original ten-acre plot surrounding the house was subdivided as West Bethesda Park. Today the historic structure is the only vestige of Bethesda's 19<sup>th</sup> century beginnings in the community and in the wider Bethesda area.

This house represents the heart of the Woodhaven/West Bethesda Park neighborhood and has been lovingly cared for and enjoyed by nearly two centuries of families and neighbors. We were always under the impression that this home was already a protected property on the Montgomery County Historic Atlas. Its omission, however, does not preclude its apparent historicity. It is with great sorrow that we hear this beautiful home could be potentially razed and the lot subdivided. Our hope is that the unique and original qualities of this 1857 gem is substantive enough to garner its preservation and protection for future generations to enjoy.

Name	Signature	Address/Contact Information
PAUL LOVE		6314 Alcott Rd Bethesda MD 20817
KATHRYN SKLAR		6314 Alcott Rd Bethesda, MD 20817
CHRISTINE LYNN		6310 Alcott Rd Bethesda MD 20817
ROBERT LYNN		6310 Alcott Rd Bethesda MD 20817
AMANDA MUNSON		6308 Alcott Rd Bethesda, MD 20817
TRICIA CHAPMAN		6300 Poe Rd Bethesda MD 20817
STUART CHAPMAN		6300 Poe Road Bethesda, MD 20817
WILLIAM BURTON		6311 ALCOTT RD BETHESDA, MD 20817
Deb Autor		6311 Alcott Rd. Bethesda, MD 20817

From: **Kathie Krumm** krummkathie@gmail.com  
Subject: **Petition**  
Date: **October 20, 2019 at 9:32 AM**  
To: cnchernow@gmail.com



Dear Chris,

I'm out of the country but by copy of this email hereby authorize to add my name to the petition as follows:

**PETITION AGAINST SUBDIVISION OF 8104 WOODHAVEN BOULEVARD**

We, the undersigned, residents and friends of West Bethesda Park, are petitioning against the proposal for subdivision of the land and demolition of the house at 8104 Woodhaven. We are asking that the historic and architectural significance of the property be reviewed and determined by the Montgomery County Historic Preservation Commission and the Planning Board before any demolition is permitted. In 1960, the original ten-acre plot surrounding the house was subdivided as West Bethesda Park. Today the historic structure is the only vestige of Bethesda's 19th century beginnings in the community and in the wider Bethesda area.

This house represents the heart of the Woodhaven/West Bethesda Park neighborhood and has been lovingly cared for and enjoyed by nearly two centuries of families and neighbors.

We were always under the impression that this home was already a protected property on the Montgomery County Historic Atlas. Its omission, however, does not preclude its apparent historicity. It is with great sorrow that we hear this beautiful home could be potentially razed and the lot subdivided. Our hope is that the unique and original qualities of this 1857 gem is substantive enough to garner its preservation and protection for future generations to enjoy.

Thank you for organizing.  
Kathie Krumm  
8312 Thoreau Dr