Item 3 - Correspondence

From:	Quentin Remein
То:	MCP-Chair
Cc:	<u>Sigworth, Ryan</u>
Subject:	Comments on Mar Thoma Church, Preliminary Plan No. 120200080 September 24, 2020 Item #3
Date:	Wednesday, September 23, 2020 11:52:53 AM
Attachments:	Mar Thoma Church Plan120200080 September 24, 2020 Item 3.docx

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

Chair Casey Anderson Montgomery County Planning Board 2425 Reedie Drive, 14th Floor Wheaton, MD 20902

Please consider the following comments on the Mar Thoma Church Plan.

Thank you,

Quentin Remein, President, Cloverly Civic Association.

201 Bryants Nursery Road, Silver Spring, Maryland 20905 Phone 301 421-1152

Cloverly Civic Association

PO Box 233, Spencerville, MD 20968

September 23, 2020

Chair Casey Anderson Montgomery County Planning Board . 2425 Reedie Drive, 14th Floor Wheaton, MD 20902

Subject: Comments on Mar Thoma Church of Greater Washington, Preliminary Plan No. 120200080 September 24, 2020 Item #3

Request to create one lot for a religious assembly and one-family residential/parsonage use; located at 15400 New Hampshire Avenue; 11 acres; RE-2 Zone; Upper Paint Branch Special Protection Area and Overlay Zone; 1997 Cloverly Master Plan.

The Cloverly Civic Association has been involved with the Mar Thoma Church Plan. We have proposed a number of comments to the plan, especially dealing with traffic control at the intersection of New Hampshire Avenue and Briggs Chaney Road, and appreciate that our concerns have been accepted in the report. The Cloverly Civic Association has not taken a position on the Plan, but we are not opposed to the plan. We desire that the plan address the impact of the plan on the environmentally sensitive area of the Bryants Run stream in the Northwest Branch watershed.

One issue is the statements regarding the imperviousness requirements of the area. We agree with the meticulous effort that was put into the calculation for the property in the Paint Branch Special Protection Area. For the area located in the Northwest Branch, the staff report states that the project has 14.4% imperviousness and that the current imperviousness of the watershed is 11.51. Mr. Richard Kline an expert witness in the Jesus House Property concluded that the current imperviousness for the watershed is actually 14.2 (See testimony in attachment 3). The difference is that development in the area, resulting in more imperviousness, is not being included in staff report numbers. The USGS has reported their numbers are three years outdated and will be updated next year.

The Cloverly Master Plan states a range for imperviousness of 10% to 15%. I served on the advisory committee of the Cloverly Master plan approved in July of 1997 along with 4 other property owners in this area of Cloverly. Why would a level of imperviousness be expressed as a range of 10% to 15%? Obviously, the minimum is no imperviousness. Everyone accepts the upper range as 15%, including all the staff reports for development plans in this subwatershed. Then, why is a range included in the Master Plan?

Page 88 of the Master Plan included as Attachment 2, answers the question. For each property, there needs to be an additional evaluation to determine the actual number of imperviousness based on conditions surrounding the property. One of these conditions is the "10% to 15%

range," but there are five other parts of the recommendation. The primary recommendation of the other five that needs to be considered to identify the recommended imperviousness within the 10% to 15% is quoted here:

- "Support County programs to implement a process to manage and protect the Northwest Branch and its headwaters, that includes the following components:
- Prioritize subwatersheds based on health, quality of resources, and anticipated threats to these resources from increases in impervious cover.
- Assess changes in subwatershed imperviousness and relate those changes to the stream system's conditions on a continuing and regular basis.
- Define subwatershed imperviousness thresholds above which additional protection measures may be needed to protect the resource.
- Identify and implement appropriate protection measures when such imperviousness thresholds are reached for each applicable subwatershed."

The impact on the MarThoma Church property is the threat to resources from increases in impervious cover, changes in conditions, and the need of having additional protection measures. Mar Thomas Church property is located in the headwater of the Bryants Run subwatershed in highly erodible soils. Rain falling on the property is for a while contained by stormwater management, but at extended periods of rain, there eventually is run-off. That run-off carries soil and creates erosion down to Bryants Run, in Bryants run and impacts all the way to the Chesapeake Bay. This erosion to Bryants Run has also become a danger to residents of our community and especially children who are attracted to what appears to be a small stream only a few inches deep. But during heavy and prolonged periods of rain can create swollen banks leaving a stream pitted with deep pools of water and excessive erosion along the banks.

Let me give you an example from a hike I took with my elementary-aged grandchildren on July 4th of this year. "Gramps it is time to hike to the Grand Canyon," says my grandson, that for him, was the highlight of his vacation. So off we went for a 15-minute hike to the creek. As we walked along the creek, we reached an area that appeared to be solid ground covered by dry leaves. My granddaughter took a step and fell through the leaves almost waist-deep into a scummy pool of water, screaming in terror. Fortunately, I was holding her hand and caught her. She emerged with a few scrapes but was greatly upset. We retreated home, but never got to the "Grand Canyon". Last December we took a similar hike, so here is a picture of the "Grand Canyon:"

Cloverly Civic Comments on Mar Thoma Church Plan # 120200080 9/24/20 Item #3



This is not the "Grand Canyon" but it is not small erosion, this is a 16-foot cliff that runs for about 100 feet along the bank of Bryants Run, a stream in the drainage area of Mar Thoma Church property. The cause of this is erosion has been reported previously in development plans comments on this area of the Northwest Branch. Someday this erosion may cause injury to a child or will impact homes along the bank of this stream. As we consider another plan, please consider the impact of approving another project of high imperviousness in our community, not only to impact our health and safety but also impact to the environment.

Sincerely,

Quentin Remein, President, Cloverly Civic Association.

201 Bryants Nursery Road, Silver Spring, Maryland 20905 Phone 301 421-1152 Three Attachments

Attachment 1

MarThoma Church Preliminary Plan No 120200080 Staff Report Section dealing with conforming to the Master Plan impervious levels page 11

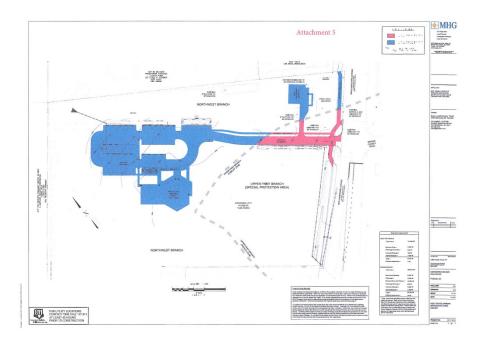
"2. The Preliminary Plan substantially conforms to the Master Plan

The Subject Property is located in a part of Cloverly described by the 1997 *Cloverly Master Plan* as the Residential Wedge. This area, in the Northwest Branch and Paint Branch watersheds, is made up of relatively low-density residential neighborhoods, at one unit for every one or two acres. The Master Plan makes no specific recommendations for this Property.

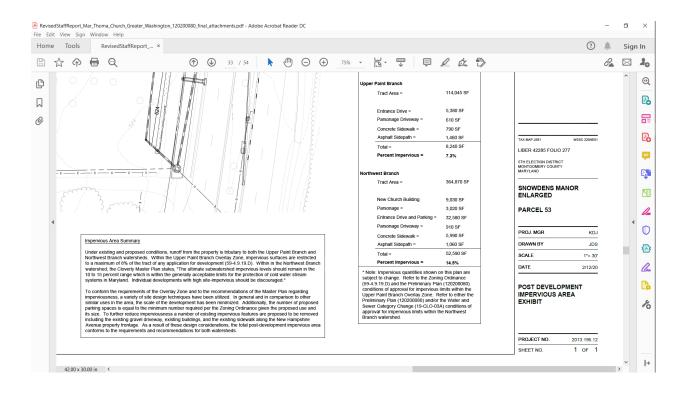
For the Residential Wedge, the Master Plan maintains recommendations from the 1981 Eastern Montgomery County Master Plan for low density residential land uses and limits access to public sewer service in some areas to maintain recommended densities. For the planning area as a whole, the Master Plan endorses cluster development that protects natural resources, offers recreation and contributes to residential or rural character. To maintain that character along New Hampshire Avenue, the Master Plan recommends setbacks of 100 feet from New Hampshire Avenue/MD 650 for nonresidential uses.

The Subject Property is partially located in the Northwest Branch portion of this district where existing low-density zones help to protect environmental resources. The Master Plan indicates that "ultimate subwatershed imperviousness levels should remain in the 10 to 15 percent range...." (p 21). It also states that individual developments with high site imperviousness should be discouraged. The remainder of the Property is located within the Upper Paint Branch Special Protection Area (SPA) and associated Overlay Zone, where impervious surfaces are limited to 8 percent. These required findings are addressed in the SPA Water Quality Plan findings section, later in this report.

The Bryants Nursery Run tributary, in which approximately 364,870 square feet (8.38 acres) of the Subject Property is located, has an imperviousness level of approximately 11.51 percent, which includes the impervious surfaces proposed by the approved RCCG Jesus House preliminary plan (120160040). The Application proposes approximately 52,590 square feet of impervious surfaces for the construction of a new church building, parsonage, driveways and parking lot, walkway along the driveway, and sidepath along New Hampshire Avenue, resulting in 14.4 percent impervious coverage on the portion of the Property within the Bryants Nursery Run subwatershed (Attachment 5). This level of imperviousness will result in an increase in the imperviousness in the Bryants Nursery Run subwatershed from its current level of 11.51 percent to 11.63 percent. Therefore, the Application is consistent with the Master Plan recommendation to maintain impervious surface levels between 10-15 percent for the subwatershed.



Attachment 5 page 33 MarThoma Church Preliminary Plan No 120200080 Staff Report



Attachment 2 VII. ENVIRONMENTAL RESOURCES -Cloverly Master Plan page 85 ENVIRONMENTAL GOAL:

Conserve and protect natural resources to provide a healthy and beautiful environment for present and future generations. Manage the impacts of human activity on our natural resources in a balanced manner to sustain human, plant, and animal life.

Protection of Sensitive Areas Figure 30

Page 87

WATER RESOURCES

Northwest Branch Watershed (Pages 88-89)

The Northwest Branch, is a tributary of the Anacostia River. The upper headwater streams of the Northwest Branch in Cloverly and Sandy Spring/Ashton are generally high quality. The Northwest Branch sustains diverse, environmentally sensitive aquatic communities, including aquatic macroinvertebrates. The M-NCPPC Environmental Planning Division found healthy, diverse aquatic macroinvertebrate communities in the very limited monitoring that was conducted in the summer of 1993 and 1996. The Northwest Branch in Montgomery County, a Use IV stream system, supports an adult brown trout fishery. The trout population is sustained mainly by the Maryland Department of Natural Resources stocking of the stream system, although there are some trout surviving from year to year.

The headwater streams in Northwest Branch tend to be siltier and carry a higher sediment load than the

headwater streams in Paint Branch, which prevent them from supporting a self-sustaining trout population. This condition is due to a combination of factors, including erodible soils and geology. The Northwest Branch watershed contains more erodible soils than the Paint Branch watershed. In addition, the agricultural uses in the Northwest Branch watershed cover a larger area than in upper Paint Branch and this use typically results in significant sediment loads to streams. Even without the ability to support trout spawning, the Northwest Branch is a high quality stream requiring a high level of protection. This protection is provided, in large part, by the density of land use approved in the 1981 Plan, stream valley parkland, and through existing regulations and guidelines.

In Cloverly, the Northwest Branch headwaters subwatersheds are sufficiently protected by the land use zoning densities proposed in the 1981 Plan, and thus are considered Regular Protection Areas which rely on implementation of standard environmental protection requirements. No significant changes are planned for this subwatershed that would jeopardize its water quality. The lower part of Northwest Branch and some of its tributaries within Cloverly, however, are currently under stress because existing development predates stormwater management controls or because the facilities are outdated. This area is shown as an Environmental Restoration Area where some problems can be addressed through the Anacostia Watershed Restoration effort.

The current master plan analysis on imperviousness levels indicate that 1990 levels for the Northwest Branch headwater subwatersheds ranged from 5.3 to 8.0 percent. (See Appendix I.) In the lower part of the Northwest Branch mainstem, which extends into the White Oak Master Plan Area, 1990 imperviousness is 16 percent, with buildout expected to result in 17.3 percent imperviousness. The 1981 Plan zoning of RE-2 and RE-2C, with a very small area of RE-1 on the east side of New Hampshire Avenue, would result in subwatershed imperviousness ranges from 9.2 to 15.0 percent at build-out. This range is within the generally acceptable limits for protection of coldwater streams in Maryland. New development in the upper Northwest Branch should minimize imperviousness and stormwater management waivers should be avoided to the greatest extent possible.

OBJECTIVE: Protect the Northwest Branch mainstem by assuring that new development in the subwatershed does not create significant negative impacts on the mainstem.

RECOMMENDATIONS:

- Protect headwater streams in the Northwest Branch by assuring that ultimate subwatershed imperviousness remains within the 10 to 15 percent range that the generally acceptable limit for protection of coldwater stream systems in Maryland and by discouraging individual developments with high site-imperviousness.
- Support County programs to implement a process to manage and protect the Northwest Branch and its headwaters, that includes the following components:
- Prioritize subwatersheds based on health, quality of resources, and anticipated threats to these resources from increases in impervious cover.
- Assess changes in subwatershed imperviousness and relate those changes to the stream system's conditions on a continuing and regular basis.
- Define subwatershed imperviousness thresholds above which additional protection measures may be needed to protect the resource.
- Identify and implement appropriate protection measures when such imperviousness thresholds are reached for each applicable subwatershed.

Most of the above components are being developed as part of the County-wide Stream Protection Strategy (CSPS) to protect and manage all of the County's subwatersheds, including those in Northwest Branch. Implementation of protection measures recommended through the CSPS for specific subwatersheds may require programs or actions outside the CSPS process.

- Maintain the low-imperviousness land use pattern and encourage continuation of lowdensity residential land uses in the Hampshire Greens, Bryant's Nursery Run, Ednor Road, and Johnson Road subwatersheds.
- Use best available technology for stormwater, sediment, and erosion control measures for the remaining developable properties.
- Avoid stormwater management waivers to the greatest extent possible.
- Support the consideration by DEP of shared stormwater facilities when possible and beneficial to the environment.

Attachment 3

TESTIMONY BY RICHARD KLEIN BEFORE THE MONTGOMERY COUNTY PLANNING BOARD REMAND FROM THE CIRCUIT COURT FOR MONTGOMERY COUNTY RCCG JESUS HOUSE: PRELIMINARY PLAN NO. 120160040 April 30, 2020

My name is Richard Klein. I am president of Community & Environmental Defense Services, located at 24 Greenshire Lane, Owings Mills, Maryland 21117.

I am testifying at the request of the Concerned Citizens of Cloverly regarding the potential effect of the Jesus House project on the quality of the unnamed stream known as Bryants Nursery Run. I have been assessing the effects of land use changes on stream quality since the 1970s. In 1979, I published what's been called the first research paper on the stream health effects of building, streets, parking lots and other impervious surfaces. I have also published a number of studies on the effect of impervious surfaces on aquatic ecosystems. Further detail on my background will be found in the resume attached to these comments.

Before getting to specifics of my assessment I'd like to say that my goal is always to find ways of resolving adverse effects that allow property owners to achieve their goals. This goal was of particular importance to me in this case because I believe we need more houses of worship. Last Saturday I assessed the health of Bryants Nursey Run near the confluence with Northwest Branch. Based on the insects, crustaceans, and fish present, I found the stream to be of good quality on a scale of poor, fair, good and excellent. As such the Run meets a level of quality I call Child Safe and Friendly.

The Jesus House impervious cover exhibit indicates all of the proposed rooftops, parking areas and other impervious surfaces will drain to what appear to be bioretention facilities. Normally these highly effective Best Management Practices would resolve much of the impact. Unfortunately, the forest cover in the Bryants Nursery Run watershed has fallen below a threshold for preserving the stream in its current good quality, child safe and friendly condition. Also attached to these comments is a 2003 study conducted in Montgomery County which noted that good quality streams drain a watershed which has 44% forest cover. Fair quality is associated with 37% watershed forest cover.

According to the U.S. Geological Survey StreamStats report attached to these comments, the Bryants Nursery Watershed has a forest cover of 36%. In other words, the watershed has already lost sufficient forest cover that the stream may soon drop from good to fair quality and lose portions of the abundant aquatic life and other attributes which make it a great source of enjoyment for kids and their parents. The applicant's forest conservation plan shows that 4.16 acres of forest will be cleared from the Bryants Nursery Run watershed. This action will further reduce watershed forest cover below the threshold needed to preserve a good quality stream. So even with the proposed highly-effective BMPs, the project may still have a net negative impact on the health of Bryants Nursery Run. The Cloverly Master Plan calls for keeping watershed imperviousness in the 10 to 15 percent range and discouraged individual developments with high site-imperviousness. The proposed Jesus House project would be 29% impervious which certainly meets the definition of high site-imperviousness.

The staff report for this project states that existing Bryants Nursery Run watershed imperviousness is 11% which would increase to 11.5% if the project is built as proposed. However, the attached U.S. Geological Survey StreamStats report indicates that the watershed is 14.2% impervious – not 11%. If the USGS figure is right then the project would raise watershed impervious to 14.6% which is dangerously close to the 15% maximum called for in the master plan.

In summary, I am deeply concerned that even with the highly-effective BMPs the combined loss of forest cover and increased impervious area will push Bryants Nursery Run closer to the point where area residents can no longer enjoy the many benefits of this good quality stream. If the Jesus House were proposed for a site lacking forest where space was available to plant trees and highly-effective BMPs were used then the project might result in a net improvement in stream quality. Sadly, though, this is not the case for the project before you.

Richard Klein Community & Environmental Defense Services 24 Greenshire Lane Owings Mills, MD 21117 410-654-3021 Rklein@ceds.org Only Attachment E enclosed

StreamStats Report

 Region ID:
 MD

 Workspace ID:
 MD20200425142536765000

 Clicked Point (Latitude, Longitude):
 39.12032, -77.02019

 Time:
 2020-04-25 10:25:54 -0400



Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
DRNAREA	Area that drains to a point on a stream	1.6	square miles
IMPERV	Percentage of impervious area	14.2	percent
FOREST	Percentage of area covered by forest	36.1	percent

USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

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Application Version: 4.3.11

E

From:	Mathew Thomas
То:	MCP-Chair
Cc:	"Pence Jacob"
Subject:	Testimony - Mar Thoma Church of Greater Washington, Preliminary Plan No. 120200080 - Hearing on September 24, 2020
Date:	Wednesday, September 23, 2020 9:55:14 AM
Attachments:	Testimony - Mar Thoma Church of Greater Washington - Preliminary Plan No. 120200080.docx

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

Dear Sir/Madam,

Attached is my testimony in support of the Mar Thoma Church of Greater Washington, Preliminary Plan No. 120200080, which in on the public hearing agenda of the Montgomery County Planning Board on September 24, 2020.

Please let me know if you have any questions/comments.

Sincerely,

Dr. Mathew T. Thomas Cell Phone: 301-526-8723 Dr. Mathew T. Thomas Convener, Public Relations Committee Mar Thoma Church of Greater Washington 322 Ethan Allen Avenue Takoma Park, MD 20912

Date: September 22, 2020

Montgomery County Planning Department 2425 Readie Drive, 14th Floor Wheaton, MD 20902

Subject: Mar Thoma Church of Greater Washington, Preliminary Plan No. 120200080

Respected Montgomery County Planning Board members:

I testify in support of Preliminary Plan No. 120200080 on behalf of the Mar Thoma Church of Greater Washington.

First, I wish to present a brief overview about the church:

- The Mar Thoma Church is a Christian church community.
- The Syriac words "Mar Thoma" means "Saint Thomas" in English.
- The Mar Thoma (or St. Thomas) Church follows Eastern traditions and traces its origins to the Apostle Thomas (one of the twelve disciples of Jesus Christ) who is believed to have visited India around AD 52 and to have established 7 churches in the western Malabar coast of India, now known as Kerala.
- The church's world headquarters in India, is in Thiruvalla in the State of Kerala.
- In the 20th century, many Mar Thoma Christians from Kerala migrated to different parts of the world, including North America and Europe.
- Currently, the diocesan headquarters of the Mar Thoma Church Diocese of North America and Europe is located at 2320 Merrick Avenue, Merrick, New York 11566.
- The diocese includes 77 churches in North America and 14 churches in Europe that engage in neighborhood mission work and charitable services within their local communities.
- The Mar Thoma Church's faith is rooted in the Holy Bible and in the Nicene Creed.
- The Mar Thoma Church is a member of the World Council of Churches (WCC) and the National Council of Churches in USA (NCC-USA).

Next, let me give you a brief overview of the Mar Thoma Church of Greater Washington (or MTCGW) – the local church that has presented Preliminary Plan No. 120200080

• From 1981 to 1995, MTCGW worshipped in several rented facilities including the St. Michael's and All Angels Episcopal Church on New Hampshire Avenue.

- Since October 1995, the MTCGW has been worshipping at its own facility located at 322 Ethan Allen Avenue, Takoma Park, MD 20912.
- While most church members are 1st, 2nd, and 3rd generation U.S. immigrants from Kerala, India, the church continues to transform and become diverse with Caucasians, African Americans, Chinese, and Pilipino members who assimilate into the church, primarily through intercultural marriages.
- Since 1995, MTCGW is an integral part of the Takoma Park community in Maryland.
- MTCGW participates in the Montgomery County Inter Faith Council meetings.
- In 1995, when MTCGW first moved to Ethan Allen Avenue the church had about 60 member families of whom about 36 families (i.e., 60%) attended regular church services.
- Currently, there are about 125 member families and about 75 families (i.e., 60%) regularly attend church services.
- As the church membership has grown MTCGW is aspiring to construct a new and modern church facility subject to obtaining all pertinent approvals from the Montgomery County officials.

Therefore, MTCGW requests the Planning Board to approve the church's Preliminary Plan No. 120200080 to create one lot for a religious assembly and one-family residential/parsonage use, at 15400 New Hampshire Avenue, Cloverly, MD.

Lastly, I wish to include the following reasons to support this request:

- The Church community has been worshipping in Takoma Park, Maryland, which is in District 2 of Montgomery County since 1995. The proposed move is to Cloverly, which is also within the same District 2 of Montgomery County.
- Most of our church members reside in Montgomery County and many live in the Silver Spring area.
- The proposed church development plan adheres to all County and State requirements.
- The church will be primarily used for worship on Sundays, and for special events on Saturdays. No day-care facility or school facilities are envisioned.
- The rich traditions and history of the Mar Thoma Church will add value and diversity to Montgomery County.
- Your approval will support the church's desire to move from Takoma Park, MD, to a new church facility that will be constructed at 15400 New Hampshire Avenue in Cloverly, MD.

I thank you for your attention to this testimony in support of the Mar Thoma Church of Greater Washington. Kindly let me know if you need additional information.

Sincerely,

Dr. Mathew T. Thomas Convener, Public Relations Committee Mar Thoma Church of Greater Washington