

Item 8 - Correspondence

From: [Jonathan Genn](#)
To: [MCP-Chair](#)
Cc: [Anderson, Casey](#); [Fani-Gonzalez, Natali](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#); [Wright, Gwen](#); [Stern, Tanya](#); [Sartori, Jason](#); [Grave, Eric](#); [Govoni, Lisa](#); [Kronenberg, Robert](#); [Sanders, Carrie](#); [Butler, Patrick](#); [Baek, Hye-Soo](#)
Subject: July 9 SSP Work Session #4A (Item #8) Transportation Issues
Date: Tuesday, July 7, 2020 10:55:00 PM
Attachments: [Mont Co-SSP-GLDC Appendix A to Prior Testimony-For Consideration at Planning Board July 9 Work Session #4A \(Item #8\)-Transportation-2020-0707a.docx](#)

Good Evening, Chair Anderson, Vice Chair Fani-Gonzalez, and Distinguished Commissioners of the Montgomery County Planning Board:

For the Planning Board's Work Session #4A (Item #8 on July 9 Agenda addressing SSP Transportation issues), GLDC respectfully requests that the Planning Board recommend to the County Council two alternatives from which to choose to make a technical correction of a previously improper classification of the White Oak Science Gateway Master Plan Area in the "Orange" category.

For all the reasons more fully described in the attached Appendix A and in the June 25 email below, the **White Oak Science Gateway Master Plan Area** should be properly classified in **either**:

1. the "**Red**" Transportation Policy Area (and thus the Red category impact surtax rates would be applicable); **or**

(2) a new recommended **Pink "Transit Transitional"** Transportation Policy Area (but with the same impact surtax rates as for the Red category), because the County Council already has determined that the White Oak Science Gateway Master Plan Area should (quoting from the Approved and Adopted Master Plan on Page 54 (see attached Appendix A):

"...be considered an **Economic Opportunity Center similar in form and function to areas around a Metro Station or central business district with an ultimately urban character**, and that the roadway and transit adequacy standards used in the Subdivision Staging Policy for areas that are currently designated as Urban be applied to the [WOSG Master] Plan area." (Emphasis Added.)

Although there appears to be no mention whatsoever of this issue in the Staff Report posted online for Planning Board's July 9 Work Session #4a (Agenda Item #8, addressing SSP Transportation issues), this was a specific topic the Planning Board discussed during the June 25 work session. Even though this issue appears to be omitted from the Staff Report for Work Session #4A, GLDC respectfully suggests that the Planning Board raise this technical correction issue during work session #4A on July 9. Just as the Planning Board elected to do during work session #3 (relating to schools) --- i.e., to recommend to the County Council two alternative approaches to remedy the same issue (from which the Council could choose which alternative the Council prefer) - -- so too for this issue, the Planning Board could recommend these two alternative approaches for this technical correction (i.e., either "**Red**" or "**Pink "Transit Transitional"**").

Thank you, in advance, for your time and consideration of this matter.

Respectfully Submitted,

Jonathan

Jonathan M. Genn, Esquire

Executive Vice President and General Counsel

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and Percontee, Inc.**

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[June 25 email is attached below]

From: Jonathan Genn

Sent: Thursday, June 25, 2020 4:03 PM

To: MCP-Chair@mncppc-mc.org

Cc: Casey Anderson (Casey.Anderson@MNCPPC-MC.org) <casey.anderson@mncppc-mc.org>; Natali Fani-Gonzalez (Natali.Fani-Gonzalez@mncppc-mc.org) <natali.fani-gonzalez@mncppc-mc.org>; Gerald Cichy (Gerald.Cichy@mncppc-mc.org) <gerald.cichy@mncppc-mc.org>; Tina Patterson (Tina.Patterson@MNCPPC-MC.org) <tina.patterson@mncppc-mc.org>; Partap.Verma@mncppc-mc.org; Gwen Wright (gwen.wright@montgomeryplanning.org) <gwen.wright@montgomeryplanning.org>; Tanya Stern (tanya.stern@montgomeryplanning.org) <tanya.stern@montgomeryplanning.org>; Sartori, Jason <Jason.Sartori@montgomeryplanning.org>; Eric Graye (Eric.Graye@montgomeryplanning.org) <eric.graye@montgomeryplanning.org>; Govoni, Lisa <Lisa.Govoni@montgomeryplanning.org>; Robert.Kronenberg@MontgomeryPlanning.org; Carrie Sanders (carrie.sanders@montgomeryplanning.org) <carrie.sanders@montgomeryplanning.org>; Patrick Butler (patrick.butler@montgomeryplanning.org) <patrick.butler@montgomeryplanning.org>; Hye-Soo Baek (hye-soo.baek@montgomeryplanning.org) <hye-soo.baek@montgomeryplanning.org>

Subject: PLEASE READ ATTACHED APPENDIX A TO CLARIFY SOME CONFUSION - Supplemental Testimony - June 25 SSP Work Session #2 (Item #9)

Good Afternoon, Chair Anderson, Vice Chair Fani-Gonzalez, and Distinguished Commissioners of the Montgomery County Planning Board!

Following up on today's SSP work session #2 conversation, and specifically regarding the County Council's specific designation of an "Economic Opportunity Center" as qualifying for classification in the "Red" category, *please, please* read carefully the **Appendix A** attached to this email (pages 6-8), which I previously submitted as my testimony.

To correct a misconception that may have led to some confusion during today's work session, the County Council's very specific and intentionally defined "Economic Opportunity Center" is **not** merely a general concept that today might open the flood gates for application to all over the County (e.g., such as for all proposed BRT stations or any general economic development opportunity that the County may want to encourage). Instead, for very specific reasons and as very deliberately defined, the County Council (to date) has specially designated **only one** master plan area in the entire County (namely, the White Oak Science Gateway Master Plan area) as an area that should (*quoting*

from the actual WOSG MP document at page 54, which is recopied in the attached document on page 8):

“...be considered an Economic Opportunity Center similar in form and function to areas around a Metro Station or central business district with an ultimately urban character, and that the roadway and transit adequacy standards used in the Subdivision Staging Policy for areas that are currently designated as Urban be applied to the [WOSG Master] Plan area.” (See pages 6-8 in attached document. Emphasis Added.)

Accordingly, because the County Council has uniquely determined that the WOSG Master Plan area is “similar in form and function to a Metro Station or central business district with an ultimate urban character,” for purposes of an appropriate Transportation Policy Area, the WOSG MP area should be classified in the RED Transportation Policy Area.

[Please further note that the WOSG MP area was adopted prior to the creation of the color-coded Transportation Policy Areas (red, orange, etc.). So there could not have been any reference in the WOSG MP suggesting the WOSG MP area be in a “Red” category.] But, all the characteristics that the Council used in uniquely defining the WOSG MP area as a very specifically and intentionally defined “Economic Opportunity Center” fully justify the unique treatment of the WOSG MP area as classified in the RED category. Please, Please read the attached Appendix A (pages 6-9 of the attached document).]

As to Chair Anderson’s suggestion for a new “Transit Transitional” Category --- which could be color-coded “Pink” (as Vice Chair Fani-Gonzalez mentioned during the May 28 public hearing in reference to a color other than “dark red”!) --- GREAT IDEAS!; *provided, however*, that such a Pink “Transit Transitional” category has the exact same rate structure as a Red category (and that the only reason why that category is not actually RED is because such an area is not actually a Metro Station or central business district, although, for County Council policy reasons, the area has been determined to be “similar in form and function as a Metro Station or central business district with an ultimate urban character”). If the Planning Board wanted to ensure further than the Planning Board’s new, innovative Pink “Transit Transitional” solution did not “open the floodgates” for every master plan area asking to be designated as a new “Economic Opportunity Center” that should then be worthy of the new Pink “Transit Transitional” designation, the following criteria could be established to qualify for such a designation:

1. The County Council has specifically and intentionally declared the master plan area as a special, strategic “Economic Opportunity Center” similar in form and function as a Metro Station or central business district with an ultimate urban character; and
2. To advance the County’s goals for Racial Equity and Social Justice for the lower socio-economic areas, the subject property’s median household income market is below the Countywide median household income, which is \$108,000 as of 2020 (*FYI: Per CoStar data, VIVA White Oak™ median household income is ~\$76,500, or ~30% BELOW the Countywide median household income of \$108,000*); and
3. To advance the goals of “Thrive Montgomery 2050,” the subject property is located within MWCOG’s designation for both “High/Highest Growth Jobs and Population Activity Centers” (see Public Hearing Draft Figures 4 and 5 on pages 11 and 12). This qualifying characteristic would be appropriate, because all the data show those areas that are both High/Highest Growth Jobs and Population Activity Centers proportionately generate fewer

new students and fewer new SOV trips in peak periods in peak directions (relative to the “turnover effect” from older established neighborhoods and, regarding transportation, the “pass-through effects” from outside the County and/or outside the master plan area).

These three criteria would be most strategic and most appropriate to limit the areas qualifying for such a **Pink “Transit Transitional”** to those areas that truly merit it (which, as of now, is only the WOSG MP area; but could include others in the future, if recommended by the Planning Board and approved by the County Council based upon these suggested qualifying criteria).

Finally, as to Chair Anderson’s notion that any recommended change of the Impact Surtax rates (due to moving the WOSG MP area from Orange to this innovative **Pink “Transit Transitional”**) should be “revenue neutral,” I respectfully note the following factors:

1. As the facts outlined in the attached Appendix A show, this proposed change to the rates equivalent to the “Red” category is not really a change at all from what **should have originally applied** to the WOSG MP, when the color-coding was created after the adoption of the WOSG MP. Instead, changing the applicable rates to the same as the Red rates (although through a new **Pink “Transit Transitional”** category) is merely a **correction** of the oversight that transpired at the time the color-coding Transportation Policy Areas (created after the WOSG MP was adopted).
2. The notion of a “revenue neutral” change is merely an “on paper only” exercise (and is decoupled from the reality of what dollars actually go into the County’s coffers). If the “on paper only” set of rates makes the project cost-prohibitive --- which is most definitely the case for the lower socio-economic areas of the County that have suffered from the historic disinvestment/disparities (and are charged the most horrific form of regressive taxation that such impact taxes represent) --- then those “paper” computation are never realized. Zero dollars are actually collected from the new development (while the infrastructure incapacity simply worsens from the “turnover effects” from existing neighborhoods and (in the case of transportation) the “pass-through effects” from outside the County and/or outside the applicable master plan area. This is precisely what happened in the U.S. Route 29 corridor from 1997 (i.e., from the prior set of master plans) to date. Furthermore, it is eminently foreseeable that the over-crowding of schools and roads will also be exacerbated in the future by the newly authorized Accessory Dwelling Units (that have not yet be factored into the “nexus and proportionality” equation for Impact Taxes and UMP/LATIP payments).
3. Moreover, and especially for a potential revitalization endeavor in the lower socio-economic area of the County such as the WOSG MP area, eliminating the Impact Surtax burden to allow the project to move forward would actually be **substantially revenue positive** in actually getting dollars into the County coffers, because of the exponentially accelerating set of property taxes, sales taxes, income taxes, amusement taxes, liquor taxes, etc., etc., etc. that the new development would create. This was exactly the result of the revitalization of Downtown Silver Spring 30+ years ago, which was COMPLETELY EXEMPT from Impact Taxes, layered on PILOT programs, and was awarded very, very substantial grants to attract United Therapeutics and Discovery Communication (and otherwise catalyze Downtown Silver Spring’s revitalization). RCLCO (who performed the economic study for Downtown Silver Spring 30+ years ago) performed a similar economic impact analysis of VIVA White Oak™,

which concluded that the **net** fiscal benefit for the County (after taking out the added costs for schools, public safety, and all other County public services the development would require) was **over \$1.3 BILLION** (over a typical 30-year bond period) and the project would generate **over 10,000 new full-time jobs**. Just like for Downtown Silver Spring, the relatively few dollars that the Impact Surtaxes would have been “on paper” at the outset of the development (that would otherwise have operated as a barrier to jump-starting the project) would be an incredibly valuable “return on investment” for the County with respect to VIVA White Oak™ by **netting** for the County a fiscal benefit of **over \$1.3 BILLION** and creating **over 10,000 new full-time jobs** in an area of the County that hasn’t had much, if any, private sector investment for *decades*.

I thus respectfully request you read the attached Appendix A and give more thought to the points noted in this email. Please feel free to contact me at any time if you wish to discuss this matter further.

Respectfully Submitted.

Jonathan

Jonathan M. Genn, Esquire

Executive Vice President and General Counsel

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and Percontee, Inc.**

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APPENDIX A

County Council's Authority to Designate (and the Transportation Impact Surtax Effect of) **Strategic "Economic Opportunity Centers"**

Whenever the County Council specifically designates a Master Plan area as a strategic "**Economic Opportunity Center**" with characteristics that are "similar in form and function to areas around a **Metro Station** or **central business district** with an ultimately **urban character**," that Plan area has all the applicable characteristics to be categorized within the "**Red**" Transportation Policy Areas. This is precisely what the County Council approved and adopted for the White Oak Science Gateway Master Plan ("WOSG MP") area in July of 2014 (see the language on page 54 of the WOSG MP, copied and shown on the following two pages of this Appendix A), which specifically states that the WOSG MP area should:

"...be considered an **Economic Opportunity Center** similar in form and function to areas around a **Metro Station** or **central business district** with an ultimately **urban character**, and that the roadway and transit adequacy standards used in the Subdivision Staging Policy for areas that are currently designated as Urban be applied to the [WOSG Master] Plan area."
(Emphasis added. See next two pages of this Appendix A.)

The adoption of the WOSG MP area predated the County adoption of the UMP and Transportation Policy Area categories. Obviously, therefore, there could be no reference to such a "**Red**" classification at the time of the WOSG MP adoption. However, when the UMP program was later adopted, with the associated color categories for Transportation Policy Areas (and the corresponding schedules of Impact Surtax rates), there was an unintended oversight which failed to factor that the County Council had, by that time, recently characterized the WOSG MP area as essentially similar to a Metro Station and CBD with urban character (which should have put the WOSG MP area in the "**Red**") category. Instead, the WOSG MP area was simply grouped with other "**Orange**" areas (which other areas do not have characteristics similar to a Metro Station or CBD).

During this 2020 quadrennial review and update of the SSP/Impact Surtax Policies, that original oversight can now be corrected, by including WOSG MP area into the "**Red**" category for all the reasons noted above. For similar reasons, the Purple Line Stations (e.g., Lyttonsville, etc.) should also be viewed as "similar in form and function as a Metro Station or CBD," and should thus also be accorded the same "**Red**" rate structure.

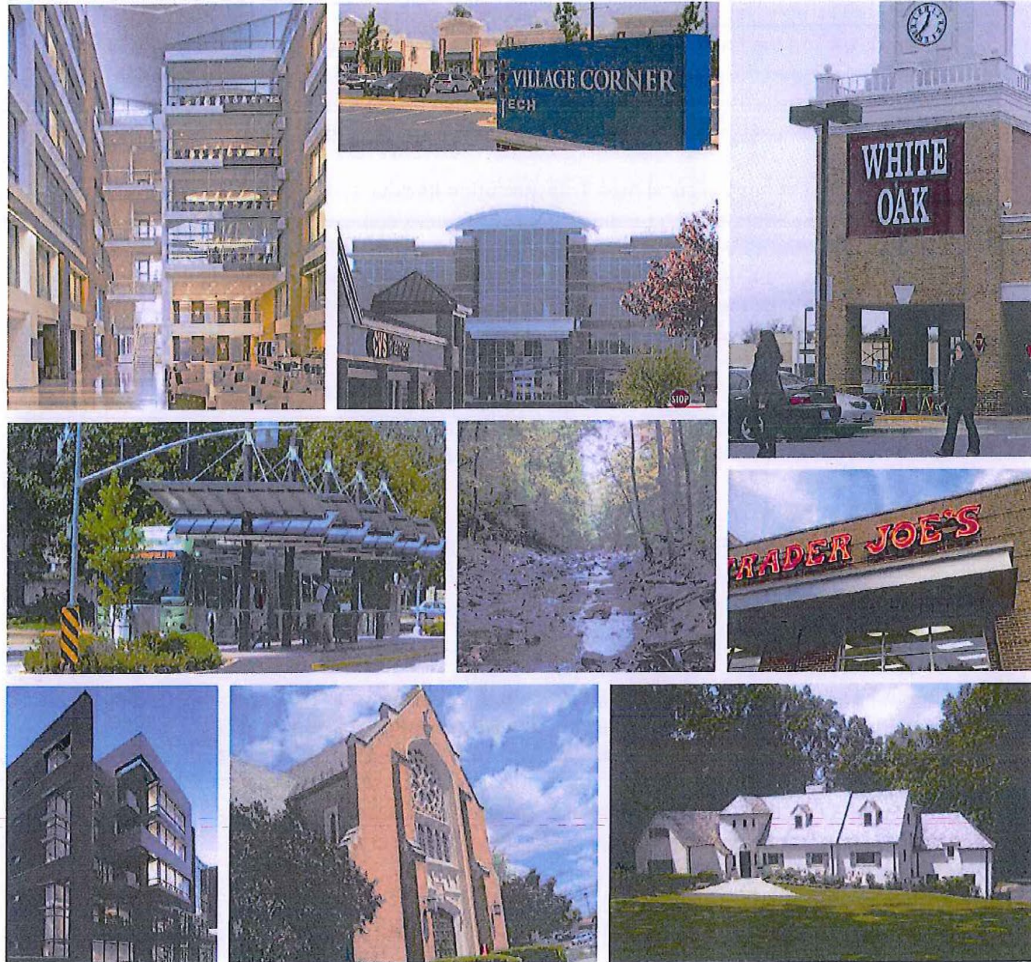
The easiest solution to this matter would be simply to change the description of the "**Red**" Transportation Policy Area category to apply to all "Metro Stations, Central Business Districts, Purple Line Stations, and Council designated Economic Opportunity Centers."

This preferential treatment would also act as an effective tool for the Planning Board to recommend and/or the County Council to approve future master plans for other lower socio-economic areas in the County, with similarly planned mixed-use and urban characteristics (such as in Aspen Hill, Glenmont/Wheaton, Burtonsville, etc.), using this special "**Economic Opportunity Center**" designation. In so doing, this "Economic Opportunity Center" tool would not only advance the Thrive Montgomery 2050 General Plan; but also, would help mitigate the horrifically regressive taxation effect that otherwise disproportionately burdens such lower socio-economic areas of the County.

JULY 2014

White Oak Science Gateway Master Plan

APPROVED AND ADOPTED



Transportation Standards

This Plan recommends that in light of the County's economic objectives and its ownership interest in the Life Sciences property, the Plan area be considered an economic opportunity center, similar in form and function to areas around a Metro Station or a central business district with an ultimately urban character, and that the roadway and transit adequacy standards used in the Subdivision Staging Policy for areas that are currently designated as Urban be applied to the Plan area. Currently the Urban roadway standard is a minimum 40 percent ratio of forecast speed to uncongested speed (the borderline between Levels of Service "D" and "E") averaged over all arterials and roads of higher classifications.

This Plan recommends the Local Area Transportation Review (LATR) standard be raised from 1475 critical lane volume (CLV) to 1600 CLV (1.00 volume/capacity) within the Plan area. The rationale for a 1600 CLV (1.00 volume/capacity) standard stems from the Plan-recommended BRT network that would serve the area and offer a viable alternative to automobile travel. This is consistent with the County's policy of accepting greater levels of roadway congestion in areas where high quality transit options are available.

Intersection performance, assuming the Master Plan Development Scenario with the *full complement* of un-programmed improvements, is described below and shown on Figure 5. The full complement of the un-programmed improvements assumed in support of the intersection analysis includes:

- BRT Network
- Old Columbia Pike Bridge opened to vehicular traffic
- Planned US 29 grade-separated interchanges
- New local roads proposed in the Life Sciences/FDA Village Center
- Intersection geometric improvements

This Plan includes the following intersection improvements:

- Cherry Hill Road at Broadbirch Drive/Calverton Boulevard: on Broadbirch Drive, add an eastbound left-turn lane and an eastbound through lane; on Calverton Boulevard, change the westbound right-turn lane to a westbound right-turn and through lane; and on Cherry Hill Road, add a northbound left-turn lane and a southbound right-turn lane.
- MD 650 at Powder Mill Road: from Holly Hall, add an eastbound left-turn lane; on Powder Mill Road, add a westbound right-turn lane; and on MD 650, add a southbound left-turn lane.
- MD 650 at Lockwood Drive: on Lockwood Drive, add an eastbound left-turn lane.
- Powder Mill Road at Riggs Road: on Powder Mill Road, add a second eastbound left-turn lane.
- Old Columbia Pike at Musgrove Road: on Old Columbia Pike, add a southbound left-turn lane; and on Musgrove Road, add a westbound right-turn lane.

These specific improvements are a guide to right-of-way reservations at these intersections. The need for each intersection improvement will be revisited as part of specific development plan LATR reviews.

From: [Girard, Erin E.](#)
To: [MCE-Chair](#)
Cc: [Sartori, Jason](#); [Graves, Eric](#); [Cirner, Casey L.](#)
Subject: Written Testimony For 7/9/20 Hearing Item #8
Date: Tuesday, July 7, 2020 2:19:24 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[Anderson Itr SSP Worksession #4 4842-0670-9698 v.pdf](#)

Chairman Anderson,

Attached please find a letter in support of the inclusion of the St. Angela Hall and Academy of the Holy Cross properties in the Grosvenor Metro Station Policy Area. Thank you.

Erin E. Girard

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For COVID-19 information and resources, please visit our [Coronavirus Task Force page](#).

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Erin E. Girard
301.517.4804
egirard@milesstockbridge.com

VIA ELECTRONIC MAIL

July 7, 2020

Casey Anderson, Esq., Chair
Members of the Montgomery County Planning Board
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: July 9, 2020 Agenda Item 8
Testimony Regarding 2020-2024 SSP/CGP Worksessions #4A & 4B
Inclusion of Academy of the Holy Cross and St. Angela Hall Properties in the
Grosvenor Metro Station Policy Area

Dear Chairman Anderson and Members of the Board:

On behalf of our clients, EYA and Brandywine Living, and in connection with your upcoming Worksessions 4A & 4B on the Subdivision Staging Policy, I am writing in support of including the Academy of the Holy Cross and St. Angela Hall properties (the “Properties”) in the Grosvenor Metro Station Policy Area (“Grosvenor MSPA”). Inclusion of the Properties¹ within the Grosvenor MSPA, and therefore the Infill School Impact Area and the Red Transportation Policy Area, is appropriate because the Properties are: (1) immediately adjacent to the existing Grosvenor MSPA boundary; (2) within a 0.5 mile walk to the Grosvenor Metro Station; (3) within the same Census Tract as the Grosvenor Metro Station; and (4) are ripe for infill development.

The Properties are currently classified in the R-60 zone² and improved with institutional uses. Portions of the Properties are ripe for infill redevelopment and, accordingly, a local map amendment will soon be filed to rezone the Properties in order to increase the density for such infill development. The impending redevelopment makes it more logical to have the Properties designated as an Infill School Impact Area, rather than a Turnover School Impact Area. Since the Planning Board has determined that all Metro Station Policy Areas (a/k/a Red Transportation Policy Areas) should be Infill School Impact Areas to facilitate and incentivize infill development, moving the Properties into the Grosvenor MSPA will achieve its re-designation to the Infill School Impact Area.

¹ The Properties more specifically consist of Parcel A of the Garrett Park- Holy Cross Convent Subdivision, as shown on Plat No. 9347, and a Portion of Parcel B of the Garrett Park Academy of the Holy Cross Subdivision, as shown on Plat No. 20824.

² We note that page 1 of the July 2, 2020 Staff Report for Worksession 4A erroneously refers to the Properties as being industrially zoned.

Further, the Properties are immediately adjacent to the Grosvenor MSPA boundary/Red Transportation Policy Area and logically should be included therein. *See Exhibit A*, attached hereto and incorporated herein. The Grosvenor MSPA was originally drawn to match the boundary of the Grosvenor-Strathmore Metro Area Minor Master Plan, which did not include the Properties. The Properties are, however, as close and closer to the Grosvenor Metro Station as other properties already included within the Grosvenor MSPA. In fact, the Properties are located within the ½ mile radius (i.e., walking distance) that is generally used to define a Metro Station Policy Area and are clearly located in an Activity Center. To this end, the connectivity of the proposed infill redevelopment of the Properties to the paths leading to the Grosvenor Metro Station has already been discussed with Maryland-National Capital Park and Planning Commission (“M-NCPPC”) staff. Since locations such as this are exactly where the Planning Board has considered infill development to be appropriate and worthy of incentivizing, the Grosvenor MSPA should be expanded to include the Properties.

Finally, the Properties are in the same census tract as the Grosvenor Metro Station and situated among census tracts that are also designated Infill School Impact Areas. *See Exhibit B*, attached hereto and incorporated herein. The Properties, the Grosvenor Metro Station, and all of the new development approved along Tuckerman Lane are within census tract 7012.14. The proposed boundary shift will therefore appropriately designate all areas of the census tract as Infill, and make it consistent with census tracts 7012.02, 13, and 16, located to the north and west, also designated within the Infill School Impact Area.

We appreciate M-NCPPC Staff bringing this detail to your attention at the prior worksessions and look forward to your further consideration of this information and request at your July 9th worksession. Should you have any questions regarding the above, or would like any additional information, please feel free to contact me.

Thank you for consideration of these comments.

Very truly yours,



Erin E. Girard

cc: Jason Sartori, Chief, Functional Planning and Policy, M-NCPPC
Eric S. Graye, AICP, PTP, Planning Supervisor, Functional Planning and Policy, M-NCPPC

Exhibit A

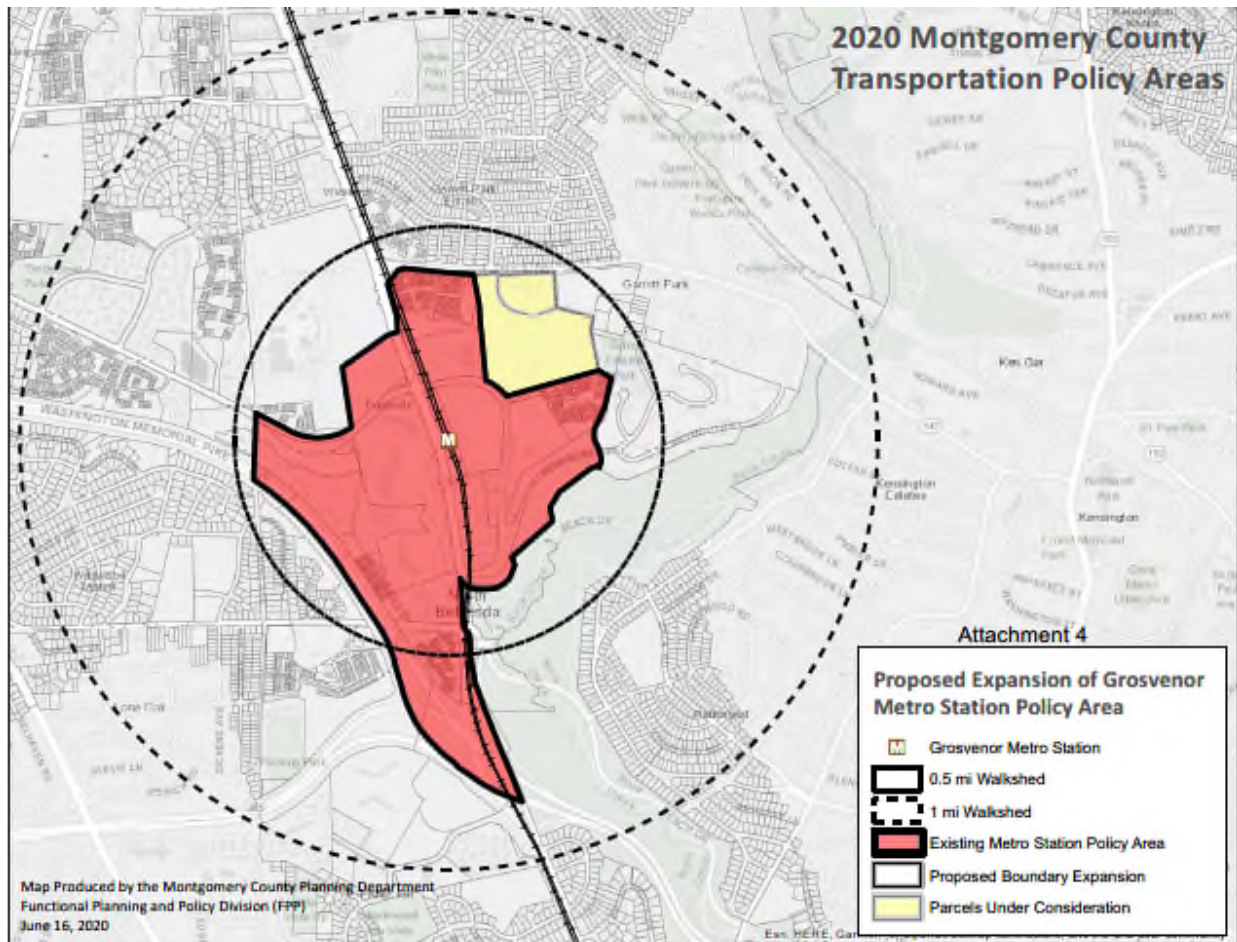
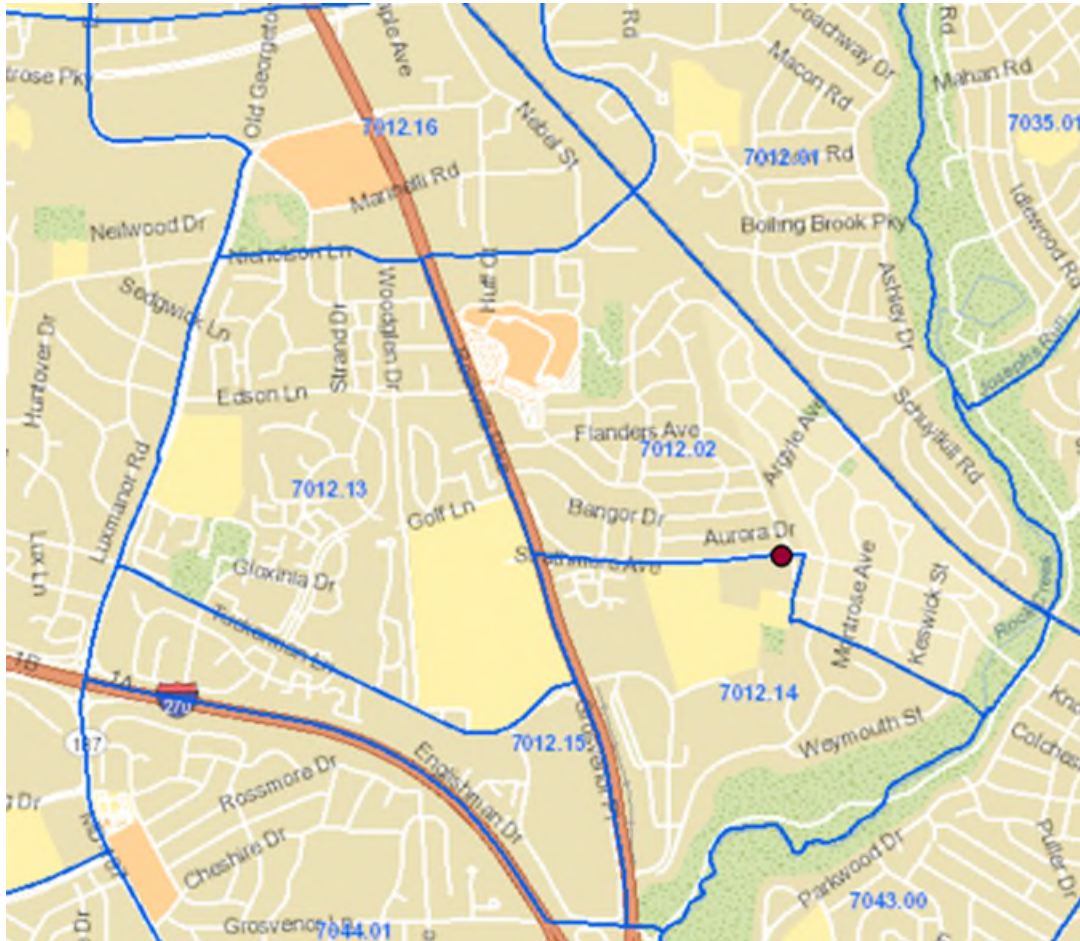


Exhibit B



From: [Olga Pavlova](#)
To: [MCP-Chair](#)
Subject: Request to maintain adequate facilities for our schools
Date: Monday, July 6, 2020 7:31:41 AM

Dear Planning Chair Casey Anderson and Commissioners,

I am writing to ask that you ensure our schools have adequate facilities and capacity as our county grows.

I oppose the recommended elimination of the automatic moratorium in most of the county without including any new mechanisms to ensure adequate school infrastructure. The proposed policy fails to acknowledge that moratorium have almost always resulted in funding for affected schools in areas of desired growth.

As you review the Subdivision Staging Policy (Growth Policy) in the coming weeks, please make sure that there are mechanisms to prevent our schools from being overwhelmed. Impact taxes should cover 100% of the costs associated with the new development, and they should be consistent and fair across the county.

We need systemic alignment between the Planning Board and MCPS – planning for Montgomery County's growth MUST include a plan for our schools. It is my sincere hope that you can create a policy that helps the Board meet the Adequate Public Facilities Requirements for all of our current and future residents, including our students.

New families moving into a neighborhood expect that schools will be able to accommodate their children in a facility that isn't severely overcrowded or neglected. Thanks for considering my requests.

Thank you,
Olga Pavlova

timpolya@gmail.com

From: [Karoline Anders](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Sunday, July 5, 2020 1:24:59 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Karoline Anders
kma11anders@gmail.com
12112 Greenridge Drive
Boysds, Maryland 20841

From: [Charlotte Henderson](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Saturday, July 4, 2020 11:51:01 AM

Casey Anderson,

Please say "no" to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

Do not approve the requested exception, please.

Charlotte Henderson
char.hende@gmail.com
15410 Partnership Road
Poolesville, Maryland 20837

From: [Carol Agayoff](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Saturday, July 4, 2020 1:38:33 AM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. As a resident of Clarksburg, I have seen how developers have time and time again attempted to run roughshod over established community planning and best practices, all in the name of greed. At times, it appears that the Planning Board is on the side of developers. However, as public officials, you should be acting in the best interests of your constituents. Each developer request for an exception to the Clarksburg Master Plan and public policy comes at the expense of quality of life for our community. Do not approve the requested exception.

Carol Agayoff
cagayoff@aol.com
13300 Bluebeard Terrace
Clarksburg , Maryland 20871

From: [Laren Rusin](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Friday, July 3, 2020 10:44:24 PM

Casey Anderson,

Please say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

I live in Boyds/Clarksburg and my 5 year old is slated to start kindergarten this fall in an overcrowded school, where schools and roads should be planned to adapt to development AS it happens, not after (or never!).

Do not approve the requested exception.

Laren Rusin
Larenrusin@hotmail.com
22115 slidell road
Boyds, Maryland 20841

From: [Peter Boice](#)
To: [MCP-Chair](#)
Subject: We Need Well-supported and Sound Planning
Date: Friday, July 3, 2020 6:38:19 PM

Casey Anderson,

Please sod not approve developer-requested exceptions that would negate policies that provide adequate public facilities such as schools and roads and protection of water resources. Unlike this proposal, existing standards were developed based on sound metrics and established science and underwent full vetting and public participation.

Peter Boice
mdroadrunner32@hotmail.com
721 Harrington Road
Rockville, Maryland 20852

From: [Lucinda Snow](#)
To: [MCP-Chair](#)
Subject: Please No More Exceptions to Well-Supported and Sound Planning
Date: Friday, July 3, 2020 3:56:04 PM

Casey Anderson,

Our Zoning Regulations, Master Plans and other regulations balance many factors important to the community of Montgomery County. The problem with this sound planning is that it gets whittled away with exception after exception. This does not have to continue. I say NO to the potential moratorium exception being requested for the Clarksburg Stage 4 -Ten Mile Creek development. These exceptions undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

I ask that you do not approve the requested exception.

Lucinda Snow
cindys369@gmail.com
20537 Amethyst Ln
Germantown, Maryland 20874

From: [Joslyn Read](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Friday, July 3, 2020 3:36:55 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Joslyn Read
josread@gmail.com
10805 Rock Run Dr
Potomac, Maryland 20854

From: [Kristin Jenkins](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Friday, July 3, 2020 11:58:18 AM

Casey Anderson,

We cannot simply ignore the impact of development on already stressed infrastructure, and to place the burden of overdevelopment on the families, and in particular children, is unacceptable.

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Kristin Jenkins
kristinperth@hotmail.com
14608 Brookmead Dr
Germantown, Maryland 20874

From: [Jennifer Lucchese](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Friday, July 3, 2020 5:15:42 AM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Jennifer Lucchese
jllong23@hotmail.com
13305 Moran dr
North potomac , Maryland 20878

From: [Melissa McKenna](#)
To: [MCP-Chair](#); [Anderson, Casey](#); [Fani-Gonzalez, Natali](#); [Cichy, Gerald](#); [Verma, Partap](#); [Patterson, Tina](#); [Sartori, Jason](#); [Wright, Gwen](#); [Govoni, Lisa](#)
Subject: Written version of today's comments - SSP Schools Worksession
Date: Thursday, July 2, 2020 5:14:53 PM
Attachments: [McKenna SSP comments 070220.pdf](#)

Dear Planning Board and staff,

Thank you very much again for the opportunity to present additional information as you weigh the SSP revision recommendations.

I limited my comments to those at hand, just exceptions to green field moratorium.

Please read my attached comments in full regarding municipalities, competing County and City priorities, and overlapping of many different incentives. I'm suggesting a municipal school impact area for these reasons. Other suggestions include phased development and capping school capacity as replacements for moratoria. I highlight difficulties with school impact tax credits, that BOE policy all but prohibits what is being suggested, and potential equity issues involved.

Finally, I question the definition of green field development. How is the golf course of the Montgomery Village Master Plan not considered green field development? There is also the possibility of a similar situation in Rockville with the former Red Gate Golf Course.

I appreciate everyone's hard work on these recommendations and considering this feedback. I look forward to working with you to find ways to provide adequate infrastructure while creating a policy that benefits students and builds a bright future for our County.

Respectfully submitted,
Melissa McKenna
240-793-1287

Montgomery County Planning Board Work Session
2020 SSP Revision/County Growth Policy Comments
July 2, 2020
Testimony of Melissa McKenna

Good afternoon,

My name is Melissa McKenna. Thank you very much Chairman Anderson for allowing me to share additional concerns and examples for the Board's consideration.

I would first like to thank Ms. Govoni for including municipal boundaries on the County Growth Policy web map. The ability to overlay these boundaries clearly shows the complications of applying new School Impact Areas beyond calculating student generation rates.

1. Municipal Impact Areas (4.1, 4.16, 6.2): Thank you Mr. Cichy for raising the issue of municipalities. With their own Planning Departments and APFO, Rockville and Gaithersburg have different priorities than the county. Layering County incentivized areas such as Activity Centers and Equity Emphasis Areas on top of municipal enterprise and opportunity zones could be contradictory to their processes and development goals. They also have much land area that will not be developed/redeveloped in a massive way, save Lake Forest Mall. **If Utilization Premium Payment (UPP) funds are earmarked for the impacted school(s), municipalities will not receive any UPP.** It is because of this that School Impact Taxes are applied throughout the County. For these reasons, I urge the Board to consider the possibility of **incorporated municipalities as their OWN impact area.**

Questions: What percentage of the County's total land area do they comprise? What percentage of the area under moratoria? What number of MPDUs are under municipal control? What will happen to the desirability of these areas? The MCPS CIP investment? We've already seen the MCPS CIP investment in these areas be deferred, preferring developing areas.

Not just municipalities, but also **geography needs to be considered. Where are MidCounty and UpCounty is all this?** Such as the Shady Grove Minor Master Plan Amendment and the 2016 Montgomery Village Master Plan? **How is the development of a pristine golf course not considered green field development?** What is the effect of removing automatic moratoria on these plans? Are amendments addressing issues of infill or turnover in more urban areas applicable in more suburban and rural areas?

2. Proposed Moratorium Exception: Nearby Capacity. (S4.1.3, 4.8, 4.12)
I strongly oppose this exception. Unless and until the BOE **will consider such relief and act accordingly**, this is an option that will not be used and the students will only suffer further.

Thank you Mr. Sartori for using the Gaithersburg ES example. Such a scenario is my second objection: 10 network miles is too far. Laytonsville ES is 6.9 driving miles away from Gaithersburg ES. This was too far for a school at which 90% of students walk to school. For the record, that was also passing 4 other nearby elementary schools, two in

the cluster, two in other clusters. Perhaps Goshen ES (in cluster) or Flower Hill ES (Magruder cluster) could have taken 25-50 students each; however, Gaithersburg ES needs relief for hundreds of students. Do you then split them up among several schools?

To relieve Clarksburg ES would require bussing PAST many other schools already overcapacity in the cluster to either Damascus cluster or 7.6 miles away to Monocacy ES. Neither are viable options.

An additional challenge and why Gaithersburg ES students couldn't easily shift to Magruder or Wootton clusters schools is that they did not provide the wraparound services those students and families needed.

My third objection is using a school that has a utilization rate already above capacity at 110%. **Only schools at 80%-90% capacity should be considered.** What about HS? I would argue that Clarksburg HS is the main sticking point now for that cluster. By adding a CTE program to the new Seneca Valley High School, MCPS reduced seats available to relieve Clarksburg HS and Northwest HS from 1300 to 800, leaving Clarksburg HS still very close to moratorium and forcing Northwest to hope for domino reboundary relief from Crown HS.

This exception comes down to decisions outside your control. Program moves by the BOE are now more common and have resulted in accelerated overcrowding at the receiving schools such as Page and Mill Creek Town ESs. These program moves destabilize the reliability of school capacity over time. Additionally, a revision to Policy FAA-RA a few years ago aligned class size with staffing practice for class size reduction (focus) schools thus in some cases considerably increasing capacity size on paper without any actual increase in physical space.

It's not just MCPS/BOE but also **County Council funding decisions.** Despite Clarksburg ES at >200% of capacity, CES#9 was just delayed **AGAIN!** Why? Lack of funds (which we won't have next year either) and priority given to continuing projects like Woodward HS and Crown HS to avoid moratoria (which we also won't have the money for next year). This also illustrates the uncertainty of a project until it's in the first 2 years of the CIP with construction funding and emphasizing the greater utility of a 3-year annual schools test.

Where is the **staging** part of Subdivision Staging Policy? Infrastructure milestones ties to phased development were built into White Flint I, Shady Grove, and the Life Science Center Plans. Building pauses until facility infrastructure catches up. **Staging isn't stopping;** it's allowing infrastructure to Keep Pace with development impacts.

Instead, **institute phased development requirements** in an attempt for school capacity to keep up with enrollment growth rather than overwhelming schools. That goes for **infill and turnover policy areas as well to replace moratorium.**

Please also consider discussing capping schools with MCPS. Schools would be "closed" to new development sending those students to an alternate, less crowded school, while still allowing neighborhood students and turnover.

School impact tax credits (6.3): Were credits beyond land dedication discussed with MCPS before inclusion? BOE Policy CNE: Facility Improvements that are not Funded with Montgomery County Revenues exactly proscribes acceptable improvements. It's not easy.

For more than 4 years, I tried to get MCPS to accept \$500K from the City of Rockville towards a new school. No Dice! Please do not offer something that MCPS will not accept.

This also raises a HUGE red flag for me on equity. Developers could prefer high demand areas versus those with “substandard” facilities (read greater investment) in areas that “lack developer interest.” Will they be racing to fix Burnt Mills ES, South Lake ES? I don’t think so.

In closing, I reiterate my call to run these impact tax and utilization premium payment rates, including the many exceptions and incentives, to see what effect these changes will have on future revenues **before** any changes are accepted. With all of us here today, working together, I know that in the end we will create a policy that works for our students and the future of our County.

Thank you.
Melissa McKenna

From: [David West](#)
To: [MCP-Chair](#)
Subject: Please reject additional exceptions Clarksburg Stage 4 -Ten Mile Creek
Date: Thursday, July 2, 2020 2:57:59 PM

Casey Anderson,

As a 30-year MCPS teacher, I am concerned about overcrowded MCPS schools and classrooms. I am writing to ask you to reject developer requested exceptions for Clarksburg Stage 4 -Ten Mile Creek. Please protect the results of the process: protection of public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

Please do not approve the requested exception.

Please write back to me.

David West
2017pmzq@gmail.com
10101 Brunett Avenue
Silver Spring, Maryland 20901

From: [Crystal Mullens](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Thursday, July 2, 2020 10:58:20 AM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Crystal Mullens
crystalclearestates@gmail.com
22500 Fitzgerald Dr
Laytonsville, Maryland 20882

From: [Katya Marin](#)
To: [MCP-Chair](#); [Anderson, Casey](#); [Fani-Gonzalez, Natali](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#); [Wright, Gwen](#); [Sartori, Jason](#)
Cc: [Friedson, Andrew](#); [Meredith Wellington](#)
Subject: County Growth Policy - schools work session #2
Date: Thursday, July 2, 2020 9:31:25 AM

To: Mr. Casey Anderson, Chair and Members of the Planning Board

Re: *2020-2024 County Growth Policy – Public Hearing Draft and S4.1.3 Nearby Capacity*

Thank you for the opportunity to speak today.

I urge you to support the three-year school test, which is supported by the Urban Land Institute. It is exponentially more accurate in forecasting enrollment and capacity projects than a four- or five-year test. A four- or five-year test fails to align capital projects with growth.

I also wanted another chance to highlight the importance of the SSP and your role in making sure that we have infrastructure to support our growing county. Whether you call it the SSP or the CGP or the DCI, its purpose is to measure infrastructure and make sure that demand can be met. No matter what your own agendas or visions may be, county code says that “the policy must include guidelines... which affect the adequacy and timing of public facilities needed to support growth and development.” It is not a policy to favor development over students.

Why do I feel compelled to remind you of this today? It has a lot to do with the way you discuss the SSP recommendations, particularly the guidelines intended to provide safe and ample schools for our kids. Often now, we see you throw your hands in the air and say that you can’t control what MCPS does and so they shouldn’t control what you do. That’s hard to hear. It’s hard because we don’t point to one county agency or another and say it’s not really their problem. We expect all of you to work together to make sure that our county grows intelligently and deliberately. This, too, is recommended by the Urban Land Institute. Their report repeatedly mentions the need for cooperation between Planning and MCPS.

This callousness towards our students and schools is epitomized by the moratorium exception you came up with yesterday. This is not borne out of a desire to create a sound and cohesive policy; this was written only so that you can approve two specific projects that will fail the County’s school test. For the last three weeks you have spent a lot more time talking about how to help those projects than about how to support Clarksburg residents with roads and schools that were promised and never delivered. You’re pitting housing against schools, and instead of working to meet both objectives, you’re advancing one at the expense of another. Who does this serve? Your proposal to approve a subdivision based on nearby capacity has several problems.

First and foremost, you are not even proposing that there be actual capacity. Your proposal would consider a school that is already overutilized by 10% – that could be 250 students at a high school – and 10 miles away – that could be an hour in rush hour. Again, who does this serve? Certainly not the students.

Second, you have no authority to change those boundaries, or compel MCPS to move students from one school to another. This capacity is mythical and meaningless to kids that will continue to attend their local overcrowded high school. Perhaps you’re just trying to make a point, or force MCPS’s hand (you can’t), but at whose expense? And to whose gain?

Third, by considering hypothetical capacity, you jeopardize the Utilization Premium Payments, funds that MCPS desperately needs. Without Premium Payments, you will need to reconsider the other tax elements of this policy, which stand to lower revenues significantly. We still need to see financial analysis to understand the implications and have an informed conversation about the recommendations.

The SSP must include meaningful adequacy thresholds, not undefined discretionary guidelines. Your job is not to indiscriminately approve development while schools are bursting at the seams; it’s to

promote healthy sustainable growth throughout the county.

MCPS wrote to you yesterday urging you to “maintain and implement policy elements that acknowledge the intent of the law to provide needed public systems infrastructure commensurate with development.” We are counting on each of you to do just that.

Thank you,

Katya Marin

301-648-3237

From: [Joseph Kilcoyne](#)
To: [Sartori, Jason](#); [MCP-Chair](#)
Subject: No!! to the exemption in Greenfield Impact Area
Date: Thursday, July 2, 2020 8:02:48 AM

Good morning,

Please vote NO! to the following agenda item today. I do not know why it is even being considered - expect to squarely deny the request. It, by definition, will contribute to more overloading of this area where infrastructure and schools are already overloaded. Tax payers and voters will be left maintaining in perpetuity whatever the developers leave.

Now is the time to be responsible on setting limits, and make sure the developers leave a safe, pleasant and maintainable community. They will not stop asking for more. This area, in particular, is special -was pristine - and can still be done in a responsible way. No exemptions!

No to this!!:

"When a moratorium is imposed in a Greenfield Impact Area, the Planning Board may nevertheless approve a subdivision in the subjected area if a school located within ten network miles of the subdivision (at the same level as any school causing the moratorium) has a projected utilization rate in the current Annual School Test of no more than 110%..."

Joe Kilcoyne
Ambassador Ter
Germantown

From: [Susanne Lowen](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Thursday, July 2, 2020 12:19:03 AM

Casey Anderson,

To undermine the negotiated policy by awarding an exemption to developers would undermine public policy designed to protect our drinking water. What could be more important? The existing policy was based on sound metrics and established science and underwent full vetting and public participation.

PLEASE, do not approve the requested exception!!!

Susanne Lowen
suzilow@gmail.com
7002 Sycamore Ave
Takoma Park, Maryland 20912-5407

From: [Charles Alexander](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 10:10:10 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

This exception should not be given serious consideration, especially under difficult circumstances.

Charles Alexander
ch_a_alex@hotmail.com
Box 4752
Lutherville, Maryland 21093

From: [Jane Thompson](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 9:34:08 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Jane Thompson
jayteehike@gmail.com
Po Box 82
Barnesville, Maryland 20838

From: [Catherine Higgins-Bisnett](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 6:35:21 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Catherine Higgins-Bisnett
catzrule40@yahoo.com
807 Maple Ave
Rockville, Maryland 20850-1532

From: [Patricia Tice](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 6:18:39 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Patricia Tice
ptice17@gmail.com
1615-C Piccard Drive
Rockville, Maryland 20850

From: [Mark Moadel](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 5:56:23 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Mark Moadel
mlmoadel@yahoo.com
7723 Whiterim Ter
Potomac, Maryland 20854

From: [Donna McDowell](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 4:40:58 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

It seems that the "Planning Board," known to me as the Developer Board, likes to use the pandemic to sneak through pro-development anti-environmental modifications that undermine public policy. Please think again about granting developer-proposed exceptions. I would like to have some faith in your Board. Protecting our water and our environment is the right thing to do!

Donna McDowell
donnaasmcd68@gmail.com
24308 Hipsley Mill Road
Gaithersburg, Maryland 20882

From: [Elizabeth Rogers](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 4:30:24 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Elizabeth Rogers
elizrogers2@yahoo.com
10106 Gladstone Street
Silver Spring, Maryland 20902

From: [Patty McGrath](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 4:02:29 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Patty McGrath
pattymcgrath08@aol.com
11007 Edison Road
Potomac, Maryland 20854

From: [Erika Bucciantini](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 4:02:12 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Erika Bucciantini
erika.bucciantini@gmail.com
22014
Dickerson, Maryland 20842

From: [David Evans](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 3:06:42 PM

Casey Anderson,

Dear Casey

It is unacceptable for the planning board to allow developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

Please do not approve the requested exception.

Sincerely

David Evans PhD

David Evans

evans_us@hotmail.com

17610 Conoy Rd

Barnesville, Maryland 20838

From: [Max Well](#)
To: [MCP-Chair](#); [Sartori, Jason](#)
Subject: a suggestion re SSP
Date: Wednesday, July 1, 2020 2:56:39 PM

Dear planning board members

If the planning board wishes to do away with moratoria , I would like to suggest an alternative: as part of the development approval process a development should have to apply to the BOE for a schools assignment.

The BOE could then assign schools to a development based upon seats availability , balancing demographics, etc... This would be a proactive approach to managing capacity, diversity, etc....

Redistricting is a reactive approach which should be minimized. When families buy a home they should have a reasonable certainty of where their kids will be going to school.

Sincerely

Barry Lebowitz

From: [Jennifer Patner](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 2:52:13 PM

Casey Anderson,

Now is the time for every member to stand up and Say NO to any developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. We cannot keep allowing these types of exceptions when we know for a FACT that our schools are overcrowded and our wAter supply in jeopardy. I live in a home with well water and I have two children in attendance as Montgomery county public schools . Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. If anything/ they should be further reinforced now that everyone understands more clearly the impacts of clean water and socially distanced schools! Any approval is a violation of these critical needs in the middle of a pandemic- and rushing these requests through during pandemic - not allowing proper public co mmentary and question and timeframes is unacceptable. This will be remembered - you need to stand for the children and the citizens - not allowing changed to critical issues like school capacity and water quality.

Do not approve the requested exception.

Jennifer Patner
mjpbills@verizon.net
14410 Seneca rd
Darnestown , Maryland 20874

From: [Megan Shaw](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 2:43:38 PM

Casey Anderson,

Dear Casey Anderson,

As a teacher in already overcrowded schools and a resident of Clarksburg, I ask that you say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Megan Shaw
megan.m.shaw@gmail.com
12136 Grey Squirrel St
Clarksburg, Maryland 20871

From: [Alexandra Goldman](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 2:20:31 PM

Casey Anderson,

This is of importance to me. Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

Do not approve the requested exception.

Alexandra Goldman
allielgoldman@gmail.com
15711 Hughes Rd
Poolesville, Maryland 20837

From: [William Boteler](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 2:12:51 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

William Boteler
bbot20008@yahoo.com
3216 Birchtree Lane
Silver Spring, Maryland 20906

From: [Naya Kenman Robitaille](#)
To: [MCP-Chair](#)
Subject: July 2 - Item 9: Say No to Harmful Developer Requested Exceptions
Date: Wednesday, July 1, 2020 1:59:06 PM

Dear Planning Board,

Please Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

Do not approve the requested exception!

Respectfully,

Naya Kenman Robitaille
+1-240-715-7446

Register to vote: <https://vote.gov/>

From: [Grace Whitman](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 1:15:37 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Grace Whitman
ontheknoll@gmail.com
19201 Barnesville Road
Dickerson, Texas 20843

From: [Ellen McNeirney](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 1:01:08 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Ellen McNeirney
ellen.frank@verizon.net
4400 E West Hwy
Bethesda, Maryland 20814

From: [Larry Cain](#)
To: [MCP-Chair](#)
Subject: School Capacity Exception
Date: Wednesday, July 1, 2020 12:47:43 PM

Casey Anderson,

Standards for adequate public facilities were developed carefully and were fully vetted. Public participation was also included.

The latest exception request by the Ashford Woods developer should be denied. They entered into the project knowing the requirements and should now live with them.

It is not in the public interest to grant the exception and I request that it be denied.

Thank you for your consideration.

Larry Cain
Larrycainjr@gmail.com
15801 River Rd
Germantown, Maryland 20874

From: [Naomi Yount](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:47:28 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Naomi Yount
naomigd@hotmail.com
15101 Falconbridge Terr
North Potomac, Maryland 20878

From: [Farnaz Edwards](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:41:29 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Farnaz Edwards
farnazedwards@gmail.com
19005 Gold Mine
Brookeville , Maryland 20833

From: [Carolyn Talcott](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:22:52 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception. DON'T LET DEVELOPERS TAKE ADVANTAGE OF THIS VERY DIFFICULT TIME FOR ALL OF US! THEY SHOULD BE HELPING , NOT SELFISHLY HURTING US. SOUND PLANNING SHOULD NOT BE TOSSED OUT THE WINDOW BECAUSE THEY HAVE A CHANCE TO DO THAT. SAY NO TO THEIR REQUESTED EXCEPTION!!

Carolyn Talcott
carolynltalcott@gmail.com
8602 Irvington Avenue
Bethesda, Maryland 20817

From: [Traci Stevens](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:17:48 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Traci Stevens
momjkj@aol.com
19720 Mouth of Monocacy Rd
Dickerson, Maryland 20842

From: [Diane Yendrey](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:14:55 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Diane Yendrey
dyendrey98@gmail.com
24011 Old Hundred Rd.
Comus, Maryland 20842

From: [Mehran Amonzadej](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:13:30 PM

Casey Anderson,

As a resident of this area, I would like to register my strongest objection to the proposed changes requested to stage 4, 10 mile creek development plan.

Mehran Amonzadej
utemehran@verizon.net
815 Old Bucklodge Lane
Boyd's, Maryland 20841

From: [James Zwiebel](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:07:49 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception!

James Zwiebel
zwiebelj@verizon.net
6317 Kenhowe Drive
Bethesda, Maryland 20817

From: [Melissa McKenna](#)
To: [MCP-Chair](#); [Cichy, Gerald](#); [Fani-Gonzalez, Natali](#); [Patterson, Tina](#); [Verma, Partap](#); [Anderson, Casey](#)
Cc: [Sartori, Jason](#); [Wright, Gwen](#); [Govoni, Lisa](#)
Subject: County Growth Policy/SSP Worksession #3-- Schools Element comments
Date: Wednesday, July 1, 2020 12:06:37 PM
Attachments: [McKenna SSP comments 061720.pdf](#)

Dear Planning Board and Staff,

First, many many thanks to Ms. Govoni for including municipal boundaries on the County Growth Policy web map!

Second, I would like to reiterate my call to run these impact tax and and utilization premium payment rates to see what effect these changes will have on future revenues compared with current revenues **before** any changes are accepted.

1. Municipal Impact Areas: As you are looking at school impact areas and the different identified areas (enterprise zones, opportunity zones, COG Activity Centers and COG Equity Emphasis areas), I urge you to consider the possibility of **incorporated municipalities as their OWN impact area**. Many of these defined areas converge within the municipalities of Gaithersburg and Rockville, yet they have THEIR OWN Planning Commissions and staff and THEIR OWN priorities, their OWN APFO, and different incentives. Applying county objective incentives could be contradictory to their processes and development goals.

I would argue that because the municipalities have their own APFO is why some developers choose property within their city limits.

2. Proposed Moratorium Exception: Nearby Capacity. I strongly oppose this exception. Unless and until the BOE **will consider such relief and act accordingly**, this is an option that will not be used and the students will only suffer further.

Thank you Mr. Sartori for using our Gaithersburg ES example. (included in my previous comments attached.) My second objection is because 10 network miles is too far. Laytonsville ES is 6.9 miles away from Gaithersburg ES (driving). Too far.

My third objection is using a school that has a utilization rate already above capacity at 110%. Only schools at 80-90% capacity should be considered. Only ES and MS levels are mentioned, what about HS? And I would argue that Clarksburg HS is the main sticking point now for that cluster.

To relieve Clarksburg ES would require bussing PAST many other schools already overcapacity in the cluster to either Damascus cluster or 7.6 miles away to Monocacy ES. Neither of which are very viable options.

Instead, **institute development staging requirements** in an attempt for school capacity to keep up with enrollment growth rather than overwhelming schools. That goes for **infill and turnover policy areas as well to replace moratorium**.

Please let me know if you have any questions or need additional information. Thank you for your consideration.

Respectfully submitted,
Melissa McKenna
240-793-1287

----- Forwarded message -----

From: **Melissa McKenna** <mckennaforeverpta@gmail.com>
Date: Wed, Jun 17, 2020 at 10:59 PM
Subject: Growth Policy public hearing testimony and additional comments
To: Anderson, Casey <Casey.Anderson@mncppc-mc.org>, <Gerald.Cichy@mncppc-mc.org>, <Natali.Fani-Gonzalez@mncppc-mc.org>, <Tina.Patterson@mncppc-mc.org>, <Partap.Verma@mncppc-mc.org>
Cc: <MCP-Chair@mncppc-mc.org>, Sartori, Jason <Jason.Sartori@montgomeryplanning.org>, Wright, Gwen <gwen.wright@montgomeryplanning.org>, <Lisa.Govoni@montgomeryplanning.org>

Dear Planning Board and staff,

Attached please find my testimony to you on June 11, 2020 during the Public Hearing on the draft 2020 Growth Policy. I have included additional examples and more expansive comments regarding schools. I look forward to your discussions in upcoming worksessions and working with you in developing the final draft.

In an effort to give these comments as wide an audience as possible, I intend to send this file to MCPS; the County Council; and the Mayor and Council, Planning staff and Planning Boards of the City of Gaithersburg and the City of Rockville.

Please let me know if you have any questions or need additional information. Thank you for your consideration.

Respectfully submitted,
Melissa McKenna
240-793-1287

Montgomery County Planning Board Public Hearing
2020 County Growth Policy (SSP Revision) Testimony
June 11, 2020
Melissa McKenna
(With additional schools commentary June 17, 2020)

Good evening,

My name is Melissa McKenna. It's four years later, and I'm back as the legacy member of the infamous Next Steps Reps. We worked very hard for the 2016 Subdivision Staging Policy revision to elevate the importance of school infrastructure and get more revenue towards the MCPS Capital Improvements Program (CIP). Many important changes were made that set the "stage" for many of these policy recommendations.

HUGE thanks to Mr. Sartori for the enormous research and detail that went into these recommendations were both essential and almost overwhelming. Thanks also to Ms. Govoni and Ms. Wright. Thank you all for including me in the process

I'm here for: the Money, Equity, the Municipalities, and to request a one-year delay.

There are many things in here that I am thrilled about:

6.5 Eliminating the former Enterprise Zone impact tax exemption. We tried in 2016. Fourteen years beyond the expiration date in Silver Spring is more than enough time for an incentive to encourage job growth, not housing.

4.4 Applying the Annual School Test to 3 years in the future instead of 5 years. Construction funding is in the first 2 years of the CIP budget. This change recognizes when projects will actually be completed rather than the wishful thinking of planning funding in the out years.

4.3 Retaining the Individual School Test. Considering cluster capacity masked individual overcrowded schools. This measure is crucial to maintain. MCPS will still calculate cluster capacity in its CIP.

Sometimes using available capacity at another school in the cluster just isn't feasible, such as shipping Gaithersburg ES students out to Laytonsville ES when 90% of the students WALK to school. Nor did sending them to relatively nearby schools in adjoining clusters that did not have the services/infrastructure the students needed (e.g., Judy Center, Linkages, School-based Health and Wellness Center). Keep in mind this area of Gaithersburg saw NO new development nor significant housing turnover, just pure enrollment growth. We are thankful that a County Council placeholder helped accelerate the now planned new GES#8.

My example in the 2016 SSP revision process, Barnsley ES, is still illustrative in this process. Having been MCCPTA Rockville Cluster Coordinator in the time leading up to their addition, no easy adjustment could have been made to balance the enrollment across the cluster schools because they were at least 280 students over capacity. Boundary changes would have been irrelevant because the specific placement of the Gifted and

Talented magnet program at the school accounted for 350 students. Wholesale removal of the program would have been necessary.

4.14 and 4.13 Limiting development application approval validity period and requiring retest for an extension. Markets and economies change; schools will always be enrolling students. This is a welcome adjustment.

Here are my concerns:

We don't want to lose money! We have already seen sharply decreased school impact tax revenue. What will be the fiscal impact of these changes? Please run the numbers using the many exceptions and incentives included here to compare current with projected revenues.

4.8 Abolishing residential development moratoria without some stopgap replacement. I'm missing the **staging** part of Subdivision Staging Policy (SSP). This Policy determines Adequacy of Public Facilities to support new development.

If White Flint I had progressed unchecked, we'd be in quite the mess now. Like Clarksburg. But it had staging built in. So did the Shady Grove and the Life Science Center Plans. Building stops until facility infrastructure catches up. That works! **Staging isn't stopping**; it's allowing infrastructure to Keep Pace with development impacts.

I appreciate Mr. Sartori stating flat out what we've known for years: **capacity projects to relieve moratoria were and still are preferred over long-standing, severe overcrowding and disintegrating schools in non-developing areas**. Clarksburg is the perfect example. Despite Clarksburg ES at >200% of capacity, CES#9 was just delayed **AGAIN!** Why? Lack of funds (which we won't have next year either) and priority given to continuing projects like Woodward HS and Crown HS to avoid moratoria (which we also won't have the money for next year).

And yes, the emphasis on **staging** is commentary on the name change. The purpose of the SSP is to analyze, plan for, and fund adequate public facilities. Period. A Growth Policy by name reflects how the amendments have changed this document to primarily direct desired residential growth, leaving little to enforce the APFO.

Had the capacity MCPS planned been completed on schedule or Staging adequacy measures been included in the Master Plan, for many Clarksburg projects, dire overcapacity at all levels of schools in the Clarksburg cluster likely could have been avoided almost entirely. Moratoria triggers didn't apply because the entirety of the project was already approved. There was no way to slow down the explosive enrollment growth, nor could capacity be built fast enough.

Personally, I find this policy to be a Housing Policy. Where are the suggestions for economic development? Housing development ≠ economic development. A complete, true growth policy would need to include plans for economic development such as job creation and employment centers. Mixed-use development isn't working. We don't need more town centers with the same cookie cutter mix of national restaurants and retail. Besides, "success" only lasts until the next bright, shiny new one comes along. The Upcounty 270 corridor provides many opportunities for employment centers that are not retail. Give

Frederick residents commuting through Montgomery County another option and Upcounty residents a closer job option.

I hear a lot about walkability and retail (i.e, the desirability of mixed-use retail). What this pandemic has revealed is the UNwalkability to health care, grocery, pharmacy, bank, childcare (when it will be open). What can we do to correct the over-retailization and create a better mix of establishments in town centers and planned areas like Pike & Rose and Rock Spring for true socioeconomic integration?

I've been reminded many times that Sector and Master Plans are just that: Plans for the future and limits of what could be, not a must do. Some Rock Spring property owners weren't interested in redeveloping, but that didn't stop the planning. MCPS plans to build many things, trouble is we don't have the money now and won't in the near future. It's not that the Plan may be bad; the trouble comes in the implementation, in this case the timing of project build out.

4.12 Policy *should* explicitly allow the Planning Board to deny a Project. I have strong concerns here. Why is this even included? APFO is met or not. It is the duty of the Planning Board to decide whether or how APFO standards are met. Period. If there is inadequate school infrastructure, no approval. Simple. We wouldn't allow development without adequate water or sewer infrastructure. Instead of denial, APPROVAL WITH CONDITIONS would require amendments to meet adequacy standards. I believe the wording as written, would allow the Planning Board to deny project approval despite "mitigation" amendments made to meet outlined conditions. Is that the intention?

This language needs to be extremely specific. Any denial without precise, defensible language here could later be considered capricious.

6.2 and 6.3 School impact tax rates and credits. What is the rationale for reducing the school impact tax revenue? Except for resurrecting an additional charge. It's calculation is unusually specific, has a direct nexus to impact via student generation rate, and yet is still an insufficient amount. At a minimum, these rates should be standard across the board at a minimum of 100%. Because these funds are unrestricted in where they are used (which MUST continue to be the case), a blanket amount across all school impact areas reflects the blanket application of the funds.

While I would love to see making partners of the developers, you're going to have **problems with credits** beyond land dedication. **That roadblock is BOE Policy CNE:** Facility Improvements that are not Funded with Montgomery County Revenues. I know; I tried for many years for MCPS to accept \$500K from the City of Rockville towards a new school.

Currently, Policy CNE limits the contributions of others to infrastructure beyond what MCPS is required to provide. In Rockville, that had meant decades of gym enlargements and enhancements funded by the City in renovated or new schools. Without being given that opportunity during the design process of the new Maryvale ES/Sandburg Learning Center, investment options were limited to a detached childcare space in portables or greatly enhanced play spaces and structures. The City would have preferred a way to pay towards the build out of the second level Sandburg shell, the funding of which was

dropped from the FY21-26 CIP due to insufficient funds. So no deal, and a lose:lose situation.

On the positive side, absent a mandatory land dedication nor land to dedicate, I tried to lobby for the inclusion of dedicated first floor childcare/education space in the Twinbrook Quarter project in the City of Rockville. A kind of payment in lieu approach to allow project approval. This space could be rented by MCPS for early childhood care and education, thereby relieving nearby overcrowded elementary schools of preK classes and making the capacity available for the students the project would generate. Without a mechanism to capture this credit, the idea fell flat. I do believe we can and should be more creative about the idea of “dedicated space” or amenities like playing fields or play space and it should be discussed further with MCPS and the BOE before inclusion here. No sense offering something MCPS cannot or will not agree to. s

This also raises a HUGE red flag for me on equity. Developers could prefer high demand areas versus those with “substandard” facilities (read greater investment) in areas that “lack developer interest.” Montgomery Village immediately comes to mind. Will they be racing to fix Burnt Mills ES, South Lake ES? I don’t think so.

Where are the municipalities in this? Should Municipalities be their own School Impact Area? Thank you Mr. Cichy for raising the issue of municipalities. With their own Planning Departments and APFO, Rockville and Gaithersburg have different priorities than the county. They also have much land area that is not nor will be developed/redeveloped in a massive way, save Lake Forest Mall. Therefore, **Municipalities will not receive any Utilization Premium Payments (UPP).** What will happen to the desirability of these areas? The MCPS CIP investment? We’ve already seen the MCPS CIP investment in these areas be deferred, preferring developing areas.

Questions: What percentage of the County’s total land area do they comprise? What percentage of the area under moratoria? What number of MPDUs are under municipal control? Developers already target municipalities for more generous school capacity thresholds (150% in Gaithersburg) or ability to wield influence over a smaller governing body.

What consideration has been given to unintended consequences of these amendments on municipalities? What direct back and forth communication between County and Municipalities can be implemented for projects that impact schools outside City limits but are subject to municipal APFO decisions (e.g., Twinbrook Quarter on WJ HS). Despite County moratoria, a special exemption from Rockville allowed project approval. Also, despite the Countywide residential moratoria on individual affected elementary school service areas, Farmland ES, this same exemption overruled and allowed project approval, negating any County protection.

Please include Municipal boundaries on your County Growth Policy Web Map for visual understanding of these areas.

Not just municipalities, but also geography needs to be considered. **Geographically, where’s MidCounty and UpCounty is all this?** What happened to the 2016 Montgomery Village Master Plan? The current Shady Grove Minor Master Plan Amendment? What is the effect of removing automatic moratoria on projects within these plans? **Are**

amendments addressing issues of infill or turnover in more urban areas applicable in more suburban and rural areas?

Please delay the revision for 1 year. Too much is changing too fast: where we work, how we travel, how commerce is conducted, and the health need for more physical personal space affecting multifamily buildings and modes of travel. Economic free fall and civil unrest compound the many things changing right now that render all historical trend data null and void. The impacts and recovery from these combined circumstances will be felt for years. For example, it's highly likely developers will not even begin new projects.

Trends in enrollment and housing have been obliterated. Even the ability to enroll is challenging right now. Shared housing will increase. Student generation rates will be affected in ways we cannot predict. Expected time to turnover of housing will be disrupted in both directions: sooner and later. Empty nesters may stay in place instead of selling; others may need to sell because of job loss or move.

MCPS Kindergarten enrollment is WAY down compared with previous years, likely because of the uncertainty of whether or how school will open in buildings in the fall. How many students will leave private school because of economic factors and enroll in MCPS? How many parents will decide to home school instead? **How many families will now double up in shared housing** to avoid homelessness? We saw a sharp uptick in shared housing in the last recession.

The public hearing was only enough time for the highlights. I have included many more examples and food for thought in this document. I will always be able to find more.

Please ensure we will not lose critical CIP funding necessary to address the impacts of new residential development around the county. Please also reconsider the many radical changes to this policy and request the County Council suspend/defer the mandated revision date by one year to adjust to the many economic and health changes occurring.

The suggestions in ULI's report should be carefully considered for inclusion. Thank you again for the opportunity to participate in the Virtual Advisory Services Panel's historical policy knowledge interview. I look forward to working with the Board and staff as you continue to refine this policy.

Thank you.

Melissa McKenna

PS - Not enough time during oral testimony.

4.16 Utilization Premium Payments. Don't bring back the School Facility Fee by another name. Also, starting when a school is 120% over capacity is too late, please start at 105%.

The School Facilities Payment was eliminated in 2016 for two reasons.

1. It didn't raise enough revenue. In an October 15, 2016 memo Council President Nancy Floreen noted that the PHED Committee was informed that "over the past six years, a bit less than \$5M had been collected" from these payments. Amounts

ranged from \$6,000 in one year to \$1M another year, with varied amounts throughout.”

2. It was complex, trapped money from general use, and subject to County Council Placeholder projects bypassing this revenue stream.

Critical question: would these funds be applied county wide or earmarked for the impacted school(s)? The latter was part of the downfall of the facility fee, too little money to do anything meaningful. The ability of the County Council to insert placeholder projects created minimal phantom capacity, decreasing the amount due and allowing developers to delay for a year until planning funding would arrive in the out years of the budget, negating any additional fee.

Additionally, **municipalities will not receive any UPP** to support schools within their boundaries because of lack of land for sizeable development/redevelopment. It is because of this municipal black hole that School Impact Taxes are applied throughout the County.

Ideally, revenues are used towards schools and areas with the greatest need FIRST.

From: [Wib Middleton](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:06:28 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Wib Middleton
wibkpc@gmail.com
14100 Berryville Rd
Germantown, Maryland 20874

From: [Lynn Fantle](#)
To: [Anderson, Casey](#); [Fani-Gonzalez, Natali](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#); [Wright, Gwen](#); [Sartori, Jason](#); [MCP-Chair](#)
Subject: Item 9 -July 2: No to Developer Requested Exceptions
Date: Wednesday, July 1, 2020 12:04:36 PM

Dear Chairman Casey Anderson and Planning Commissioners,

As you continue to discuss the 2020 Growth Policy Recommendations, please be sure that there are mechanisms to meaningfully support adequate school infrastructure.

I support Utilization Premium Payments. They should be triggered when schools are forecast to be at or above 105% of capacity. Our schools should never be allowed to get to 120% capacity without intervention.

I support cumulative tracking of development impacts against available capacity. Greenlighting all development for a given year has the potential to overwhelm a school cluster. At very least a 120% threshold should be set, beyond which any applications would be subject to applicable procedures and/or supplemental payments.

However, we need systemic alignment between the Planning Board and MCPS. Planning for Montgomery County's growth MUST include a plan for our schools, and the Growth Policy MUST NOT leave MCPS fending for itself. It is my sincere hope that you can create a policy that helps the Board meet the Adequate Public Facilities Requirements for all of our current and future residents, including our students.

Clarksburg High School is overutilized, with several new greenfield developments coming online. There may be other clusters somewhere the County in similar situations, but the net effect of borrowing capacity would be to provide "flexibility" (and a way around moratorium) for developers if it were to be adopted. And, because most greenfield development in the county is in Clarksburg and the surrounding area, this would have a disproportionate and deleterious effect on an area already woefully short of school capacity and transportation infrastructure.

Please say no to developer requested exceptions as they undermine important public policies which include adequate public facilities — schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and (importantly) full public participation.

Do not approve the requested exceptions.

Thank you for your consideration,
Lynn Fantle

From: [christine chalk](#)
To: [MCP-Chair](#)
Subject: Subject Line: July 2 - Item 9: Say No to Harmful Developer Requested Exceptions
Date: Wednesday, July 1, 2020 12:03:58 PM

Dear Planning Board,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation.

Do not approve the requested exception.

Respectfully,

Christine chalk

From: [Lisette Cobarrubias](#)
To: [MCP-Chair](#)
Subject: Please no More Exceptions to Well-supported and Sound Planning
Date: Wednesday, July 1, 2020 12:02:53 PM

Casey Anderson,

Say NO to developer requested exceptions that undermine important public policies including adequate public facilities such as schools and roads and protection of water resources. Standards for schools, roads, water protection, unlike this proposal, were developed based on sound metrics and established science and underwent full vetting and public participation. Do not approve the requested exception.

Lisette Cobarrubias
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113 Limpkin Avenue
Clarksburg, Maryland 20871