

## Item 11 - Correspondence

**From:** [Sarah Leshner](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Saturday, September 4, 2021 11:56:42 AM

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

Administrative Assistant Catherine Coello,

Folks --

Almost a decade ago I wrote in The Hill newspaper about oil man T. Boone Pickens declaring that "water is the new gold." My clip is buried on a distant computer (and in a large box!) but here's a typical story from a big later: <https://www.cbsnews.com/news/t-boone-pickens-a-water-baron-for-the-21st-century/>

Clean fresh water is the most important thing for all of life -- except maybe a few exceptional microorganisms that can remove contaminants. It's fought about all over the planet, including MD vs VA over the Potomac River.

My father was an environmentalist before Rachael Carson's Silent Spring (her trail and home right along NW Branch of the Anacostia just above Colesville Rd.). He was also a water and sewage engineer who taught me as a child how sacred clean water is. In his final home, with no well, we collected rainwater in a cistern (and treated it -- rain water isn't inherently clean -- think acid rain) and then used it very sparingly. He once chided me for thoughtlessly giving him a new water-wasting device for Father's Day.

We must do everything we can to save and protect clean fresh water! No more concrete! Highways the likely local origin of the flood that drowned those apartments off Twinbrook!

We are in an existential crisis re water, the environment, climate catastrophe.

I have no children, but I care about future generations -- the Seventh Generation.

I'd hope that you all do too. We MUST CHANGE OUR WAYS! CHANGE IS DIFFICULT! Early in our evolution there was an advantage in having most people be cautious about change while a few brave entrepreneurs stuck their necks out, sometimes lost their heads, sometimes came up with a new and better way of doing things.

WE NEED GOOD LEADERS WHO WHILE HELP BRING OTHERS ALONG THROUGH THIS EXTREMELY CHALLENGING EXTREMELY POLARIZED PERIOD IN HUMAN HISTORY! IF YOU AREN'T PART OF THE SOLUTION, THEN YOU'RE PART OF THE PROBLEM!

Sorry to be shouting, but some of us have been trying to figure out how to coax, convince, gently persuade for decades. NOW WE HAVE TO SHOUT! WE MUST BE HEARD OR WE'LL

ALL DIE IN FIRE OR FLOOD OR FROM THE POISONS WE CONTINUE TO BELCH OUT  
ON OUR ONLY PLANET!

PLEASE LISTEN AND ACT! SELFISH GREED HAS GOT TO GO!

--Sarah Leshar 9728 Hedin Dr. Silver Spring, MD, a few miles down the NW Branch from  
Rachael Carson's digs, but trying to live in the flow of her spirit

Sarah Leshar  
sarah.lesher@gmail.com  
9728 Hedin Dr.  
Silver Spring, Maryland 20903

**From:** [Carol](#)  
**To:** [MCP-Chair](#)  
**Cc:** [marc.elrich@montgomerycountymd.gov](mailto:marc.elrich@montgomerycountymd.gov); [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov)  
**Subject:** Proposed Pulte development "Creekside at Cabin Branch"  
**Date:** Saturday, September 4, 2021 8:17:52 PM

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

Dear Chair Anderson and Members of the Planning Board:

I am very concerned about a matter coming before the Planning Board, the proposed development "Creekside at Cabin Branch." The current proposal by Pulte gravely endangers an area deserving the highest protection from development -- the Ten Mile Creek watershed. This watershed supports the cleanest tributary flowing into Little Seneca Reservoir, which was built to provide an emergency water supply for the Washington DC metropolitan area and for drought management in the Potomac watershed.

In its current configuration, Pulte's proposed development poses risks of irreversible degradation to LSTM 110 and 111, the two tributaries that the Montgomery County Master Plan recognizes as the most sensitive and high-quality subwatersheds in the Ten Mile Creek watershed; they are also among the highest quality streams in Montgomery County.

The Master Plan makes clear that to preserve the quality of these headwaters, imperviousness must be kept AT OR BELOW 5%. Currently, the existing impervious cover for LSTM 110 is measured at 1.6%, and for LSTM 111, it is 1.2%. Analysis of Pulte's development plan shows that it would increase the impervious cover to 6.9% in LSTM 110 and to 12.8% in LSTM 111. BOTH exceed the 5% limit laid out in the Master Plan. Allowing Pulte to proceed with its current development plan will result in higher amounts of stormwater runoff and urban pollutants which will erode and degrade the stream channels, and in turn will cause severe harm to the flora and fauna in those areas.

I live in Montgomery County and am a registered voter. I care about our water resources and deplore the damage that rampant development inflicts on our precious environment. Is it too much to ask that the Planning Board adhere to the recommendations of the Master Plan and not allow the Pulte "Creekside at Cabin Branch" development, as currently proposed, to go forward?

The preservation of our finite sources of clean water should be one of our highest priorities. I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

Thank you.

Respectfully,

Carol G. Baxter

**From:** [Matthew Maurer](#)  
**To:** [MCP-Chair](#)  
**Subject:** Reject Creekside at Cabin Branch Proposal  
**Date:** Sunday, September 5, 2021 9:51:17 AM

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

Planning Board Chair Casey Anderson,

Please do not approve Pulte Creekside Project.

As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers and I'm hoping you only accept proposals that provide this protection.

Matthew Maurer  
maurermj@hotmail.com  
4513 Delmont Lane  
Bethesda we, Maryland 20814



**From:** [Randi Field](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Sunday, September 5, 2021 10:28:18 AM

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

Administrative Assistant Catherine Coello,

It is critical that Montgomery County protects Ten Mile Creek, the Ten Mile Creek Watershed, and the Seneca Creek Reservoir because it is our only local source of clean drinking water for the region. The Creekside at Cabin Branch Development does not align with the Climate Action Plan nor the Thrive 2050 General Plan.

It is critical to concentrate new development, including housing, around existing transit corridors and disincentivize sprawl development which only increases greenhouse gases. The Creekside at Cabin Branch Development does not meet and actually exceeds the 2014 Planning Board approved Ten Mile Creek Area limited amendment within the Clarksburg Master Plan, which set a 6% impervious cap limit to ensure the protection of our drinking water.

Protecting our current natural resources will always be a more cost-effective solution that can never be replaced by built infrastructure. The Montgomery Planning Board, the County Council, and the County Executive must work in coordination to achieve both climate change goals and achieve sustainable land use targets where both environmental protection and sustainable land use can work in harmony with one another.

Randi Field  
scribers@verizon.net  
9307 Long Branch Parkway  
Silver Spring, Maryland 20901



**From:** [Harry Yfantis](#)  
**To:** [MCP-Chair](#)  
**Subject:** Reject Creekside at Cabin Branch Proposal  
**Date:** Sunday, September 5, 2021 10:41:51 AM

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

Planning Board Chair Casey Anderson,

As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers and I'm hoping you only accept proposals that provide this protection.

Harry Yfantis  
hyfantis@yahoo.com  
9703 Woodfield Court  
New Market , Maryland 21774





**From:** [Mark Traversa](#)  
**To:** [MCP-Chair](#)  
**Subject:** Ten Mile Creek  
**Date:** Sunday, September 5, 2021 5:40:45 PM

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

Stop allowing developers to harm Ten Mile Creek I live on the block of a section of the Watts Branch  
Don't let Ten Mile Creek turn into The disaster that Watts Branch is.

Mark Traversa

**From:** [Dave Eggleston](#)  
**To:** [MCP-Chair](#)  
**Subject:** Reject Creekside at Cabin Branch Proposal  
**Date:** Sunday, September 5, 2021 7:24:24 PM

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

Planning Board Chair Casey Anderson,

As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers and I'm hoping you only accept proposals that provide this protection.

Dave Eggleston  
david.eggleston3@verizon.net  
6415 Kristin Drive  
Hanover, Maryland 21076



**From:** [Diana Conway](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Monday, September 6, 2021 11:05:00 AM

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

Administrative Assistant Catherine Coello,

Dear Members of the Planning Board, County Executive Elrich, County Council President Hucker, and Members of the County Council,

No fair.

I am writing to oppose the development in excess of the Planning Board's 2014 decision on Ten Mile Creek, and to oppose the Creekside at Cabin Branch Development.

In 2014 the County government and communities had a long, thorough conversation that concluded by recognizing the vital role of Ten Mile Creek. It included a limited Master Plan amendment and an impervious cap of 6% to protect this critical drinking water resource.

Since then, our environmental precarity has only become obvious and more urgent. Why would a sprawly subdivision that busts the 2014 deal be any kind of solution?

It is not coherent to extoll the value of smart planning for our climate future, to embrace principles of conservation, to declare Little Seneca Reservoir a critical resource ... and then blow past the limits set for its (and our) protection. The 2014 conversation has been vindicated by all the environmental news. We are awash in crisis alarms.

Vote no on Creekside on Cabin Branch Development.

Thank you for considering my strongly-held views,  
Diana Conway  
Potomac MD

Diana Conway  
dconway@erols.com  
10600 River Rd  
Potomac, Maryland 20854-4165



**From:** [Diane Cameron](#)  
**To:** [MCP-Chair](#)  
**Subject:** written testimony re Item #11 - Creekside at Cabin Branch  
**Date:** Monday, September 6, 2021 11:57:37 AM  
**Attachments:** [Testimony of Diane Cameron re Pulte Proposed Site Plan.pdf](#)

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

Dear Chair Anderson,

Attached please find my written testimony for the Planning Board hearing this Thursday, September 9, Item #11.

Thank you,

Diane Cameron

## Testimony of Diane Cameron

### Montgomery County Planning Board Hearing on the “Creekside at Cabin Branch” proposed site plan

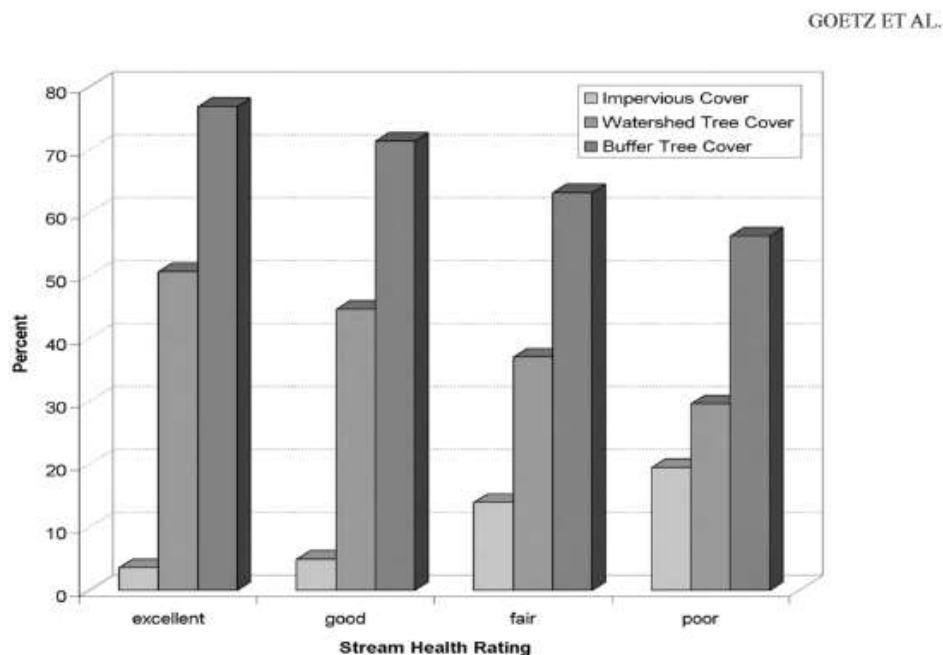
Thursday, September 9, 2021

The Ten Mile Creek Limited Master Plan Amendment (“Master Plan”), approved by the Montgomery County Council in 2014, is grounded in science and is our government’s response to citizens’ demand for clean water protection. As a Board member of the Friends of Ten Mile Creek, I join with my colleagues in opposing this destructive site plan proposal.

**The proposed Pulte site plan, called “Creekside at Cabin Branch,” would result in imperviousness levels exceeding 6 percent in the most sensitive subwatersheds (as high as 6.9% in LSTM 110 and 12.8% in LSTM 111); as such it is contrary to the Master Plan and the Planning Board must reject it.**

According to the Master Plan, the 6% limit on imperviousness in these two most-sensitive subwatersheds of Ten Mile Creek is a strict limit – a ceiling – not a mere “goal to try to reach.” In order to follow the science and enforce the Master Plan, imperviousness must stay under 6% in each of the two subwatersheds.

Imperviousness is important in two ways: it directly harms healthy streams as documented by Scott Goetz and others, and it’s an indicator of the damages wrought by the *Urban Stream Syndrome* – the urbanization of rural watersheds.



**Figure 4.** Small watershed stream health rankings in relation to impervious surface cover, watershed tree cover, and riparian buffer zone tree cover.



[Source of above chart: Goetz, Scott J, et al. (2004) Integrated Analysis of Ecosystem Interactions With Land Use Change: The Chesapeake Bay Watershed. *Ecosystems and Land Use Change*, Geophysical Monograph 153. American Geophysical Union. DOI: 10.1029/153GM20]

In 2008, the National Research Council stormwater committee found that “There is a direct relationship between land cover and the biological condition of downstream receiving waters. The possibility for the highest levels of aquatic biological condition exists only with very light urban transformation of the landscape.” (emphasis in the original.)

[National Research Council. 2009. *Urban Stormwater Management in the United States*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/12465>]

The Ten Mile Creek Limited Amendment in 2014 represents a commitment that Montgomery County made to its citizens to protect Ten Mile Creek through science-based caps on imperviousness, and in so doing to protect the clean drinking water supply that is Little Seneca Reservoir.

This proposed site plan by Pulte violates this Master Plan, and if approved, will result in degradation of Ten Mile Creek and increased sediment pollution of Little Seneca Reservoir – so the Planning Board must reject this proposed site plan.

**From:** [Barbara Francisco](#)  
**To:** [MCP-Chair](#)  
**Cc:** [marc.elrich@montgomerycountymd.gov](mailto:marc.elrich@montgomerycountymd.gov); [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov)  
**Subject:** Please reject the Pulte Development as currently proposed  
**Date:** Monday, September 6, 2021 12:03:02 PM

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

Dear Chair Anderson and Members of the Planning Board:

I am writing to you to urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek. We have just seen in Rockville what destruction impervious surfaces can wreak on lives and property. I understand that the Pulte development would degrade, through impervious surfaces, stormwater runoff and urban pollutants, tributaries (LSTM 110 and 111) in the Ten Mile Creek watershed.

Please protect our remaining sources of clean water, recognize the Ten Mile Creek watershed's unique qualities and sensitive streams, and ensure that development conforms to the Master Plan objective of keeping imperviousness to as near to five percent as possible.

Little Seneca Reservoir is important to the future of our drinking water supply; Ten Mile Creek watershed is important to Montgomery County. Please do your part to protect them.

Respectfully,

Barbara Francisco  
8904 Glenville Rd.  
Silver Spring, MD 20901

**From:** [Sergio Obadia](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Monday, September 6, 2021 3:06:50 PM

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

Administrative Assistant Catherine Coello,

Dear Sirs:

It's quite simple: The Creekside at Cabin Branch Development is not in line with the Climate Action Plan that so many people have made a priority.

Sergio Obadia.

Sergio Obadia  
obadiasdc@gmail.com  
107 Devon Court  
Silver Spring, Maryland 20910



**From:** [Nancy Koran](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Monday, September 6, 2021 4:17:27 PM

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

Administrative Assistant Catherine Coello,

Dear Planning Board Member

When my children were young we often visited state parks like Ten Mile Creek and other green spaces. During the pandemic, more and more folks are discovering the beauty of these natural places.

Six years ago, the Planning Board approved and passed a cap restriction on paved surfaces, protecting Ten Mile Creek and its watershed which feed into the Little Seneca Reservoir, an emergency backup drinking water supply for the entire DC region. Clean water is not a luxury, it is a necessity. Recent climate disasters have shown how fragile our supply of clean water is. A real estate development, on the other hand, is not a life necessity.

Recently, the County Executive released the County's Climate Action Plan, which highlights the urgent need to protect our trees and waterways for climate resilience and adaptation. Similarly, the Planning Department's new General Master Plan, Thrive 2050, calls to prioritize sustainable urban development around urban transit corridors.

Creekside at Cabin Branch violates all three of these protections or plans and should not move forward as planned.

Sincerely  
Nancy Koran  
Bethesda MD

Nancy Koran  
[nancykoran@hotmail.com](mailto:nancykoran@hotmail.com)  
4960 Fairmont Ave #1001,, 1001  
Bethesda, Maryland 20814



**From:** [Zachary Weinstein](#)  
**To:** [MCP-Chair](#)  
**Subject:** Reject Creekside at Cabin Branch Proposal  
**Date:** Monday, September 6, 2021 5:52:38 PM

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

Planning Board Chair Casey Anderson,

As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers and I'm hoping you only accept proposals that provide this protection.

Zachary Weinstein  
zcweinstein@gmail.com  
1150 Ripley Street, Apt 1205  
Silver Spring, Maryland 20910





**From:** [Al Wurglitz](#)  
**To:** [MCP-Chair](#)  
**Cc:** [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov); [marc.elrich@montgomerycountymd.gov](mailto:marc.elrich@montgomerycountymd.gov)  
**Subject:** Clean Water Supply - Ten Mile Creek  
**Date:** Monday, September 6, 2021 9:42:58 PM

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

September 6, 2021

Dear Chair Anderson and Planning Board Members:

What do the real citizens of Montgomery County have to do to save our clean water supply? Each time a decision protecting Ten Mile Creek is hard fought and won by citizen volunteers pouring time, talent and individual resources into a hearing or proceeding, it's never over. A deep-pocketed corporation with no long-term stake in water resources decides to fight again or simply ignore the letter and spirit of the ruling previously made. But we citizen stewards are not giving up - especially since we now believe our opponent is dealing unfairly with the County Council's clear and objective Master Plan decision protecting Ten Mile Creek. Pulte has simply chosen to ignore the decision and hopes clean water advocates will lose interest and go away.

But we're still here, still working for the common good of protecting our precious clean water resource and wondering why Pulte seems determined to continue to tarnish its corporate reputation.

The ball is, once again, in the Planning Board's court. My hope is that your County planning mandate will place more emphasis on clean water protection than on a run-of-the-mill housing development that ignores earlier County decisions and the watershed protections they imposed.

Respectfully,

Julia Larson Wurglitz

243 Little Quarry Road  
Gaithersburg, MD 20878

**From:** [Madeline Amalphy](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Tuesday, September 7, 2021 12:14:57 AM

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

Administrative Assistant Catherine Coello,

As a Gaithersburg resident who is extremely concerned about the climate crisis and habitat destruction, I strongly urge the Montgomery County Planning Board to stop Pulte's proposed Creekside at Cabin Branch Development.

It is critical that Montgomery County protects Ten Mile Creek, the Ten Mile Creek Watershed, and the Seneca Creek Reservoir because it is our only local source of clean drinking water for the region. The Creekside at Cabin Branch Development does not meet and actually exceeds the 2014 Planning Board approved Ten Mile Creek Area limited amendment within the Clarksburg Master Plan, which set a 6% impervious cap limit to ensure the protection of our drinking water. Protecting our current natural resources will always be a more cost-effective solution that can never be replaced by built infrastructure.

Even more importantly, the Creekside at Cabin Branch Development does not align with Montgomery County's Climate Action Plan or the Thrive 2050 General Plan. These plans show that it is critical to concentrate new development, including housing, around existing transit corridors and disincentivize sprawl development which only increases greenhouse gases.

The Montgomery Planning Board, the County Council, and the County Executive must work in coordination to achieve both climate change goals and achieve sustainable land use targets where both environmental protection and sustainable land use can work in harmony with one another.

I strongly urge Montgomery County to protect our water and climate instead of approving unnecessary suburban sprawl that will destroy our environment.

Madeline Amalphy  
radchic05@gmail.com  
651 Saybrooke Oaks Boulevard  
Gaithersburg, Maryland 20877



**From:** [Nancy Shellabarger](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Tuesday, September 7, 2021 8:44:46 AM

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

Administrative Assistant Catherine Coello,

Montgomery County has a long history of protecting the environment. We have made, through the actions of our county government, significant commitments to protecting our drinking water by protecting Ten Mile Creek, to ensuring a vibrant local community through Thrive Montgomery 2050, and to protecting the entire planet through our Climate Action Plan.

We need to ensure these actions were not simply to make us temporarily feel good. The Creekside at Cabin Branch proposed development will violate the spirit and letter of our county's commitments. It will threaten our drinking water, contribute to sprawl, and ensure increased climate change. What good does it do to make plans and pass legislation if it is constantly overlooked when making lasting, immediate, short-term decisions?

Preserving our environment is always more effective than trying to restore or mitigate damage. Future development should be focused on less environmentally sensitive areas, and in transit corridors, to achieve the goals and follow the policies the County has endorsed. To do this, the Planning Board, the Council, and the Executive need to be united in their actions. I urge you to NOT let the Creekside at Cabin Branch development continue.

Nancy Shellabarger  
nan.shellabarger@gmail.com  
8403 Park Crest Dr  
Silver Spring, Maryland 20910



**From:** [rg steinman](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Marc Elrich](#)  
**Subject:** Testimony - Creekside at Cabin Branch, No. 8202001600  
**Date:** Tuesday, September 7, 2021 11:52:14 AM  
**Attachments:** [rg, FINAL-Creekside at Cabin Branch testimony, Sep 9, 2021.doc](#)

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

Attached, please find my testimony for Creekside at Cabin Branch, site Plan No 820200160.

Thank you for your consideration.

~ Roberta G (rg) Steinman

Silver Spring, MD 20910

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

**Written Testimony – Pulte’s Development, Creekside at Cabin Branch**  
**Site Plan No. 820200160 (SEP 3 DRAFT)**

**Date:** September 9, 2021

**To:** Chair, Casey Anderson & Montgomery County Planning Board Commissioners

**From:** Roberta G. (rg) Steinman, Friends of Ten Mile Creek and Little Seneca Reservoir Board Member

**Subject:** Creekside at Cabin Branch: Site Plan No. 820200160

**CONCLUSION AND RECOMMENDATION:**

Based on the impervious analysis of Pulte’s proposed residential development, Creekside at Cabin Branch, going forward with this development plan would **irreparably harm** two of the highest quality streams in Montgomery County, LSTMs 110 and 111, tributaries of Ten Mile Creek. Approval of this development plan would be contrary to both the intent and the recommendations of the Amended Master Plan to “**protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.**” Therefore, **the Planning Board must deny approval of the Creekside at Cabin Branch development as currently proposed.**

**TEN MILE CREEK BACKGROUND**

“Ten Mile Creek is one of the highest quality watersheds remaining in the County and one that is known to be particularly sensitive to disturbance.”<sup>1</sup> The streams flowing from the Ten Mile Creek Watershed provide the cleanest source of water for the Little Seneca Lake Reservoir, the closest, back-up emergency drinking water supply to the Potomac for over 4 million people in the Washington DC region.<sup>2</sup> “As a result of its unique characteristics, Ten Mile Creek warrants extraordinary protection.”<sup>3</sup>

In particular, Ten Mile Creek’s high quality reflects the “**excellent condition**” of two of the highest quality streams in Montgomery County, LSTM110 and 111.<sup>4</sup> The 2014 Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan (hereafter referred to as ‘Master Plan’) and the accompanying Environmental Analysis describe these two sub-watersheds, LSTM 110 and 111, as “the **most sensitive and highest quality** streams,” with “existing low levels of imperviousness,” and supportive of many “sensitive species.” According to the Master Plan, “any development of these properties will have a negative impact on stream quality.”<sup>5</sup> **Yet it is precisely these two streams that the Pulte development would irreparably harm.**

**ANALYSIS OF IMPERVIOUS IMPACT OF PULTE’S PROPOSED DEVELOPMENT ON LSTMs 110 & 111: IMPERVIOUS LEVELS WOULD SIGNIFICANTLY EXCEED MASTER PLAN RECOMMENDATIONS AND UNDERMINE THE MASTER PLAN’S INTENT**

Pulte’s Site Drainage Plan submission contains the impervious acreage impacts of the proposed development on LSTM 110 and LSTM 111.<sup>6</sup> The development would add 11.19 impervious acres into the LSTM 110 subwatershed and 12.08 impervious acres into the LSTM 111 subwatershed. The total impervious acreage that would be added to these two subwatersheds is 23.27 impervious acres.

The following table shows the impervious impacts that would result from locating the 23.27 impervious acres of the Creekside at Cabin Branch development entirely within the LSTM 110 and 111 subwatersheds. (See Table 1)

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<sup>1</sup> Ten Mile Creek Amendment, Appendix 9, March 4, 2014, County Council Worksession: Staff Report and Supporting Materials, p. 19. [https://www.montgomeryplanning.org/community/plan\\_areas/I270\\_corridor/clarksburg/documents/appendix\\_9\\_materials-for\\_couonty\\_council.pdf](https://www.montgomeryplanning.org/community/plan_areas/I270_corridor/clarksburg/documents/appendix_9_materials-for_couonty_council.pdf).

<sup>2</sup> In the event of a drought, Little Seneca Lake Reservoir alone could sufficiently augment the flow of the Potomac until water released from another, larger reservoir reached intakes in the river. (Master Plan, p.14; App. 9, pdf p. 57)

<sup>3</sup> M-NCPPC. (2014). *Ten Mile Creek Area Limited Amendment Clarksburg Master Plan and Hyattstown Special Study Area. Approved and Adopted.* Montgomery County Planning Department, p.14.

[https://www.montgomeryplanning.org/community/plan\\_areas/I270\\_corridor/clarksburg/documents/ten\\_mile\\_creek\\_approved.pdf](https://www.montgomeryplanning.org/community/plan_areas/I270_corridor/clarksburg/documents/ten_mile_creek_approved.pdf)

<sup>4</sup> Appendix 9, at fn 1, p. 70.

<sup>5</sup> Master Plan, at fn 3, p.41. Also see Op. Cit. (App. 9) at fn 1, pdf p. 70.

<sup>6</sup> Site Drainage Plan Overview, <https://eplans.montgomeryplanning.org/UFS/31679/89774/12-WQP-820200160-002.pdf/12-WQP-820200160-002.pdf>



**Written Testimony – Pulte’s Development, Creekside at Cabin Branch**  
Site Plan No. 820200160 (SEP 3 DRAFT)

**Table 1. Impervious Impact of Pulte’s Development on Subwatersheds LSTM 110 and LSTM 111**

Subwatersheds of Ten Mile Creek	Acres in sub-watershed <sup>1</sup>	Subwatershed Pre-existing % imperviousness	Impervious acres Pulte development would add to sub-watershed <sup>2</sup>	Pulte % addition to imperviousness in sub-watershed	Total Impervious impact to sub-watershed due to Pulte <sup>3</sup>	% imperviousness of sub-watershed at build-out (Pulte + King)
LSTM 110	211	1.6%	11.19	5.3%	6.9%	9.7% <sup>4</sup>
LSTM 111	104	1.2%	12.08	11.6%	12.8%	12.8%

**Table Notes:**

<sup>1</sup>Acres in subwatershed from Ten Mile Creek Amendment, Appendix 3, Environmental Analysis, pdf pp. 18 & 20, [https://www.montgomeryplanning.org/community/plan\\_areas/1270\\_corridor/clarksburg/documents/Appendix%203%20TMC\\_Env\\_Analysis\\_Final\\_Report\\_070313.pdf](https://www.montgomeryplanning.org/community/plan_areas/1270_corridor/clarksburg/documents/Appendix%203%20TMC_Env_Analysis_Final_Report_070313.pdf)

<sup>2</sup>Sub-watershed acreage data from Site Drainage Plan Overview. Work completed, April 2020; plan submitted on May 12, 2021. Points North=LSTM110; points South=LSTM111. <https://eplans.montgomeryplanning.org/UFS/31679/89774/12-WQP-820200160-002.pdf/12-WQP-820200160-002.pdf>

<sup>3</sup>Calculations: 11.19/211=5.3%; 5.3%+1.6%=6.9%; 12.08/104=11.6%; 11.6%+1.2%=12.8%.

<sup>4</sup>Calculation of % imperviousness of LSTM110 subwatershed at build-out: King property is ~ 140 acres; approximately 70% of King’s development would be located in the LSTM110 subwatershed=98 acres; 6% impervious cap = 5.9 impervious acres added (.06\*98=5.9); King adds 2.8% imperviousness to LSTM 110 subwatershed (5.9/211=2.8%). Percent imperviousness of LSTM110 subwatershed at build-out (Pulte+King) is 2.8%+6.9%=9.7%.

**EXPLANATION OF IMPERVIOUS IMPACT ON LSTM 110**

The existing imperviousness of LSTM 110 is 1.6%. The impervious acreage portion of the Pulte development that would occur in the 110 subwatershed – 11.19 impervious acres, or 48% of the total 23.27 impervious acres of this development – would raise this subwatershed’s impervious cover from **1.6% to 6.9%**. At full build-out, which includes the King development (~70% of the King development would occur in the LSTM 110 subwatershed) the combined impact of these two developments would raise the impervious cover from **1.6% to 9.7%** – a **sixfold increase in imperviousness!**

**EXPLANATION OF IMPERVIOUS IMPACT ON LSTM 111**

The existing imperviousness of subwatershed LSTM 111 is 1.2%. The impervious acreage portion of the Pulte development that would occur in the LSTM 111 subwatershed – 12.08 impervious acres, or 52% of the total 23.27 impervious acres of this development – would raise this subwatershed’s impervious cover from **1.2% to 12.8%**. That is more than a **tenfold increase in imperviousness** compared to the pre-existing impervious level!

**“Recent studies (see Appendix 9, Attachment 18) have shown that impervious cover levels as low as 5 percent are correlated with significant degradation in water quality.”**<sup>7</sup> The impervious impacts of the proposed Pulte development on Ten Mile Creek are well beyond the 5% threshold required to keep the good to excellent rating of the stream, as stated in the Master Plan.

**THE IMPERVIOUS OUTCOMES OF PULTE’S PROPOSED DEVELOPMENT ARE CONTRARY TO THE LANGUAGE AND INTENT OF THE MASTER PLAN**

The Master Plan recommends *“a six percent impervious surface cap for new development in the most sensitive subwatersheds to minimize risk as much as possible.”*<sup>8</sup> And explicitly states: *“In particular, protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.”*<sup>9</sup> The Master Plan states as well that, **“Even small changes in imperviousness will likely affect these sub-watersheds, but if imperviousness is kept as near to five**

<sup>7</sup> Master Plan, at fn 3, p.17.

<sup>8</sup> Master Plan, at fn 3, p.17.

<sup>9</sup> Master Plan) at fn 3, pp. 18-19.

## Written Testimony – Pulte’s Development, Creekside at Cabin Branch

Site Plan No. 820200160 (SEP 3 DRAFT)

percent as possible, stream conditions can be maintained in the good to excellent range, based on the majority opinion of environmental experts.”<sup>10</sup>

The Master Plan’s directive for a **6% impervious cap in the most sensitive subwatersheds** means that development must not exceed the 6% impervious cap in either LSTM 110 or in LSTM 111, which are the subwatersheds that the Master Plan refers to as “the most sensitive subwatersheds.”<sup>11</sup> In fact, **LSTM 110 and 111 are the only subwatersheds referred to in the Master Plan as “the most sensitive.”** There are 5 other subwatersheds in the plan area West of I-270 - LSTMs 112, 201, 202/206, 203, and 204. The Master Plan does not apply that language, “sensitive,” to any of these other subwatersheds.

### **THE COUNCIL’S INTENT IN APPROVING THE 2014 AMENDED MASTER PLAN WAS TO PROTECT TEN MILE CREEK’S SENSITIVE RESOURCES: THE OUTCOME OF THIS PROPOSED DEVELOPMENT IS CONTRARY TO THE LANGUAGE AND INTENT OF THE MASTER PLAN**

The Master Plan concluded that “the proposed levels of development in the 1994 Plan would create a significant risk to stream quality in these sensitive subwatersheds.”<sup>12</sup> This is precisely why the Montgomery County Council, in October 2012, directed the Planning Board to undertake a Limited Amendment of the 1994 Clarksburg Master Plan: “...because environmental analyses showed continued uncertainty about the ability to protect sensitive resources in Ten Mile Creek if full development occurred under the original Plan [1994] recommendations.”<sup>13</sup> (See Table 2)

Under the approved 2014 Master Plan, the Council recommended a 6% cap on imperviousness for the watershed area west of I-270. This was in strong contrast to the imperviousness outcomes that had been proposed in the 2013 Planning Board draft – 10.1% for LSTM 110 and 13.8% for LSTM 111 – under a watershed cap of 10%,<sup>14</sup> which the Council rejected in adopting the new 2014 Master Plan.

Yet, as Table 2 shows, the **levels of imperviousness for LSTM 111 and LSTM 110 under the current Pulte plan are closer to what the 2013 Planning Board draft proposed, which was rejected by the Council in adopting the new 2014 Master Plan.**

**Table 2. Pre-existing Impervious Cover & Impervious Estimates by Subwatershed: Comparison of the 1994 Master Plan and 2013 Planning Board Draft with the Imperviousness Result of Pulte’s Creekside at Cabin Branch Development Proposal**

	Subwatershed pre-existing % imperviousness <sup>1</sup>	Imperviousness estimates, 1994 Master Plan <sup>2</sup>	Imperviousness estimates, 2013 Planning Board Draft <sup>2</sup>	Imperviousness resulting from Pulte’s development, Creekside at Cabin Branch <sup>1</sup>
<b>LSTM 110</b>	1.6%	15.1%	10.1%	6.9% (9.7% with King buildout)
<b>LSTM 111</b>	1.2%	14.1%	13.8%	12.8%

<sup>1</sup> Refer to Table 1 for ‘pre-existing imperviousness’ column and ‘Pulte’s proposed development’ column.

<sup>2</sup> Ten Mile Creek Amendment, Appendix 9, March 4, 2014, County Council Worksession: Staff Report and Supporting Materials, ‘Assumptions for Imperviousness Analysis’ tables on pp. 8-9.

[https://www.montgomeryplanning.org/community/plan\\_areas/1270\\_corridor/clarksburg/documents/appendix\\_9\\_materials-for\\_county\\_council.pdf](https://www.montgomeryplanning.org/community/plan_areas/1270_corridor/clarksburg/documents/appendix_9_materials-for_county_council.pdf)

<sup>10</sup> Master Plan, at fn 3, p.41. Impervious levels above 5% are consistently associated with stream degradation. See Appendix 3, pdf p. 244, DEP graph showing “Relationship Between Stream Condition and Impervious Cover in Montgomery County Streams,”

<sup>11</sup> Master Plan, at fn 3, p.41.

<sup>12</sup> Master Plan, at fn 3, p.41.

<sup>13</sup> Master Plan, at fn 3, pp. 5 & 8.

<sup>14</sup> Appendix 9, at fn 1, ‘Assumptions for Imperviousness Analysis’ table on pp. 8-9.

**Written Testimony – Pulte’s Development, Creekside at Cabin Branch**  
**Site Plan No. 820200160 (SEP 3 DRAFT)**

As shown in Table 2, impervious cover for LSTM 110 in Pulte’s currently proposed development exceeds the Master Plan’s 6% recommendation and increases pre-existing imperviousness by more than 300 percent. The increase in impervious cover in LSTM 111 is staggering; it would rise astronomically from 1.2% to 12.8% – increasing the pre-existing imperviousness by more than 10 times, or nearly 1,000 percent. **Clearly, these outcomes are contrary to the intent and recommendations of the 2014 Master Plan, amended specifically to protect these sensitive and high quality subwatershed resources.**

**AS CURRENTLY PROPOSED, PULTE’S CREEKSIDE AT CABIN BRANCH DEVELOPMENT CANNOT BOTH ADHERE TO THE OVERLAY ZONE AND SATISFY THE INTENT AND RECOMMENDATIONS OF THE MASTER PLAN**

The Pulte development relies only on the 6% impervious limit in the Clarksburg West Environmental Overlay Zone (EOZ)<sup>15</sup> as the standard, while simultaneously ignoring the explicit recommendation in the Master Plan to limit imperviousness to 6% in the sensitive subwatersheds. Under this misapplication of the Master Plan, the 6% EOZ impervious limit is met by overwhelming the sensitive subwatersheds with impervious acreage.

The 6% EOZ maximum limit that is applied to Pulte’s 400-acre tract yields 24 impervious acres. As previously shown in Table 1, according to the applicant’s documents, 11.19 of the 24 impervious acres would be located in LSTM 110 and 12.08 acres would be located in LSTM 111.<sup>16</sup> Imposing 12.08 impervious acres, more than half of Pulte’s impervious acreage, into the 104-acre LSTM 111 subwatershed, totally overwhelms this tributary, raising the LSTM 111 impervious cover from **1.2% to 12.8%**. This is more than a **tenfold increase in imperviousness** compared to the pre-existing impervious level! The same goes for the 211-acre subwatershed LSTM 110, which would see more than a fourfold rise in imperviousness, from 1.6% to 6.9%.

Rather than ignoring one standard (the Master Plan) and applying the other (EOZ), the Planning Board should read both impervious limits together so that neither is rendered meaningless. In applying the EOZ impervious limit, the Planning Board should ensure that the distribution of the impervious surface is not concentrated within the two most sensitive subwatersheds, such that it violates the Master Plan’s recommendation to limit imperviousness to 6% in these sensitive subwatersheds.

**The Environmental Overlay Zone must not be implemented in such a way as to thwart the language and intent of the Master Plan.**

**NEARLY 25 PERCENT OF THE COMBINED LAND AREA OF THE TWO MOST SENSITIVE SUB-WATERSHEDS, LSTM 110 & 111, WOULD BE GRADED, BULLDOZED, AND SEVERELY DEGRADED: 40% OF LSTM 110 WOULD BE HARMED**

Ten Mile Creek headwater system is comprised of small, spring-fed streams located within an area of thin, rocky soils. As the 1994 Clarksburg Master Plan noted, "the Ten Mile Creek watershed has the greatest constraints for development" and further, "[o]f the Little Seneca sub-basins, Ten Mile Creek is the most prone to environmental degradation from development."<sup>17</sup> In commenting on their stream monitoring program, DEP (Department of Environmental Protection) states: "Changes to the natural landscape, in addition to increased impervious cover, will significantly affect the health of streams."<sup>18</sup>

Though the bulk of Pulte’s 400-acre property is located in subwatersheds LSTMs 110, 111, and 112, Pulte’s plan wholly concentrates their proposed development entirely in the two most sensitive

<sup>15</sup> [https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2014/zta\\_14-03.pdf](https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2014/zta_14-03.pdf), p.7.

<sup>16</sup> In this case, 23.27 acres would be located in LSTMs 110 & 111. The remainder would be allocated to the 10-acre park, driveway access to the Delaney property, and to the historic Cephas house – all of which are in LSTM 112.

<sup>17</sup> Appendix 9, at fn 1, p. 63.

<sup>18</sup> Appendix. 9, at fn 1, p. 64.

## Written Testimony – Pulte’s Development, Creekside at Cabin Branch

Site Plan No. 820200160 (SEP 3 DRAFT)

subwatersheds that the Master Plan explicitly singled out for protection, LSTM 110 and 111.<sup>19</sup> According to Pulte’s site plan submission, they plan to bulldoze, regrade, fill, and otherwise disturb 34.98 acres in the LSTM 110 subwatershed and 41.07 acres in the LSTM 111 subwatershed for a total of 76.05 acres.<sup>20</sup> The total disturbance of 76 acres would impact **24% of the combined land area, 315 acres, of these two subwatersheds.** (See Table 3).

**Table 3. Land Disturbance Impact of Proposed Development on Subwatersheds LSTMs 110 & 111**

	Subwatershed acreage <sup>1</sup>	Acres of disturbance in subwatershed <sup>2</sup>	Percentage of subwatershed disturbed due to development <sup>3</sup>	Percentage of disturbance in the two subwatersheds combined <sup>4</sup>
<b>LSTM 110</b>	211	34.98	16.6%	
<b>LSTM 111</b>	104	41.07	39.5%	
<b>Total Acreage</b>	315	76.05		24.1%

**Table Notes:**

<sup>1</sup>Acres in subwatershed from Ten Mile Creek Amendment, Appendix 3, Environmental Analysis, pdf pp. 18 & 20, [https://www.montgomeryplanning.org/community/plan\\_areas/1270\\_corridor/clarksburg/documents/Appendix%203%20TMC\\_Env\\_Analysis\\_Final\\_Report\\_070313.pdf](https://www.montgomeryplanning.org/community/plan_areas/1270_corridor/clarksburg/documents/Appendix%203%20TMC_Env_Analysis_Final_Report_070313.pdf)

<sup>2</sup>See fn 20 for subwatershed acreage disturbance data.

<sup>3</sup>Calculations: 34.98/211=16.6%; 41.07/104=39.5%

<sup>4</sup>Calculation: 76.05/315=24.1%.

As shown in Table 3, nearly one-quarter of the land area, 24.1%, of these highly sensitive subwatersheds would be degraded, contrary to the 2014 Master Plan’s recommendation to “**protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.**”<sup>21</sup> The harm done to LSTM 111 would be even greater. **Nearly 40% of the land area of LSTM 111 would be subject to degradation.** (See Table 3).

The land disturbance due to this development would entail bulldozing, cut and fill, grading, soil compaction, and impervious cover. The impacts to the soils, hydrology, topography and landscape as a result of this massive land disturbance would be severe. The consequences of land disturbance include loss of soil integrity leading to erosion, increased pollution and sedimentation; hydrological impacts with deleterious impacts to the area’s many seeps, springs and wetlands; sedimentation; loss of aquatic diversity; and degradation of Ten Mile Creek – “**one of the highest quality watersheds remaining in the County and one that is known to be particularly sensitive to disturbance.**”<sup>22</sup>

The amount of land area disturbance being proposed is alarming and unacceptable, and contradicts the Master Plan recommendation to “**protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.**”<sup>23</sup>

In their discussion of impervious cover in relation to LSTMs 110 and 111, DEP notes, “Once an excellent quality stream is degraded, it is very difficult to recover even with extensive (expensive) restoration efforts. DEP is not aware of any instance of a once-excellent stream recovering to original conditions following development disturbance.”<sup>24</sup>

<sup>19</sup> LSTM 112 is 228 acres – much larger than LSTM 111 (104 acres) and LSTM 110 (211 acres).

<sup>20</sup> See Site Drainage Pattern submitted by Pulte, <https://eplans.montgomeryplanning.org/UFS/31679/89774/12-WQP-820200160-002.pdf/12-WQP-820200160-002.pdf>. LOD, North, 34.98 acres is the LSTM 110 Subwatershed; LOD, South, 41.07 acres is the LSTM 111 Subwatershed, where LOD is the Limits of Disturbance.

<sup>21</sup> Master Plan, at fn 3, pp. 17-18.

<sup>22</sup> Appendix 9, at fn 1, p. 19.

<sup>23</sup> Master Plan, at fn 3, pp. 17-18.

<sup>24</sup> Appendix 9, at footnote 1, p. 70.

**Written Testimony – Pulte’s Development, Creekside at Cabin Branch**  
**Site Plan No. 820200160 (SEP 3 DRAFT)**

**TEN MILE CREEK CANNOT SURVIVE THE ASSAULT OF THE FOUR DEVELOPMENTS PROPOSED IN THE WATERSHED**

Pulte’s Creekside at Cabin Branch proposed development is one of 3 developments in the pipeline (Pulte, Miles-Coppola, and Egan) and a 4<sup>th</sup> (King) yet to come. Taken together, these developments spell the certain demise of the Ten Mile Creek main stem. Pulte’s development would destroy the two highest quality streams in the Ten Mile Creek Watershed. But all the other developments combined, through their impact on the other tributaries to the Ten Mile Creek main stem, would devastate the clear flowing waters of Ten Mile Creek.

It is disingenuous to study the impacts on Ten Mile Creek only from the Pulte development. A piecemeal approach time and again proves true the maxim, “Death by a thousand cuts.”

**TEN MILE CREEK IS A COMPLETE AND FUNCTIONING WATERSHED AND ECOSYSTEM**

What makes Ten Mile Creek watershed a complete and well-functioning ecosystem is the health of all of its parts – each subwatershed, with its seeps, springs, wetlands, and forests is important. But Ten Mile Creek is also a fragile and sensitive watershed. It is only as healthy as the sum of its parts – each tributary is important, and a disturbance in one disturbs the balance of all.<sup>25</sup>

*If we are really serious about protecting water quality and stream habitats, if we are really serious about responding to the ongoing challenges of climate change (and greenhouse gas emissions), then we must protect the natural areas, suffer no additional loss of forest trees, and severely limit impervious cover. Further intrusions into the watershed are simply not acceptable if we are to prevent further decline and degradation of the Ten Mile Creek watershed. Not destroying a natural habitat is immensely better than trying to restore it afterwards.*

**Conclusion: The Planning Board must Deny Approval of Site Plan No. 820200160**

Respectfully,  
Roberta G. (rg) Steinman  
Silver Spring, MD

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<sup>25</sup> Appendix 9, at fn 1, p. 63.  
rg FINAL-Creekside at Cabin Branch testimony Sep 9 2021 (002)

**From:** [Laura O'Brien](#)  
**To:** [MCP-Chair](#)  
**Subject:** Tell the Montgomery County Planning Board: Protect Montgomery County's drinking water!  
**Date:** Tuesday, September 7, 2021 12:49:49 PM

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

Administrative Assistant Catherine Coello,

Dear Montgomery County Planning Board,

It is critical that Montgomery County protects Ten Mile Creek, the Ten Mile Creek Watershed, and the Seneca Creek Reservoir because it is our only local source of clean drinking water for the region.

The Creekside at Cabin Branch Development does not align with the Climate Action Plan nor the Thrive 2050 General Plan.

It is critical to concentrate new development, including housing, around existing transit corridors and disincentivize sprawl development which only increases greenhouse gases.

The Creekside at Cabin Branch Development does not meet and actually exceeds the 2014 Planning Board approved Ten Mile Creek Area limited amendment within the Clarksburg Master Plan, which set a 6% impervious cap limit to ensure the protection of our drinking water.

Protecting our current natural resources will always be a more cost-effective solution that can never be replaced by built infrastructure.

The Montgomery Planning Board, the County Council, and the County Executive must work in coordination to achieve both climate change goals and achieve sustainable land use targets where both environmental protection and sustainable land use can work in harmony with one another.

Laura O'Brien  
lauritaob310@gmail.com  
8710 Reading Rd  
Silver Spring, Maryland 20901



**From:** [Curt W. Reimann](#)  
**To:** [MCP-Chair](#)  
**Cc:** [marc.elrich@montgomerycountymd.gov](mailto:marc.elrich@montgomerycountymd.gov); [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov); [Friends of Ten Mile Creek & Little Seneca Reservoir](#)  
**Subject:** Ten Mile Creek watershed and proposed Pulte Development, "Creekside at Cabin Branch"  
**Date:** Tuesday, September 7, 2021 2:14:40 PM

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

Dear Chair Anderson and Members of the Planning Board:

As a 56-year resident of Upper Montgomery County, I am especially concerned about the health and safety of this area's water resources. Specifically, my current concern is the Ten Mile Creek watershed that flows into Little Seneca Reservoir. It is my strong belief that further development will increase stress on this watershed, if it does not adhere to the provisions of the Master Plan.

Accordingly, I urge you to reject the Pulte Development, "Creekside at Cabin Branch", as currently proposed. I believe that the threats from stormwater runoff and urban pollution could inflict major degradation on the sensitive water resources affected by the Pulte development. Hence, this proposed development requires further comprehensive analysis and a response that ensures full compliance with the objectives of the Master Plan.

Sincerely,

Curt W. Reimann  
23619 Peach Tree Rd.  
PO Box 91  
Clarksburg, MD 20871



**From:** [M Schoenbaum](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Elena Shuvalov](#); [Maggie Bartlett](#); [Dan Seamans](#)  
**Subject:** Creekside at Cabin Branch (site plan 820200160), 9/9/2021  
**Date:** Tuesday, September 7, 2021 2:35:28 PM

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

Dear Montgomery Planning Board Commissioners,

The Boyds Civic Association asks you to reject the site plan application for "Creekside at Cabin Branch" (site plan 820200160).

First, the site plan application violates the 2014 Ten Mile Creek Area Limited Master Plan Amendment, which we supported. The calculated impervious surface area in the site plan application exceeds the 6% cap in two sub-watersheds, and the actual impervious surface area will be even greater because the calculations do not include roads and other public infrastructure. Therefore, this site plan application does not conform to the master plan, and the project will degrade the water quality in Ten Mile Creek.

Second, the project will degrade the water quality in Little Seneca Lake, which is a vital drinking water resource for almost 2 million people. Last month, in response to an inquiry from State Senator Brian Feldman, WSSC indicated its intention to buy a nine-acre historic property bordering Little Seneca Lake "to create buffers around our drinking water supplies to protect them from development. Purchasing properties around drinking water supplies helps enhance water quality by preventing sediment erosion and pollutants from entering these reservoirs." If a nine-acre un-subdividable property with one 140-year-old house can threaten the water quality in the lake, just imagine what 326 new houses on 90 acres will do.

Montgomery County residents contribute their time and energy to the master plan process in the belief that the master plans actually mean what they say. This site plan application violates both the spirit and the letter of the Ten Mile Creek master plan. What message will you send to the residents of Montgomery County, if you vote to approve it?

Sincerely,

Miriam Schoenbaum  
President, Boyds Civic Association  
15004 Clopper Rd  
Boyds MD 20841

**From:** [Steve Warner](#)  
**To:** [MCP-Chair](#)  
**Subject:** Reject Creekside at Cabin Branch Proposal  
**Date:** Tuesday, September 7, 2021 3:38:24 PM

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

Planning Board Chair Casey Anderson,

As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers and I'm hoping you only accept proposals that provide this protection.

Steve Warner  
Sdwarner219@gmail.com  
9414 Woodland dr  
Silver Spring, Maryland 20910



**From:** [Anjum, Mahnoor \(Luna\)](#) on behalf of [Hartman, Ken](#)  
**To:** [MCP-Chair](#); [Anderson, Casey](#); [Wright, Gwen](#); [Kronenberg, Robert](#); [Gonzalez, Angelica](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#)  
**Cc:** [Iseli, Claire](#); [Meredith, Wellington](#); [Spielberg, Debbie](#); [Hartman, Ken](#); [Hochberg, Adriana](#)  
**Subject:** Creekside at Cabin Branch Site Plan Review Memo  
**Date:** Tuesday, September 7, 2021 4:53:52 PM  
**Attachments:** [Creekside at Cabin Branch Site Plan Review Memo.pdf](#)

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

Dear Planning Board Members,

Please see the attached memo from the County Executive regarding the Creekside at Cabin Branch.

Best,

**Mahnoor Anjum (Luna) (She/Her)**  
***Executive Administrative Associate II***

Office of the County Executive

101 Monroe Street, 2<sup>nd</sup> Floor

Rockville, MD 20850

(202)-340-3003

**Email:** [mahnoor.anjum@montgomerycountymd.gov](mailto:mahnoor.anjum@montgomerycountymd.gov)



**For COVID-19 Information and resources, visit:**  
[www.montgomerycountymd.gov/COVID19](http://www.montgomerycountymd.gov/COVID19)



## OFFICES OF THE COUNTY EXECUTIVE

**Marc Elrich**  
*County Executive*

MEMORANDUM  
September 7, 2021

To: Members of the Montgomery County Planning Board

From: County Executive Marc Elrich

Subject: Creekside at Cabin Branch Site Plan Review

It is my understanding that the Planning Board has already approved a preliminary plan of development called “Creekside at Cabin Branch” for 400 acres of land on the west side of Ten Mile Creek, and that you will be reviewing the site plan at your September 9, 2021 session. I am aware of correspondence you have received from many residents, as well as the Sierra Club, expressing their dismay at the proposed plan; I share their dismay and urge you to reject this plan.

The preliminary plan you approved concentrates development activity *entirely* within the LSTM 110 and LSTM 111 subwatersheds, which were identified in the Ten Mile Creek Limited Amendment as the two most sensitive, most critical subwatersheds on the west side of Ten Mile Creek. As a council member, I was actively engaged in the years-long review by environmental experts – including those from the Planning Department – that led to the adoption of the Limited Amendment and the Clarksburg West Environmental Overlay Zone. These documents, and the Council’s Resolution, were explicit about the “extraordinary protection” warranted for the LSTM 110 and 111 subwatersheds, providing ample evidence of the devastating impact that would result from increases in impervious levels exceeding 6%.

The Planning Board appears to have reached a conclusion that if development remains within the 6% cap averaged over the entire 400 acres, it is acceptable to increase imperviousness in LSTM 110 from 1.6% to 7.3% and LSTM from 1.2% to 12.7%. This is in direct contradiction of the extensive body of scientific evidence indicating that the limitation of impervious cover is key to preserving water quality. This plan will destroy the stream. It is shocking to realize that the very Planning Department that helped present that evidence and supported the adoption of strict impervious limits in the Ten Mile Creek documents is now willing to approve a plan that will destroy water quality in the two subwatersheds that were at the heart of our water-quality preservation efforts.

This is a sad turn of events. In my view, your actions seriously undermine the County Council’s ability to adopt master plans and zoning regulations capable of withstanding misinterpretation. We need to find a way to defend against that.

**From:** [League of Women Voters of Montgomery County, MD, Inc.](#)  
**To:** MCP-Chair; [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov); [marc.elrich@montgomerycountymd.gov](mailto:marc.elrich@montgomerycountymd.gov)  
**Cc:** [Linda Silversmith](#); [joanbsiegel](#)  
**Subject:** Letter from League of Women Voters  
**Date:** Tuesday, September 7, 2021 5:07:40 PM  
**Attachments:** [LWV 10Mile Creek letter Sept 2021.pdf](#)

---

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

Please see attached letter regarding Preserving Water Quality in Ten Mile Creek.

Thank you,  
Diane Hibino for  
League of Women Voters of Montgomery County, MD  
15800 Crabbs Branch Way, Suite 300  
Rockville, MD 20855  
Tel: 301-984-9585    [lwvmc@erols.com](mailto:lwvmc@erols.com)  
[lwvmocomd.org](http://lwvmocomd.org)    /    [VOTE411.org](http://VOTE411.org)

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## **Preserving Water Quality in Ten Mile Creek**

**September 7, 2021**

**To: Montgomery County Planning Board**

**In re: Creekside at Cabin Branch development**

Montgomery County **made a strong commitment to protect Ten Mile Creek when it passed the Limited Master Plan Amendment early in 2014.**

- This action to limit the amount of impervious surface in the watershed recognized that Ten Mile Creek is an integral part of the drinking water supply for more than four million people in the Greater Washington region.
- Ten Mile Creek drains into Little Seneca Reservoir – part of our region's **backup drinking supply** – and the adjacent land acts as a **recharge area** for the Piedmont Sole-Source Aquifer that serves Montgomery County's rural communities.

Pulte's proposed Creekside at Cabin Branch development would be located entirely within the region the amendment sought to protect and would cause irreparable harm.

- We must prevent contamination of our backup water supply by preventing this type of development in the Ten Mile Creek watershed, especially now when there is increasing concern about water supply and weather changes attributable to climate change.

**Do not approve this proposal.**

From: Co-presidents Nancy Bliss, Vicky Strella  
Agriculture Committee Chair Margaret Chasson  
Environmental Committee Chair Linda Silversmith

**From:** [Christine Rai](#)  
**To:** [MCP-Chair](#)  
**Subject:** Reject Creekside at Cabin Branch Proposal  
**Date:** Tuesday, September 7, 2021 5:33:53 PM

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

Planning Board Chair Casey Anderson,

As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers and I'm hoping you only accept proposals that provide this protection.

Christine Rai  
sunny\_rai@verizon.net  
17320 Whitaker Rd  
Poolesville, Maryland 20837





**From:** [Josh Goldman](#)  
**To:** [MCP-Chair](#)  
**Subject:** Let Science drive: Reject Creekside at Cabin Branch Proposal  
**Date:** Tuesday, September 7, 2021 7:04:53 PM

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

Planning Board Chair Casey Anderson,

Please do not approve a development plan that will result, per Site Plan - Site Drainage Pattern Overview - in imperviousness of 6.9% for LSTM 110, and 12.8% for LSTM 111. As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the deleterious impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers. Please ask that the plan be reconfigured.

Josh Goldman  
joshjgman@gmail.com  
15711 Hughes Road  
Poolesville , Maryland 20837



**From:** [Ann Connor](#)  
**To:** [MCP-Chair](#)  
**Subject:** Reject Creekside at Cabin Branch Proposal  
**Date:** Tuesday, September 7, 2021 7:16:47 PM

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

Planning Board Chair Casey Anderson,

As an advocate for the high-quality Ten Mile Creek watershed, which supports the cleanest tributary flowing into Little Seneca Reservoir, I urge you to reject the Pulte Development, "Creekside at Cabin Branch," as currently proposed due to the devastating impact it would have on the two most sensitive and high-quality tributaries that flow into Ten Mile Creek.

We urge you to recognize the Ten Mile Creek watershed's unique qualities and sensitive streams and ensure that development conforms to the Master Plan objective: "...if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in the good to excellent range."

We know that with climate change, stormwater management will only become more of an issue - engineering stormwater solutions on existing development is costly - we have a chance to get it right from the start. When we know better - we do better.

An extraordinary water resource demands extraordinary care and protection on the part of our decision makers and I'm hoping you only accept proposals that provide this protection.

Ann Connor  
conrfam@aol.com  
17325 Soper St  
Poolesville, Maryland 20837



**From:** [Al Wurglitz](#)  
**To:** [MCP-Chair](#); [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov); [marc.elrich@montgomerycountymd.gov](mailto:marc.elrich@montgomerycountymd.gov)  
**Subject:** Fwd: Clean Water Supply - Ten Mile Creek  
**Date:** Tuesday, September 7, 2021 9:26:14 PM

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

September 7, 2021

Re: Cabin Branch Site Plan #820200160 (resending Sept. 6 letter with correct Site Plan Designation)

Dear Chair Anderson and Planning Board Members:

What do the real citizens of Montgomery County have to do to save our clean water supply? Each time a decision protecting Ten Mile Creek is hard fought and won by citizen volunteers pouring time, talent and individual resources into a hearing or proceeding, it's never over. A deep-pocketed corporation with no long-term stake in water resources decides to fight again or simply ignore the letter and spirit of the ruling previously made. But we citizen stewards are not giving up - especially since we now believe our opponent is dealing unfairly with the County Council's clear and objective Master Plan decision protecting Ten Mile Creek. Pulte has simply chosen to ignore the decision and hopes clean water advocates will lose interest and go away.

But we're still here, still working for the common good of protecting our precious clean water resource and wondering why Pulte seems determined to continue to tarnish its corporate reputation.

The ball is, once again, in the Planning Board's court. My hope is that your County planning mandate will place more emphasis on clean water protection than on a run-of-the-mill housing development that ignores earlier County decisions and the watershed protections they imposed.

Respectfully,

Julia Larson Wurglitz

243 Little Quarry Road  
Gaithersburg, MD 20878

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

From: **Al Wurglitz** <[awurglitz@gmail.com](mailto:awurglitz@gmail.com)>  
Date: Mon, Sep 6, 2021 at 9:42 PM  
Subject: Clean Water Supply - Ten Mile Creek  
To: <[MCP-Chair@mncppc-mc.org](mailto:MCP-Chair@mncppc-mc.org)>  
Cc: <[county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov)>, <[marc.elrich@montgomerycountymd.gov](mailto:marc.elrich@montgomerycountymd.gov)>

September 6, 2021

Dear Chair Anderson and Planning Board Members:

What do the real citizens of Montgomery County have to do to save our clean water supply? Each time a decision protecting Ten Mile Creek is hard fought and won by citizen volunteers pouring time, talent and individual resources into a hearing or proceeding, it's never over. A deep-pocketed corporation with no long-term stake in water resources decides to fight again or simply ignore the letter and spirit of the ruling previously made. But we citizen stewards are not giving up - especially since we now believe our opponent is dealing unfairly with the County Council's clear and objective Master Plan decision protecting Ten Mile Creek. Pulte has simply chosen to ignore the decision and hopes clean water advocates will lose interest and go away.

But we're still here, still working for the common good of protecting our precious clean water resource and wondering why Pulte seems determined to continue to tarnish its corporate reputation.

The ball is, once again, in the Planning Board's court. My hope is that your County planning mandate will place more emphasis on clean water protection than on a run-of-the-mill housing development that ignores earlier

County decisions and the watershed protections they imposed.

Respectfully,

Julia Larson Wurglitz

243 Little Quarry Road  
Gaithersburg, MD 20878



**From:** [lifeonearth@verizon.net](mailto:lifeonearth@verizon.net)  
**To:** [MCP-Chair](#)  
**Subject:** Creekside at Cabin Branch Site Plan Testimony - John Parrish  
**Date:** Tuesday, September 7, 2021 10:47:18 PM  
**Attachments:** [Creekside Public Hearing.doc](#)

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

Find attached - public hearing testimony on the Creekside at Cabin Branch Site Plan scheduled September 9, 2021.

Submitted by John Parrish, Friends of Ten Mile Creek and Little Seneca Reservoir

September 9, 2021

To: The Montgomery County Planning Board

From: John Parrish, Vice President, Friends of Ten Mile Creek and Little Seneca Reservoir

RE: Creekside at Cabin Branch Site Plan #820200160 - Public Hearing

Dear Commissioners,

You must deny approval of the Creekside at Cabin Branch site plan if you are to uphold the 2014 Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan, hereafter referred to as the Master Plan. **The development plan does not conform to the intent and recommendations of the Master Plan.** The placement of 23.27 acres of impervious cover within the two most sensitive sub-watersheds, LSTMs 110 and 111, leads to impervious levels that far exceed the impervious thresholds outlined in the Master Plan to protect stream conditions and water quality. Furthermore, the soil and topographic disturbances within the Limits of Disturbance (LOD) caused by grading equipment and fill dirt would reshape up to 76 acres. This would irreparably harm the hydrology of these sensitive sub-watersheds. Seventy-six acres represents 24% of the landscape comprising the two sub-watersheds. Worse yet, LSTM 111 would have nearly forty percent (39.49%) of its watershed within the LOD. This is not how you protect a stream system that the Master Plan describes as “*unique*” and “*warrants extraordinary protection.*”

Pulte proposes to build the Creekside at Cabin Branch development entirely within the two most sensitive and high quality Ten Mile Creek sub-watersheds, LSTM 110 and LSTM 111. The development size and configuration, along with the associated land alterations from grading (cut & fill), and subsequent impervious cover, would degrade and destroy the very qualities that make these tributaries healthy and diverse.

#### BACKGROUND, INTENT, SCIENTIFIC GUIDANCE & RECOMMENDATIONS FROM THE 2014 MASTER PLAN

According to the Master Plan (p.14), “*Ten Mile Creek is a reference stream in Montgomery County serving as a high-quality benchmark against which other streams are compared. Long-term monitoring indicates overall biological conditions to be healthy and diverse. Sensitive indicator organisms that occur in few other areas within the County are found here. Ten Mile Creek is part of a small group of high quality watersheds still remaining within the County. As a result of its unique characteristics, Ten Mile Creek warrants extraordinary protection.*”

Also on page 14, “*This Plan views this area as a complete and functioning watershed and ecosystem, including the watershed and all contributing tributaries and their drainage areas.*”

Concerning LSTM 110 and LSTM 111 the Master Plan (p.14) states:

**“LSTM 110 (King Spring Tributary) is considered one of the highest quality streams in Montgomery County, as measured by the Department of Environmental Protection countywide stream monitoring program and in an assessment by the U.S. Environmental Protection Agency using the Biological Conditions Gradient (See Appendix 8, Attachment 18).”**

The Master Plan (p.17) states: “**High quality subwatersheds with very low impervious cover, such as LSTM 110 (1.6%) and LSTM 111 (1.2%), are more sensitive to changes in impervious cover than watersheds like LSTM 206 (16.6%) and LSTM 202 (11%), which already have a significant amount of existing impervious cover and are showing signs of degradation. Recent studies, (see Appendix 9, Attach. 18) have shown that impervious cover levels as low as 5 percent are correlated with significant degradation in water quality.**”

Furthermore, scientific studies cited in the Master Plan’s Appendix 3 (Ten Mile Creek Watershed Environmental Analysis) conclude:

**“In addition, it is now known that substantial degradation and loss of biodiversity begins at much lower levels of impervious cover between 0.5% and 2%.”** This excerpt is from Ecological Applications Vol. 21, page 1666, *How Novel is too Novel? Stream Community Thresholds at Exceptionally Low Levels of Catchment Urbanization*. The citation is in Appendix D of the Ten Mile Creek Environmental Analysis.

The Master Plan directive under “Recommendations West of I-270” (pp.18-19) states:

**“Reduce development footprint and impervious cover, emphasizing reduced impacts to upland forest areas and steep slopes. In particular protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.”**

The Master Plan (p.41) states **“This area includes the most sensitive subwatersheds LSTM 110 and 111 and the monitoring stations for the reference stream reach. The very low existing imperviousness and long-term agricultural uses have resulted in excellent stream conditions that have been maintained since monitoring began in 1994. Even small changes in imperviousness will likely affect these sub-watersheds, but if imperviousness is kept as near to 5% as possible, stream conditions can be maintained in the good to excellent range based on the majority opinion of environmental experts.”**

Also on Master Plan page 17, **“The Plan recommends a six percent impervious cap for new development in the most sensitive sub-watersheds to minimize risk as much as possible.”**

#### UPDATED IMPERVIOUS COVER ANALYSIS FOR LSTM 110 AND LSTM 111

This analysis is an update and refinement to analyses submitted by R.G. Steinman and John Parrish for the December 3, 2020 Creekside at Cabin Branch Preliminary Plan Public Hearing for Plan # 120200050. Since that time, new data was submitted by Pulte Homes into the project Site Plan files. The new data was posted May 12, 2021 and contained in Site Plan File 12-WQP 820200160-002.pdf. This is named “Site Drainage Pattern Overview.” It is part of the Special Protection Area (SPA) Water Quality Plan - Impervious Surface Drawings.

The Master Plan (p.17) states that the existing impervious cover percentage for LSTM 110 is 1.6% and for LSTM 111, 1.2%. According to the Site Drainage Pattern Overview (Site Plan File 12-WQP 820200160-002.pdf), the impervious acreage added to LSTM 110 from Pulte’s development would be **11.19** acres and for LSTM 111, **12.08** acres. The **11.19** acres is equivalent to **5.3%** impervious cover added to the 211 acre LSTM 110 sub-watershed. The **12.08** acres is equivalent to **11.61%** impervious cover added to the 104 acre LSTM 111 sub-watershed. When you add the existing and proposed impervious percentages, **the results are 6.9% impervious cover for LSTM 110 and 12.8% for LSTM 111.** These figures far exceed the direction in the Master Plan (p. 41) to keep impervious cover in the most sensitive watersheds LSTM 110 and 111 **“as near to 5% as possible”** in accord with **“the majority opinion of environmental experts.”** The figures also far exceed what is recommended in the Master Plan

(pg. 17) which says ***“The Plan recommends a six percent impervious cap for new development in the most sensitive sub-watersheds to minimize risk as much as possible.”***

Another important outstanding factor to consider is the future development of the King property. It is one of the elephants in the room that staff has not addressed. This ~140-acre tract abuts the Pulte property on the north side.<sup>1</sup> The King property had been part of a larger Pulte development proposal when the 2014 Master Plan was approved. Since that time, Pulte and the owners of the King property severed their joint development relationship.

However, a sizable portion of a future King development would occur in the headwaters of the LSTM 110 (King Spring) sub-watershed. **According to our estimates, the development of this property would lead to a further rise in imperviousness bringing impervious cover in LSTM 110 to rise as high as 9.7%.** This additional impervious cover adds insult to injury, and is certainly not what the Master Plan intended or recommends. Since the severing of the joint development relationship with King, Pulte’s plans changed substantially at the expense of LSTM 110 and 111.

The bottom line is that each of the land development impacts described above would seriously degrade stream conditions in the sensitive and high quality sub-watersheds LSTM 110 and/or LSTM 111. Cumulatively, the impacts are more severe to LSTM 110 and to the Ten Mile Creek main-stem from a combination of Pulte and King land development. Pulte alone would devastate LSTM 111. Again, the science of watershed protection expressed in the Master Plan (p. 17) states:

***“High quality subwatersheds with very low impervious cover, such as LSTM 110 (1.6%) and LSTM 111 (1.2%), are more sensitive to changes in impervious cover than watersheds like LSTM 206 (16.6%) and LSTM 202 (11%), which already have a significant amount of existing impervious cover and are showing signs of degradation. Recent studies, (see Appendix 9, Attach. 18) have shown that impervious cover levels as low as 5 percent are correlated with significant degradation in water quality.”***

Furthermore, the Master Plan (p. 41) states:

***“Even small changes in imperviousness will likely affect these sub-watersheds, but if imperviousness is kept as near to 5% as possible, stream conditions can be maintained in the good to excellent range based on the majority opinion of environmental experts.”***

As calculated above, the impervious cover percentages from future developments in LSTM 110 (Pulte & King) would increase the impervious cover from the existing 1.6% to 6.9% from Pulte, and from 6.9% to as high as 9.7% when the King Property develops. In LSTM 111 the Pulte development would drastically increase the impervious cover from the existing 1.2% to 12.8%. The Master Plan makes it clear that 5% impervious cover is the threshold to stay within to maintain stream conditions in the good to excellent range. Environmental expert Matthew Baker submitted scientific guidance to the County Council in a letter dated February 27, 2014 (Master Plan Appendix 9, Attachment 18, p. 132) One of his four “take home messages” to the Council states:

“In order to keep streams in good condition, any ecologist will tell you to keep impervious cover under 5% by as much as possible to minimize risk. However, when I was asked whether 6% or 8% or 12% was best for the Pulte property (LSTM 110 and 111) and the streams that drain it, the evidence is clear that due to their status among the best examples of stream condition in the County,

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<sup>1</sup> The Master Plan (p.41) states that the Pulte and King properties “...comprise almost 540 acres west of I-270.” According to the Creekside at Cabin Branch Site Plan the Pulte tract size is 400.24 acres. This leaves King with approximately 140 acres.

restricting levels as close to 5% as possible stands the best chance (with LID, ESD, and development at or near the divide and away from stream channels) of protecting the valuable natural resource they represent.”

Therefore it is abundantly clear that the Creekside at Cabin Branch Site Plan does not conform to the goals and science-based recommendations of the Master Plan regarding imperviousness to protect stream conditions and water quality in LSTM 110 and 111. In fact, the results of the Site Plan clearly contradict and violate the very intent and language of the Master Plan.

#### UPDATED ANALYSIS OF LAND AREA WITHIN THE LIMITS OF DISTURBANCE (LOD)

This analysis is an update and refinement to an analysis submitted by John Parrish at the December 3, 2020 Creekside at Cabin Branch Preliminary Plan Public Hearing (Plan #120200050). Since that time, new data has been submitted by Pulte Homes into the Site Plan files. The new data was posted May 12, 2021 and contained in Site Plan File 12-WQP 820200160-002.pdf. This is the Site Drainage Pattern Overview. It is part of the Special Protection Area (SPA) Water Quality Plan - Impervious Surface Drawings.

The Site Drainage Pattern Overview indicates the acreage within the Limits of Disturbance (LOD). The LOD is the boundary within which all manner of land alterations take place. The LOD in the LSTM 110 sub-watershed is 34.98 acres; for the LSTM 111 subwatershed, it is 41.07 acres. The combined disturbance area is 76.05 acres. **This comprises 24% of the 315 combined acres of the LSTM 110 (211ac) and LSTM 111 (104ac) subwatersheds.** See Land Disturbance Table below.

#### **Land Disturbance Impact of Proposed Development on Subwatersheds LSTMs 110 & 111**

	Subwatershed acreage <sup>1</sup>	Acres of disturbance in subwatershed <sup>2</sup>	Percentage of subwatershed disturbed due to development <sup>3</sup>	Percentage of disturbance in the two subwatersheds combined <sup>4</sup>
<b>LSTM 110</b>	211	34.98	16.6%	
<b>LSTM 111</b>	104	41.07	39.5%	
<b>Total Acreage</b>	315	76.05		24.1%

##### **Table Notes:**

<sup>1</sup>Acres in subwatershed from Ten Mile Creek Amendment, Appendix 3, Environmental Analysis, pdf pp. 18 & 20, [https://www.montgomeryplanning.org/community/plan\\_areas/1270\\_corridor/clarksburg/documents/Appendix%203%20TMC\\_Env\\_Analysis\\_Final\\_Report\\_070313.pdf](https://www.montgomeryplanning.org/community/plan_areas/1270_corridor/clarksburg/documents/Appendix%203%20TMC_Env_Analysis_Final_Report_070313.pdf)

<sup>2</sup>See Site Plan file at: <https://eplans.montgomeryplanning.org/UFS/31679/89774/12-WQP-820200160-002.pdf/12-WQP-820200160-002.pdf>

<sup>3</sup>Calculations: 34.98/211=16.6%; 41.07/104=39.5%

<sup>4</sup>Calculation: 76.05/315=24.1%.

Within the LOD, the bulldozing, excavation, scraping and compaction of the thin rocky soils would disfigure the landscape and cause irreparable harm by permanently altering the natural subsurface and surface drainage patterns that sustain groundwater flows to LSTMs 110 and 111. Subsequent erosion and sedimentation add to the destructive hydrological impacts to these tributaries as well as causing harm to the main stem of Ten Mile Creek. **LSTM 111 would suffer the greatest violation with nearly 40 percent (39.5%) of its watershed severely altered within the LOD!** The LSTM 110 sub-watershed would suffer 16.6% of its land area altered by grading equipment due to the Pulte development. The LSTM 110 land alteration total would increase again when the King property is developed. This added impact is not included in the table.

**This amount of soil and topographic disturbance is contrary to Master Plan recommendations on (p.21) that state:** “Minimize grading the thin and rocky soils in Ten Mile Creek, which helps sustain

*groundwater flows to the many springs and seeps.” And on page 42 stating, “The stream impacts should be minimized [...] by minimizing grading, soil disturbance and soil compaction.”*

The bottom line is that the Planning Board cannot fulfill Master Plan recommendations to ***“protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 King Spring and LSTM 111”*** by allowing such a massive alteration to the soils, hydrology and topography in these watersheds.

## CONCLUSION

Again, the Master Plan (pg. 14) states ***“As a result of its unique characteristics, Ten Mile Creek warrants extraordinary protection.”*** And ***“This Plan views this area as a complete and functioning watershed and ecosystem, including the watershed and all contributing tributaries and their drainage areas.”***

The Master Plan emphasizes the importance of limiting impervious cover and minimizing grading and soil disturbances to achieve protection of Ten Mile Creek and its *most sensitive and high quality* tributaries, LSTM 110 and 111. Furthermore, of the eight LSTM tributaries (110, 111, 112, 201, 202, 203, 204, 206) flowing to Ten Mile Creek, LSTMs 110 and 111 currently have the two lowest impervious cover percentages.<sup>2</sup> If the Site Plan is approved, the ensuing Creekside development will cause these tributaries to be the second and third highest in impervious cover, surpassed only by LSTM 206, which has never recovered from development and is the only LSTM tributary that has declined to a degraded condition. Again, the Master Plan (pp.18-19) clearly states: ***“In particular protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.”*** And also states (p. 41): ***“This area includes the most sensitive subwatersheds LSTM 110 and 111 and the monitoring stations for the reference stream reach. The very low existing imperviousness and long-term agricultural uses have resulted in excellent stream conditions that have been maintained since monitoring began in 1994. Even small changes in imperviousness will likely affect these sub-watersheds, but if imperviousness is kept as near to 5% as possible, stream conditions can be maintained in the good to excellent range based on the majority opinion of environmental experts.”*** LSTMs 110 and 111 should not be allowed to suffer the same fate as LSTM 206.

As shown in the testimony above, **the development plan must be reduced or redesigned to achieve conformity with the intent and recommendations of the 2014 Master Plan to protect stream conditions and water quality in LSTM 110 and LSTM 111 and in the main stem of Ten Mile Creek. Impervious levels should not exceed 5% in the most sensitive and high quality sub-watersheds LSTM 110 and 111. Grading and soil disturbances must also be sharply reduced if Ten Mile Creek and the LSTM 110 and 111 sub-watersheds are to maintain good to excellent conditions.**

Neither the Site Plan (820200160), nor the Preliminary Plan (120200050) conforms to the intent and recommendations of the 2014 Master Plan to protect stream conditions and water quality. Therefore, approval of the Creekside at Cabin Branch development plan must be denied.

Submitted by: John Parrish, 9009 Fairview Road, Silver Spring, MD 20910

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<sup>2</sup> Master Plan, Appendix 3, Ten Mile Creek Watershed Environmental Analysis, Table 2.3, p. 50.

[https://www.montgomeryplanning.org/community/plan\\_areas/I270\\_corridor/clarksburg/documents/Appendix%203%20TMC\\_Env\\_Analysis\\_Final\\_Report\\_070313.pdf](https://www.montgomeryplanning.org/community/plan_areas/I270_corridor/clarksburg/documents/Appendix%203%20TMC_Env_Analysis_Final_Report_070313.pdf)



**From:** [wjfaillace@gmail.com](mailto:wjfaillace@gmail.com)  
**To:** [MCP-Chair](#)  
**Subject:** Please deny approval of Creekside at Cabin Branch site plan  
**Date:** Wednesday, September 8, 2021 8:05:59 AM

---

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

Dear Chairman:

Please do not construct at Creekside. This will disrupt a critical water supply of the area.

Sincerely yours,

Walter J. Faillace, MD  
Sent from my iPhone



**From:** [tamrupp53@gmail.com](mailto:tamrupp53@gmail.com)  
**To:** [MCP-Chair](#)  
**Subject:** Please deny approval of Creekside at Cabin Branch site plan  
**Date:** Wednesday, September 8, 2021 8:06:22 AM

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

It is absolutely critical that we save the Ten Mile Creek Watershed from this development.

Thank you,

Tamara Rupp

Sent from [Mail](#) for Windows

**From:** [judith fradkin](#)  
**To:** [MCP-Chair](#)  
**Subject:** Please deny approval of Creekside at Cabin Branch site plan  
**Date:** Wednesday, September 8, 2021 8:09:44 AM

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

Please consider the effect on the environment and deny this development. Judy Fradkin

**From:** [Deborah Gordis](#)  
**To:** [MCP-Chair](#)  
**Subject:** Please deny approval of Creekside at Cabin Branch site plan  
**Date:** Wednesday, September 8, 2021 8:12:50 AM

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

I respectfully request that the Montgomery County Planning Board deny approval of the Creekside Cabin Branch site plan which would cause irreparable harm to the two most sensitive and high-quality tributaries that flow into the Ten Mile Creek. Our county owes it to the next generations not to mindlessly continue to despoil its environmental treasures to further the interests of developers. Please take action in support of sustaining the county's and the planet's health and stop the development of the Creekside Cabin Branch site.

Cordially,  
Deborah Gordis  
Bethesda

**From:** [Tony Hausner](#)  
**To:** [MCP-Chair](#)  
**Subject:** Deny approval of the Creekside Cabin Branch site plan  
**Date:** Wednesday, September 8, 2021 8:17:13 AM

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

Please deny approval of the Creekside Cabin Branch site plan which would cause irreparable harm to the two most sensitive and high-quality tributaries that flow into the Ten Mile Creek.

--

Tony Hausner  
Founder, Safe Silver Spring  
[safesilverspring.org](http://safesilverspring.org)  
Past Chair,  
AAII Chapter Leaders Executive Committee  
[aaii.com](http://aaii.com)  
Cell: 301-641-0497

**From:** [Joyce Siegel](#)  
**To:** [MCP-Chair](#)  
**Subject:** Pulte/Cabin John  
**Date:** Wednesday, September 8, 2021 8:17:36 AM

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

To the MC MNCPPC Commissioners

As we look to the future we need to consider the impact of climate change and our ability to deal with it. The decisions we make today will impact our future. For that reason I write to ask you to deny the application for Creekside at Cabin John. This development proposal would threaten high quality watersheds that back up our drinking water supply. Ten Mile Creek is key. Climate change is causing more severe storms. We can't risk this. Joyce Siegel. 11801 Rockville Pike. #11801. N. Bethesda,MD 20852

**From:** [Silvercar0523](#)  
**To:** [MCP-Chair](#)  
**Subject:** Please deny approval of Creekside at Cabin Branch site plan  
**Date:** Wednesday, September 8, 2021 8:18:13 AM

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

Deny

Sent from my iPhone