MCP-Chair

From: Feldman, Cary M. <cfeldman@feldesmantucker.com>
Sent: Tuesday, July 28, 2020 2:37 PM
To: MCP-Chair
Subject: Alef Bet Montessori School Plan Review

Categories: Tracked To Dynamics 365

I write once again to express my concerns about the expansion of the enrollment of the Alef Bet Montessori School from 33 to 90 students. I live in the Luxmanor neighborhood and regularly drive past the school on Tuckerman Lane going to and from my home.

- **The Traffic Management Plan (TMP) should be enforceable until and unless a further Planning Board action is undertaken.** The current TMP is only enforceable for five years. This is much too short as there are elements of the TMP that will always be important to the neighborhood, such as an aggregate cap on the number of students, prohibition of parking on Tuckerman Lane. The County's duty to protecting the neighborhood should not end at five years.
- **The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane.** I endorse Planning Staff's requirement to prohibit parking of school staff vehicles on Tuckerman Lane. I understand that many school staff currently park on Tuckerman Lane instead of utilizing the school parking lot, despite the school representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.
- **The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit.** I endorse Planning Staff's requirement that the student cap is an aggregate daily cap. The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as *at a point in time* and not in the aggregate.
- **The ultimate / revised Alef Bet site plan approved by DPS should be attached to the TMP as an exhibit.** This will ensure that there is no question as to the site specific modifications and ramifications required by DPS for increased Use of Occupancy.
- **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am.** The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.

- **I support use of automated vehicle counting technology; the community should choose the vendor and the school should pay for the monitoring service.** I agree with Chairman Anderson's insistence, at the April 23rd Board Hearing, that the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. I support and encourage the use of an automated vehicle counting technology chosen by the neighborhood and paid for by the school. This will enable the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.
- **Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods.** I also support and encourage the use of camera technology chosen by the neighborhood, and paid for by the school that will allow the neighborhood to know that Tuckerman Lane is monitored for queuing violations during morning drop-off and afternoon pickup periods, without the burden of monitoring falling on the neighborhood's shoulders.
- **The proposed fines are inadequate.** The school had proposed $100 per infraction. I view this as too low and not at all adequate to ensure compliance with the TMP.
- **The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement.** Without "show cause hearing" language in the TMP, the neighborhood will not have any standing with the Planning Board or the school to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Thank you for your attention to this matter, and for your work generally on behalf of the people of Montgomery County.

Respectfully submitted,

Cary Feldman
11101 Buckwood Lane
Rockville, MD 20852

MCP-Chair

From: Dean Mann <manndean186@gmail.com>

Sent: Tuesday, July 28, 2020 12:04 PM
To: MCP-Chair; quinnmark@gmail.com; Freer, Walker
Subject: Subject: Alef Bet Planning Board Hearing: July 30, 2020

Categories: Tracked To Dynamics 365

Dear Planning Board Chair Casey Anderson and Planner Freer

As a resident of the Heritage Walk/Windermere HOA, I write to submit the following comments about the staff recommendation to approve the enrollment increase with revised operating conditions that Alef Bet would be required to follow, including penalties for noncompliance.

- **The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane.** Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.

- **The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit.** The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as *at a point in time*and not in the aggregate.

- **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am.** The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.

- **We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of an automated vehicle counting technology chosen by the neighborhood, paid for by the school. This will allow the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.

- **Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of camera technology chosen by the neighborhood, and paid for by the school that will allow the neighborhood to know that Tuckerman

Lane is monitored for queuing violations during morning drop-off and afternoon pickup periods, without the burden of monitoring falling on the neighborhood's shoulders.

- **The proposed fines are inadequate and should begin with $750 for a first violation.** The school had proposed $100 per infraction. We view this as too low and not at all adequate to ensure compliance with the Traffic Management Plan.

- **The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement.** Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Please take these comments into account when considering this application. We oppose this increase in the first place, but if the Planning Board is going to approve anyway with conditions, then the conditions must ensure the integrity of the community is maintained. We have to live with the consequences of the Board's decision and expect you to consider our interests equally, or moreso, than the school's.

Thank you.

Sincerely yours,

Dea Mann MD
1 Windermere Ct
Rockville, MD 20852

MCP-Chair

From: Nancy Feldman <njfeldman@verizon.net>
Sent: Tuesday, July 28, 2020 12:00 PM
To: MCP-Chair; Freer, Walker
Subject: Alef Bet Montessori

Dear Chair of MNCPPS and Transportation Chair,

I live in Luxmanor and I have visited the Alef Bet facility and although it is a very nice facility - it is a house - a remodeled home - not a school for 90 children (some teenagers) and 12 staff. It was built and used as a home for generations and there is no way it can accommodate the numbers they are proposing. Greenacres also in Luxmanor has acres and acres of property for its school and camp which probably don't teach many more students than Alef Bet is requesting. I doubt that the Montessori school at the Church right across from Tilden Middle School even has that many students and again that building has much more space and property.

It also concerns me that this will create additional traffic which the area certainly does not need. Cabin John Village is building more housing and stores as in Montgomery Mall. Woodward will be reopening as a High School and the construction to Tilden Middle School and Luxmanor Elementary will conclude and the cars will return with tons of volume as soon as schools reopen. This is not the place to add additional traffic and volume of autos.

Alef Bet should be capped at no more than 45 students and the needed staffing. I don't understand how it was ever given approval as it is not affiliated with a synagogue and should have to meet all standard basic zoning codes.

Thank you for your hard work and consideration.

Nancy Feldman
11101 Buckwood Lane
North Bethesda, MD 20852

MCP-Chair

From: Petra Lenz <petralenz4@icloud.com>

Sent: Tuesday, July 28, 2020 11:58 AM
To: MCP-Chair
Cc: quinnmarka@gmail.com
Subject: Subject: Alef Bet Planning Board Hearing: July 30, 2020

Categories: Tracked To Dynamics 365

Dear Planning Board Chair Casey Anderson and Planner Freer

As a resident of the Heritage Walk/Windermere HOA, I write to submit the following comments about the staff recommendation to approve the enrollment increase with revised operating conditions that Alef Bet would be required to follow, including penalties for noncompliance.

- **The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane.** Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.

- **The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit.** The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as *at a point in time*and not in the aggregate.

- **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am.** The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.

- **We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of an automated vehicle counting technology chosen by the neighborhood, paid for by the school. This will allow the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.

- **Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of camera

technology chosen by the neighborhood, and paid for by the school that will allow the neighborhood to know that Tuckerman Lane is monitored for queuing violations during morning drop-off and afternoon pickup periods, without the burden of monitoring falling on the neighborhood's shoulders.

- **The proposed fines are inadequate and should begin with $750 for a first violation.** The school had proposed $100 per infraction. We view this as too low and not at all adequate to ensure compliance with the Traffic Management Plan.

- **The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement.** Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Please take these comments into account when considering this application. We oppose this increase in the first place, but if the Planning Board is going to approve anyway with conditions, then the conditions must ensure the integrity of the community is maintained. We have to live with the consequences of the Board's decision and expect you to consider our interests equally, or moreso, than the school's.

Thank you.

Sincerely yours,

Petra Lenz
1 Windermere Ct
Rockville, MD

MCP-Chair

From: Sylvia Wagner <wagnersylvia430@gmail.com>
Sent: Tuesday, July 28, 2020 10:26 AM
To: MCP-Chair
Subject: Alef Bet school concerns

Categories: Tracked To Dynamics 365

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Chair:
I am a long time resident of Windermere and directly affected by the presence of the Alef Bet school. I have several concerns:
1. I actually am puzzled that the school was granted permission to be established in a residential neighborhood on a extremely busy and major thoroughfare 2. Traffic changes could be a nightmare for me.
3. There must not be any parking on tuckerman allowed. It is such a busy street and very narrow as it is now. Congestion at that point is a problem waiting to happen 4. Who or what will monitor the school's activities to make sure there is no congestion on Tuckerman?
5. Are the fines prohibitive enough if there are violations of any accepted plans and regulations?
6. Are there sanctions or ability to revise accommodations in place overall if the plans of the school approved by the Board are shown to be untenable?
7. How can the neighborhood feel comfortable that oversight of this intrusion will be managed?
Sincerely
Sylvia Wagner
6228 Mazwood Rd
Rockville 20852

Sent from my iPhone

MCP-Chair

From: Daniel Darnell <danielj.darnell@gmail.com>
Sent: Tuesday, July 28, 2020 9:29 AM
To: MCP-Chair
Cc: Freer, Walker; Butler, Patrick; Sanders, Carrie
Subject: Adjacent Neighbor input to Alef Bet Montessori APFO and Traffic Management Plan
Attachments: Concerns about 6125 Tuckerman from Daniel Darnell.pdf

Dear Chair Anderson, please find attached my letter and input to the APFO and TMP on this important matter. We hope we can find a way in which to move forward on the TMP and we have provided input to that effect which outline important items to the neighborhood that remain outstanding.

Thank you in advance and I look forward to Thursday's hearing.

Dan Darnell
Rosemont Dr
Rockville, MD
703.887.9627

July 28, 2020

Via email:

To: Chairman Casey Anderson
Cc: Walker Freer

Re: Neighborhood concerns regarding 6125 Tuckerman Lane

Dear Chairman Anderson-

Thanks go to you and your staff in hearing our continued concerns about Alef Bet Montessori's further modified site plan and proposal, in the school's effort to expand to 90 students plus 12 staff in a formerly single family home. Please note, an overwhelming majority of the neighborhood continue to oppose Alef Bet's plans, as was demonstrated in the 89% of the 100+ neighborhood letters sent in opposition to the expansion.

As you made clear in the previous Board hearing, your concern is with "...adequate loading capacity, so people are not backed up on the streets." We take to heart the constraints under which M-NCPPC has operated and write this letter to raise new questions and concerns that arise with the modified site plan the school has submitted, and the proposed TMP. All of these concerns we view directly, or at least procedurally, within the purview of M-NCPPC. **Our concerns are:**

DRAFT siteplan (Figures 1-3, Attachment A-B of Staff Report) has not been reviewed for approval by DPS, with a number of contentious neighborhood issues that could subsequently affect vehicle circulation:

1. DRAFT site plan further increases impervious material driveway and raises stormwater management issues. ***DPS has not reviewed and approved the DRAFT site plan request and/or stormwater management effects. We raise these issues because the circulation of Alef Bet's vehicle flow is incumbent upon this proposed expansion of the driveway, and the expansion of the driveway will impose additional stormwater effects that DPS must consider.***

2. Realism of a Valet Parking arrangement in the context of a nursery school. ***DPS has not even been asked to assess the realism or safety of a Valet Parking arrangement in the context of a nursery school. Further, the TMP makes no mention of a Valet Parking attendant and the requirement to employ one, how it works if the Valet Parking attendant is absent, if the Valet Parking attendant is employed by the school as a staff member, how Maryland State Department of Education views a school staff member in that arrangement, etc. We raise this issue as adequate staff parking is contingent upon the Valet Parking arrangement.***

3. Available parking for staff and subsequent traffic flow: inconsistencies in DPS vs. M-NCPPC submissions. ***In the submitted report to M-NCPPS, Alef Bet claims they will restrict the front four parking spaces from staff use during drop-off and pick-up periods; however, per the site plan to be submitted to DPS, full use of all parking spaces (12 in total) are required. This is inconsistent and incongruent. Further, if the school represents that staff arrives in shifts, how is that enforceable? What mechanism does the neighborhood or Planning Board have to enforce that other than promises from the school?***

TMP specific concerns

4. Limited enforcement period of 5 years is much too short. ***Several items in the TMP are items that will always be of concern to the neighborhood with the Alef Bet commercial operation in a single-family resident, for example. parking on Tuckerman Lane, 90 students max enrollment, etc. The TMP should be a document that lives into perpetuity and is attached to the property record.***

5. The revised site plan approved by DPS should become part of the Traffic Management Plan as an attachment and recorded with the property. ***There are bound to be changes in Alef Bet's site plan they submit to DPS and are subsequently approved for. This revised siteplan should become an Attachment to the TMP and recorded with the property.***

6. Must be enforceable with "Show Cause" language. ***Without the ability for the neighborhood to cite specific infractions, the neighborhood effectively has no standing and will be at the whim of school excuses, delay, and stonewalling, without any means for our concerns or specific infractions to be addressed. This would run counter to your guidance to the school of "…not having the neighborhood chasing you, or burden falling on Planning Staff" for enforcement***

7. Enforcement actions must be meaningful: $100 per infraction is meaningless. ***$100 per infraction is much too low and serves as nothing more than an annoyance payment, which is precisely why the school suggested it. Please note Alef Bet received $650,000+ in private donations and Federal / State grants in 2018 alone, they can surely afford a reasonable penalty. Further, the school should not be afraid of this penalty if they are so convinced of their ability to comply with the proposed traffic management plans. As you so rightfully pointed out to the school: "no one forced you to open a school in a single family residential neighborhood."***

8. Independent Certified Traffic Manager. The school has quietly proposed to certify one of their employees as the TMP mandated Certified Traffic Manager instead of hiring an external firm. Per the TMP, the Traffic Manager is also to serve as a monitor and reporting mechanism for queuing infractions on Tuckerman Lane. ***There is no objectivity or checks-and-balances with a Certified Traffic Manager that is also a staff member of Alef Bet. The Traffic Manager should be externally sourced and independent of the school.***

9. Independent Vendor for Automated Counting of vehicles. ***Planning Staff suggested, and we support, an independently selected—by the neighborhood—vendor to count and log daily vehicle counts in the AM time period, with results posted monthly for public consumption.***

10. Independent Vendor for Automated Photo evidence of Queuing. Traffic queuing infractions, and the policing of them, should not fall on the shoulders of the neighborhood. ***We strongly support an automated method (video or camera) to capture queuing conditions on Tuckerman Lane. Without such a system, the neighborhood must rely on the Traffic Manager to document queuing problems, which has its own conflict (#8 above).***

Thank you again for your time and consideration in addressing our points of concerns. We look forward to finding a solution that works for everyone, and we hope our TMP inputs are well-received as they are very important to the neighborhood as a means from which to move forward.

Sincerely,

Daniel Darnell
Adjacent Property Owner and
Neighborhood Member, Concerns About the School

Attachments:

1. July 17 letter to DPS, Ms. Mitra Pedoeem, Re: Neighborhood concerns regarding 6125 Tuckerman Lane, Alef Bet revised site layout

Attachment 1: Letter to DPS Concerning Revised Site layout, 6125 Tuckerman Lane

July 17, 2020

Via email to:

Ms. Mitra Pedoeem
Department of Permitting Services
255 Rockville Pike
2nd Floor
Rockville, MD 20850

Re: Neighborhood concerns regarding 6125 Tuckerman Lane, Alef Bet revised site layout

Dear Ms. Pedoeem:

Thank you for taking the time to have your staff investigate the neighborhood's concerns regarding the numerous zoning code infractions which were subsequently cited by DPS in a Notice of Violation, Case 423078. As we understand it, Case 423078 is still open for investigation and the final course of action has not been approved by DPS nor relayed to the community in its ultimate resolution.

In follow-up to the earlier concerns the neighborhood outlined, and in the context of the on-going investigation mentioned above, the neighborhood has learned of the draft revised site plan submitted by Alef Bet for consideration in the School's efforts to expand their Use of Occupancy Certificate and to receive M-NCPPC Staff approval for increased student and staff enrollment. We write to you in this letter to surface a number of the contiguous and broader neighborhood concerns with this revised site plan proposal, which can be summed up as concerns around:

1. **Stormwater Management**
2. **Preservation of neighborhood / County green space**
3. **Incremental expansion: this is not what the School represented at the outset**
4. **Reality of a "Valet Parking" arrangement**
5. **Inconsistencies in Alef Bet submissions to M-NCPPC and DPS**

1. Stormwater Management

As a contiguous neighbor, my property has been negatively affected by a significant increase in stormwater runoff caused by the Alef Bet's commercial expansion. Prior to Alef Bet's modification of the facility, the back parking lot was dramatically smaller and surrounded by trees, vegetation, and a large span of grass between our properties, all of which easily absorbed stormwater runoff. Now, with a new and significantly expanded commercial parking lot abutting directly to our residential property, stormwater regularly runs down the back parking lot and jumps the parking lot curb, pouring onto my property, damaging tree and mulch beds, and eventually flowing towards the street and into the drain system. **We are concerned the continued expansion of Alef Bet's driveway will drive ever more runoff onto our property and into the watershed. We ask that DPS review the existing stormwater plans to determine if there are deficiencies that should be remedied. There has unquestionably been a material increase in stormwater runoff onto my property since the school has completed its construction.**

In addition to the back parking lot, runoff caused by the significantly expanded driveway at Alef Bet runs from the top of the hill onto Rosemont Dr. as the storm grate at Rosemont/Tuckerman cannot handle the yard debris and volume of water that flows into it during storm events. This water then flows down Rosemont Dr. and into the drain system. A further expansion of Alef Bet's impervious driveway is not a workable solution and will add to the amount of runoff already inundating the system. **We are concerned the continued expansion of Alef Bet's driveway will drive ever more runoff onto our property and into the watershed. This is not acceptable.**

2. **Preservation of the neighborhood's green space**

The neighborhood has lost a number of generational trees to the Alef Bet commercial development (see Exhibit A vs. B, attached); we find it unconscionable that in addition to the trophy sized (two of them, in the Public Right of Way!) cherry trees the neighborhood lost during the Alef Bet construction, we've also lost a magnificent magnolia, maple, and pine tree. All five of these trees soared over the home and were part of the charm of this once low-rise rancher. Alef Bet's now commercial operation destroyed these trees and the local shrubbery and hardscaping with an eye sore of a commercial parking lot, and now the school is requesting to *further* expand the parking lot size. **We strongly urge DPS to respect what is left of this property's neighborhood charm by denying this driveway expansion.**

3. **Incremental expansion: this is not what the School represented at the outset**

We are outraged by Alef Bet's incremental expansionism and "none the wiser" mentality they continue to exhibit with county officials, a number of which are not aware of the overwhelming neighborhood opposition to the school's intentions and actions. The school's slow, incremental, and subversive growth is not fair to the neighborhood and its 130+ outraged neighbors, and is completely counter to what the school claimed at the outset of looking to "preserve the look and feel of the neighborhood and to be a good neighbor." Alef Bet's incremental requests, while small perhaps in isolation, are significant in total over the years. **We urge DPS to preserve our neighborhood and deny the expansion of the school's driveway and hard surface parking lot.**

4. **Reality of a "Valet Parking" arrangement**

Alef Bet's proposal to turn its back parking lot into a "Valet Parking / Tandem" parking lot is outrageous, unworkable, unsafe, and merely a disingenuous paperwork ploy. In the 18 months we have observed the school's operations, we have never once observed more than four cars (the school has six Staff members) parked in the back parking lot, presumably because of the inability to turn and maneuver vehicles in such a confined area. There are no overruns or shoulders to take advantage of; the parking lot is tightly enclosed by metal and wooden fences, leaving drivers little turning room to maneuver. In fact, vehicles observed leaving the parking lot are often unable to turn around and are forced to *back out* of the parking lot and up the hill (with children playing and patrons walking nearby in a potential blindspot), especially when more than three cars are parked in the back and space is tight.

As an alternative to the difficult parking in the rear lot, school Staff instead park on Tuckerman Lane because parking, based on our observations, staff is unwilling to park in the back lot when it would result in more than four parked vehicles. The school has consistently asserted that its parking would be sufficient, and based on our observations it is not, even with its current student enrollment and staffing levels. **We urge DPS to deny the "Valet Parking / Tandem" concept as it is an unrealistic and disingenuous paperwork ploy to "show" required parking spaces. Rather, school staff will continue to park along Tuckerman Lane which represents its own danger as we have had neighbors experience accidents**

attempting to pull onto Tuckerman Lane and unable to see around staff vehicles parked on Tuckerman Lane.

5. **Staff require 12 spaces, however 12 spaces are not available**

In its submission to M-NCPPC, Alef Bet—*on the one hand*—claims as a condition of approval that the front four parking spaces will not be occupied by staff members during the AM and PM drop-off periods (roughly 7:30–9:30am and 2-5pm, see Exhibit C). However, *on the other hand*, Alef Bet for the purposes of Use of Occupancy requirements has indicated to DPS the school has 12 parking spaces on site that are openly available at all times for staff usage. **Alef Bet cannot on the one hand indicate to M-NCPPC the school will keep the front parking spaces unoccupied by school staff during critical drop-off periods, but on the other hand represent to DPS the school has 12 fully available parking spaces for staff usage, in compliance with Use of Occupancy requirements.** It is during these drop-off and pick-up time periods that activity at the school will be at its highest and staff members would need to be on site and in need of these parking spaces, as a result. Much like the above Point #4, Alef Bet's disingenuous and inconsistent submissions to M-NCPPC and DPS should not be tolerated, and we urge that Alef Bet's request be denied.

This inconsistency only further underscores our concerns that the Planning Board's review of the APFO issues appears to be disconnected from DPS' review of the expanded Use and Occupancy Permit application, and we again ask that you coordinate with Park and Planning in the context of these dual proceedings.

Thank you again for your time and work in addressing our points of concerns.

Sincerely,

Daniel Darnell
Neighborhood Member, Concerns About the School

Cc:

1. Heritage Walk Homeowners Association
2. Concerns About the School, Neighborhood Community
3. Michele Rosenfeld, Esq.

Exhibit A: 6125 Tuckerman Lane, before construction

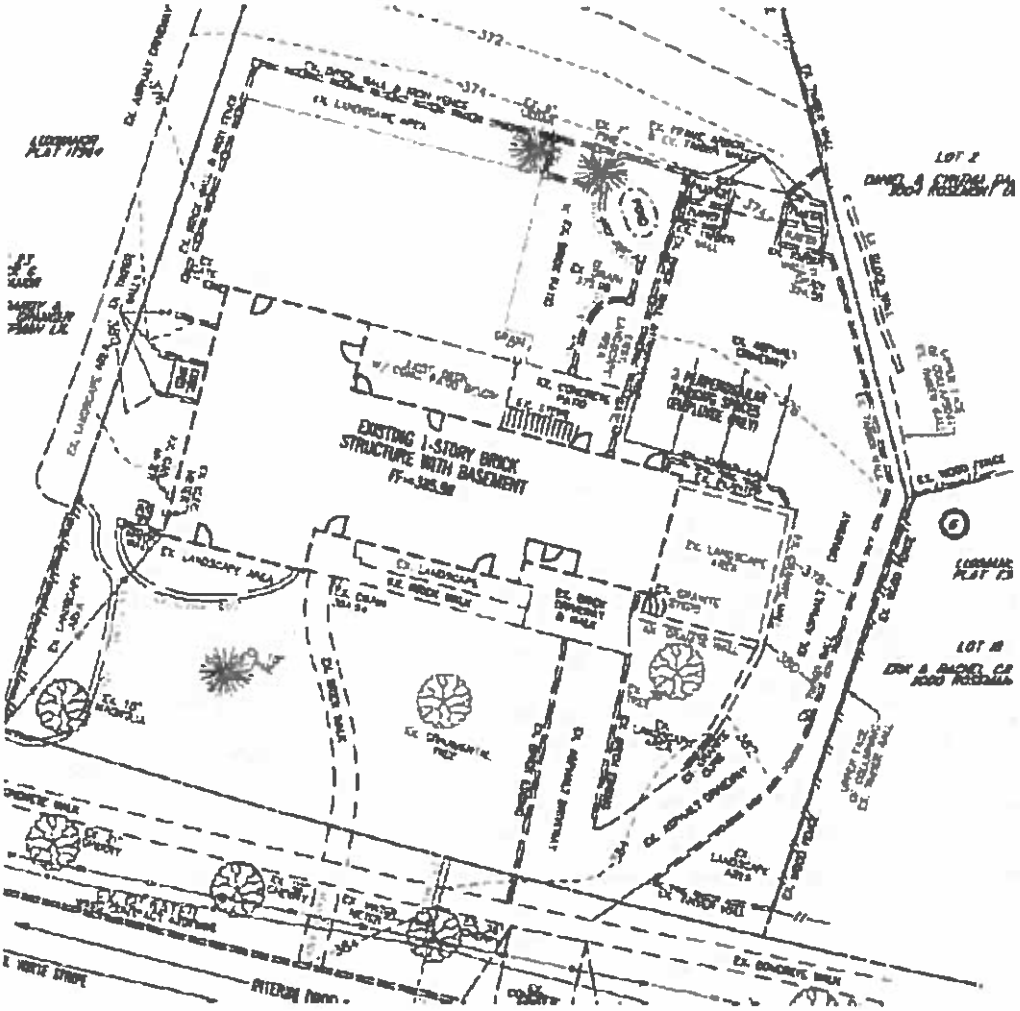
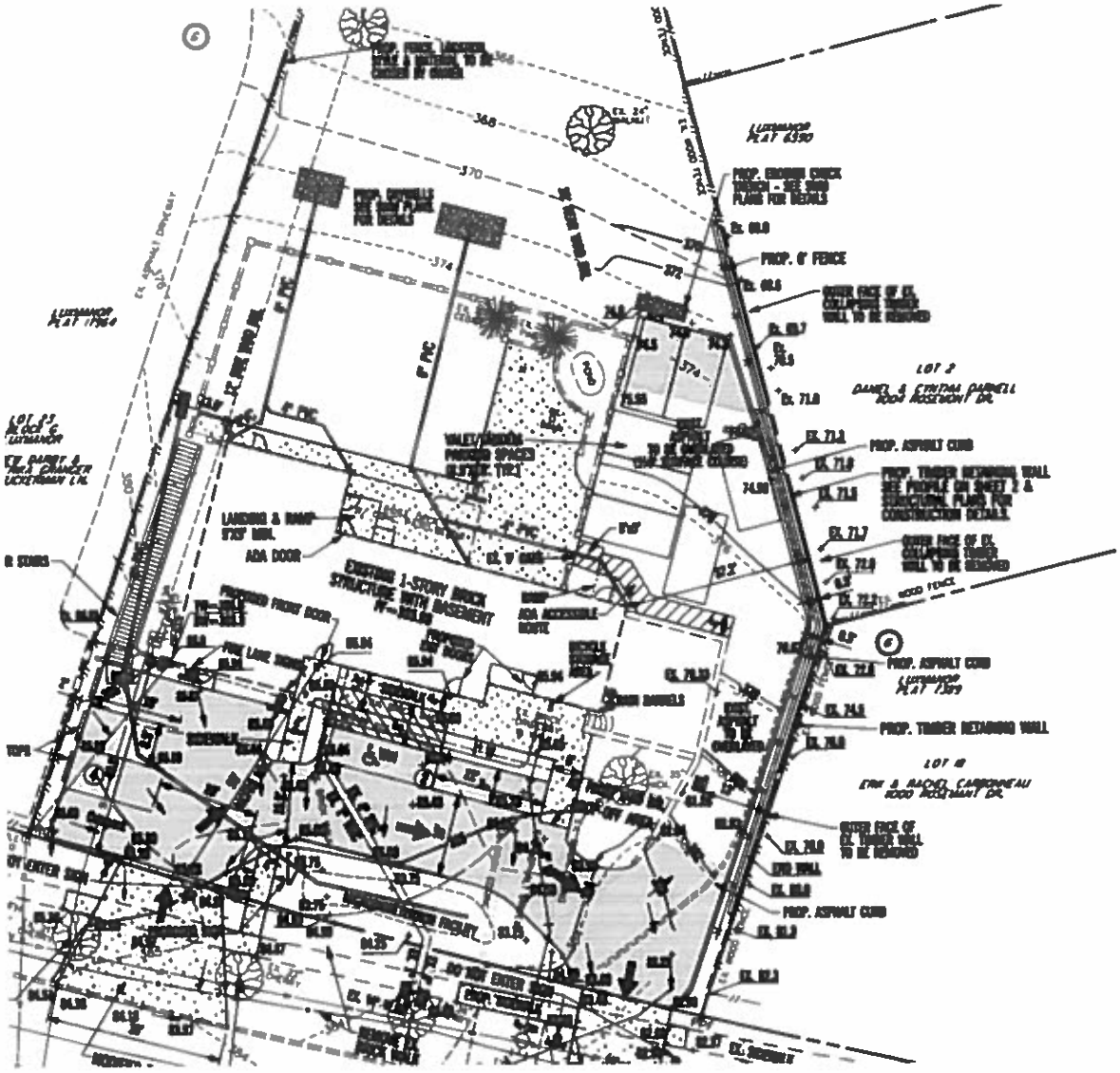


Exhibit B: 6125 Tuckerman Lane, after construction



Note significant increase in paved surface and removal of trees

Exhibit C: Alef Bet submission to M-NCPPC

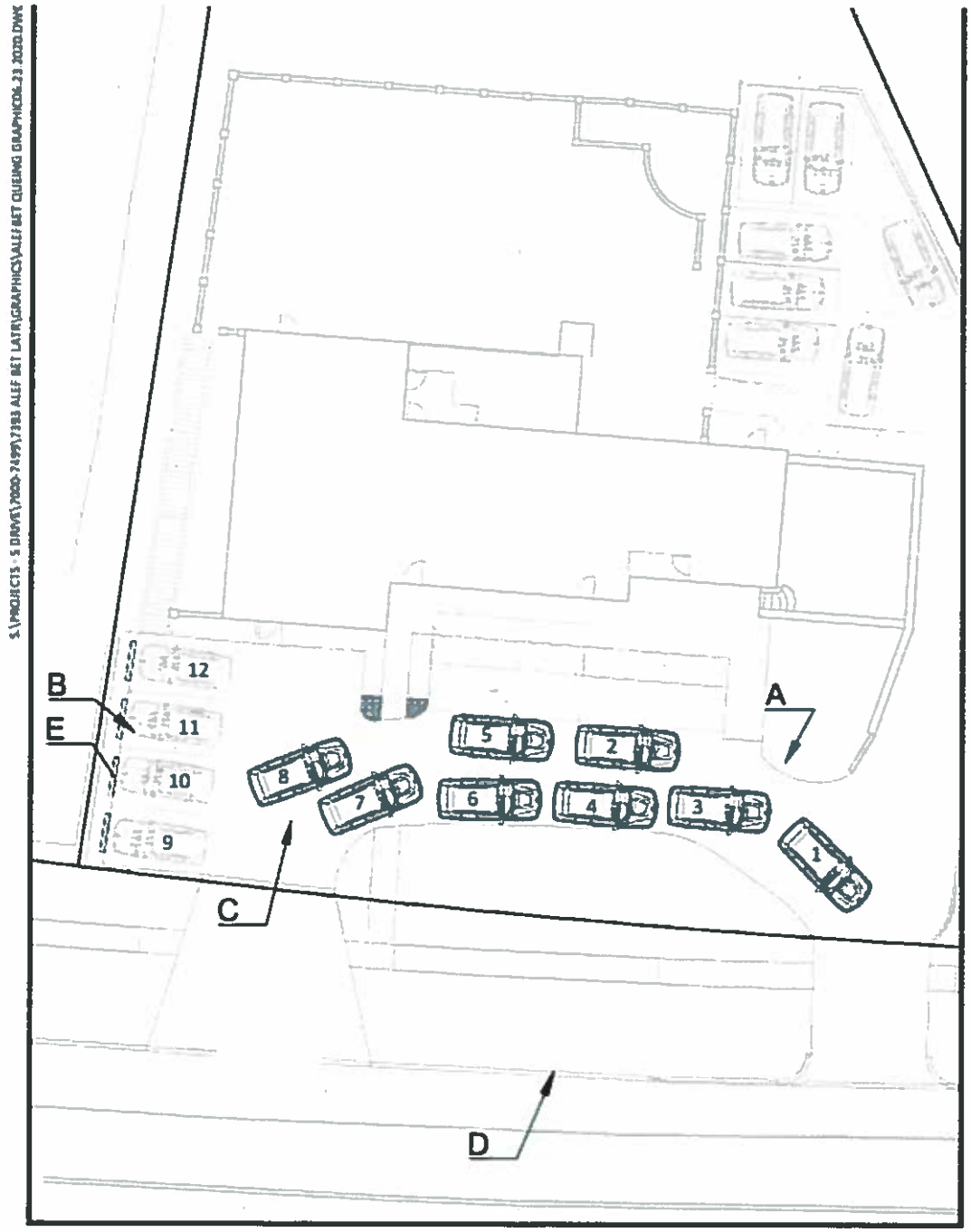


Figure 2
Drop-off and Pick-up Stacking Lanes

A. Drop-Off Pull-Forward Lane - Staff assists children in and out of car.
B. 4 spaces used for pick up and drop off. No staff parking during these times.
C. 2 Carpool lanes-clockwise flow. Students do not exit cars until in front of school.
D. No parking between driveways 7:30 AM to 9:15 AM.
E. Stop bar in parking spaces.

NORTH

Alef Bet Montessori School
Montgomery County, MD

MCP-Chair

From: Alex Honch <ahonch12@gmail.com>
Sent: Tuesday, July 28, 2020 8:51 AM
To: MCP-Chair
Subject: Alef Bet Planning Board Hearing on July 30, 2020

Categories: Tracked To Dynamics 365

Dear Planning Board Chair Anderson,

I and my family live directly across Tuckerman Lane from the Alef Bet school, my home address is 6124 Tuckerman Lane. My wife and I bought this house over 9 years ago to raise our family in a residential neighborhood, not to live directly across the street from a busy school. Even now, with myself working from home, I simply need to look out my window to see Alef Bet staff park on the shoulder along Tuckerman Lane and keep their cars on the shoulder all day. My understanding is that the school already had enough parking to accommodate staff. I fear what Tuckerman will look like with the proposed increase in enrollment and subsequent increase in staff. Tuckerman will be a parking lot, and a dangerous one at that. Cars merging from Old Georgetown Rd, bike riders and parents clogging the road at drop off and pick up. Respectfully, you do not have to live here....I do. Who speaks for my family and our quality of life? We were under the impression it was you and your board.

Please do not allow for the increase in the student body at Alef Bet.

Regards,
Alexander Honch
703-200-0724

MCP-Chair

From: Fred Cornelius <fcornelius@burtwealth.com>
Sent: Tuesday, July 28, 2020 8:41 AM
To: MCP-Chair
Subject: Alef Bet Planning Board Hearing July 30

Categories: Tracked To Dynamics 365

My name is Fred Cornelius and I live on Rosemont Drive. My backyard almost touches the property in question. My wife and I and two boys moved to this neighborhood because of the quiet and peaceful setting. We moved to our present home in 2006. The purpose of my email is in opposition to the Alef Bet school being able to increase their student count from 30 students to 90 students. In my almost 15 years of living in the neighborhood, I had never seen an accident on Tuckerman Lane near the school. Since the school has been opened, there have been at least two serious accidents and I believe several other minor accidents. I saw the results of one of the accidents in which a car was hit and deposited in a yard across the street from the school. I can only imagine the impact of this crash as the car was moved some 60 to 90 feet from the road, over the curb and into the yard.. I believe another accident resulted in a car being tossed on its side. If this happens with limited capacity, imagine what will happen if the student count is tripled. My opposition to this is purely on the basis of neighborhood safety. The intersection at Tuckerman and old Georgetown Road is very often stacked up with many vehicles that will stretch back toward the school. The cars actually moving from old Georgetown Road toward the school, are staggered in such a way it is already very difficult to exit Rosemont Drive onto Tuckerman Lane as there is very seldom a break in the traffic during peak hours when the school would be accepting students in the morning were letting students go in the afternoon. Additional traffic queuing up on Tuckerman Lane will only exacerbate this problem. People accelerate to the intersection at old Georgetown Road and Tuckerman in order to make the light before it turns red this creates a very dangerous situation and again the school will add to that danger. Here is a list of recommendations for the planning board.

- The TMP should be enforceable until and unless a further Planning Board action is undertaken. The current TMP is only enforceable for five years. This is much too short as there are elements of the TMP that will always be important to the neighborhood, such as an aggregate cap on the number of students, prohibition of parking on Tuckerman Lane. The County's duty to protecting the neighborhood should not end at five years.
- The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane. We have made progress on this point with Planning Staff. We endorse Planning Staff's requirement to prohibit parking of school staff vehicles on Tuckerman Lane. Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.
- The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit. We have made progress on this point with Planning Staff. We endorse Planning Staff's requirement that the student cap is an aggregate daily cap. The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as at a point in time and not in the aggregate.
- The ultimate / revised Alef Bet siteplan approved by DPS should be attached to the TMP as an exhibit. This will ensure there is no question as to the site specific modifications and ramifications required by DPS for increased Use of Occupancy.

- The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am. The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.
- We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service. Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of an automated vehicle counting technology chosen by the neighborhood, paid for by the school. This will allow the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.
- Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods. Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of camera technology chosen by the neighborhood, and paid for by the school that will allow the neighborhood to know that Tuckerman Lane is monitored for queuing violations during morning drop-off and afternoon pickup periods, without the burden of monitoring falling on the neighborhood's shoulders.
- The proposed fines are inadequate and should begin with $750 for a first violation. The school had proposed $100 per infraction. We view this as too low and not at all adequate to ensure compliance with the Traffic Management Plan.
- The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement. Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Thank you in advance for your thoughtful consideration of these recommendations.

Fred Cornelius, CFA, CFP®
President

Parking:

After turning off Executive Blvd. at the traffic lights, turn left at the 2nd small island and you will come upon a traffic circle. Continue past the circle and bear left to the parking deck. **Take a ticket from the machine in order to raise the gate and bring it with you to the office to be validated.** If the ticket is not validated, the only method of payment accepted is a credit card to be inserted in the reader at the exit gate. There is no other payment location.

Lost tickets cannot be validated. The maximum fee will be charged using a credit card on exit. If there is no "lost ticket" button, you must use the intercom at exit gate.

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BURT WEALTH ADVISORS
6116 Executive Blvd., Suite 500
Rockville, MD 20852

Phone 301-770-9880 Ext. 1311
Fax 301-770-9885
Email fcornelius@burtwealth.com
Web www.burtwealth.com

MCP-Chair

From: Barbara Gold <gold.bs@gmail.com>

Sent: Monday, July 27, 2020 11:22 AM
To: MCP-Chair
Cc: Freer, Walker
Subject: Opposition to Alef Bet Expansion

Categories: Tracked To Dynamics 365

Dear Messrs. Anderson and Freer:

As a resident of the Heritage Walk/Windermere HOA, living .2 miles from Alef Bet and off of Tuckerman Lane, I write to submit the following comments about the staff recommendation to approve the enrollment increase with revised operating conditions that Alef Bet would be required to follow, including penalties for noncompliance.

The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane. Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder. It also presents an extremely dangerous situation for the many persons, such as my husband and myself, who walk on Tuckerman Lane throughout the day and for the numerous cyclists on that road.

The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit. The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as at a point in time and not in the aggregate.

The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am. The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.

We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service. Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of an automated vehicle counting technology chosen by the

neighborhood, paid for by the school. This will allow the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.

Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods. Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of camera technology chosen by the neighborhood, and paid for by the school that will allow the neighborhood to know that Tuckerman Lane is monitored for queuing violations during morning drop-off and afternoon pickup periods, without the burden of monitoring falling on the neighborhood's shoulders.

The proposed fines are inadequate and should begin with $750 for a first violation. The school had proposed $100 per infraction. We view this as too low and not at all adequate to ensure compliance with the Traffic Management Plan.

The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement. Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Please take these comments into account when considering this application. We oppose this increase in the first place, but if the Planning Board is going to approve anyway with conditions, then the conditions must ensure the integrity of the community is maintained. We have to live with the consequences of the Board's decision and expect you to consider our interests equally, or moreso, than the school's.

Thank you.

Sincerely yours,

Barbara S. Gold, 10912 Ralston Road, Rockville, MD 20852

MCP-Chair

From: Jack Quinn <jack.quinn88@verizon.net>
Sent: Monday, July 27, 2020 12:12 AM
To: Freer, Walker; MCP-Chair
Subject: Alef Bet Planning Board Hearing: July 30, 2020 - Input from an affected resident

Categories: Tracked To Dynamics 365

Dear Planning Board Chair Casey Anderson and Planner Freer

As a resident of the Heritage Walk/Windermere HOA, I write to submit the following comments about the staff recommendation to approve the enrollment increase with revised operating conditions that Alef Bet would be required to follow, including penalties for noncompliance.

- **The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane.** Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.

- **The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit.** The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as *at a point in time*and not in the aggregate.

- **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am.** The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.

- **We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of an automated vehicle counting technology chosen by the neighborhood, paid for by the school. This will allow the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.

- **Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of camera

technology chosen by the neighborhood, and paid for by the school that will allow the neighborhood to know that Tuckerman Lane is monitored for queuing violations during morning drop-off and afternoon pickup periods, without the burden of monitoring falling on the neighborhood's shoulders.

- **The proposed fines are inadequate and should begin with $750 for a first violation.** The school had proposed $100 per infraction. We view this as too low and not at all adequate to ensure compliance with the Traffic Management Plan.

- **The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement.** Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Please take these comments into account when considering this application. We oppose this increase in the first place, but if the Planning Board is going to approve anyway with conditions, then the conditions must ensure the integrity of the community is maintained. We have to live with the consequences of the Board's decision and expect you to consider our interests equally, or moreso, than the school's.

Thank you.

Sincerely yours,

Jack Quinn
25 Windermere Court
Rockville, MD 20852

MCP-Chair

From: Bill Graves <webgraves@aol.com>

Sent: Sunday, July 26, 2020 10:25 PM
To: MCP-Chair; Freer, Walker
Subject: Alef Bet Planning Board Hearing - July 30, 2020

Dear Planning Board Chair Casey Anderson and Planner Freer

As a resident of the Heritage Walk/Windermere HOA, I write to submit the following comments about the staff recommendation to approve the enrollment increase with revised operating conditions that Alef Bet would be required to follow, including penalties for noncompliance.

- **The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane. Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.**

- **The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit. The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as *at a point in time* and not in the aggregate.**

- **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am. The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.**

- **We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service. Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of an automated vehicle counting technology chosen by the**

neighborhood, paid for by the school. This will allow the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.

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- The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement. Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Please take these comments into account when considering this application. We oppose this increase in the first place, but if the Planning Board is going to approve anyway with conditions, then the conditions must ensure the integrity of the community is maintained. We have to live with the consequences of the Board's decision and expect you to consider our interests equally, or moreso, than the school's.

Thank you.

Sincerely yours,
Bill Graves
6520 Windermere Circle
North Bethesda, MD 20852-3541
301-564-5612 - home

MCP-Chair

From: Joani Graves <joanigraves@aol.com>

Sent: Sunday, July 26, 2020 10:12 PM
To: MCP-Chair; Freer, Walker
Subject: Alef Bet Planning Board Hearing - July 30, 2020

Categories: Tracked To Dynamics 365

Dear Planning Board Chair Casey Anderson and Planner Freer

As a resident of the Heritage Walk/Windermere HOA, I write to submit the following comments about the staff recommendation to approve the enrollment increase with revised operating conditions that Alef Bet would be required to follow, including penalties for noncompliance.

- **The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane. Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.**

- **The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit. The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as *at a point in time* and not in the aggregate.**

- **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am. The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.**

- **We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service. Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of**

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- The proposed fines are inadequate and should begin with $750 for a first violation. The school had proposed $100 per infraction. We view this as too low and not at all adequate to ensure compliance with the Traffic Management Plan.

- The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement. Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Please take these comments into account when considering this application. We oppose this increase in the first place, but if the Planning Board is going to approve anyway with conditions, then the conditions must ensure the integrity of the community is maintained. We have to live with the consequences of the Board's decision and expect you to consider our interests equally, or moreso, than the school's.

Thank you.

Sincerely yours,

Joani Graves
6520 Windermere Circle
North Bethesda, MD 20852-3541
301-564-5612 - home

MCP-Chair

From: Beverly Piccone <beverlypiccone@gmail.com>
Sent: Saturday, July 25, 2020 11:44 AM
To: MCP-Chair
Subject: Alef Bet Planning Board Hearing: July 30, 2020

Categories: Tracked To Dynamics 365

- **Hello Mr. Anderson,**
-
- **Please consider the following points concerning the Alef Bet proposal.**

-
- **The school should be required to fill all parking spots on the property before anyone (Staff or Parents) park on Tuckerman Lane.** Currently, many school staff park on Tuckerman Lane instead of utilizing the school parking lot, despite representing to Planning Staff that parents and staff only park on school property. The parking on Tuckerman Lane presents a dangerous situation where neighborhood members have difficulty safely pulling out of their driveway or adjoining street because of the obstruction presented by cars parked on the shoulder.

- **The revised conditions should clearly state that the total number of maximum permitted students is an absolute aggregate daily limit.** The school should not be allowed to replace students in the afternoon that had left in the morning. The Traffic Study commissioned by the school is based upon enrolled students measured in aggregate throughout the day, however the school has attempted to define the maximum permitted students as *at a point in time* and not in the aggregate.

- **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am.** The school has represented to the Planning Staff and Board their ability to spread parent and student arrivals over a two-hour period so as to avoid queuing on Tuckerman Lane. A limit of 18 vehicles per 30 minutes accomplishes this.

- **We support use of automated vehicle counting technology and the community should choose the vendor and the school should pay for the monitoring service.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of an automated vehicle counting technology chosen by the neighborhood, paid for by the school. This will allow the neighborhood to know school compliance is monitored without the burden falling on the neighborhood's shoulders.

- **Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods.** Chairman Anderson, in the April 23rd Board Hearing, insisted the monitoring and enforcement of the school should not fall on the neighborhood or Planning Staff. We support and encourage the use of camera technology chosen by the neighborhood, and paid for by the school that will allow the neighborhood to know that Tuckerman Lane is monitored for queuing violations during morning drop-off and afternoon pickup periods, without the burden of monitoring falling on the neighborhood's shoulders.

- **The proposed fines are inadequate and should begin with $750 for a first violation.** The school had proposed $100 per infraction. We view this as too low and not at all adequate to ensure compliance with the Traffic Management Plan.

The TMP should allow for a "show cause hearing" if there are multiple violations of the agreement. Without "show cause hearing" language in the Traffic Management Plan, the neighborhood will not have any standing with the Planning Board or the school in order for the neighborhood to cite specific incidents of non-compliance, and to cause a Planning Board enforcement action.

Thank you for your consideration.

Sincerely,
Beverly Piccone
6224 Starwood Way
Rockville, MD 20852

beverlypiccone@gmail.com

MCP-Chair

From: Ira Wolpert <icw1937@aol.com>
Sent: Friday, July 24, 2020 8:22 PM
To: MCP-Chair
Subject: Application of Alef Bet

Categories: Tracked To Dynamics 365

We support the opposition of Darnell, Wolff and Strauss to the above application scheduled for hearing on July 29. We have previously filed a written response to the application and request that it be considered at the hearing.

Ira and Sheila Wolpert
11033 Rosemont Drive
Rockville, MD 20852
301-770-6848

MCP-Chair

From: Victoria Perkins <vperki45@gmail.com>
Sent: Friday, July 24, 2020 5:36 PM
To: MCP-Chair
Cc: Roger Hess
Subject: July 30 Planning Board Meeting on Alef Bet Enrollment Multiplication

Categories: Tracked To Dynamics 365

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good afternoon, Mr. Anderson. We are long time, tax paying, voting, residents of Luxmanor, living on the cul de sac at the very beginning of Huntover Dr. We have stayed in this neighborhood for 36 years, because it is quiet, safe and beautiful. It was a wonderful place to raise our two children, and is now a quiet oasis for our retirement.

We fear that the massive increase in the Alef Bet enrollment now in process will make some very negative changes in our neighborhood. If the school's plan to shoehorn a nursery, elementary school and after school program for 90 students into a single family lot the same approximate size as our own must be approved, then strict parameters and enforcement mechanisms are our sole defense. We strongly urge you and the Board to consider and act upon the following comments on the Staff Recommendation and Conditions.

1. General Comment: The final requirements should make clear that the 90 student limit is an absolute maximum per day, no matter what time the children arrive or how long or when they are there. The school must not have 90 nursery and elementary students and then add on 90 after school day care students.
2. Paragraph 2: The school should maintain more than one certified traffic manager. No violations of parking rules may be permitted with the excuse that the traffic manager happened to be absent on the day in question. In addition, the carefully planned, intricate drop off plan will surely need more than one person paying attention to the incoming and outgoing cars to be sure rules are being complied with.
3. Paragraph 3: Why is there no plan for pick up? Particularly if the school is acting as an after school care facility, the evening rush hour will surely be busy as well. What effect will County buses have on the traffic requirements? The two traffic lanes are not big enough to accommodate a bus and a car side by side. The school's traffic management plan must be revised to account for school buses prior to the use of the facility as an approved after school care facility. I see nothing in the publicly available material about that. Has that plan been terminated? If there is not yet an approval by the County of this facility for after school care, such approval should be withheld until the traffic plan has been modified to include school buses. If the approval is already in place, this traffic plan will be our sole opportunity to take care of this potentially severe evening rush problem.
4. Paragraph 3B: The proposed fine of $100/violation, which was the school's first offer, is far too low. It's no real incentive at all, which is why the school proposed it. You proposed $1,000 per violation. I believe that, at a minimum, the fine should be at least $750/violation for first violation, with increasing amounts for subsequent violations. A specific time frame must be included for payment of the fine. Records of fines incurred and paid should be part of the public record.
5. Paragraph 3C: On site vehicle counting and traffic cameras should be selected by the neighborhood but paid for by the school. Having two masters will help to ensure independent reporting. As you have said, enforcement of these requirements must not be a burden on the neighbors for whose benefit they are imposed. Accessibility of this data to the public is critical. The maximum number of cars per half hour, at least during morning rush, should spread out the expected 80-90 non-staff cars equally from 7:30 - 9:30. All through this process, the school has been pledging that drop offs will be in designated time periods during the morning rush. Having a specific number per half hour is a way to make compliance and non-compliance clearer. Having clear rules leads to fewer controversies.
6. Paragraph 3C (8): Only two vague sentences are dedicated to protecting the neighborhoods from a flood of cars during evening and weekend events. If my kids' schools were anything to go by, evening and weekend events will

generate more cars than the school day - no car pooling, grandparents as well as parents, and so on. Given the severely limited parking on the site and immediately adjacent road, some way has to be provided to protect the southern end of Luxmanor and other nearby neighborhoods from a flood of cars. Our streets are relatively narrow. If one car is parked on Rosemont or Huntover, traffic going two directions at one time has to stop or go very slowly to be sure no one has a scrape or dent. When cars are parked across from one another, there is barely room for one car to get through; if one of the cars is not perfectly parked, we can't get through at all. (Since we live on a one block cul de sac, that can create a really big problem for us.) The signed contract for offsite parking, together with a viable plan for enforcement, should be delivered to the Planning Board prior to U&O Cert issuance.

Other comments:

A. Staff members and parents should be required to park on the site if there is a space available. I have personally experienced the sight-blocking effect of the use of the parking spaces in front of the school. Their use should be used only as a last resort.

B. There must be a mechanism to permit citizens to learn about and respond to violations, and to initiate and participate in enforcing the agreements the school makes with the County. I don't know what the legal mechanism would be. But it is critical to us that we have the ability to ensure continued compliance.

C. I strongly suggest review and revision of what I understand to be a County regulation that exempts religiously related organizations from many of the zoning, subdivision and other planning requirements and restrictions that govern this County. As a long term commercial real estate lawyer, I know how complex and demanding those laws and regulations can be. I have no problem with religiously related organizations being exempt from real estate taxes. What I do have a problem with is permitting such organizations of any kind, related to any religion, operating outside the space and facilities rules that govern the County and prevent some of the problems we are trying to deal with here, rather late in the game.

We would be happy to talk with you or other members of the Planning Board about these comments, or to take such other actions as you may deem helpful in regard to these issues.

Victoria Perkins
Roger Hess

Sent from my iPad

MCP-Chair

From:	michael@michaeljstrauss.com
Sent:	Friday, July 24, 2020 3:52 PM
To:	MCP-Chair
Cc:	Freer, Walker
Subject:	submission for Alef Bet Montessori School Requested Student Population Increase from 39 to 90 -- APF202001
Attachments:	Email to Casey Anderson from Concerns about the School - 7-24-2020.pdf
Categories:	Tracked To Dynamics 365

Chairman Anderson,

I am submitting the attached letter regarding the Planning Board hearing on July 30th when you will review Alef Bet Montessori School's Requested Student Population Increase from 39 to 90 -- APF202001.

Thank you.

Michael J Strauss
michael@michaeljstrauss.com

Concerns about the School

concernsaboutschool@gmail.com

July 24, 2020

Casey Anderson
Chair, Montgomery County Planning Board
(Via Email)

Re: Requested Revisions to Proposed APFO Conditions:

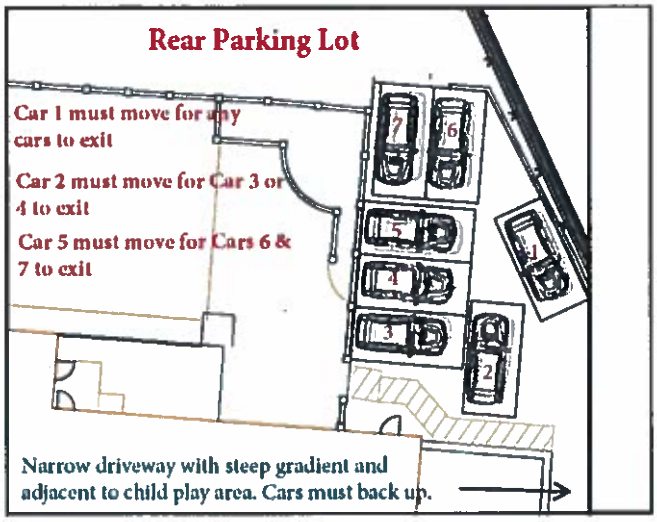
Alef Bet Montessori School: Requested Student Population Increase from 39 to 90 (total occupancy 102 with staff)

Dear Chairman Anderson:

We are writing on behalf of Concerns about the School[1] and as homeowners with properties adjacent to the school. We appreciate the objectivity and seriousness with which you and the other Planning Board members approached this application at the April 23rd hearing and your decision to defer action to give the Applicant and community members an opportunity to work out appropriate conditions for a traffic management plan (TMP). Unfortunately, at this point a follow-up hearing is premature, as the amended conditions recommended by staff do not yet meet the requirements you stated on April 23rd that there be **"adequate access and loading capacity, so people are not backed up on the streets."** Specifically, the following changes need to be made:

1. **DPS has confirmed that the school's revised DRAFT site plan (Figures 1 and 2 of Staff Report) has not been reviewed or approved by DPS staff, which leaves a number of neighborhood issues unaddressed**, including: i) stormwater management for the yet-to-be-reviewed expansion of the impervious driveway, ii) compliance with ADA, iii) viability of Valet Parking in the context of a nursery and primary school with small children, among other concerns. We find it difficult to understand why Planning Staff, the Planning Board, and the neighborhood are being presented with a DRAFT and unapproved site plan (and not labeled as such) as a "statement of fact." We believe it is premature for the Planning Board to render a decision based on unapproved site plan changes, especially the proposed widening of the driveway, which, as revealed by testimony at the April 23rd hearing, is currently too narrow for the two lanes of vehicles depicted in the stacking plan. Without approval by DPS of the driveway expansion, the same traffic backup concerns persist.

2. **The school should be required to fill all parking spaces on the property before anyone parks on Tuckerman Lane.** We understand that the school needs to provide at least 13 parking places on site. However, its Draft site plan for doing so defies common sense as it requires that cars be moved constantly for other cars to exit. This might work for a used car lot, but does anyone really believe this will happen throughout the day and with children all around at the school? Under the current 39-student cap, staff members already park on Tuckerman Lane, which limits sight lines and has directly caused accidents. The number of staff parking on the street is likely to double or triple with an increased student cap. The School has represented to staff that it has fully utilized the parking lots for staff parking and staff do not park on Tuckerman Lane; this is not what we have observed over the past 18 months of school operation. We ask that the Board formalize this requirement and require that all on-site spaces be filled prior to anyone parking on Tuckerman Lane.



3. **The revised conditions do not clearly state that the total number of maximum permitted students is an absolute aggregate daily limit.** The school should not be allowed to have some students leave and be replaced later in the day by other students, thereby exceeding the maximum permitted student limit. During a recent call with staff and legal counsel for the school, staff confirmed that the traffic study was based on a maximum daily limit of 90 students per day *in toto*, not at any given time. We understand that staff will update its proposed conditions to clarify that the total daily student cap on students is 90.

4. **We support use of automated vehicle counting technology and, as suggested by Planning Staff in a recent conference call with community representatives, the community should choose the vendor and the school should pay for the monitoring service.** This would provide for some degree of independence for the vendor. The results of the monitoring should be automatically uploaded daily to a database available for the community to review. Planning Staff raised the concept of the neighborhood choosing the vendor, and we generally agree that we should have input into the selection. Additionally, the school has agreed to automated counting on a daily basis with data to be uploaded daily to a publicly available site.

5. **Traffic approaching the driveway entrance on Tuckerman Lane should be captured by a camera during the morning drop-off and afternoon pickup periods.** Reliance on traffic regulation enforcement to prevent queuing (i.e., by waving a parent driver past the school to drive "around the block") is unrealistic and unenforceable. If a car approaches a full driveway and slows to a crawl in order to await enough space to enter, it is unlikely the traffic manager would intervene. Plus, there is no traffic manager in the afternoon when a backup in the pickup line could occur. This specific traffic pattern should be monitored automatically, given that when neighbors have taken pictures peacefully from the sidewalk to document site traffic conditions, Alef Bet has called the police on the neighbor (even after being challenged by the school and the neighbor explaining what he was photographing). Automatic monitoring removes this potential source of conflict. One of the directions to staff out of the April 23 hearing was to place the burden of enforcement on the applicant, not the neighbors or the Planning Board staff. The only way to ensure that there is no queuing on Tuckerman Lane — as the school has consistently represented to the community and Board will be the case — is to

have a camera recording traffic and making the images available on a publicly accessible website for community members and Planning Department staff to review. Violations of the queuing prohibition should be subject to the fines schedule detailed below.

6. **The school should be limited to 18 vehicles per 30-minute time segment in the hours of 7:30 am to 9:30 am.** Wells' data from the traffic study showed that for 39 students, there were 33 cars entering the property in the AM peak hour. This reflects a ratio of vehicles to students of 85% (that is, 33/39). The school claims that carpooling in the future will lead to fewer vehicles, so we should bring the ratio down to 80%. In the morning, the school should have no more vehicles than 80% of 90 students, which equals 72 vehicles over 2 hours. Importantly, the school has mentioned many times its commitment to stagger arrivals in half-hour segments. In its formal response to opposition points raised at the April 23rd hearing, Alef Bet stated: "Once the school expands, the students will be spread over the 2-hour drop-off window ...." So, this leads to 18 vehicles per half-hour segment. The school should be limited to 18 vehicles per 30-minute segment in the hours of 7:30 am to 9:30 am.

7. **The TMP should provide that the final site plan approved by DPS in conjunction with the use and occupancy ("U&O") permit for an increased number of students should be added as an exhibit to the TMP within 30 days of approval of the U&O.** To date DPS has only approved a site plan for 39 students; there is no approved site plan for greater than 39 students per recent communications with DPS.

8. **The proposed fines are inadequate.** It is too easy for the school to allow violations and simply pay the limited proposed fine or have the parents pay. The fines should be significant and should increase with each violation. Neighborhood members have commented they would view a $100 fine as nothing more than a nuisance. During the April 23rd hearing you first mentioned $1,000 per violation, making clear that there must be zero tolerance for noncompliance. Later the discussion focused on $100, which was viewed as way too low. We propose the following amounts as appropriate incentives to encourage compliance with the TMP:

Violations during each semester and the fines	
Violation Number	Fine
1	$750
2	$1,000
3	$1,250
4	$1,500
5	$1,750
Each additional	$1,750
Fines are automatic, and due within 30 days of any report that indicates violation	

9. **The TMP should allow for a "show cause hearing" if:**

   - Monitoring confirms more than 3 violations of the maximum number of vehicles in a semester, or
   - A prima facie showing of other operational violations are presented (e.g., unauthorized changes to site plan or parking layout, queuing on Tuckerman, etc.)

   The traffic management plan should expressly provide standing to the community to request a show cause hearing.

   If any of the violations that trigger a show cause hearing are established, the traffic management plan should include as a remedy the ability to reduce the number of students in the following academic year to avoid similar violations in the future.

   Given that enforcement is established by the TMP and a contractual arrangement, all of these requests are feasible.

*****

In closing, we also would like to take issue with the report's misleading statement that ". . . meetings [to include school representatives] were declined by community members." We turned down those meetings because we requested, on multiple occasions, to meet separately with staff and discuss the TMP prior to meeting with the school. Staff did not grant those requests.

Thank you.

Daniel and Cynthia Darnell
Richard & Joan Wolff
Michael J. Strauss

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[1] **Concerns about the School is a group of approximately 135 neighborhood families and home-owner organizations concerned about the expansion of Alef Bet and the subsequent effect on traffic, safety, and livability.**

MCP-Chair

From: Richard Gatti <eileen.gatti2@verizon.net>
Sent: Friday, July 24, 2020 1:03 PM
To: MCP-Chair
Subject: Alef Bet school

Categories: Tracked To Dynamics 365

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

My husband and I have been residents of Windermere for almost 50 years- this school should NEVER have been allowed to be built on a busy Tuckerman Lane, with NO parking allowed-we have been lied to about the number of students, we do NOT want traffic in our neighborhood, parking on our residential streets-we find it hard to believe this was ever allowed in the first place!!!
Richard and Eileen Gatti, 2 Windermere Court, Rockville Md 20852

Sent from my iPad Eileen

MCP-Chair

From: Barry or Amanda Modlin <abmodlin@gmail.com>
Sent: Tuesday, July 21, 2020 11:46 AM
To: MCP-Chair
Subject: Alef Bet Montessori School

Categories: Tracked To Dynamics 365

To: Casey Anderson

It is very sad that this proposal to increase enrollment from 30 to 90 students at Alef Bet is even being considered. This is a case of "bait and switch" when it was clearly intended to do this from the beginning. This school, located in a small house in our neighborhood should never have been allowed and now to increase enrollment is a travesty. I feel that this is a fait accompli with the school's powerful lawyers finding a way to make this happen. Even now with less traffic due to the pandemic, on some days when they are open for some event, police have been directing traffic at the school, stopping cars as they feel necessary. It will substantially increase with many more students.

Please do not add to an already unpleasant situation. This is wrong on so many levels.

Amanda Modlin
11123 Arroyo Dr, Rockville, MD 20852

MCP-Chair

From: Anderson, Casey
Sent: Tuesday, July 21, 2020 7:54 AM
To: MCP-Chair
Cc: Borden, Debra; Garcia, Joyce
Subject: RE: Alef-Bet Application

Categories: Tracked To Dynamics 365

Please let Ms. Leonard know that I have denied the request to postpone the hearing

From: MCP-Chair <mcp-chair@mncppc-mc.org>
Sent: Monday, July 20, 2020 5:43 PM
To: Anderson, Casey <Casey.Anderson@mncppc-mc.org>
Cc: Borden, Debra <Debra.Borden@mncppc.org>; Garcia, Joyce <joyce.garcia@mncppc-mc.org>
Subject: FW: Alef-Bet Application

Good afternoon,

Ms. Leonard responded with a request to delay the Alef Bet item (see below). Please advise.

Thanks,

Catherine Coello, *Administrative Assistant*
The Maryland-National Park and Planning Commission
Montgomery County Chair's Office
8787 Georgia Ave, Silver Spring, MD 20910
Main: 301-495-4605 | Direct: 301-495-4608 | Fax: 301-495-1320
www.MontgomeryPlanningBoard.org

From: Trina Leonard <marykatrinal@gmail.com>
Sent: Monday, July 20, 2020 5:30 PM
To: MCP-Chair <mcp-chair@mncppc-mc.org>
Subject: Alef-Bet Application

Dear Ms. Coelho,

Thank you for your speedy reply.

We do intend to testify and members of our community have already submitted dozens of emails and letters about this issue, but we still feel that our concerns are not being heard and addressed.

We understand that Board staff have had meetings with Alef Bet representatives without our participation, but the neighborhood group opposing these changes for the school has only had one opportunity to meet with staff without Alef Bet and the Staff refused to discuss any topics in our testimony. It feels unfair to us and we would like a chance to be heard. We believe that the

hearing set for July 30 should be delayed to allow us and our consultants time to review plans, prepare comments and adequately respond. Our community's livability, traffic, parking and pedestrian safety are at stake.

Please share this message with the Chairman and Board members as a request for delay.

Sincerely,

Trina Brugger Leonard
Vice President,
Heritage Walk/Windermere HOA
301-351-2336

Heritage Walk HOA
"Windermere"

Off Tuckerman Lane
Rockville, Maryland 20852

+1 301 468 8919 (Abaris Realty)

July 23, 2020

Ms. Mitra Pedoeem
Director of Permitting Services
Department of Permitting Services
Montgomery County, MD
255 Rockville Pike 2nd Floor
Rockville, MD 20850

Via Email: mitra.pedoeem@montgomerycountymd.gov

Subject: Neighborhood concerns regarding 6125 Tuckerman Lane, Alef Bet revised site layout

Dear Ms. Pedoeem,

We are writing as President and Vice President of the Board of Directors of the Heritage Walk/Windermere Homeowners Association.

We are requesting a thorough investigation of the application by Alef Bet school to ensure that all issues and problems are identified.

As representatives of a neighborhood of more than 200 homes whose owners did not expect to have a privately-owned and run school so close by, we are very concerned about the school's impact on the quality of life, traffic and safety of our area.

As we understand it, Case 423078 is still open for investigation and the final course of action has not been approved by DPS nor relayed to the community in its ultimate resolution.

We know that you have received detailed communications from residents of the Luxmanor neighborhood outlining their concerns, **specifically the July 17, 2020 letter from Dan Darnell Re: Neighborhood concerns regarding 6125 Tuckerman Lane, Alef Bet revised site layout**, and will not recite all of the specifics of those concerns again here, but please know that we are very concerned about:

- **Stormwater management** (including how paving of additional areas intended to be part of the stormwater management plan may cause adverse impacts)
- **Adequate onsite parking** and the school's plan to manage parking and neighborhood green space
- **Inconsistencies in Alef Bet submissions** to DPS and the Park and Planning Commission.

Heritage Walk HOA
"Windermere"
c/o Abaris Realty
7811 Montrose Road
Suite 110
Potomac, Maryland 20854
USA

Windermere HOA

The Windermere HOA community is located between Tuckerman Lane, Old Georgetown Road and I-270 in North Bethesda. Our community is comprised of **202 homeowners**, some of whom have lived in the community since its inception in the early 1970s and some of whom have purchased their homes recently. These 202 homes represent $225m in property value, $2m per year in property tax revenue and ~300 registered voters.

Many children attend Luxmanor Elementary School, Tilden Middle School and Walter Johnson High School by bus, which requires some of the older children to cross Tuckerman Lane to get on and off the bussess while they are stopped on Tuckerman. All of that combines to make us very invested in our community and in what happens on Tuckerman Lane directly outside our community.

If Alef Bet is allowed to pave a greater area, including an area intended for stormwater management, how will that impact the watershed? Will it cause more run off into adjoining properties and the street? How will the way this looks impact the aesthetics of a residential neighborhood?

Parking is a major concern for us. We met with representatives from Alef Bet years ago, when the building was still in the planning stages, and expressed concerns about both daily and event parking. We emphasized the need to avoid parking in our neighborhood and on Tuckerman Lane, for safety and other reasons, so our concerns are not new to Alef Bet. We were assured that adequate parking for staff and parents would be provided and that the school would stagger arrival and departure times and avoid creating safety and other traffic problems. Now that we know what is in the plans, we remain very concerned that the plans are inadequate in size and number. And we worry that the traffic management plans are inadequate, too. These are cars that are dropping off and picking up children who are in car seats and, as any parent knows, getting children in and out of cars safely takes longer than getting adults in and out. If parents want to enter school to talk to a teacher, drop something off with a child, etc., will there be adequate parking for them and for staff on site?

Will cars entering and exiting parking spaces be able to move safely with cars in the driveway?

If the school's staff requires twelve spaces, twelve spaces must be available, unless we are to assume the school may be understaffed at certain times.

In its submission to M-NCPPC, the school asserts as a condition of approval that the front four parking spaces **will not** be occupied by staff members during the AM and PM drop-off periods. However, for the purposes of Use of Occupancy requirements the school has indicated to DPS the school has 12 parking spaces onsite that are openly available at all times for staff usage. How can the school claim that it is has twelve fully available parking spaces for staff use to comply with occupancy rules, but then tell the Planning Board that it will keep the front parking spaces unoccupied by school staff during critical drop-off period? **These two claims are incongruous, and the school should not be permitted to claim both.**

Parking will be an issue at all times, but if the school is allowed to expand its enrollment, the increased activity in the driveway will make adequate parking even more important. Without adequate parking, delays and safety issues caused by parents are likely. Staff must be available to assist outside as well as manage children inside. Where will they park?

We believe that the needs and concerns of our communities have been subjugated to the school in many parts of the review process, but we hope that DPS will thoroughly investigate the situation and ensure that all needs are assessed. We will be forced to live with the consequences if they are not.

Thank you for your attention to this issue. We know that you are asked to attend to a wide variety of matters, so we appreciate your attention to our concerns.

Sincerely,

Heritage Walk Homes Corporation (Windermere HOA)

Contacts

Mark Quinn, President
301-346-8500
quinnmarka@gmail.com

Trina Leonard, Vice President
301-351-2336
marykatrinal@gmail.com

Copies

Hadi Mansouri Hadi.Mansouri@montgomerycountymd.gov
Dan Darnell danielj.darnell@gmail.com
Michael Strauss michael@michaeljstrauss.com

Following is a more detailed description of our community.

Heritage Walk Homes Corporation is comprised of 202 homes total

155 homes in "Windermere 1" – Accessed by Arroyo, Ralston, Lux, Rosemont

Street	# homes	Street	# homes
Arroyo Road	4	Ralston Road	9
Calwood Way	7	Rosemont Drive	1
Cameo Court	9	Starwood Way	11
Charnwood Drive	9	Waxwood Court	7
Lux Lane	3	Wayside Drive	4
Mazwood Place	2	Windermere Circle	66
Maxwood Road	10	Windermere Court	13
		"Windermere 1" Total	**155**

47 homes in "Windermere 2" – Accessed by Lancelot

Street	# homes	Street	# homes
Earlsgate Lane	29	Roundtable Court	14
Earlsgate Way	4		
		"Windermere 2" Total	**47**

Windermere Homes Total	**202**

But not all homes in the area bounded by Tuckerman Lane, Old Georgetown Road, the I-270 Spur and I-270 are members of the Heritage Walk/Windermere HOA. The Board of Directors is elected by the HOA members (202 homes).