

Item 4 - Correspondence

From: [Marcie Stickle/Geo French](#)
To: [MCP-Chair](#)
Cc: kates@takomaparkmd.gov; peterk@takomaparkmd.gov; tjcommunityvision@gmail.com
Subject: Takoma Junction: PB Hearing, 1/27/22, French & Stickle Statement
Date: Friday, January 14, 2022 2:34:28 PM
Attachments: [TPSS Co-op Community Vision letter to Planning Board Against NDC Project.docx](#)

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

TO: Planning Board Chair Casey Anderson & Planning Board Members, 1/14/2022

**Takoma Junction: Site Plan No. 820190090; Preliminary Plan No. 120190150
Hearing, Jan. 27, 2022, Statement by George French & Marcie Stickle**

It is Past Time Again to vote against this development plan and move on to the next stage for a right sized development in Takoma Junction with a new plan that will take into consideration critically important tenets: safety of the Junction, TPSS Co-op survivability (delivery accommodations, and no highly problematic lay-by), adequate public space, adequate parking for the businesses surrounding the lot, tree retention, and storm water treatment. NDC has done nothing with the many extensions it has received to attempt to force its unworkable proposals on the people of Takoma Park. This can has been kicked down the road to the point it is flattened into un-usefulness and it is time to arrive at and embrace a new VISION that will adhere to the safety requirements and desires of a well planned endeavor, and not require absurd attempts to shoehorn this NDC plan on this location in these challenging intersections, and which will irreparably harm the Co-op and cause serious safety concerns for shoppers and users of the Junction.

Instead of inconceivably having the impertinence to tell our TP City Council and town folk that you know better what is good for Takoma Park, (96% of the comments posted to the City website oppose this NDC project), we urge you to do the right thing, make amends and vote to disapprove the NDC plan.

The TP Council voted to disapprove the current project for many reasons. Your Staff recommended disapproval also, as did the State Highway Administration. It's beyond time for the Planning Board to also vote NO so we can move forward. Let's not keep wasting time and energy on this multi-faceted failed project.

George French, 510 Albany Ave., Takoma Park, MD 20912, marcipro@aol.com

Marcie Stickle, 8515 Greenwood Ave., Takoma Park, MD 20912

TO: Planning Board Chair Casey Anderson & Planning Board Members, 1/14/2022

Takoma Junction: Site Plan No. 820190090; Preliminary Plan No. 120190150

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George French, 510 Albany Ave., Takoma Park, MD 20912, marcipro@aol.com

Marcie Stickle, 8515 Greenwood Ave., Takoma Park, MD 20912

From: [Esther Siegel](#)
To: [MCP-Chair](#); [Rubin, Carol](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#)
Subject: Why NDC's request should be rejected
Date: Friday, January 14, 2022 3:44:37 PM

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Dear MCPB Chair Anderson and the MCPB members, Mr. Cichy, Ms. Patterson, Ms. Rubin and Mr. Verma,

I understand NDC has submitted a request for a "conditional approval" of its Takoma Junction development plan.

This letter is to urge, no, *plead* with you to reject this request.

The Takoma Park City Council, SHA, and a majority of public comments coming from actual residents of Takoma Park, have rejected this development plan based on numerous safety concerns, the negative impact to the current and new thriving businesses in the Junction that benefit from the public parking, the survival of the Takoma Park Co-op, environmental concerns and on other critical grounds.

The conditional approval request by NDC is just a backdoor way to get the Board to approve a project that has been denied multiple times by SHA, **your own staff**, Takoma Park City Council and a majority of public comments of Takoma Park residents. **This new tactic undermines your own staff that has thoroughly researched** the layby issue and again, in September, 2021 recommended **rejecting** NDC's proposal. SHA, staffed by competent professionals has rejected the proposal more times than I can now count. And more recently, the TP City Council, elected to represent their constituents who live in Takoma Park, has *unanimously* rejected the proposal.

Enough is enough. Too much of our tax dollars have been spent through professional experts evaluating NDC's proposal and every time, found it unacceptable.

Contrary to Montgomery Council member Reimer's inappropriate intervention through his October 21, 2021 letter to the Board, rejecting this project is not a lose - lose situation signaling some concerns for developers. It's rejections signals to developers that the concerns of residents, the environment, and safety are foremost considerations of professionals and experts and that those are the kinds of projects welcomed in communities.

This latest request comes without any new proposal or corrective measures. I don't know if Board Chair Anderson lives in Takoma Park, but the voices of the community, its leadership, the expertise of the SHA and the **Board staff itself**, should be the measure by which the decision is rendered. Not by a singular board member who thinks "it would be a very positive project for Takoma Park".

In fact, the project is an embarrassment given the lessons we are learning from the pandemic. Thousands of office buildings lie empty and it is doubtful if they will ever be filled again and many restaurants have either gone out of business or are barely surviving. NDC's development includes office space and a fancy restaurant! How absurd. Contrary to Chair Anderson's personal belief that that kind of development would benefit Takoma Park, Takoma Park has voiced its support for the current and the newly opened businesses at the Junction to have adequate free parking, and to use the public space for outdoor events. It is, after all, public space and the need for public space has been magnified by the pandemic.

The multiple safety issues about the NDC development are clearly not resolvable and times have changed. The current need in communities is not for more office space and fancy restaurants, but to meet the changing times. For the foreseeable future, this land must remain in the public domain and serve its population, not bend to the whim of a for-profit developer.

I respectfully urge you to disapprove NDC's request for a "conditional approval" and for the Board to respect the voiced needs of the Takoma Park residents.

Thank you,
Esther Siegel
Takoma Park, MD

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Michael and Esther share this email.
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From: [Esther Siegel](#)
To: [MCP-Chair](#); [Rubin, Carol](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#)
Subject: Michael Tabor's comments re the Proposed Takoma Junction Development
Date: Friday, January 14, 2022 4:02:08 PM

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Dear Mr. Anderson and the MCPB members,

I'm writing to you about the latest proposed "conditional approval" requested by NDC for the Takoma Junction development. I urge you to reject this request.

I have been delivering produce to the Takoma Park Food Co-op and am a customer since the opening of the Co-op. I am also a 34-year Takoma Park resident. My farm is in South Central PA (above Hancock, MD). My produce is chemical-free and outlets like the Co-op that offer affordable prices and WIC, Senior and SNAP, compliments my own philosophy of providing affordable, pesticide-free produce to all income levels.

During the growing season, I bring my produce to the Co-op twice a week. Even during off-season, I still deliver every 2 weeks.

When I deliver at the co-op, there are always one to three other trucks making deliveries. I, like the other folks who deliver, are usually in a hurry to get to the next delivery, so with the current delivery location, with the large parking lot, it is possible to make my deliveries in a timely manner.

However, I've recognized that if there was only one "lay-by", delivery would be difficult and perhaps not even possible for several reasons. The Junction is already congested and adding large trucks and even tractor trailers to a lay-by, would clog the streets even more, obstructing the bus stop and potentially dangerous for pedestrians, bikers and children.

I was curious about what other drivers thought about the lay-by and one said, "forget about it!". Another said, "It's too dangerous!", and yet another said, "I'd refuse the delivery".

In my case, I'm sometimes allowed to deliver, if I have to, in the afternoon. But even then we have to watch out for children, bus passengers, pedestrians and bicycles on the sidewalk. I can't imagine the magnification of these concerns with a lay-by!

Even though I'm a strong supporter of the Co-op, I'm afraid the liability I'd have to assume if the lay-by was the only place to park and unload might ultimately prohibit me from being a supplier to the Co-op.

Your staff, the professionals and experts at SHA and our own Takoma Park City Council have rejected every NDC proposal, none of which varied from their determined lay-by plan. It seems their recent request undermines your and SHA's professional opinion and is a "backdoor" approach, that I hope you are clever enough to see through.

Would you, if your Board approved this plan, want to take responsibility for an accident or God forbid a death if this forewarned unworkable plan was approved by your Board. All indicators point to the lay-by as not viable (I believe the Fire Chief is also opposed to the lay-by as an obstruction to the fire trucks rushing to an incident) so it is hard to understand why your Board would approve the plan. I hope it is not because of political expediency.

I'm hoping you agree and put an end once and for all to this unworkable, unsafe and detrimental plan.

I'd be happy to testify, affirm and explain my opposition in person (or by zoom) or with a sworn affidavit verifying that I stand by these statement.

Thank you,

Michael Tabor
Farmer, supplier to the Takoma Park Co-op
Takoma Park resident

--

Michael and Esther share this email.
Please check the signature to determine who it comes from.
Thanks.



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From: [Dave C](#)
To: [MCP-Chair](#)
Subject: Takoma Junction, Preliminary Plan No. 120190150 & Site Plan No. 820190090, Regulatory Extension Request No. 6
Date: Friday, January 14, 2022 4:55:37 PM

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Dear Park and Planning Board,

Given the well documented issues with the safety of the proposed lay-by and the property exit by State Highway Administration at this already failing intersection, I would ask the Board to deny conditional approval of the project to NDC.

It is my understanding that the current proposal by NDC for Takoma Junction is unchanged since being rejected previously. SHA has not changed it's position and there is no realistic plan to make this proposal safe for the neighborhood.

NDC's plan has been rejected by the City Council of Takoma Park, SHA, and the Board's staff.

Other problem with the proposal include: storm water management, the rear facade, inadequate parking (that requires a waiver), etc.

Thank you,

David Conner

Takoma Park, MD

From: [Andrew Strongin](#)
To: [MCP-Chair](#); [Anderson, Casey](#)
Cc: [Cichy, Gerald](#); [Patterson, Tina](#); [Rubin, Carol](#); [Verma, Partap](#); [Wright, Gwen](#); [Erica Rigby](#); jamal.fox@takomaparkmd.gov
Subject: Request for Recusal: NDC's Combined Application for Development of Takoma Junction
Date: Friday, January 14, 2022 5:03:59 PM

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BY EMAIL ONLY

Mr. Casey Anderson
Chair, Montgomery County Planning Board
2425 Reedie Drive, 14th Floor
Wheaton, MD 20902
MCP-Chair@mncppc-mc.org
Casey.Anderson@mncppc-mc.org

Re: Request for Recusal, Combined Application of Neighborhood Development Company ("NDC") for Development of Takoma Junction, Mandatory Referral No. MR2021019, Preliminary Plan No. 120190150, Site Plan No. 820190090

Dear Chairman Anderson:

We are residents of Montgomery County who are opposed to the referenced applications for development of Takoma Junction. We write to request that you recuse yourself from further involvement in these matters, including the forthcoming Planning Board public hearings set for January 20 and 27, 2022. As detailed below, your statements at the public hearing on September 15, 2021, reflect your predetermination of the merits of the case, prior to public hearing, evidencing partiality and bias contrary to the Board's Rules of Procedure and related legal standards for the conduct of quasi-judicial hearings in the State of Maryland.

On September 15, 2021, the Planning Board held a public hearing for a number of matters, including NDC's Combined Application for the Takoma Junction. Item 4A of the Board's Agenda was a "Fifth request to extend the review period from September 16, 2021, to January 20, 2022 for one lot for up to 40,762 square feet of commercial uses." Item 4B was a substantive request for approval of the underlying Preliminary Plan and Site Plan. At the hearing, the Board considered first the extension request, Item 4A, without reaching Item 4B, the substantive question regarding the merits of the Combined Application. In fact, the staff recommendation on Item 4B was not presented. The Planning Director, Gwen Wright, beginning at time-stamp 3:08:20 of the recorded hearing, made this plain: "[Y]ou really haven't gotten Staff's presentation on the project. We've really only done the staff presentation on the request for the extension."

After the Board voted to grant the extension, and without reaching the merits of the Combined Application, the record reflects the following remarks made by you as Chair and Presiding Official, beginning at time-stamp 3:17:48:

I also just want to correct the record a little bit. Some people suggested that our technical staff had said this is not a desirable project or not an approvable project. They have drawn no such conclusions. The Staff Report is very clear that the issue here is SHA approval of the layby. Period. Full stop. There are of course a couple pieces of the application that depend on that. It's not quite as simple as just do you have a layby or not, but I don't think anybody from Planning Staff and

speaking for myself, I don't think there's any other basis for denying this application if SHA approved access for this project. There's no doubt in my mind that it would be approvable and I believe that it would be a very positive project for Takoma Park and for the County.
(Emphasis supplied.)

Planning Board rules require "fair and impartial treatment" for all concerned, see Rules of Procedure, Montgomery County Planning Board ("Rules") 1.2.[1] This basic principle is animated by Chapter IV of the Rules in matters made subject to public hearings, which expressly are identified as "quasi-judicial in character" and are to be held for the express purpose "to receive testimony for any matter governed by these Rules." See Rule 4.1, which provides the Chair, who sits as the Presiding Officer, with specific direction:

The Planning Board must seek to conduct public hearings in a fair and efficient manner that permits a thorough exploration of the issues of fact and law to be decided. The Board must give timely notice of hearings to Applicants and the public to allow them to review and prepare comments on staff reports and Applications. **The Board's decision on each Application must be based on applicable legal standards and the evidence and argument in the record of the hearing, whether in written, oral, or exhibit form.** The Board may also rely on the knowledge, experience, and observations of its members, and facts in common knowledge. (Emphases supplied.)

The foundational point that the Board's ultimate decision in a contested matter is to be founded on a complete, fair, and closed record is underscored by Rule 4.11.2: "the record of proceedings before the Board must be closed" before the Board votes. See also, Rule 4.5 ("The Board must accept evidence with the goal of developing a full record that assists the Board in its deliberations."). Obviously, the merits were not reached at the September 15th hearing and the record was not closed.

Your statement at the close of that hearing, quoted above and made by you prior to consideration of the merits of the application by the entire Board, is irreconcilable with the Board's Rules. The statement is a clear example of judicial predetermination and reflects partiality and bias, undermining public confidence in the fairness and impartiality of the Board. Your continued participation in this case is dispiriting not just to us, but also to the many other opponents of the project who disagree with your already fixed view of the facts, whose views are not at all reflected in your inappropriate statement.

We further note that your expressed views take no account of the clear language of the September 15th Staff Report, underscoring precisely why the law requires the record to be complete and closed before a ruling is made: to allow all concerned – including your own professional staff – time and opportunity to ensure that Board members are apprised of all material facts before any decisions are made. For example:

- You stated on September 15, "I don't think there's any other basis for denying this application if SHA approved access for this project." In fact, the Staff Report indicates at p. 3[2] that in addition to the lack of State Highway approval, "Staff is also not supportive of the waivers for parking and loading, therefore the application is not compliant with the Zoning Ordinance development standards and findings needed to support all three applications." This lack-of-support is reflected, further, in the Staff's conclusion that the combined application fails to meet Subdivision and Zoning Ordinance requirements, irrespective of any issue with SHA. See, Staff Report, Conclusion, p. 33: ("The Applications do not meet all of the Subdivision and Zoning Ordinance requirements. The Project does not satisfy the findings of the Subdivision Regulations relating to site access and off-street loading, and the Zoning Ordinance requirements for Parking and Loading Design. Therefore, the Mandatory Referral No. 2021019, Preliminary Plan No. 120190150, and Site Plan No. 820190090 should be denied.")
- You further opined, "I believe that it would be a very positive project for Takoma Park," but that statement is heedless of the Resolution of the City of Takoma Park recommending that the Board disapprove the combined application, which was highlighted by the Staff Report at p. 3 and

included as an attachment: “Further, the Takoma Park City Council voted to disapprove the Project as reflected in Resolution 2021-19, Attachment H.” The Takoma Park City Council’s resolution included the following five specific reasons for disapproval of the project: (1) the plan has not received approval from the MDOT-SHA for the layby; (2) more work is needed to address the rear façade; (3) the public space in the plan is inadequate; (4) the plan does not demonstrate adequate public parking for area businesses; and (5) stormwater treatment does not significantly exceed the 50% requirement of the City of Takoma Park. Surely, you are not better positioned than the City of Takoma Park’s elected representatives to speak for the City.

Under Maryland law, quasi-judicial bodies “must observe the basic principles of fairness as to parties appearing before them.... The doctrine that every person is entitled to a fair and impartial hearing ‘applies to an administrative agency exercising judicial or quasi-judicial functions,’ and ‘is specifically applicable’ to issues of disqualification.” *Regan v. State Board*, 355 Md. 397, 408-09, 735 A.2d 991, 997 (Md. 1999) (citations omitted). These principles, and those governing judicial conduct, apply to the Board’s quasi-judicial function by extension. *Id.* (“We shall assume, for purposes of this case, that the ‘appearance of impropriety’ standard set forth in our cases involving judges and some others is applicable generally to the participation of members of Maryland administrative agencies performing quasi-judicial or adjudicatory functions.”).

Under Md. Rule 18-102.2 (b), a judge is required to “avoid conduct that would create in reasonable minds a perception of impropriety. Comment 5 to this Rule states that the test is “whether the conduct would create in reasonable minds a perception that the judge’s ability to carry out judicial responsibilities with competence, impartiality and integrity is impaired.” Underlying this standard is the determination that conduct falling short of it “undermines public confidence in the judiciary.” *Id.*, Comment 3. See Md. Rule 18-102.2 (a). Recusal should be made whenever “a reasonable member of the public knowing all the circumstances would be led to the conclusion that the judge’s impartiality might reasonably be questioned.” *Regan, supra*.

It is difficult to imagine a clearer case of pre-judgment, partiality, and bias than was evident in your express statements on the record of a yet-to-be heard matter that included contrary recommendations from both your professional staff and the City of Takoma Park that went unmentioned by you, if you were aware of them at all. A reasonable person knowing and understanding the foregoing facts would conclude that your statements signal evident partiality and bias. As a former member of the Maryland Bar, it would be expected under the circumstances that you would understand and accept the necessity for recusal, particularly as the Planning Board’s conduct under your chairmanship already is under the microscope.[3]

For the foregoing reasons, we ask that you take appropriate action to diminish the damage to the public confidence in the Board directly attributable to your conduct in this case. Under the Maryland Rules, as applied here, you should “disqualify [your]self in any proceeding in which [your] impartiality might reasonably be questioned. . .” Md. Rule 18-102.11(a). Under that Rule, disqualification and recusal are one and the same. Comment 1. At the very minimum, therefore, you should recuse yourself from any further role in the referenced proceedings.

We further request that you ensure that this document, along with any response you choose to make, be placed in the record of this case.

Sincerely,

Andrew Strongin, Esq.
Jessica Landman, Esq.

[1] <https://montgomeryplanningboard.org/agenda/2007/documents/RulesFINAL3.21.07.pdf>

[2] <https://montgomeryplanningboard.org/wp-content/uploads/2021/09/Takoma-Junction-Staff-Report-MR-Preliminary-Plan-Site-Plan-FINAL.pdf>

[3] See, <http://www.theseventhstate.com/?p=15238> (“Montgomery has always prided itself on being a squeaky-clean reform county, but its own Planning Board has failed to enforce any of its own or Maryland’s ethics requirements even though its decisions and recommendations can provide many millions in benefits to people invested and involved in property development.”).

From: [Mark](#)
To: [MCP-Chair](#); [Rubin, Carol](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#)
Cc: between-the-creeks@groups.io
Subject: Please Reject the DVT proposal for Takoma Junction
Date: Saturday, January 15, 2022 1:17:13 PM

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Mr. Anderson and fellow board members,

Please reject the CVT proposal for Takoma Junction.

There are several basic and unanswerable reasons why this project should NOT be allowed to go forward. There are regional implications as well as local effects that call for the abandonment of this proposal.

Looking at regional effects on traffic flow through DC and lower Montgomery County, this project would compromise movement along State Highway 410. This is a primary commuting corridor for the area, and suffers extreme congestion in commuting hours, often amounting to three-light waits to make it past the area. This project would make it worse in two significant ways.

- First, it proposes to direct its parking traffic into a parking area through a below-grade ramp debouching on the inside of a curve next to a complex intersection of Carrol Ave, EW Hwy 410, Philadelphia Ave, Sycamore Ave, and a fire station.
- Second, ALL support for its businesses as well as the deliveries of the adjoining food co-op would be through a "lay-by" constructed adjoining the Carrol Ave. / HWY 410 intersection. A few blocks away in a much less heavily traveled part of Carrol Ave, an Ace hardware store has been using this idea for a number of years. Even in a much less trafficked area, having semi-trucks using public streets as a loading space is very disruptive.

Looking at local effects, the space's current usage as parking and local event space may be the best use of the area.

- Filling the current space with yet more small businesses while cutting back available parking is a recipe for yet more congestion. As a condition of the proposal, CVT promised significant community space. This has been reduced in this proposal to a slightly wider area of sidewalk between the storefronts and the street, with a ludicrous path for handicapped accessibility for travel along the sidewalk.
- CVT also promised to improve stormwater handling for the area. On the contrary, the plan as submitted would involve REMOVING trees from the adjacent area for fire access, exacerbating stormwater problems for Sycamore Ave, which serves as the emergency

drainage for this area.

Mark Fisher
Takoma Park

From: [joseph jeral](#)
To: [MCP-Chair](#); [Rubin, Carol](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Verma, Partap](#)
Date: Saturday, January 15, 2022 4:46:19 PM

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Dear MCPB Chair Anderson and the MCPB members, Mr. Cichy, Ms. Patterson, Ms. Rubin and Mr. Verma,

Regarding the NDC's request for a conditional approval of its Takoma Junction development plan: I would like to encourage you to please reject this request. The Takoma Park City Council and a majority of comments from Takoma Park residents have rejected this development plan based on many concerns, including safety (!), the negative impact to the current businesses in the Junction that benefit from the public parking, the survival of the Takoma Park Co-op, and also environmental concerns.

The conditional approval request by NDC is really way to get the Board to approve a project that has been denied multiple times by SHA, your own staff, Takoma Park City Council and a majority of public comments of Takoma Park residents. This new tactic undermines your own staff that has thoroughly researched the layby issue and again, in September, 2021 recommended rejecting NDC's proposal. SHA, staffed by competent professionals has rejected the proposal more times than I can now count. And more recently, the TP City Council, elected to represent their constituents who live in Takoma Park, has unanimously rejected the proposal. Too many of our tax dollars have been spent on professional experts evaluating NDC's proposal and every time, found it unacceptable.

Contrary to Montgomery Council member Reimer's inappropriate intervention through his October 21, 2021 letter to the Board, rejecting this project is not a lose - lose situation signaling some concerns for developers. It's rejections signals to developers that the concerns of residents, the environment, and safety are foremost considerations of professionals and experts and that those are the kinds of projects welcomed in communities.

This latest request comes without any new proposal or corrective measures. The voices of the community, its leadership, the expertise of the SHA and the Board staff itself, should be the measure by which the decision is rendered. Not by a singular board member. In fact, the project is terrible, given the lessons we are learning from the pandemic. Takoma Park has voiced its support for the current and the newly opened businesses at the Junction to have adequate free parking, and to use the public space for outdoor events.

The multiple safety issues about the NDC development are clearly not resolvable and times have changed. The current need in communities is not for more office space and fancy restaurants, but to meet the changing times. For the foreseeable future, this land must remain in the public domain and serve its population, not bend to the whim of a for-profit developer. We respectfully urge you to reject NDC's request for a "conditional approval" and for the Board to respect the voiced needs of the Takoma Park residents.

Thank you,
Joseph Jeral, and Tami Jeral
Takoma Park, MD

From: [Michael Dutka](#)
To: [MCP-Chair](#)
Subject: Support for Takoma Junction development
Date: Monday, January 17, 2022 8:18:43 AM

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Dear Chair Anderssen,

I fully support the Takoma Junction development. It will provide more job opportunities in a high opportunity area and it will enrich the lives of nearby residents. There's been a massive amount of pushback against this project and the opposition appears to have figured out a number of bureaucratic hurdles that can be raised. The latest complaint from SHA is so detailed in nature I can't even imagine them getting involved at this level of granularity with any other project in the county, and I personally think it's only been raised because of project opponents. Please grant this project's approval!

-Mike Dutka

From: [Susan Katz Miller](#)
To: [MCP-Chair](#)
Subject: comment on Takoma Junction
Date: Monday, January 17, 2022 10:19:50 AM

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Dear Board Chair,

I am writing to ensure that my spoken comment from the September 15th goes into the written record. Since there has been no new plan submitted by NDC during this fifth extension, my comment stands. I would just add that giving a conditional approval would infringe on the City's autonomy, since they considered and rejected that pathway. The City government and City residents do not seek to prolong this experience, or the relationship with this developer. We look forward to moving on to new, better, and safer uses for this public space. Thank you. Susan Miller

Planning Board, September 15 2021

Good afternoon Mr Chairman and Planning Board members. I am Susan Miller, a Takoma Park resident, here today representing the group Community Vision for Takoma.

We have reached a moment when the Takoma Park City staff, the Takoma Park City Council, the State Highway Administration, and your own County staff are all in agreement that this particular development should not be approved.

I speak today to go on the record that Community Vision is in agreement with those City, County, and State reviewers who recommend disapproval. And so we urge the Board to vote no on the extension, and on this proposal.

Our community, those who would be most impacted, includes nearby neighbors, those who traverse the Junction on foot, on bikes, in buses and cars, the parents and children who walk through the Junction on the way to and from school, and local businesses. Our concerns about this plan include safety, traffic, use of public space, the environment, equity, and support for the existing local businesses.

And we appreciate, and are deeply grateful for, the careful and objective analysis and findings of county and state reviewers. You have already allowed four extensions and many opportunities for the developers to try to improve the plan. In the end your professional staff have meticulously documented the site constraints of building in this location, within a historic, walkable commercial node along criss-crossing State highways. Your reviewers determined that the project has not been brought into necessary compliance with applicable

requirements. And they described how this particular development is too big to work in the complex crossroads that is Takoma Junction.

These are not mere technicalities. The City of Takoma Park's unanimous vote to recommend that you disapprove the plan, is an indication of how flawed this plan is, given the fact that the city itself owns the land and is the development partner. In recommending disapproval, the City cited five **separate** reasons, only one of which was the lack of state approval for the layby.

In terms of public input, over the years, more than 1000 residents have signed Community Vision's petitions expressing concerns with this project, even though many would like some form of improvement at this site. In addition, a group of over 100 diverse residents signed a letter detailing the negative effects it would have on racial equity at the Junction. And this spring, the City of Takoma Park created a page on **their** website for community feedback, as the Council prepared to vote on the project. Of the 395 comments received on the Junction plan, 380 of them, or 96%, were against it. The plan maximizes square footage at the cost of adequate public gathering space, encroaches on the urban forest buffer, creates issues of pedestrian, bicycle and vehicular safety, compromises accessibility, and contrary to County Code, puts deliveries and trash pick-up off-site, in the front, between the road and sidewalk. It is telling that to be approved, the plan would have to receive multiple waivers. This is a challenging site at a complex intersection and this particular design has not met the challenge.

Taking a step back, we note that in the seven years since this project was conceived, the location's constraints have remained the same, but the planning landscape has changed dramatically. This proposal falls far short of responding to the **County's** new commitments, to Vision Zero safety, racial and economic justice, and climate resilience. As documented in the Staff report, the plan for this public land misses a great many opportunities to ensure the safety of pedestrians and cyclists, encourage transit use, prioritize access and inclusivity, protect and produce equitable economic opportunities, preserve and enhance the local ecosystem, and innovate in reducing emissions and mitigating climate change impacts. (This is not to mention how the current pandemic may be altering commerce, mobility, and land use, in ways that are just beginning to emerge.)

The good intentions of 2014 have become the urgent imperatives of 2021. And so we ask that today the Planning Board follow the clear advice of its technical staff, and affirm the County's commitments to land-use that prioritizes safety, equity, and environmental sustainability, as well as economic health, with a vote to disapprove this proposal.

Susan Miller
12 Montgomery Ave
Takoma Park MD 20912

Thank you.

From: mmandfriends@verizon.net
To: [MCP-Chair](#)
Cc: mmandfriends@verizon.net
Subject: Takoma Junction
Date: Monday, January 17, 2022 1:46:27 PM

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

Casey Anderson, chair

I encourage the Montgomery County Planning Board to reject NDC's proposal for developing the area known as Takoma Junction, in the City of Takoma Park, MD.

The proposal which the Board is considering is the same proposal which the community, the Takoma Park City Council, and the Planning Board itself has already rejected. One wonders whether the only 'new' fact is that increased political pressure for approval has been brought on behalf of the candidacy of one of the members of the Montgomery County Council.

One major concern I have is with the entity with which the City of Takoma Park and the County Planning Board is dealing. The several year history of the Neighborhood Development Company (NDC) with regard to this project is filled with incidents of misinformation and violations of both protocol and legal agreements perpetrated by NDC. It has become clear that the developer is simply not to be trusted. When a domestic partner exhibits abusive behavior early in a relationship, or when a politician has a documented history of lies, then it is an unwise and unfortunate investment of trust to continue to engage with the entity.

Unfortunately this is the situation in which we find ourselves. The process for any potential development of Takoma Junction will have to be restarted with a different development partner - one which is committed to participating with the community in an honest and fruitful dialogue.

Philip E. Friend
317 Circle Avenue
Takoma Park, MD 20912

From: [Zach Arnold](#)
To: [MCP-Chair](#)
Subject: Takoma Junction
Date: Monday, January 17, 2022 1:56:15 PM

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

Dear Chair Anderson and members of the Planning Board,

Please grant conditional approval for Takoma Junction (Site Plan No. 820190090, Preliminary Plan No. 120190150). I live a few blocks from the Junction and walk and drive through regularly. I would be excited for NDC to redevelop the barren parking lot that's currently there into an asset for the community. Their proposal is totally reasonable and has already withstood an extraordinary amount of scrutiny. I also don't think the project will make traffic much worse, and have had a hard time understanding SHA's objections. Finally, I'm disappointed with the long and torturous process this project has been forced through. We should be working hard to accommodate responsible development, not burying it in endless complaints and meetings.

You've heard and will keep hearing from vocal opponents of the proposed Junction project - really, it seems, of any plausible redevelopment of the space. They are passionate and well organized, but they do not speak for our city. There are many of us with less time on our hands who would nonetheless like to see this ugly, underused parking lot finally put to better use. Please consider our views.

Thanks,
Zach Arnold
Takoma Park

From: [Stephanie Hartman](#)
To: [MCP-Chair](#); communityvisiontakomajunction@gmail.com; [Sally Ours Kern](#); [Erik Dussere](#)
Subject: Takoma Junction
Date: Monday, January 17, 2022 2:42:05 PM

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

Dear Board Chair Casey Anderson,

I am writing to urge you to please not overturn the rejection of NDC's project design for the Takoma Junction by the SHA, the City of Takoma Park, and your own planning board. As NDC has not changed its design, and the project still has the same problems of safety and function, there is no reason to approve it now.

NDC's plan has been fraught from the beginning. The plan failed to provide what the community requested (room for small local businesses, flexible public space, safe deliveries to the Co-op, etc). As for the traffic, pedestrian safety, and parking issues: rather than trying to solve these problems, NDC denied their existence. Its response was to violate its contract by preventing the Co-op from getting deliveries, apparently assuming that its plan could work if the Co-op went out of business (not sure why, as businesses in the new development would also need deliveries). It has depended thus far upon local officials waiving requirements and seems confident that it can continue to steamroll through.

NDC still has not produced an anchor tenant, and yet we are expected to put aside our concerns for existing businesses, and community safety and welfare, and make a giant leap of faith for a company that has been unresponsive at best, and aggressive and bullying at worst. We can do better.

I live quite near the Junction, and am very familiar with its traffic and pedestrian safety issues. In the past 18 years, the traffic has gotten worse, but the Junction has gone from a rather depressed area to a vital one that is far better for pedestrians and bikers, thanks to the "scramble" walk signs, the Grant Ave crosswalk, and the bike rack. I value this hard-won progress—all of it threatened by NDC's plan. A smaller, better-designed development could add to the Junction's vitality without compromising safety. NDC was unable or unwilling to do this.

Thank you for your consideration.

Sincerely,
Stephanie Hartman
7100 Woodland Ave

From: [David Cookson](#)
To: [MCP-Chair](#)
Subject: Dear Mr. Anderson and members of the Montgomery County Planning Board.
Date: Monday, January 17, 2022 4:11:29 PM

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

I am writing today to urge you to approve the Preliminary Plan No. 120190150 and Site Plan No. 820190090, Neighborhood Development's project at Takoma Junction and allow the project to proceed. It is not worth my time, or yours, to rehash this project, at this point it's your call if this project moves forward. However, I do think it's important that the planning board actively and strongly address and question MDOT SHA's position on this project. I have worked on multiple development and transportation projects on state roads and a consistent theme I hear from SHA engineers, planners and leadership, is that they take a business friendly approach to projects and work to develop practical solutions; this is not an approach SHA has taken on this project.

Thank you,

David Cookson

From: [Erik Dussere](#)
To: [MCP-Chair](#)
Subject: Takoma Junction
Date: Monday, January 17, 2022 4:49:06 PM

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

To: Casey Anderson, Montgomery County Planning Board Chair

Dear Board Chair Anderson,

I'm writing in regard to NDC's project design for the Takoma Junction in Takoma Park, which has been rejected by SHA for its safety and design failures. I have heard that despite this, the flawed design is being presented to your board. I ask you please not to overturn SHA's decision.

It seems clear, given their actions, that NDC is an unreliable partner. It has no interest in the life or livelihood of Takoma Park and its residents. Its plan failed to provide what the community requested (such as room for small local businesses, flexible public space, and safe deliveries to the Co-op). As for the traffic, pedestrian safety, and parking issues: rather than trying to solve these problems, NDC denied their existence.

This latest attempt to revive the hopelessly flawed plan seems very much in line with NDC's other actions—once again they seem determined to force their plan through by any possible means.

The proponents of the NDC plan often deride the Takoma Park residents who are opposed to it (for any reason) as crazies, or knee-jerk haters who can't abide the thought of any sort of development. This is absolutely not my sense of the many friends and neighbors whom I have spoken with about this. All are thinking through the issues in a sensible, clear-headed way, and are opposed to the NDC plan. They do not seem to me to be opposed to development in general—and I am certainly not either. So thanks for listening.

Sincerely,

Erik Dussere
7100 Woodland Ave
Takoma Park

From: [kthktzn](#)
To: [MCP-Chair](#)
Subject: Reject NDC Proposal for Takoma Park Junction
Date: Monday, January 17, 2022 7:59:55 PM

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

Dear Planning Board Chair Anderson,

I am writing to urge you to reject the Neighborhood Development Company (NDC) proposal for the Takoma Park Junction. I object to a conditional approval of the plan. The intersection at the Takoma Junction needs to be a safe place for cyclists and pedestrians, including the many children who cross there going to and from school. The State Highway Administration has repeatedly found the NDC design unsafe. NDC has submitted no new plan to SHA after the September Board meeting. They are either unable or unwilling to create a safe and approvable plan. Your staff [did new research](#) on whether there are **any** comparable laybys in the County (and found **none**). Your staff then resubmitted their [September report](#) recommending **disapproval** of the project.

Furthermore, NDC tried to shut local businesses including the Co-Op out of the lot. The Takoma Park Co-Op is an important local business that offers Takoma Park residents access to healthy food without having to patronize Amazon's Whole Foods. The Co-Op employs workers with living wages and benefits and supports food distributions like that of Small Things Matters to our neighbors in need.

Ninety-six percent [of the 395 public comments](#) posted to the City expressed concerns about the project, and Takoma Park's City Council recommended disapproval of the proposal. Please respect our municipal autonomy and don't burden us with conditional approval of NDC hanging around our neck, with no end in sight and no safe design in the offing.

Sincerely,

Katherine Katzin

From: jjl27@juno.com
To: [MCP-Chair](#)
Subject: Takoma Junction Proposal
Date: Monday, January 17, 2022 9:29:48 PM

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

As 47-year-long Takoma Park residents, we urge you to regard the preservation of the Takoma Park Silver Spring Coop as your number one priority when deciding the future of Takoma Junction. Mr. and Mrs, Jay Levy, 7431 Baltimore Ave., Takoma Park.

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- [Rabbi Recounts Escape From Synagogue Gunman](#)
- [Friction Is Heating Up Between Trump, DeSantis](#)
- [Researchers May Have Found Anne Frank's Betrayer](#)

From: [Marcie Stickle/Geo French](#)
To: [MCP-Chair](#); [Coello, Catherine](#)
Subject: Takoma Junction: PB Hearing, 1/27/22, French & Stickle Statement, 1/14/22
Date: Tuesday, January 18, 2022 8:15:40 AM
Attachments: [TPSS Co-op Community Vision letter to Planning Board Against NDC Project.docx](#)

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

-----Original Message----- From: Marcie Stickle/Geo French <marcipro@aol.com>
To: mcp-chair@mncppc-mc.org <mcp-chair@mncppc-mc.org> Cc: kates@takomaparkmd.gov
<kates@takomaparkmd.gov>; peterk@takomaparkmd.gov <peterk@takomaparkmd.gov>;
tjcommunityvision@gmail.com <tjcommunityvision@gmail.com> Sent: Fri, Jan 14, 2022 2:34 pm
Subject: **Takoma Junction: PB Hearing, 1/27/22, French & Stickle Statement**

TO: Planning Board Chair Casey Anderson & Planning Board Members, 1/14/2022

**Takoma Junction: Site Plan No. 820190090; Preliminary Plan No. 120190150
Hearing, Jan. 27, 2022, Statement by George French & Marcie Stickle**

It is Past Time Again to vote against this development plan and move on to the next stage for a right sized development in Takoma Junction with a new plan that will take into consideration critically important tenets: safety of the Junction, TPSS Co-op survivability (delivery accommodations, and no highly problematic lay-by), adequate public space, adequate parking for the businesses surrounding the lot, tree retention, and storm water treatment. NDC has done nothing with the many extensions it has received to attempt to force its unworkable proposals on the people of Takoma Park. This can has been kicked down the road to the point it is flattened into un-usefulness and it is time to arrive at and embrace a new VISION that will adhere to the safety requirements and desires of a well planned endeavor, and not require absurd attempts to shoehorn this NDC plan on this location in these challenging intersections, and which will irreparably harm the Co-op and cause serious safety concerns for shoppers and users of the Junction.

Instead of inconceivably having the impertinence to tell our TP City Council and town folk that you know better what is good for Takoma Park, (96% of the comments posted to the City website oppose this NDC project), we urge you to do the right thing, make amends and vote to disapprove the NDC plan.

The TP Council voted to disapprove the current project for many reasons. Your Staff recommended disapproval also, as did the State Highway Administration. It's beyond time for the Planning Board to also vote NO so we can move forward. Let's not keep wasting time and energy on this multi-faceted failed project.

George French, 510 Albany Ave., Takoma Park, MD 20912, marcipro@aol.com

Marcie Stickle, 8515 Greenwood Ave., Takoma Park, MD 20912

TO: Planning Board Chair Casey Anderson & Planning Board Members, 1/14/2022

Takoma Junction: Site Plan No. 820190090; Preliminary Plan No. 120190150

Hearing, Jan. 27, 2022, Statement by George French & Marcie Stickle

It is Past Time Again to vote against this development plan and move on to the next stage for a right sized development in Takoma Junction with a new plan that will take into consideration critically important tenets: safety of the Junction, TPSS Co-op survivability (delivery accommodations, and no highly problematic lay-by), adequate public space, adequate parking for the businesses surrounding the lot, tree retention, and storm water treatment. NDC has done nothing with the many extensions it has received to attempt to force its unworkable proposals on the people of Takoma Park. This can has been kicked down the road to the point it is flattened into un-usefulness and it is time to arrive at and embrace a new VISION, that will adhere to the safety requirements and desires of a well planned endeavor, and not require absurd attempts to shoehorn this NDC plan on this location in these challenging intersections, and which will irreparably harm the Co-op and cause serious safety concerns for shoppers and users of the Junction.

Instead of inconceivably having the impertinence to tell our TP City Council and town folk that you know better what is good for Takoma Park, (96% of the comments posted to the City website oppose this NDC project), we urge you to do the right thing, make amends and vote to disapprove the NDC plan.

The TP council voted to disapprove the current project for many reasons. Your Staff recommended disapproval also, as did the State Highway Administration. It's beyond time for the Planning Board to also vote NO so we can move forward. Let's not keep wasting time and energy on this multi-faceted failed project.

George French, 510 Albany Ave., Takoma Park, MD 20912, marcipro@aol.com

Marcie Stickle, 8515 Greenwood Ave., Takoma Park, MD 20912

From: [Mary Jacksteit](#)
To: [MCP-Chair](#)
Subject: Takoma Junction Development
Date: Tuesday, January 18, 2022 12:07:00 PM

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

TO: Casey Anderson, Montgomery County Planning Board Chair

I am writing to express concern that the Board is considering approving the current development plan despite official disapproval by our elected City Council, and state agencies with expertise in transportation safety - not to mention significant public opposition from those of us who will suffer the real consequences of your decision making.

I am not a member of Community Vision for Takoma. I am a concerned resident of Takoma Park. I have felt from the start that the current design is too big for the lot, does not reflect the visual and cultural values of the neighborhood (no public space, nothing green, crowding the COOP, traffic-creating in a narrow area already crushed during rush hours, no apparent commitment to playing any part in preserving spaces affordable to small biz and over charged tenants etc). It seems like a development driven solely by the economics of getting enough per square foot revenue to make it worthwhile. I understand the dynamics of development including the economics - but they dont justify an inappropriate development which I believe this to be. Someone I believe can approach this with more creativity and flexibility

I do not understand what seems like an end run around decisions made after an enormous amount of study and deliberation by both our public representatives and state experts.

Thank you for your consideration of my views.

Mary Jacksteit
411 Tulip Ave
Takoma Park,Md

From: [Steven Ney](#)
To: [MCP-Chair](#); [Steven and Stephanie Ney](#)
Subject: Takoma Junction Project
Date: Tuesday, January 18, 2022 12:35:14 PM

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

Dear Board Members

As 25 year residents of Takoma Park, we continue to oppose the planned Takoma Junction Project for three main reasons:

1. The layby is unsafe. As bike riders, pedestrians and drivers, we cannot see how the layby would be safe. The sight lines and heavy traffic in this area make it impossible to have unloading occur safely in this congested zone. We note that the Board staff has similarly rejected the various revisions proposed by the developer.
2. The lack of adequate public space. This area, owned by the City, should have public space for gatherings, musical events, performances etc. However, the current plan is deficient. In fact the City Council cited this as one reason for rejecting the proposal.
3. The lack of adequate parking for local businesses. This is a vibrant area of the city but people can't get access if there's not enough parking. The new business will deprive the local businesses of their customers if there is insufficient parking.

Thanks
Steven and Stephanie Ney

From: [Michael Ward](#)
To: [MCP-Chair](#); [Kacy Kostiuk](#)
Subject: Takoma Junction input
Date: Tuesday, January 18, 2022 8:09:56 PM

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

Dear Casey and Kacy,

I own a home on Sycamore Avenue in Takoma Park, and am writing to provide input on the proposed Takoma Junction development prior to the upcoming city council meeting. Based on our listserv, and prior council meetings, many of us are aware of an extremely vocal group of individuals who are vehemently opposed to development at the junction. This is the first time that I've written to anybody on this topic, and am doing so to provide some potential balance to the discussion.

In short, my wife and I both strongly support development at the junction. We have lived in Takoma Park for the past seven years, are co-op members, and frequent many local businesses. We have eagerly looked forward to a thoughtful use of the empty parking lot ever since we moved in, seeing the junction languish while the area around the metro thrives. While no single proposal will satisfy everybody, I think the current plan that has been proposed is thoughtful, scaled well with the neighborhood, and will inject new life into our section of town. And given that the space is currently a parking lot, and has been for decades, I'm not persuaded that the alternative of doing nothing is all that great for our neighborhood.

I am also writing because I am greatly concerned that political interference may have played a role in the surprising "layby" decision by the state highway administrators. If you haven't read the article on this topic in the Washington Post, I've posted it below. It is deeply disturbing to me that a powerful neighbor may have successfully put their thumb on the scales in this case, and in doing so unfairly influenced the process and potentially killed any prospects of development at this site.

<https://www.washingtonpost.com/transportation/2021/09/15/takoma-park-development-franchot/>

Sincerely,
Michael Ward
7007 Sycamore Ave

From: [Eugene Katzin](#)
To: [MCP-Chair](#)
Subject: MCPB Meeting -- Please reject NDC proposal for Takoma Junction
Date: Tuesday, January 18, 2022 9:34:15 PM

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

Dear Planning Board Chair Casey Anderson,

I am writing to urge you to reject the Neighborhood Development Company (NDC) proposal for the Takoma Park Junction.

I am strongly opposed to a conditional approval of this plan for multiple reasons.

First and foremost, the State Highway Administration has found the NDC design unsafe multiple times due to safety issues with the proposed layby and proposed exit. Takoma Junction is a major intersection for pedestrians, cyclists and riders of Metrobus and Rideon buses. The NDC design endangers the safety of each of these constituents, including large numbers of school children who cross the streets at this intersection each morning and afternoon. The Montgomery County Planning Board itself resubmitted its [September report](#) recommending **disapproval** of this project.

In Spring 2021, NDC [tried to evict](#) the Co-op from the City's lot, backing off only after the Co-op filed for legal protection. The Takoma Park-Silver Spring Co-Op is an important member-owned local business that has been the anchor business of the Takoma Junction for over 21 years, providing healthy food options to the local community and acting as a major employer in the community, committed to providing its workers with living wages and benefits. The NDC proposal jeopardizes the continuation of the Takoma Park Co-Op, and as evidenced by NDC's actions in Spring 2021, NDC has already demonstrated its intention to evict the Co-Op from the City-Owned lot.

An overwhelming majority- 96% [of the 395 public comments](#) posted to the City expressed concerns about the project, and Takoma Park's City Council recommended disapproval of the proposal.

Nothing has changed in NDC's proposal since the SHA, MCPB and Takoma Park City Council have all recommended disapproval of this project, so I do not see how the proposal merits conditional approval by the Planning Board at this time.

Please respect the will of the community members of Takoma Park and its elected leaders on the City Council and uphold the sound decision already taken by the Montgomery County Planning Board to deny approval of this proposed project.

Thank you.

Eugene Katzin

Resident, Takoma Park, MD

emkatzin@yahoo.com

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

We have read your memorandum No. MR2021019, 120190150, 820190090. We

The proposed development never met the requirements of the Takoma Park request for development. The project is too big for the size of the lot, the parking is inadequate and makes no provision for the neighboring businesses, the stormwater plan does not comply with Takoma Park regulations, the hazards created by the sightlines and the layby are well documented, and the requirement for public space has been totally ignored. Evidence of all of these problems has been provided to the Planning Board and NDC has received opportunity after opportunity to bring the project into compliance. They have been unable or unwilling to do that and it is time to call an end to their long fruitless attempt and allow Takoma Park to move on.

Kathy and Steve Breckbill

* This email has been checked for viruses by Avast antivirus software.

From: [Thomas Kaufman](#)
To: [MCP-Chair](#)
Subject: Takoma junction Plan
Date: Wednesday, January 19, 2022 8:47:22 AM

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

Dear Casey Anderson,

As a resident of Takoma park, and as someone who is concerned about the safety of it elderly and children, I urge you to reject NDC's plans for development of Takoma Junction. The NDC plan is poorly thought out, and ignores many of the concerns of the community.

Best Wishes,

--

Thomas Kaufman

www.ThomasKaufman.com

From: [Tina Hudak](#)
To: [MCP-Chair](#)
Subject: Takoma Junction.NDC proposal
Date: Wednesday, January 19, 2022 9:33:02 AM

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

Dear Mr.Anderson,

Please, do not approve--conditionally or otherwise--NDC's project design for the Takoma Junction. As it has already been rejected by SHA, the City of Takoma Park, and your own board--And as there is no change to the proposal only a change on how it is presented by NDC--it makes no sense to consider the NDC's project design until it meets the approval of the SHA, the City of Takoma Park, and your board.

Additionally, the impact on parking and traffic will add to the heavily traversed neighborhood avenues of Sherman, Grant, Hancock, Manor Circle, Sycamore and Columbia which are near to schools and school crossings for elementary, middle and high school students during various times of the day. Until serious consideration and action by either the City of Takoma Park or the County for re-design of the intersection to minimize local street disruption are addressed, I would ask for you and the Council to vote against NDC's project.

Thank you,

Tina Hudak
101 Grant Avenue
Takoma Park, MD 20912

Tina Hudak, M.A., M.L.S.

,

From: [Michele Puryear](#)
To: [MCP-Chair](#)
Cc: [Michele Puryear](#)
Subject: Comments on the Development of the Takoma Junction
Date: Wednesday, January 19, 2022 9:49:45 AM

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

Casey Anderson, Planning Board Chair January 19, 2022

Dear Mr. Anderson

I am writing to ask that you reject NDC's request for conditional approval for the Takoma Junction Project.

My concerns include NDC's disregard for the wishes and safety of the community of Takoma Park. I also am concerned that the Planning Board would consider overriding the recommendations from the State Highway Association, the City of Takoma Park, and its citizens. I ask that you respect the decision of our City and citizens. This is public land and therefore it is incumbent on you and the Board to consider how any development will affect the community involved.

Please do not approve the current plan.

Sincerely, Michele Puryear
7419 Piney Branch RD

From: [Reid Cramer](#)
To: [MCP-Chair](#)
Subject: Takoma Junction - Reject the proposed development plan!
Date: Wednesday, January 19, 2022 10:02:17 AM

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

Casey Anderson
Planning Board Chair
mcp-chair@mncppc-mc.org

I am writing to urge the Planning Board to disapprove the proposed development at Takoma Junction.

As a 22 year resident of Takoma Park, I am very familiar with this site and have followed the development process closely.

I have major concerns about how the proposed new construction would create a dangerous layby adjacent to a very busy intersection. It is my understanding that there are no safe precedents for the proposed design. The design of the exit for cars from the development is equally troubling. I am very worried about the impact on pedestrians, bikers, and children walking to school.

Furthermore, the proposed plan takes away parking from nearby businesses. There are a number of small businesses in the area that currently rely on the parking lot and I do not think they will be able to survive if the proposed development is allowed to go ahead.

I have been extremely upset by the developers conduct throughout the development process. They have not responded to community concerns about public space or included local businesses, like the Co-op, in the planning process.

This has been a contentious issue locally and many perspectives have been heard locally. The City has rejected the development proposal and it would be a travesty if the Planning Board discounted the deep deliberations of the City and the citizens of Takoma Park.

Thank you.

Reid Cramer
403 Elm Ave
Takoma Park MD 20912

From: [Lee Peterson](#)
To: [MCP-Chair](#)
Subject: Takoma Park Project
Date: Wednesday, January 19, 2022 3:22:40 PM

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

As a resident of Takoma Park, I am writing to request the council to reject the Takoma park junction project as proposed by NDC.

Lee Peterson
812 Davis Ave

From: [Susanne Lowen](#)
To: [MCP-Chair](#)
Subject: A Butcher, A Baker, A Wedding Dress Maker: The Fate of Takoma Junction
Date: Thursday, January 20, 2022 10:02:39 AM

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

Dear Chairman Anderson,

Controversy over the development plan for Takoma Junction has plagued Takoma Park residents for years, and I am appealing to you to finally put this proposal to rest. **Please disapprove the NDC plan.** There are many who supported the plan in the belief it was needed to revitalize this small commercial area. But the proposed large building and undergrounding of parking were never consistent with the small town charm that attracts residents to Takoma Park. Indeed, it runs counter to the **character of Takoma Junction** and would harm its burgeoning economy. New businesses like Cielo Rojo, the bridal shop, the butcher shop, etc. will struggle to succeed without the **ample free parking** currently available at the site, just as **existing businesses are thriving**. The bakery, community-owned grocery store, hairdresser, postal service, frame shop, laundromat and other small shops rely on the free parking on that site. Rather than enhance the **walkability and bikeability** of the area, the NDC plan introduces complex and **dangerous traffic patterns**. The long period of construction and parking limitations, in the midst of the climate crisis, would exacerbate **air and noise pollution, demoralizing our community** at a time when the stresses of the pandemic and political pressures are taking people to the breaking point. Finally, the destruction of a significant portion of the Columbia Woods and the towering parking lot above those homes would not only be an eyesore, but would exacerbate the increasingly **unmanageable stormwater problems** plaguing homeowners in the Poplar Avenue stream valley. The proposed plan, with all of its destructive impact, would bring what? Parking that is more limited, costly and dangerous. Office space of which there is already a glut as the post-pandemic environment renders it even more irrelevant. And restaurants that will compete in a small market against existing and new establishments. The net sum of this way too big, too ambitious, too blind proposal is negative.

Have you strolled through Takoma Junction after school, when children are streaming home from school, stopping at Spring Mill Bakery for a sweet treat? Have you attended any of the many community events staged at public parking lot? The Beerfest? The Halloween parade? The Coop's live music and food truck events? The Alternative Gift Fair? What a tragic loss it would be if the lively, vibrant local economy at Takoma Junction that survives, even in the midst of this pandemic, fell to the plans of this out of touch developer. **Please disapprove the NDC plan.** Thank you for your consideration.

Susanne Lowen, Sligo Creek-Anacostia River Watershed

From: [Rick Weiss](#)
To: [MCP-Chair](#)
Subject: Takoma Junction comment
Date: Thursday, January 20, 2022 1:26:03 PM

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

To the Board,

NDC has not been a good partner with the Takoma Park City Council or with the Takoma Park community. Please reject, once and for all, the proposed Junction development and put to rest this Zombie plan that refuses to die even as SHA, the City Council, and an overwhelming majority of this community have repeatedly expressed our dissatisfaction.

The lay-by requirement by itself is reason to say “No” - as the SHA has done at least three times now. To have 18-wheelers loading and unloading in the middle of an already treacherous and confusing five-way intersection is an invitation to accidents or worse. But other aspects—including a failure to provide true community gathering space and failure to provide adequate parking (both clearly stated requirements and neither even close to fulfilled in the plan) add to the ease of your pending decision.

I am pro-development and favor density in-fill in suburban communities like Takoma Park, where I’ve lived for more than 25 years. But I am offended when developers run rampant over community needs and preferences and blatantly break their promises. Please take a stand against this kind of insensitivity to local desires and help us convey to NDC that “no” means “no”.

We don’t want it.

Rick Weiss
27 Pine Avenue
Takoma Park

From: [David Reed](#)
To: [MCP-Chair](#)
Subject: Takoma Park project
Date: Thursday, January 20, 2022 1:37:16 PM

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

Dear Mr. Anderson,

I am writing to you as President of the Long Branch-Sligo Community Association in Takoma Park.

The Board of LBSCA expresses it's strongest objections to reconsideration of the Neighborhood Development Company's request for a conditional approval of their plan along Carroll Ave.

While our community looks forward to development of the land parcel under consideration, it strongly objects to the NDC proposal. The stormwater proposal included in the project is woefully inadequate and will significantly exacerbate flooding and stormwater run-off issues behind and below the proposed development site. The recurrence of traffic bottlenecks along that segment of the roadway are already chronic and would be greatly aggravated by the proposed layby at that complex and dangerous intersection.

You are well aware that the City Council has rejected the proposed conditional approval which was preceded by any number of prior efforts to comply with SHA standards and rulings against the proposal. Moreover, your staff's research examining other possible laybys identified exactly zero alternatives.

Again, we strongly advise you to refuse this effort by NDC to impose a development plan that is simply opposed by the overwhelming majority of the City's residents and our elected officials

David Reed
President, LBSCA
davidwreed48@gmail.com

From: [Bruce Kozarsky](#)
To: [MCP-Chair](#)
Subject: Takoma Junction project
Date: Friday, January 21, 2022 11:42:10 AM

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

Dear Mr. Anderson,

As a Takoma Park resident who lives a few blocks from Takoma Junction, I am writing to urge you to reject NDC's request for conditional approval of its development project and to give this ill-designed, unsafe and inappropriate plan the death it deserves.

Here is why I believe this is the only legitimate option available to you:

- 1) The landowner, the City of Takoma Park, as represented by its City Council, unanimously rejected the NDC plan. By what conceivable rationale can you overrule the landowner and a democratically-elected municipal government and ram this project down our throats?
- 2) The project design is inherently unsafe, as the Maryland State Highway Administration has repeatedly affirmed. Both the lay-by and the location of the parking entrance and exit will put the lives of drivers, their passengers, transit users, bicyclists and pedestrians at risk.
- 3) The Takoma Park City Council correctly cited four other reasons for rejecting this project in addition to SHA's objections: The rear façade is intrusive, public space is too small, public parking is insufficient and stormwater treatment is inadequate. In each case, NDC failed to meet clear standards the City Council had set in previous resolutions.
- 4) NDC has repeatedly dealt in bad faith with the City government and the community. It has repeatedly refused to make any of the compromises that could make this project viable. It has refused to provide for off-street loading and garbage pickup. It has refused to relocate the parking entrance to a location that would meet sightline guidelines. It has refused to provide the public space the landlord, the City Council, specified. It has refused to accommodate any requests made by community members. It has failed to design around the inherent constraints of this unusual parcel as a skilled, responsible developer would. It has been more than five-and-a-half years since the City first signed a development agreement with NDC. Given NDC's failure to address safety and community needs by now, giving it even more time will not produce a different outcome.
- 5) Remember, this project sits on publicly-owned land. That requires a different set of

considerations than you would give a project on privately-owned land. And the NDC plan provides zero public benefits—as clearly specified by the landowner.

6) If your goal is to advance development at Takoma Junction, your best avenue for doing so is to kill this unworkable project once and for all so that alternative development proposals can move forward as swiftly as possible—plans that are safely-designed, appropriate to the location, and serve the public good.

Thank you for your consideration.

Bruce Kozarsky
7321 Willow Ave.
Takoma Park MD 20912

From: [Paul Huebner](#)
To: [MCP-Chair](#); [Cichy, Gerald](#); [Patterson, Tina](#); [Rubin, Carol](#); [Verma, Partap](#); [Anderson, Casey](#); [Wright, Gwen](#)
Subject: Testimony to Planning Board - Takoma Junction
Date: Friday, January 21, 2022 3:58:38 PM

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

Dear Chair Anderson and Members Cichy,
Patterson, Rubin, and Varma,

On September 15, 2021, the Planning Board granted an extension of time for developer Neighborhood Development Company (NDC) to remediate deficiencies in their unapproved layby lane in the planned development in the Takoma Junction. In the intervening four months, NDC has submitted no revisions to the State Highway Administration (SHA) to correct these deficiencies.

Since its initial submission to the SHA for the layby, NDC's plans, in whole or in part, have been rejected twice and returned for revision five times. The latest SHA return for revision was on August 19, 2021 (one month prior to the Planning Board meeting), and there is no indication that any revisions have been submitted since that date five months ago.

It would appear that NDC is trying to stall the process, perhaps hoping that the advocacy of an attorney well-known to the Board will result in approval of the project over:

1. the objections of the City of Takoma Park,
2. the objections of the State Highway Administration, and
3. the objections of your own professional staff, as well as
4. the objections of the residents of the City, as evidenced through comments on the City website and comments to this Board.

Objections to this development have been made from a variety of sources and perspectives, including concerns about:

1. traffic and pedestrian safety,
2. neighborhood disruption,
3. environmental issues (i.e., storm water management), and
4. the City's partnership with the developer, apparently based on legal actions against the developer by both the City (their own development partners) and a local business.

If that isn't enough, simply imagine a garbage truck, in a layby next to traffic and close to a crosswalk utilized by elementary and middle school students twice per day, lifting dumpsters 10 feet into the air right beside passing cars, trucks and bicycles, with the inevitable garbage spillage into the layby, sidewalk, bicycle lane and traffic lanes and perhaps onto these passing pedestrians, vehicles and bicycles trying to dodge it. Not to mention the draw of rats to the spillage area at all times.

Sometimes, when looking at projects, it becomes clear that the most appropriate and cost-effective course forward for a property, both financially and time-wise, is to tear down and rebuild rather than attempting to renovate. This project plan certainly calls for that approach. The developer has not modified their plan to meet objections, and a rejection by the Planning Board would give them an opportunity to begin again with a fresh approach, one that could meet the criteria and safety standards envisioned by your own professional staff, the City, SHA, and the community. It could, in fact, be very much in the best interests of the developer for you to do so.

Please deny the application and refuse any further extensions.

Respectfully Submitted,
Paul Huebner
Carroll Avenue,
Takoma Park, MD

From: [Jenny Apostol](#)
To: [MCP-Chair](#)
Subject: Please do NOT approve NDC plan for Takoma Junction
Date: Friday, January 21, 2022 4:35:11 PM

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

Dear Casey Anderson, Planning Board Chair,

Like many residents, we welcome sustainable development of the Takoma Junction lot. But it would be an egregious error to green light the existing plan submitted by NDC that has been rejected for a variety of reasons including, critically, serious safety concerns. The Takoma Park City Council; the overwhelming majority of residents; and no lesser body than the SHA have all recommended against approval of this plan. I cannot imagine Montgomery County Planning Board could in conscience overrule these recommendations.

Thank you.

Jenny Apostol and Marco DiPaul
7000 Sycamore Avenue
Takoma Park, MD 20912

jennyapostol.com

From: [Kaufman, Connie](#)
To: [MCE-Chair](#)
Cc: [Hisel-McCoy, Ezra](#); [Mencarini, Katherine](#); [Bogdan, Grace](#); "[mkelinsky@neighborhooddevelopment.com](#)"; "[Joel Bonder](#)"; [Girard, Erin E.](#)
Subject: Takoma Junction
Date: Monday, January 24, 2022 11:08:05 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[January Response Letter to Planning Board.pdf](#)

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Sent on behalf of Erin E. Girard, Esq.

Connie Kaufman

Legal Practice Assistant

11 N. Washington Street | Suite 700 | Rockville, MD 20850-4229
D: +1 301.517.4841 | O: +1 301.762.1600 | F: +1 301.517.4841



vCard | ckaufman@milesstockbridge.com



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

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Erin E. Girard
301-517-4804
egirard@milesstockbridge.com

January 24, 2022

Casey Anderson, Chair
and Members of the Montgomery County Planning Board
Maryland-National Capital Park and Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

Re: Site Plan No. 820190090 (“Site Plan”) and Preliminary Plan No. 120190150
 (“Preliminary Plan”); Takoma Junction

Dear Chairman Anderson and Members of the Montgomery County Planning Board:

On behalf of our client, NDC Takoma, LLC (“NDC”), the applicant for the above-referenced Site and Preliminary Plan Applications (collectively, the “Applications”), the purpose of this letter is to respond to a number of assertions made in the City of Takoma Park’s (“City”) recent letter to you and reiterate NDC’s request that the Applications be approved conditioned upon future State Highway Administration approval of site access and the proposed lay-by.

In response to Planning Staff’s request for the City’s position on NDC’s December 30, 2021 letter requesting conditional approval of the Applications, the Director of the City’s Department of Housing and Community Development issued a letter on January 7, 2022 (“City Letter”) opposing NDC’s request. Specifically, the City letter states that “[i]t is ...the City Staff’s position that it would be improper for the MCPB to issue the conditional approval requested” and asserts that “[a]s the City has not recommended approval of the project in its current form, the City of Takoma Park *must* be able to review any SHA required changes (or changes made by NDC) to the plan prior to an approval by the Montgomery County Planning Board issuing.” (emphasis added). The foundation for the City’s affirmative assertions in this regard are completely missing from its letter. From a statutory perspective, it is clear that there is absolutely no requirement that a municipality such as the City be given the right to review plan changes prior to Planning Board action. In fact, Section 24-202(c) of the Land Use Article of the Maryland Code makes clear that the Planning Board, by a two-thirds majority, has the authority to overturn *any* land use resolution of the City. How then can it plausibly be argued by the City that any SHA required changes *must be* reviewed by the City prior to Planning Board action?¹

¹ To the extent that any of the City’s arguments are grounded in private agreements between NDC and the City, such arguments are entirely beyond the purview and concern of the Planning Board, as they do not directly relate to the Applications. Further, NDC disagrees with the City’s assertions about those private agreements.

The City Letter further alleges that, “should MCPB issue an approval conditioned upon SHA approval, any change required by SHA combined with the resultant impact on the plan could change the Project to such a degree that it is different than the one approved by MCPB, thereby undermining MCPB’s review authority.” Such a statement reflects complete unfamiliarity with the Planning Board’s authority and procedures. The Planning Board has the authority, which it exercises frequently, to dictate the scope of acceptable changes post-approval, and has previously allowed the Planning Director and Staff to determine at what point post-approval changes would require formal amendments to applications. Additionally, in its request for conditional approval, NDC has not suggested or envisioned that drastic changes could be made to the proposed access point or proposed lay-by post-approval.

What NDC has been seeking to gain through its request for the conditional approval is simply more time to work with SHA to a) address its stated concerns regarding sight/stopping distance at the proposed access point and b) develop a lay-by configuration that SHA will find acceptable. Because SHA has consistently demonstrated a complete disregard for project timelines and an unwillingness to work cooperatively on finding agreeable solutions, instead relying on lengthy, successive submissions and review periods, there is currently no telling how many more review extensions would be needed if the Applications were to remain pending waiting for SHA approval.² As noted in our December 30th letter, Planning Staff’s analysis and reports demonstrate that the Applications comply with the criteria for approval in all respects except the site access and loading approvals within SHA’s jurisdiction. We therefore believe the Applications can, and should, be approved at the upcoming hearing conditioned upon subsequent SHA approvals. As acknowledged by SHA in its November 19, 2021 letter to the Planning Board, “At this time, *we have not determined that there are no practical means to address our concerns*. Additional consideration could potentially be afforded to the proposed location of the access point or the larger vehicle types proposed to use the on-street loading/ layby lane.” NDC therefore continues to believe SHA approvals will be forthcoming. In fact, with regard to site access in particular, NDC believes that an eventual approval must occur, as the proposed access point is in the most appropriate location along the site frontage and denial of it by SHA would constitute an unconstitutional taking. *See* Md. Code Ann., Transp. § 8-625(d)(2).

For the foregoing reasons, NDC disagrees with the assertions of the City Letter and continues to believe a conditional approval is appropriate.

² As detailed by Staff in is January 14th Staff Report, in a recent coordination meeting “SHA stated that no further analysis could be conducted until the existing trees have been removed...that the stopping distance would need to be reanalyzed once trees were removed....” Staff Report, p. 2. Therefore, even after removal of the problematic vegetation, SHA may take months to reanalyze the stopping distance.

Casey Anderson, Chair
and Members of the Montgomery County Planning Board
January 24, 2022
Page 3



Thank you for your consideration of this response and renewed request. We will be available at the hearing on January 27th to address any questions you may have.

Sincerely,

A handwritten signature in black ink that reads 'Erin E. Girard'.

Erin E. Girard

cc: Grace Bogdan
Elza Hisel-McCoy
Katherine Mencarini
Michaela Kelinsky
Joel Bonder

From: [Janis Totham-Davies](#)
To: [MCP-Chair](#)
Subject: NDC Proposal for Takoma Junction Project
Date: Monday, January 24, 2022 11:44:29 AM

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

mcp-chair@mncppc-mc.org

Casey Anderson
Planning Board Chair

Dear Sir:

I am writing concerning the planned NDC Takoma Junction project.

The first thing I note is that a “provisional” or “conditional” approval of this project does not exist. Once this bell is rung, it cannot be un-rung. Once ground is broken for the project, that is the end of the battle. And NDC will be in charge.

And there is a virtually unending list of reasons why the NDC project should be stopped now.

1. NDC has a wretched record in DC. This may well be the most important reason why the NDC Junction project should be ended now. In a project in DC, NDC faced major pressure from Black Lives Matter and other groups fighting gentrification in DC, NDC was the subject of a demonstration—for padlocking
- 2.
3. 3 black-owned businesses, a church and a daycare center, without giving even one day’s notice to make alternative plans.

This action was described by DC Councilmember Vincent Gray as “in the most disrespectful way possible” and an attempt at an “illegal eviction without benefit of landlord-tenant constitutional process.”

That is the record NDC brings to this project. We should not even be negotiating with them.

2) In Takoma Park, this is a very controversial project---to put it mildly. We in the opposition to the project being done by NDC have pushed for years to have a referendum on it. But Mayor Stewart has from the very start—which is at least 2018-- refused to do this, despite being asked to do so many times.

One of the persons who has written to you earlier asserts that the opposition is a small group of nay-sayers. It is clear that—as at the meetings I attended—the opposition is in fact in the majority.

And Mayor Stewart and the Takoma Council seem to have realized the huge adamant feeling against the proposed NDC plan. There probably has been some turnover on the Council since 2018. But for whatever reason, the Council has now voted against the NDC proposal as it stands.

3) Environmental reasons:

For instance: NDC promised to not touch the trees on the slope behind the Co-op. But my wife has attended many meetings on NDC plans and NDC has in fact had about 23 trees marked by red ribbons for destruction—including 3 American Elms (an endangered species). In my opinion just the presence of

American Elms should be enough to stop the project. My wife took pictures of these ribboned trees and forwarded them to Mayor Stewart, who stated she was

unaware of this. Nor was the Takoma Arborist.

The current NDC plan, as I understand, has one of their proposed buildings overhanging the slope. So all trees on that slope (which NDC describes as “vegetation” in its 21 Dec 2021 letter) are to be gone—in “Tree City”—Takoma Park’s supposed slogan. It appears that NDC, as they did in DC, still makes end

runs around inconvenient regulations, laws and agreements (if Mayor Stewart had agreed to this she would been aware of it).

Thus confirming that NDC is not an ethical negotiating partner—as Vincent Gray can attest.

4) At the Takoma Council meetings I attended, I took copious notes. It became obvious that—according to the supporters of the project, not the opposition—NDC is willing to put \$20 million into the project. This means of course that NDC's first priority will be getting that money back—and then a large profit.

That means the priority will be high-end everything—very expensive stores, restaurants, etc. The kind few residents of Takoma Park can afford to patronize.

Any assertion by NDC that they will do anything else should be taken with a huge grain of salt—especially considering their record in DC, as noted by Vincent Gray.

5) Historic preservation issues—I am not an expert on this, but there are experts.

6) My understanding is that if this project is approved the sidewalks close to the project will be blocked off—and all pedestrians—including children—will have to walk in the street—for the duration of the project. The safety issue is obvious.

7) Danger to surrounding businesses

Of course virtually all businesses have been hard hit by covid.

Several would be put in further danger -possibly mortal danger—by NDC's project. The NDC construction—possibly for years—will of course make it very hard for customers to get access to surrounding businesses. So their businesses will suffer a huge drop in customers.

These include:

A) R & S Auto

This is a model corporate citizen. It does excellent service—friendly, expert, quick, very reasonable in price and has a multi-ethnic staff. I have been a

customer for over 20 years. The owner, Mr. Doley, is truly the salt of the earth.

It also now provides electric charging stations—of course open to all who can drive there. This obviously includes folks from DC. I do not use a charging station but am very aware of the service provided. Mayor Stewart has praised R &S on this basis.

B) The Takoma Co-op

The Co-op not only provides good quality healthy food for the entire community but also fair wages for the extremely multicultural, friendly, and efficient staff. Though hit hard by covid, it is still a vibrant center of commercial life in Takoma Park. I shop there often. I suspect those who are in favor of the NDC

project do not shop there often.

The Co-op has only about 20 spaces for parking in its official parking lot—far too small for its customer base. All other customers use the larger lot on the other side of the Co-op—a space which has been described by proponents of the NDC project as “empty space.” This “empty space” is also the scene of

Christmas tree sales by the Takoma Volunteer Fire Department, concerts, festivals, deliveries to the Co-op in early mornings and general free parking.

The Co-op also has an outreach program which it carries out on this “empty space”.

It is hardly ever empty.

As I understand it, there is also a tangled web of relations between the Co-op, NDC, and the City of Takoma Park. The Co-op formerly made payments to the City of Takoma Park for use of the large parking lot. But now NDC is leasing that space from the City. So now the Co-op has to make its payments to

NDC—which is actually its adversary.

Deliveries are made to the Co-op mainly in early morning. But NDC—on safety grounds—has tried to prevent those deliveries from being made—even though they have been made that way safely for decades.

Since deliveries were made in from the large parking lot directly to the Co-op there has been no safety issue. NDC does not want the Co-op to continue getting deliveries this way—since NDC wants to force the Co-op out of business or at least force it to move elsewhere. Either of which would remove the Co-op

as a factor here. So NDC—which piously claims to be in favor of the Co-op, as do all parties—proposes a lay-by for deliveries—an idea which has proven potentially dangerous, as well as impractical.

Also, I understand that a gag order has been imposed on the Co-op—so it can hardly defend itself against NDC. I have no information that the gag order has been lifted.

That is my understanding of the situation.

My opinion—and the opinion of many others—is that the only way to cut this Gordian knot is to sever all connection with NDC and let the Co-op return to its earlier relations with the City of Takoma Park.

Other businesses in danger from the NDC plan include:

C) Springmill Bakery (which I have used)

D) Takoma Business Center (which I have used)

E) Takoma dry cleaner-clothing repair shop (which I have used)

F) Seoul Foods—which my wife and I have patronized. Not only do they have great food and a delivery service but they also hold cooking lessons.

There are yet other businesses which I have not used but which also stand in grave jeopardy if the NDC plan goes forward.

For projects like this there should be a rule similar to the Hippocratic Oath: First:
Do no harm.

This project as it stands does huge harm.

It is clear to me—and many others—that the list of problems with NDC—especially its long-standing and deep-seated dishonesty and mistreatment of others— and its project is such that the only way out is to cancel NDC's project —now.

Thank you for considering my letter.

Sincerely,

Ronald D. Davies

From: [Janis Totham-Davies](#)
To: [MCP-Chair](#)
Subject: Proposed NDC Takoma Park Junction Project
Date: Monday, January 24, 2022 11:54:08 AM

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

mcp-chair@mncppc-mc.org

Casey Anderson
Planning Board Chair

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Deliveries are made to the Co-op mainly in early morning. But NDC—on safety grounds—has tried to prevent those deliveries from being made—even though they have been made that way safely for decades.

Since deliveries were made in from the large parking lot directly to the Co-op there has been no safety issue. NDC does not want the Co-op to continue getting deliveries this way—since NDC wants to force the Co-op out of business or at least force it to move elsewhere. Either of which would remove the Co-op as a factor here. So NDC—which piously claims to be in favor of the Co-op, as do all parties—proposes a lay-by for deliveries—an idea which has proven potentially dangerous, as well as impractical.

Also, I understand that a gag order has been imposed on the Co-op—so it can hardly defend itself against NDC. I have no information that the gag order has been lifted.

That is my understanding of the situation.

My opinion—and the opinion of many others—is that the only way to cut this Gordian knot is to sever all connection with NDC and let the Co-op return to its earlier relations with the City of Takoma Park.

Other businesses in danger from the NDC plan include:

C) Springmill Bakery (which I have used)

D) Takoma Business Center (which I have used)

E) Takoma dry cleaner-clothing repair shop (which I have used)

F) Seoul Foods—which my wife and I have patronized. Not only do they have great food and a delivery service but they also hold cooking lessons.

There are yet other businesses which I have not used but which also stand in grave jeopardy if the NDC plan goes forward.

For projects like this there should be a rule similar to the Hippocratic Oath: First: Do no harm.

This project as it stands does huge harm.

It is clear to me—and many others—that the list of problems with NDC—especially its long-standing and deep-seated dishonesty and mistreatment of others— and its project is such that the only way out is to cancel NDC's project—now.

Thank you for considering my letter.

Sincerely,

Ronald D. Davies

From: [Anicca Jansen](#)
To: [MCP-Chair](#)
Subject: Deny NDC's request for conditional approval to develop Takoma Junction
Date: Monday, January 24, 2022 1:48:20 PM

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

Dear Planning Board Chair Anderson,

I live at 23 Darwin Ave, Takoma Park.

I understand that the Neighborhood Development Company (NDC) is asking the Montgomery County Planning Board for conditional approval for its repeatedly rejected proposal to develop Takoma Junction.

The State Highway Administration has repeatedly found the design unsafe, you only need to drive through this complicated intersection of 410, Carroll and Sycamore to understand why.

I was at the meeting months ago when Montgomery County Parks and Planning found the design totally inappropriate for the area. There were issues related to design, parking, intended occupancy, lack of open space, and more.

The citizens of of Takoma Park are overwhelmingly critical of this "development".

And yet, I have heard that the County could vote to conditionally approve NDC's inappropriate design. This project has so much wrong with it, it will never go forward. Providing conditional approval to this inappropriate and dangerous plan just drags out a process that has been going on for years, and is keeping Takoma Park from coming up with a more appropriate use of this space. Further, dragging this out does not help NDC to move on, which they need to.

Please support Takoma Park in putting an end to this inappropriate, dangerous and joke of a project, and allow us to move on.

Please deny NDC's request for conditional approval.

Anicca Jansen
23 Darwin Avenue
Takoma Park, MD 20912
anicca.jansen@gmail.com

From: [Joan Clement](#)
To: [MCP-Chair](#)
Subject: Please deny Takoma Junction conditional approval request
Date: Monday, January 24, 2022 2:19:19 PM

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

Dear Mr. Anderson,

I'm writing to voice my objections to the NDC request for conditional approval of their proposed project at the Takoma Junction. I ask that you honor the wishes of the Takoma City Council, which is opposed to conditional approval of this project. Denying NDC's request would also be consistent with the recommendations of Park and Planning staff and with 96% of the community members who commented on the project on the City website. This project is being objected to for a multitude of reasons, and we have agonized over its failure to address concerns long enough.

It's my understanding that you think this proposal would be a good idea. That doesn't mean that a better proposal can't also be developed soon. This proposal has not gained the support it needs to be successful at this site. Whatever the basis of your personal thinking about this project, I'm asking that you set that aside, and honor the wishes of our City Council and those who have looked closely at the details of this project.

The longer we agonize over this proposal, the longer we will be held up from making another plan that is more in line with what Takoma Park City Council and residents want. It's time to move on and make another plan. Please deny this request.

Thank you for considering my feedback.

Joan Petersen Clement
506 Elm Avenue
Takoma Park, MD 20912

--

Joan P Clement
Takoma Park, MD
joan@chears.org
301-775-5368

From: [Nadine Bloch](#)
To: [MCP-Chair](#)
Subject: Reject the Takoma Park Junction Proposal Outright
Date: Monday, January 24, 2022 4:42:37 PM

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

Email Casey Anderson, Planning Board Chair, and MCPanining Board Members:

Please reject the proposal for the Takoma Junction development plan outright.

Not only has the SHA repeatedly rejected this plan as unsafe for traffic, pedestrians, emergency personnel, bikers and bus riders -- the City of Takoma Park itself has rejected this proposal on the basis of safety, facade concerns, lack of public space, inadequate stormwater management, and the layby loading plan.

Rejecting the proposal outright is the only path forward to a healthier, safer, bustling future Junction for businesses, residents, and those traversing the space.

Please respect our City's municipal autonomy, and reject this unwieldy proposal. Setting this behind us now will allow the community to move forward with a more appropriate use of this public land.

Thank you,
Nadine Bloch
Takoma Park

--

'be careful with each other so we can be dangerous together'

Nadine's contact #s:
(+1)202-412-7611 mobile
What'sApp/Signal/Telegram: +1-202-412-7611
www.BeautifulTrouble.org

>>And check out our (re)newed **website** BeautifulTrouble.org
& the rad [BeautifulTrouble CARD DECK!!](#)



From: [Judy Kirpich](#)
To: [MCP-Chair](#)
Cc: [Poplar Ave 7000 and 7100 block](#); bfgilbert@groups.io
Subject: Takoma Junction issues
Date: Monday, January 24, 2022 4:48:02 PM

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

Chairman Casey Anderson and the Montgomery County Planning Board
Dear Casey,

I am writing to urge you to look carefully at the increased traffic and layby lane at the proposed Takoma Junction development. This intersection has been a problem over the years. I have lived at 7118 Poplar Ave behind the Takoma Junction project for 42 years. I have written countless letters, attended numerous meetings, read every traffic study commissioned by the city and the developer and participated in endless conversations with our elected officials who appear to have turned a deaf ear to the problems with the current NDC proposal. I read with some amazement the document *Takoma Junction Site Conditions and Limitations, March 2021* that provides a one sided argument for the project.

- **Cut Through traffic** Not only does the traffic back up on Carroll Avenue, but cars, trucks and buses often cut through our neighborhood streets to avoid the congestion. Unfortunately the studies did not adequately look at the effects of the extra traffic and parking that will be created by additional cut through traffic.

- **Delivery conditions** Why is it just now that the city manager deems the deliveries are an issue? Before there was a Coop, there was a parts store, and a garbage dump. Since its inception the Coop has been taking deliveries from the city lot, and with the exception of trash occasionally falling down the hill (which by the way was the City's responsibility to keep clean), deliveries have not been unsafe. If you are worried about trucks illegally making left hand turns, wait until you see what happens when the layby is occupied and the trucks come careening down our streets waiting for the layby to open up. If the City is worried about traffic backups, I suggest you look at the intersection almost any time of the day and witness that the traffic backups are there when no trucks are present. Take a look at the drivers who currently pass on the left to get around the buses at the bus stop at the Junction of 410 and Sycamore, and imagine a delivery truck either in the layby or pulling out of the layby. The most recent study showed that delivery trucks would be dangerously close to going over the yellow line when leaving...

Also it is my understanding that the layby will not just be for the Coop's use but for the possible restaurant, retail tenants planned as well as garbage trucks. Will one layby really serve so many businesses?

Ironically, every single elevation I have seen shows a lovely storefront with trees. NONE OF THEM TAKE INTO ACCOUNT THAT THIS VIEW WILL REALLY BE OF THE SIDE OF A TRUCK parked in front of the "beautiful streetscape".

- **Dangerous intersection** Montgomery County has found this intersection to be unacceptable and the studies of the layby lane show trucks pulling out into the opposing lane to enter and exit. This is compounded by cars attempting to pass buses on the left at the bus stop. This is a

disaster in the making.... I personally have witnessed a half a dozen accidents from vehicles pulling out and around buses that are picking up passengers. Now add a layby lane....

- **Failing grades** Every single traffic study has given this intersection a failing grade, and that is before adding the new NDC development and the new day care facility opening at the corner of Elm and Poplar. With the fire station, the blind curve at 410, the proposed entry into the underground garage as well as the pedestrian and bike traffic, this is not a safe situation and will be exacerbated by the new development.

- **Not enough parking** Parking impacts on existing local businesses are exacerbated by the fact that NDC is requesting a parking waiver to provide fewer than the minimum spaces required by Code for the development itself, much less providing parking to existing Junction businesses.

- The Junction intersection has had traffic problems for many years, and it was hoped that the Junction development would lead to SHA significantly reconfiguring the intersection. This now appears unlikely. Any development will have to work with the intersection as it is now.

- I urge you to look into this matter immediately.
Thank you for your attention.

Judy Kirpich
301-332-7183





From: [Gary Stern](#)
To: [MCP-Chair](#)
Cc: [Poplar Ave 7000 and 7100 block](#); [bfgilbert@groups.io](#); [Judy Kirpich](#)
Subject: Re: [PoplarAve] Takoma Junction issues
Date: Monday, January 24, 2022 6:52:33 PM

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

Dear Chairman Casey Anderson and the Montgomery County Planning Board:

I live three houses down from Judy, and fully support her statement.

But I would also like to add that I strongly support development of the Takoma Junction site, but urge you to oppose the current NDC development proposal. As so many people have commented at every stage of this project, the NDC plan is simply too big for the site and is not only highly likely to cause problems related to traffic and pedestrian safety, but will also adversely affect stormwater, noise, trees, and the COOP. Yet all of these problems can be resolved by simply making the project smaller (an example of such a plan can be found at this [link](#)).

Thank you for considering my views.

Sincerely,

Gary M. Stern
7112 Poplar Avenue, Takoma Park, MD 20912
240-475-2816

On Mon, Jan 24, 2022 at 4:48 PM Judy Kirpich <judy@grafik.com> wrote:
Chairman Casey Anderson and the Montgomery County Planning Board
Dear Casey,

I am writing to urge you to look carefully at the increased traffic and layby lane at the proposed Takoma Junction development. This intersection has been a problem over the years.

I have lived at 7118 Poplar Ave behind the Takoma Junction project for 42 years. I have written countless letters, attended numerous meetings, read every traffic study commissioned by the city and the developer and participated in endless conversations with our elected officials who appear to have turned a deaf ear to the problems with the current NDC proposal. I read with some amazement the document *Takoma Junction Site Conditions and Limitations, March 2021* that provides a one sided argument for the project.

- **Cut Through traffic** Not only does the traffic back up on Carroll Avenue, but cars, trucks and buses often cut through our neighborhood streets to avoid the congestion. Unfortunately the studies did not adequately look at the effects of the extra traffic and parking that will be created by additional cut through traffic.

- **Delivery conditions** Why is it just now that the city manager deems the deliveries are an issue? Before there was a Coop, there was a parts store, and a garbage dump. Since its inception the Coop has been taking deliveries from the city lot, and with the exception of trash occasionally falling down the hill (which by the way was the City's responsibility to keep clean), deliveries have not been unsafe. If you are worried about trucks illegally making left hand turns, wait until you see what happens when the layby is occupied and the trucks come careening down our streets waiting for the layby to open up. If the City is worried about traffic backups, I suggest you look at the intersection almost any time of the day and witness that the traffic backups are there when no trucks are present. Take a look at the drivers who currently pass on the left to get around the buses at the bus stop at the Junction of 410 and Sycamore, and imagine a delivery truck either in the layby or pulling out of the layby. The most recent study showed that delivery trucks would be dangerously close to going over the yellow line when leaving...

Also it is my understanding that the layby will not just be for the Coop's use but for the possible restaurant, retail tenants planned as well as garbage trucks. Will one layby really serve so many businesses?

Ironically, every single elevation I have seen shows a lovely storefront with trees. NONE OF THEM TAKE INTO ACCOUNT THAT THIS VIEW WILL REALLY BE OF THE SIDE OF A TRUCK parked in front of the "beautiful streetscape".

- **Dangerous intersection** Montgomery County has found this intersection to be unacceptable and the studies of the layby lane show trucks pulling out into the opposing lane to enter and exit. This is compounded by cars attempting to pass buses on the left at the bus stop. This is a disaster in the making.... I personally have witnessed a half a dozen accidents from vehicles pulling out and around buses that are picking up passengers. Now add a layby lane....

- **Failing grades** Every single traffic study has given this intersection a failing grade, and that is before adding the new NDC development and the new day care facility opening at the corner of Elm and Poplar. With the fire station, the blind curve at 410, the proposed entry into the underground garage as well as the pedestrian and bike traffic, this is not a safe situation and will be exacerbated by the new development.

- **Not enough parking** Parking impacts on existing local businesses are exacerbated by the fact that NDC is requesting a parking waiver to provide fewer than the minimum spaces required by Code for the development itself, much less providing parking to existing Junction businesses.

- The Junction intersection has had traffic problems for many years, and it was hoped that the Junction development would lead to SHA significantly reconfiguring the intersection. This now appears unlikely. Any development will have to work with the intersection as it is now.

- I urge you to look into this matter immediately.
Thank you for your attention.

Judy Kirpich
301-332-7183

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"Popular" Poplar Ave, a great block in Takoma Park

You received this message because you are subscribed to the Google Groups "Poplar Ave 7000 and 7100 block" group.

To unsubscribe from this group and stop receiving emails from it, send an email to PoplarAve+unsubscribe@googlegroups.com.

To view this discussion on the web visit

<https://groups.google.com/d/msgid/PoplarAve/CAL8kPvX%2BKza96yYkRRM0JcNNgECpg1EfF7OLk81HCc0VvfNDEA%40mail.gmail.com>.

From: dmb Bradley2@aol.com
To: judy@grafik.com; MCP-Chair
Cc: PoplarAve@googlegroups.com; bfgilbert@groups.io
Subject: Re: [PoplarAve] Takoma Junction issues
Date: Tuesday, January 25, 2022 8:09:24 AM

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

Chairman Casey Anderson and the Montgomery County Planning Board,

Dear Casey,

I'm a neighbor several houses down from the Coop at 40 Columbia Ave, where I've lived for 36 years. I'm in full agreement with the issues that Judy Kirpich has raised in her email below. Because she has stated them so clearly below, I don't think I need to reiterate them in detail here. With the intersection configured as it is (and it's not scheduled to be reconfigured) all of the issues raised in Judy's email collectively, create a dangerous safety hazard at the junction intersection. We on Columbia Ave have already been experiencing cut through traffic. A viable solution is to scale down the entire development. See the link provided by Gary Stern.

Therefore, I would urge you to look carefully at the NDC development and ask whether the development, as it is currently planned, is in the best interest for the community of Takoma Park.

Diana Bradley
40 Columbia Ave
301-775-9201

Diana Bradley, M.Ed
Alexander Technique Teacher
M.AmSAT, ATI
Studio Acting Conservatory
301-775-9201

-----Original Message-----

From: Judy Kirpich <judy@grafik.com>
To: mcp-chair@mncppc-mc.org
Cc: Poplar Ave 7000 and 7100 block <PoplarAve@googlegroups.com>; bfgilbert@groups.io
Sent: Mon, Jan 24, 2022 4:47 pm
Subject: [PoplarAve] Takoma Junction issues

Chairman Casey Anderson and the Montgomery County Planning Board
Dear Casey,

I am writing to urge you to look carefully at the increased traffic and layby lane at the proposed Takoma Junction development. This intersection has been a problem over the years.

I have lived at 7118 Poplar Ave behind the Takoma Junction project for 42 years. I have written countless letters, attended numerous meetings, read every traffic study commissioned by the city and the developer and participated in endless conversations with our elected officials who appear to have turned a deaf ear to the problems with the current NDC proposal. I read with some amazement the document, *Takoma Junction Site Conditions and Limitations, March 2021* that provides a one sided argument for the project.

• **Cut Through traffic** Not only does the traffic back up on Carroll Avenue, but cars, trucks and buses often cut through our neighborhood streets to avoid the congestion. Unfortunately the studies did not adequately look at the effects of the extra traffic and parking that will be created by additional cut through traffic.

• **Delivery conditions** Why is it just now that the city manager deems the deliveries are an issue? Before there was a Coop, there was a parts store, and a garbage dump. Since its inception the Coop has been taking deliveries from the city lot, and with the exception of trash occasionally falling down the hill (which by the way was the City's responsibility to keep clean), deliveries have not been unsafe. If you are worried about trucks illegally making left hand turns, wait until you see what happens when the layby is occupied and the trucks come careening down our streets waiting for the layby to open up. If the City is worried about traffic backups, I suggest you look at the intersection almost any time of the day and witness that the traffic backups are there when no trucks are present. Take a look at the drivers who currently pass on the left to get around the buses at the bus stop at the Junction of 410 and Sycamore, and imagine a delivery truck either in the layby or pulling out of the layby. The most recent study showed that delivery trucks would be dangerously close to going over the yellow line when leaving...

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- **Dangerous intersection** Montgomery County has found this intersection to be unacceptable and the studies of the layby lane show trucks pulling out into the opposing lane to enter and exit. This is compounded by cars attempting to pass buses on the left at the bus stop. This is a disaster in the making.... I personally have witnessed a half a dozen accidents from vehicles pulling out and around buses that are picking up passengers. Now add a layby lane....

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- The Junction intersection has had traffic problems for many years, and it was hoped that the Junction development would lead to SHA significantly reconfiguring the intersection. This now appears unlikely. Any development will have to work with the intersection as it is now.

- I urge you to look into this matter immediately.
Thank you for your attention.

Judy Kirpich
301-332-7183

--

"Popular" Poplar Ave, a great block in Takoma Park

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To view this discussion on the web visit

<https://groups.google.com/d/msgid/PoplarAve/CAL8kPvX%2BKza96yYkRRM0JcNNgECpg1EfF7OLk81HCc0VvfNDEA%40mail.gmail.com>.

From: [joan duncan](#)
To: [MCP-Chair](#)
Subject: Takoma Junction letter attached
Date: Tuesday, January 25, 2022 9:16:32 AM
Attachments: [Takoma Junction letter attached.msg](#)

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

January 25, 2022

Casey Anderson
Montgomery County Planning Board Chair

Ref: Takoma Junction Development

Dear Mr. Anderson,

As a resident and local architect who lives less than 1/2 mile from Takoma Junction, I know from personal experience that the NDC development proposal is a recipe for disaster. The scale of our neighborhood, streets and sidewalks, our intersections, bike lanes and bus stops cannot safely accommodate the additional traffic, unsafe parking garage exit and dangerous and inadequate servicing plan that lies smack dab in the middle of this impending nightmare.

The developer has designed into the plan an exit from a parking garage that will direct traffic in front of a bus stop where stopped buses will block the garage entrance. The project's layby - the only means of servicing the development and the adjacent Food Co-op- will exacerbate the area's traffic problems as trucks enter and exit and waiting delivery vehicles circle through the narrow streets of adjacent residential neighborhoods. Trucks entering the layby will block the bike lane and in order to park, longer trucks will perform an unsafe back-up maneuver to move closer to the curb snarling traffic and causing more congestion. Officials from the neighboring Takoma Park Fire Department have expressed concerns about conflicts of fire safety vehicles and servicing vehicles at the layby.

All this vehicular confusion will occur in an area where there will be multiple deliveries a day, bikers and pedestrians will be commuting and children will be crossing Carroll, Ethan Allen (Hwy 410) and Grant Avenues to and from school.

With the inherent planning challenges in this complex Junction – solutions will need to be creative and respond to the existing conditions. Local architects and construction professionals have been deeply concerned that the NDC plan does not meet this challenge, has substantially deviated from the original concept plan and does not reflect the City's mission.* NDC's proposal with its unacceptable layby which is fundamental to its plan-- **should not be approved**. Takoma Park deserves an appropriate, innovative plan for the Junction that supports its neighbors and businesses and puts the safety of its citizens first.

Respectfully submitted,

Joan Duncan AIA
25 Pine Avenue, Takoma Park

*Attachment –Letter from 15 Takoma Park Architects and Designers concerned about the NDC plan for Takoma Junction.

June 26, 2018

Dear Mayor Stewart and City Council Members,

We are writing to you, as Takoma Park residents who are also professionals in the field of architecture and design, regarding the handling of the Takoma Junction project. Our goal is to express our concern about the approach the City is currently taking, and to offer our counsel about steps to be taken that can ensure that the customer's vision – in this case, the City of Takoma Park is the Customer – is properly realized by the Developer. We appreciate that you as leaders of our City and many members of our Community have invested time energy toward the opportunity. However, we are concerned that collaboration with the Community has flagged and that the opportunities associated with inspired public space might be lost.

Traditionally in projects of this nature, the Customer's goals and requirements are a starting point in working with an **Owner's Representative** (an experienced architecture and design professional) to develop a **Program** that defines the required functions of the project. The Program is the resultant product of a phase where goals are clarified, relevant information gathered and priorities established. It details specific information such as estimated square footage and functional relationships of each usage type. The success of a project depends on the Customer, Owner's Representative and Developer having a shared understanding of these key requirements and, to use the language of architecture and design, the problem to be solved.

Takoma Park has not followed standard practice and we are now paying the price for failing to do so. The City has produced a number of different documents that have *elements of* the necessary requirements: these include Resolution 2015-19¹, which spells out the project's 'Mission Statement' and lists the elements to be included in the developer's 'conceptual plan'; the Junction Development Agreement and Ground Lease,² which provides additional objectives and intentions, and Resolution 2017-53³, which offers a critique of the developer's earlier plan and provides a one page list of goals going forward.

But what has been missing is the articulation of the requirements and expectations – in clear, concise and measurable/accountable form – that must be included in a successful project. That gap is what has empowered the Developer to deviate substantially from the initial concept plan and mission statement, moving the community further and further away from consensus and *delaying the completion of an acceptable plan* that is actually consistent with the Junction Task Force's mission statement⁴:

"Takoma Junction, predominantly located in the Takoma Park Historic District, is a small commercial district in the heart of a residential community, with historically significant resources and a vital fire station that should:

- encourage motorists, pedestrians, and bicyclists to slow down, park, relax, and shop while functioning adequately as a link within the local road and transit networks,*
- encourage sustainable commercial opportunities and provide convenience to local consumers,*
- serve as a cultural meeting-point for old and young in a diverse community,*
- blend harmoniously with adjacent residential neighborhoods, and*
- all in a forward-thinking, attractive and environmentally sensitive way."*

¹ <https://documents.takomaparkmd.gov/government/city-council/resolutions/2015/resolution-2015-19.pdf>

² <https://documents.takomaparkmd.gov/initiatives/project-directory/Takoma-Junction/HCD-20160801-DA-GL-wOCRScannedSignaturePages.pdf>

³ <https://documents.takomaparkmd.gov/government/city-council/resolutions/2017/resolution-2017-53.pdf>

⁴ The Mission Statement is spelled out in the 2015 Resolution: see footnote 1 above.

We advise you to make a critical mid-course correction in the current process to enable us to realize the community's vision. While it may take some time to develop a complete Program, the up-front investment will save time, irreversible decisions and lost opportunities, heartache and possibly litigation costs. Here is a suggested pathway for action:

1. Hire an experienced Owner's Representative and, working with that architectural/ design professional using the documents already prepared by the City (Resolutions 2015-19 and 2017-53 and the Development Agreement and Lease), and other information already gathered from users, generate an outline Program and identify questions and research required.
2. Conduct a Community Programming and Design Charrette, open to the public, led by a Charrette facilitator to include: independent design professionals; the Developer and their professional design representative; local business owners, and neighborhood representatives. Produce a community-valued Program that establishes consensus and captures expectations.
3. Use a Council Resolution to formally adopt the Program.
4. Armed with the finalized Program, authorize and empower the Owner's Representative to represent the City in the back and forth with the Developer.

During this recommended mid-course correction, we should also be examining our priorities in this project, emphasizing and enhancing what is valuable to us – our Co-op, other local businesses and services and our neighbors. There is also the opportunity to explore a shift in the current direction of this project to come up with some new ideas—a new way of looking at the problem to be solved. There are members in this architecture/design community interested in an exploration along these lines.

We urge you to heed our professional advice and put a process in place which will enable us to achieve a mission we have set for ourselves.

Please send your reply to Joan Duncan AIA (Ward 3) – joanbduncan@aol.com

Sincerely,

James A. DiLuigi, AIA, CSI (Ward 6)

Joan Duncan, AIA (Ward 3)

Carl Elefante, FAIA, FAPT, LEED AP (Ward 3)

Dana Haden, RA (Ward 2)

Sydney Katz, RA, LEED AP (Ward 2)

Byrne H. Kelly, LLA, ASLA, QEP (Ward 3)

Joseph Klockner, LEED AP BD+C (Ward 2)

Rick Leonard, Pres., Heritage Bldg & Renov Inc. (Ward 3)

Jeffrey C. Luker, AIA (Ward 1)

William Mallari, AIA (Ward 5)

Charles Poor, AIA (Ward 3)

John Salmen, FAIA (Ward 3)

Charlotte Schoeneman, Architectural Designer (Ward 3)

Richard J. Vitullo, AIA (Ward 2)

Maria Wright, Architectural Designer (Ward 2)

From: [Mike Reust](#)
To: [MCP-Chair](#)
Subject: Takoma Junction / Written Comments / for January 27, 2022 Planning Board Meeting
Date: Tuesday, January 25, 2022 10:08:18 AM

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

To: Casey Anderson
Montgomery County Planning Board Chair

Subject: Takoma Junction

Hearing Date: January 27, 2022

Dear Mr. Anderson,

I am a resident of Montgomery County Maryland. I live in Takoma Park, Maryland. I still strongly support the development of Takoma Junction by Neighborhood Development Company (NDC). It seems the only hold up is dealing with the State Highway Administration (SHA). I hope the the Planning Board, and the SHA, can provide clarity on how NDC can proceed with the development of Takoma Junction, which will energize this part of Takoma Park with new businesses, employment opportunities and will enhance the vibrancy of other business already in the immediate area.

The Takoma Junction intersection has been dysfunctional for decades. Maybe as part of this meeting, the Planning Board can prod SHA into discussing how they plan to re-configure this intersection to make it more functional for vehicle traffic, bicyclists and pedestrians.

Respectfully,

Mike Reust
227 Park Ave.
Takoma Park, MD. 20912

From: [Beth Davidson](#)
To: [MCP-Chair](#)
Subject: In Support of Takoma Junction Development
Date: Tuesday, January 25, 2022 12:31:31 PM

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

I am writing in strong support of the proposed development for Takoma Junction. I live nearby and visit Takoma Junction frequently, as it is walking distance from my house. I am strongly supportive of replacing a little-used surface parking lot with space for retail and offices. Please don't let a few loud NIMBYs destroy a project with broad local support!

Thank you,

Beth Davidson
16 Walnut St NW
Washington, DC

From: [Mica Bevington](#)
To: [MCP-Chair](#)
Subject: Please approve the Takoma Park Junction project
Date: Tuesday, January 25, 2022 1:35:59 PM

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

I fully approve of this project & hope it goes forward. As a taxpayer in Takoma Park, it's unfortunate neighbors have worked to deliberately derail this project.

THanks,
Mica Bevington 7309 Hilton Avenue, Takoma Park.

Mica Bevington | (202) 290 9264

From: [Debra Bodner](#)
To: [MCP-Chair](#)
Subject: Please REJECT Takoma Junction Proposal
Date: Tuesday, January 25, 2022 1:44:52 PM

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

As a resident of Takoma Park MD I urge you to ***DENY*** approval of this poorly designed project. The Maryland State Highway Administration, the Takoma Park [City Council](#), and the [community](#) have all ***rejected*** this plan.

Debra Bodner
Carroll Ave.

Sent from my iPhone

From: [David Band](#)
To: [MCP-Chair](#)
Subject: Takoma Junction proposal PLEASE REJECT
Date: Tuesday, January 25, 2022 2:17:40 PM

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

Pleased reject the Takoma Junction proposal, as there are severe safety issues with it as it stands. It's been basically presented numerous times with no changes, and will certainly create both a parking shortage for area business as well as a safety concern blocking pedestrian walking, crossing streets and general congestion non stop in the junction. There are no approved laybys as I understand that are even closer in similarity to this in the county. There is widespread opposition to this proposal to take away public space, significantly reduce parking, causing major safety and traffic issues, etc.

Please consider the SHA rejection, and reject this essentially unchanged proposition.

Thank you

David M. Band

From: [Sue Wheaton](#)
To: [MCP-Chair](#)
Subject: Takoma Junction Proposal
Date: Tuesday, January 25, 2022 2:25:53 PM

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

I urge the Planning Board to reject the Takoma Junction proposal.

Sue Wheaton
7211 Spruce Ave.
Takoma Park

From: [Ferd Hoefner](#)
To: [MCP-Chair](#)
Subject: Takoma Junction
Date: Tuesday, January 25, 2022 2:26:17 PM

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

Dear Planning Board Chair and Members - I have lived 4 blocks from the Junction for the past 38 years and am writing to urge you to reject any further conditional approval of the NDC proposal. The City Council has rejected it, the SHA has rejected it, and the vast majority of the neighbors and neighboring businesses have rejected it. The time has come for you to call an end to this project. There is development work that needs to be done at the Junction but the NDC proposal is not it. It is not safe, it is far too large, and most importantly it would be a death knell to the many small businesses that make up the Junction. The time has come to let the community move on and envision a workable, sustainable and community-enhancing use for the City-owned land, everything that the NDC project is not. Thank you in advance for rejecting conditional approval! - Ferd Hoefner, 22 Montgomery Ave, Takoma Park, MD 20912

From: [Elizabeth F. Wallace](#)
To: [MCP-Chair](#)
Subject: Takoma Junction
Date: Tuesday, January 25, 2022 2:53:07 PM

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

Just my vote to please reject the proposal. For all the reasons others have given.

Elizabeth Wallace
7516 Holly Ave, Takoma Park, MD 20912

--

Elizabeth F. Wallace

From: [Roland Weiss](#)
To: [MCP-Chair](#)
Cc: [Helen Alexander](#)
Subject: Takoma Junction
Date: Tuesday, January 25, 2022 3:02:30 PM

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

Dear Chairman Casey Anderson and the Montgomery County Planning Board:

My wife Helen and I live at 44 Columbia Avenue, adjacent to the wooded lot which is part of the proposed development.

While we have supported development of Takoma Junction, my wife and I strongly oppose the NDC development proposal. We concur with the comments made by our neighbors opposing the project regarding the impacts on traffic and pedestrian safety. It will also adversely affect stormwater, noise, trees, and existing small businesses in the Junction, including the CoOp - the largest business in the Junction.

In addition, NDC has not responded to the concerns of residents regarding the impact on the residential neighborhood and wooded area behind it, which is part of the Historic District. NDC provided misleading responses to our requests for information. For example when we requested views of the development from the rear of the property, NDC promised to provide illustrations showing the view at years 1, 5, and 10. The illustrations they provided showed mature trees providing a screen in the first year. In reality, the plantings will be 1-2 inches in diameter, and will not provide a screen for decades.

I note that the Takoma Park City Council unanimously recommended in [Resolution 2121-19](#) that County Planning Board disapprove Neighborhood Development Company (NDC) site plan to develop Takoma Junction on June 2021 for the following reasons:

The plan has not received approval from the MDOT-SHA for the layby.

More work is needed to address the rear façade design in order to have a minimal impact on the residential neighborhood and wooded area behind it and ensure a less intrusive and more visually appropriate design.

The plan does not provide 2700 square feet of public space of the type and quality of that included in the plans that were submitted for development review pursuant to Resolution 2018-41.

The plan does not demonstrate adequate public parking for area businesses as stated in Resolution 2018-41.

Stormwater treatment does not significantly exceed the 50% requirement specified in Resolution 2018-41.

We were very disappointed that the planning board decided to ignore the recommendation of

the City of Takoma Park. We urge you to heed the City's recommendation now.

Thank you

Roland Weiss
44 Columbia Ave

From: [Enrica Detragiache](#)
To: [MCP-Chair](#)
Subject: Takoma Junction redevelopment project
Date: Tuesday, January 25, 2022 3:14:10 PM

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

Dear Chair Anderson,

As a long-time resident of Takoma Park, I respectfully ask you to reject the redevelopment proposal. For the first time since I have lived in the city, Takoma Junction has several successful retail businesses, and more are opening up. The area no longer needs to be revitalized. These businesses need adequate parking nearby, which is now available in the city parking lot but would disappear if the new development is built. Please help safeguard this newly-revitalized business district by rejecting the new office building proposal.

Thank you,

Enrica Detragiache
6909 Westmoreland Avenue
Takoma Park, MD

From: [Hugh Taft-Morales](#)
To: [MCP-Chair](#)
Subject: Development plan in Takoma Park
Date: Tuesday, January 25, 2022 4:28:47 PM

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

Dear Mr. Anderson,
I sincerely hope that the Planning Board denies approval of the current Takoma Junction plan. The plan is unsafe, unfair to those who bought into a process that made promises only to break them, and not in the spirit of Takoma Park. It's been a tiresome time sink to have to continually say "NO" to a bad idea pushed inappropriately against community wishes. I live nearby the junction, fyi.
Sincerely, Hugh Taft-Morales

Hugh Taft-Morales
Ethical Humanist Leader in Baltimore and Philadelphia
American Ethical Union
preferred pronouns: he, him, his
301-580-1481

From: [Judy Appelbaum](#)
To: [MCP-Chair](#)
Subject: Takoma Junction development proposal
Date: Tuesday, January 25, 2022 4:41:18 PM

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

Dear Planning Board Chair Anderson:

As a resident of Takoma Park for over 30 years, I write in strong opposition to the Neighborhood Development Company proposal for developing the Takoma Junction.

The NDC design is totally out of scale for the location, and will create havoc in the area. I know this from years of first-hand experience driving to, from, and by the Junction. Traffic there is already heavy much of the time, and it would become unbearable with cars trying to enter and exit the planned parking garage -- especially when trying to get out of the garage into a steady stream of traffic. Accidents will inevitably result. Moreover, the TPSS Coop -- a treasured Takoma Park institution which we want to continue to thrive -- will suffer as its customers get frustrated with the traffic and parking challenges. Those same challenges will doom new enterprises in the development as well.

With good reason, the State Highway Administration has found the design unsafe, and our own City Council has considered and rejected approval of the plan for the above reasons and others.

You must also understand that NDC has lost the trust of our community. They alienated us when they tried to take down the Coop by announcing they were cutting off Coop parking, with no grounds to do so. And even now, after clear losses before the SHA and our City government, they have stubbornly refused to accept that their plan is unworkable -- and either go back to the drawing board or go away. At this point, on this record, we are done with NDC.

Please respect our community's views and disapprove this ill-conceived plan once and for all.

Judy Appelbaum
Takoma Park, MD

--

Judith C. Appelbaum
judyapp50@gmail.com

From: [Bernita Leonard](#)
To: [MCP-Chair](#)
Subject: Re: Takoma Junction Development
Date: Tuesday, January 25, 2022 5:49:20 PM
Attachments: [TakomaJunctionBusinessesLetter25Jan2022.pdf](#)

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

Dear Chair Anderson and Members of the Montgomery County Planning Board,

Re: Takoma Junction, Mandatory Referral No. MR2021019, Site Plan No 820190090, Preliminary Plan No. 120190150

Attached is a letter from Takoma Junction businesses urging the Planning Board to vote **not** to approve the Takoma Junction development plans.

--

Bernita Leonard
Vice President
Heritage Building and Renovation, Inc.
Takoma Park, Maryland

January 25, 2022

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

Re: Takoma Junction, Mandatory Referral No. MR2021019,
Site Plan No 820190090, Preliminary Plan No. 120190150

Dear Chair Anderson and Members of the Montgomery County Planning Board:

We, small, independent, Takoma Park businesses located at Takoma Junction, are pleased to join with the City of Takoma Park in recommending that the Planning Board not approve the Takoma Junction development plan proposed by NDC.

In addition to the reasons cited by the City, we must point out that the proposed development is a threat to our existence, the safety and convenience of our customers and staff, and the special character of the Junction and Takoma Park. We challenge the concept that the proposed 40,000 square foot commercial building will bring needed “vibrancy” to the Junction. We already are vibrant!

Who are the Junction businesses?

Junction businesses have served customers in Takoma Park, Washington, DC, and the surrounding areas of Prince George’s and Montgomery Counties for decades and historically, for more than a century. The small, family-owned businesses housed in architecturally distinctive storefronts have been integral to the community, commerce, and character of Takoma Park and have added value to the town and region for years. We are Takoma!

At the Junction, you can shop for food and wine, charge your electric vehicle or repair your car, mail your packages, dry clean or launder your clothes, frame your pictures, dine or pick-up carryout, school your young children, buy your bread and satisfy your sweet tooth, bring your pet to the vet, take music lessons, purchase audio equipment, rent and buy theatrical supplies, explore the history of Takoma Park, and receive massage, nail care, hair, fitness, and naturopathic services. To top it off, you can hire a contractor to remodel your home and with last week’s new business announcement we soon will be able to buy a wedding gown.

Our customers will not be able to easily access affordable parking if the NDC plan is approved:

At present there are only nine City-metered parking spaces at the Junction and one parking lot where our regional customer base and workers can park for free at the largess of Takoma Park-Silver Spring Food Co-op, which generously allows us to use the lot it temporary subleases from NDC. This parking option will go away if NDC builds or, if NDC threatens to withdraw the

lease, as it recently did, proving they have no intention of being a good neighbor. Furthermore, if the NDC plan is built, the number of parking spaces in the NDC garage will be less than required for the large commercial building proposed by NDC. Additionally, NDC guarantees only one parking space for existing Junction businesses; thus, adding to parking issues versus relieving them.

Bread and cookies don't sell when customers must drive into NDC's planned underground parking garage with limited parking and high parking prices when visiting the corner bakery. If our customers, who arrive carrying a sick pet, an armful of dry cleaning, a box to be shipped, a laundry basket of clothes, or a musical instrument, cannot find easily accessible, affordable parking, they will go elsewhere. The same is true for potential customers seeking services and goods from existing Junction businesses. It's not "development" if the result is shuttering existing businesses. We add value, jobs, and goods and services and deserve respect and the right to exist and thrive.

Our customers will not be able to patronize existing Junction businesses safely and efficiently if the NDC plan is approved.

The Junction already is at capacity in terms of occupied storefronts, traffic, deliveries, and pick-ups. The NDC plan will nearly double the commercial space at the Junction. As a result, the five converging streets at the Junction intersection and nearby streets will be clogged even more. Pedestrians, cyclists, public transportation users, delivery trucks, and other vehicular drivers and their passengers will experience increased risk and less efficient movement.

Why come to charge your car at the first gas station in the country to convert to all electric charging stations, which is located at the Junction, when due to clogged traffic it takes more time to get to the station than to rapidly charge your car? If suppliers cannot efficiently and safely drop-off their goods, then they will choose not to deliver to the Junction. Time is money.

Five Ride-On and Metropolitan bus routes already traverse and stop at the Junction. The Junction intersection has no bike lanes or shoulders. Traffic, which during rush hours already backs-up for blocks, will further intensify and become more hazardous due to the NDC lay-by, underground garage, and excessive building. Emergency vehicles from the Takoma Firehouse will exit into even more heavily concentrated traffic and overrun Junction intersections than already exist today. The fire chief has spoken out against the development at several community meetings.

Children and their parents and care providers frequently traverse the Junction intersections. The NDC plan and its construction will intensify and heighten the vulnerability of this population as they move through the Junction. The Montessori School recently doubled its capacity is located on State Highway 410 across from the planned NDC building and parking garage egress. Parents drop off and retrieve their preschoolers during rush hour traffic. Moreover, school children walking to and from multiple public schools cross that intersection or board school buses during the heaviest traffic times. We care about the safety of our customers, suppliers, staff, and neighbors!

The planned NDC lay-by is a particular hazard to the neighborhood, as it will be the only means for deliveries for this large development and the adjacent grocery store. The lay-by, positioned on an already congested street and intersection will need to accommodate small trucks to 18-wheelers, as well as hefty trash and recycling vehicles. Imagine large trash and recycling dumpsters traversing the sidewalk used for school children and shoppers. Imagine an 18-wheeler lining up, parking on our residential streets, or circling the neighborhood while awaiting their turn. This will negatively impact our businesses and pedestrian movement.

The unsightly line-up of big trucks off gassing diesel fumes would diminish the charm and pleasure of shopping and living in Takoma Junction. It would affect the very air we breathe, our quality of life. With the NDC plan, the Junction will not only be burdened with an over-sized development, but the neighborhood will suffer from heavier traffic, negotiating large trucks on local streets and riskier conditions in general for pedestrians, cyclists, and drivers. The State Highway Administration has assessed the lay-by is unsafe and a hazard to the neighborhood and we agree.

The NDC plan will have a negative impact on safety and efficient movement at the Junction and discourage our customers during construction of the NDC plan and ever after. We and our customers and community deserve better. Additionally, our storefronts are historic structures and construction of the NDC plan threatens the structural integrity of our own buildings.

Our City will lose a flexible, accessible urban public space that serves the community and Junction commerce if the NDC plan is approved. There are much better options for the use of this public land.

Our City will lose its only flexible, accessible public space at a central location and where free community events historically have been held that attract a cross-section of local and regional people of all ages and incomes. On this public land NDC plans to construct the largest possible building that can be squeezed into the space available. It will no longer accommodate Halloween and holiday events, Christmas tree sales by the Volunteer Fire Department, food trucks and beer tastings, community meetings, outdoor films, and music concerts, Green Energy, natural food, and organic farming events, art, and local food producer craft sales.

Moreover, if the NDC builds this plan, any flexible community space where volunteers can set up, pack, and distribute food to meet emergency needs of people living in our region will be eliminated. This proposed removal of public space, which is not available anywhere else in Takoma Park, will come at great cost to the community and to existing Junction businesses who thrive because they support, serve, and are integral members of the community.

Our recommendation and request as the Takoma Junction Businesses

We, the existing Junction businesses, depend on clients who walk from nearby neighborhoods as well as those who travel from further distances. We are the neighborhood, crossroads businesses of a small town in the Washington, DC metro area. We offer charm, character, family-owned and operated businesses as an alternative big-box stores and online commerce.

Please consider of paramount importance that any development in the Junction first does not harm the established businesses with their Historic storefronts and many happy customers. The NDC plan will not improve, only the harm the Junction.

Do not approve the NDC plan.

In summary, our customers love us, too, but they will go away if the time, dollar, and safety costs of maneuvering and patronizing the Junction businesses become too high.

Sincerely,

The Takoma Junction Business Owners

Rick and Bernita Leonard
HERITAGE BUILDING AND RENOVATION, INC.
SUDS—A LAUNDROMAT
7334 Carroll Avenue
Takoma Park, MD 20912

Melvin Dawes
ROLAND'S UNISEX BARBER SHOP
~Serving the community for 50 years
7214 Carroll Avenue
Takoma Park, MD 20912

Eric Sepler
KINETIC ARTISTRY, INC.
~Serving the community for 50 years
7216 Carroll Avenue
Takoma Park, MD 20912

Katherine Rurka
SPRING MILL BREAD COMPANY
7300 Carroll Avenue
Takoma Park, MD 20912

Cortney Hungerford
AZALEA CITY NAILS
7310 Carroll Avenue
Takoma Park, MD 20912

Mark Howard
TAKOMA PICTURE FRAMERS
~Serving the community for 50+ years
7312 Carroll Avenue
Takoma Park, MD 20912

Inan Phillips
HEALEY SURGEONS
7211 Carroll Avenue
Takoma Park, MD 20912

Dr. JoAnne Carey, D.V.M.
TAKOMA PARK ANIMAL CLINIC
7330 Carroll Avenue
Takoma Park, MD 20912

Dr. Nazirahk Amen
WISDOM PATH HEALING CENTER
7120 Carroll Avenue
Takoma Park, MD 20912

Steve Cho
CARRIAGE HOUSE CLEANERS
7308 Carroll Avenue
Takoma Park, MD 20912

Haresh Lahari
TAKOMA POSTAL AND BUSINESS CENTER
7304 Carroll Avenue
Takoma Park, MD 20912

Brad Feicket
SOKO BUTCHER
7306 Carroll Avenue
Takoma Park, MD 20912

Carolina McCandless
CIELO ROJO RESTAURANT
7211 Carroll Avenue
Takoma Park, MD 20912

From: [Ross Wells](#)
To: [MCP-Chair](#)
Subject: Testimony for Takoma Park Hearing from Ross Wells
Date: Tuesday, January 25, 2022 6:08:33 PM
Attachments: [Ross letter ver3 23Jan2022.docx](#)

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

Dear Chair Anderson,

Attached is my testimony for this Thursday's Planning Board Meeting. It concerns problems with the proposed development by developer, NDC on a surface parking lot that the City of Takoma Park owns. Takoma resident Collee

n Cordes has graciously volunteered to read my letter, as I am unable to attend the meeting.

The photographs are of the Takoma Food Justice DMV Distribution.

Thank you for your consideration.

Sincerely,

Ross Wells
12 Sherman Avenue
Takoma Park, Md 20912
Cell: 301-213-8967





Dear Chair and Members of the Montgomery County Planning Board:

I would like to begin by thanking Colleen Cordes for reading this letter on my behalf, as I am unable to be present for today's meeting.

I've lived within a block of Takoma Junction for 45 years. I also represent Food Justice DMV, a volunteer organization delivering food and standing in solidarity with thousands of immigrant neighbors. I founded and led the Takoma Distribution effort for over a year. Shortly after the Covid pandemic began, twenty Takoma Park residents began distributing food and essential products to our immigrant neighbors. Through our Takoma Distribution effort, we served partner-recipients living in Langley Park and other nearby communities. These communities represent the zip codes with the highest rates of Covid in Maryland. Most had been shut out of all Federal pandemic aid.

Originally, I contacted the City of Takoma Park to request a space in which to pack grocery bags of food and to serve as a pick-up point for our volunteers distributing the packed groceries. Unfortunately, the City was not able to meet this request. We then approached TPSS Co-op located at Takoma Junction. They readily agreed to our request and at no cost.

In September 2020, we began using the Takoma Junction public lot for our food packing and distribution. This lot is the land the City leased to NDC to build a commercial development, the plans of which are now before the County Planning Board for review. This parcel of land also is the lot which the TPSS Food Co-op temporarily subleases from NDC and uses for parking, deliveries, and trash and recycling pick-ups, as well as community gatherings.

Every Thursday morning for several hours our Takoma Park group set up tables outside under canopies on the Junction lot and packed food bags, which our volunteers then distributed by car to over 400 families per week. The community lot was particularly useful because it provided space for receiving and packing groceries, and also allowed our volunteers to park, load grocery bags into their vehicles, and efficiently transport the needed goods to recipients.

The TPSS Food Co-op not only let us use their designated parking spaces. The Co-op became an integral part of our distribution system—providing space, tents, advice, as well as food. Each week they ordered produce for us through their vendors, who then delivered it to us on the lot. The Co-op gave us their wholesale prices, which enabled us to serve more people in need. The Co-op became, in every sense of the word, our partners in providing food justice to immigrant families. Additionally, another adjacent Junction business—Healey Surgeons—generously provided us with storage space.

We were able to create and carry out Food Justice DMV's mandate through the Takoma Distribution volunteers because a flexible public space at the Junction existed, the Co-op anchored it, another nearby Junction business willingly shared its storage space, and all prioritized "good neighbor" policies and "community first" attitudes.

In addition to Co-op deliveries, parking for nearby businesses, and supporting Takoma Distribution of Food Justice DMV, this surface lot has been used for years for Halloween parties, festivals, food trucks, concerts, and many more community activities. None of this would have

been possible if the NDC commercial building was under construction or built on this public land at Takoma Junction.

If the NDC plan is approved, this lot, which is the only unbuilt, off-street, public lot located on flat terrain in the City will be replaced with a commercial building. A traffic-clogging, high-rent building would be a huge negative for all businesses in the Junction, new and old, and would be detrimental to our community and what it stands for. Those of us who live nearby are overwhelmingly against this poorly planned project. Aside from the City-owned lot, there is almost no parking that serves nearby local businesses. We want to support these businesses, not harm them.

I urge you to vote down this ill-conceived project and protect our public investment in local business and community. The public lot used to provide affordable and easily accessible parking for more than 20 established Junction businesses and an urban public space for community gatherings and volunteer services such as the Takoma Distribution of Food Justice DMV no will longer exist, if this plan is approved.

Sincerely,

Ross Wells
12 Sherman Avenue
Takoma Park, MD 2091
301-213-8967

From: [Bill Simmons](#)
To: [MCP-Chair](#)
Subject: Please do not approve the Takoma Junction Development plan
Date: Tuesday, January 25, 2022 6:31:45 PM

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

Hi Casey Anderson,

As a resident of Takoma Park, I am writing to ask your review board NOT to approve the Takoma Junction Development plan. I am not someone who is opposed to development in general but this project has been poorly conceived, is seriously ugly and out of scale for its location and will dangerously increase traffic congestion. It would further burden an already overloaded thoroughfare at a terrible intersection.

The developer, NDC, has also proven that its word is meaningless when it comes to protecting the business of our local co-op, which would be grievously impacted during construction, having previously engaged in baseless efforts to deny parking for its suppliers. Its design shows a complete lack of taste and incapability to blend it in with the existing look of Takoma Park. Their proposal is a blocky monstrosity that utterly fails to incorporate open outdoor space and would squat like a Soviet apartment block at the junction. It has been rejected several times already at different stages of the approval process and the developer has not come back with any meaningful improvements, which further brings into question its competence.

The project for developing this parking lot to the benefit of Takoma Park should be on a much smaller and more manageable scale. Better solutions are possible.

The bottom line is there is essentially no basis on which to approve this travesty and I urge your board to reject it.

Thank you,

Bill Simmons
404 Elm Ave
Takoma Park, MD 20912

From: [Linda Carlson](#)
To: [MCP-Chair](#)
Subject: Urging rejection of the NDC proposal for Takoma Junction
Date: Tuesday, January 25, 2022 7:13:45 PM

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

Dear Mr. Anderson,

We are longtime residents of Takoma Park, writing to urge the Planning Board to reject the NDC proposal for Takoma Junction when it comes before you on Thursday. We've witnessed countless times the traffic congestion at the Junction, and the hazards posed to pedestrians and bicyclists. The layby proposed by NDC would just exacerbate these hazards -- we've heard testimony to this effect from members of the TP Volunteer Fire Department, as well as from truck drivers and vendors who deliver to the Coop.

This has stretched on for so many years. In the meantime, new small businesses have brought new life to the Junction. Most rely on adequate parking and so would likely be hurt by NDC's project, which allows for very few spaces other than for their own use, and even those would be underground. We walk or drive to the Junction several times a week and notice the parking lot is heavily used. That space also has the potential for so many creative uses as a public space, with food trucks, pop-up markets, and as a lively community gathering spot.

We understand that the staff of the Planning Board has recommended that the NDC proposal be denied. Given that the proposal has also been rejected by the TP City Council and the State Highway Administration and that 96% of 385 comments on the City's feedback page opposed it, we very much hope that the Planning Board will oppose it as well. We believe that doing so will be in the best interests of the community and will allow some of the creative ideas for appropriate use of the space to flourish.

Sincerely yours,

Linda Carlson
Larry Himelfarb
16 Valley View Ave.
Takoma Park, MD 20912

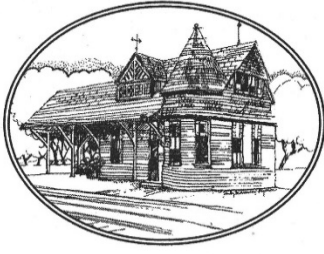
From: [Ljpearsall](#)
To: [MCP-Chair](#)
Subject: Historic Takoma Testimony on Takoma Junction
Date: Tuesday, January 25, 2022 7:42:54 PM
Attachments: [Historic Takoma Testimony on Takoma Junction.pdf](#)

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

Dear Planning Staff:

Attached please find our testimony to be entered into the record on Takoma Junction for the January 27, 2022 Hearing.

Lorraine Pearsall, Vice President
Historic Takoma, Inc.



Historic Takoma, Inc.

"Preserving the Heritage of Takoma Park-MD and Takoma-DC"

January 25, 2022

Montgomery County Planning Board
2425 Reddie Drive
Wheaton, MD 20902

Re: Takoma Junction

Dear Chairman Anderson and Board Members:

As a non-profit and property owner at 7328 Carroll Avenue in Takoma Junction, Historic Takoma, Inc. is **writing to support the Montgomery County Planning Board Staff recommendation to deny** Takoma Junction Mandatory Referral No. MR2021019, Preliminary Plan No. 120190150, and Site Plan No. 820190090. This request is in accordance with (1) the City of Takoma Park Resolution 2021-19 dated 6/23/21 requesting Planning Board disapproval of the Combined Site Plan, and (2) the City of Takoma Park letter of 1/7/22 from Alex Cross, Director of Housing and Community Development, emphasizing that the **City had considered and intentionally rejected conditional approval of the Takoma Junction Combined Site Plan** pending SHA approval.

The City's disapproval was not conditional upon any one factor but was based upon several significant problems outlined in its resolution: 1) no approval from MDOT-SHA on the layby; 2) project design issues; 3) lack of required public space; 4) inadequate public parking for local businesses; 5) inadequate stormwater management. These are all important.

Takoma Junction, without this project, is undergoing remarkable revitalization at this moment with the addition of four new businesses. One of our many needs as a property owner, shared by other small businesses, is adequate parking for our visitors. Parking should also be affordable and convenient for local business owners, patrons, and workers. This is essential. We support the parking concerns of our small businesses; they are also our concerns.

We urge you to abide by the requests of the City of Takoma Park and your own County Planning Staff and reject this project.

Sincerely,

Lorraine J. Pearsall
Vice President

Historic Takoma, Inc. 7328 Carroll Avenue Takoma Park, MD 20912

From: [Jan Stovall](#)
To: [MCP-Chair](#)
Subject: Takoma Junction
Date: Tuesday, January 25, 2022 7:47:24 PM

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

Hello Mr. Anderson.

I am a 30 year resident of Takoma Park and I live near the proposed NDC development. I have been following the discussions and decisions regarding NDC's plans since they were initially available. I attended all of the City Council meetings and have voiced my concerns all along. Needless to say, I'm among many, many residents who have very strong feelings about the proposed development. If you read public comments concerning the plan, you'll see that a large majority of people are OPPOSED to it.

I live on Columbia Avenue, but my driveway access is on Carroll Avenue several houses down from the fire house, parking lot and co-op. Traffic at the Junction is abysmal, and has grown increasingly worse over the years. I won't go into detail about how the traffic backs up in all directions at certain times of the day because SHA is well aware of the problems. The idea of a lay-by for delivery would be laughable if it wasn't such a frightening idea. Traffic at the Junction is already dangerous, not just for cars but also for pedestrians. A lay-by would only exacerbate the existing problems. Please see my attached photos as an example, taken around 8:30 a.m. on a weekday last week. Now imagine an 18 wheeler in the lay-by as children are walking to school through the Takoma Junction!

The current parking lot is used not only for deliveries to the co-op and as a courtesy to its patrons, but it also provides parking for other businesses at the Junction. In the past few years the Junction has become a thriving place, with several new successful businesses that have opened since NDC's plan was proposed. Another large restaurant will soon be opening, with necessity for parking unless patrons are within walking distance. The proposed underground parking is seriously flawed by design. An important note: at one of the town hall meetings regarding NDC's plan, **the Fire Chief testified against it for safety reasons**. The entrance/exit to the underground lot will complicate the 410 intersection even further due to its proximity to the traffic light and fire station. Visibility while exiting the proposed lot has been shown to be a very serious potential problem.

In addition to the safety issues with the proposed underground parking lot, imagine the environmental problems with the BIG DIG. Stormwater runoff is already a huge problem, and excavation of the lot would create worsening conditions. Currently there are trees in the hillside woods behind the co-op, and we all know how important trees are! Sadly we would lose them to a development with underground parking, and we would inherit noise and pollution instead.

There are so many reasons to oppose this planned development! Thank you for listening to my reasons.

Sincerely,
Jan Stovall
32 Columbia Ave





From: [Elizabeth Thornhill](#)
To: [MCP-Chair](#)
Subject: Re: Takoma Junction
Date: Tuesday, January 25, 2022 7:53:38 PM

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

Dear Chairman Casey and Board Members:

I am writing to urge the Board to reject the NDC request for approval of the Takoma Junction project. There are many reasons to oppose this project, but of particular concern are the predicted negative environmental impacts. Analysis by experienced professionals indicates NDC's current plans would cause increased stormwater runoff into the historic Poplar Avenue neighborhood, which is already experiencing extreme flooding. These issues have not been adequately addressed by the developer. Environmental issues, in fact, should be paramount in this time of climate change threat.

Thank you for your consideration,

Elizabeth Thornhill
Resident of Takoma Park

From: [Risa](#)
To: [MCP-Chair](#)
Subject: Planning Board vote on the NDC proposal
Date: Tuesday, January 25, 2022 8:42:29 PM

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

Hello --

I am a resident of Takoma Park and I strongly urge you and the Planning Board to reject the NDC project. I am all for development on the site, and I am all for it NOT being the project that is before you now.

Our city council has rejected the proposal as has the SHA (several times). The lay-by is dangerous to pedestrians and cyclists, which is likely why there are not others similar to what NDC is proposing (even though they dispute this). Why NDC has been given extensions and repeated meetings on this issue frustrating. The resolution to this is to reject the project so that we can get on with developing another one to serve our community. Please vote to reject/deny this project without any further delay.

Thank you.

Risa Shaw

From: [Claudine Schweber](#)
To: [MCP-Chair](#)
Subject: Takoma Park Junction Proposal
Date: Tuesday, January 25, 2022 9:35:55 PM

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

Hello Board Chair and Members:

I urge you to REJECT the Takoma Park Junction Proposal. This has already been denied by our City Council, the State Highway admin.

--The plan would endanger walkers, travelers by car, and emergency needs since the Fire Dept is very close to the Junction area in the proposal.

--Moreover, the intention to dig underground for a parking area is dangerous given the soft land and the possibility of collapse, which would require additional work (note: that situation occurred several years ago during the intended rebuilding of our City Hall).

--there is no real public space

--Coop could be endangered. the NDC already tried to prevent the use of the parking lot for the coop, after that had been agreed upon. Plus other area businesses need to use this lot.

Let's get real. This could be a real disaster for our local businesses, cars passing along 410/Ethan Allen and people crossing the street. + no provisions for those with disabilities.

thank you, Claudine Schweber
Takoma Park resident since 1984

From: [Megan Christopher](#)
To: [MCP-Chair](#)
Subject: Takoma Junction Development
Date: Tuesday, January 25, 2022 9:41:02 PM

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

Dear Mr. Anderson,

I'm writing to express my strong opposition to the proposed development at the Takoma Junction.

I have lived in Ward 3 of Takoma Park for over a quarter century and have traversed the Takoma Junction thousands of times on foot and in auto, alone and with my children. The traffic and safety problems there are already concerning but the proposed development would pose significant safety risks to pedestrians and cyclists - many of whom are school-age children and adolescents, and dramatically increase congestion and gridlock.

In addition to the safety concerns, the proposed development is oversized for the existing space and does not take into consideration the City's long-standing goal of creating green spaces where our diverse community can gather together.

The development jeopardizes the survivability of one of Takoma Park's oldest community-based grocery stores, the TPSS Coop, as well as other small and minority owned businesses in the Junction.

I am asking you to please join the Takoma Park City Council and the State Highway Administration and reject the proposed development of the Takoma Junction until it addresses the very real concerns listed above.

Thank you for your consideration,

Megan Christopher

301-646-5468

From: [Rasanjali Wickrema, PhD](#)
To: [MCP-Chair](#)
Cc: [R. W](#)
Subject: Takoma Junction issues
Date: Wednesday, January 26, 2022 12:21:13 AM

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

Dear Chairman Anderson and Members of the Montgomery County Planning Board:

Although I urge you to not approve the NDC plan or grant additional time, I fully support development of the Takoma Junction site. Year after year the City has spent valuable resources working with NDC to develop the Junction but NDC's Plan has not worked out for various reasons.

My concerns with the NDC plan are many. I will summarize a few as many others have explained the issues already.

- **Over-sized:** The NDC plan is too large for the Junction and the existing small-business community. If you have not, please come spend some time in this area to get a sense of the space. NDC plan will increase challenges we are already facing and add new ones too. NDC plan has inadequate public spaces, inadequate parking, will increase congestion, increase storm water issues, add noise and light, impact trees, and importantly this plan does not address critical needs of the community like the need for affordable/"missing middle" housing.
- **Disconnect:** The NDC proposal runs counter to all that is right and good in the **Development Agreement**. (See the City's website at <https://takomaparkmd.gov/initiatives/takoma-junction-redevelopment/>). For example, the Co-op is identified in the Agreement, as **an anchor tenant on that property**. Yet, NDC served the Co-op a 30-day notice to terminate their sublease! Though this has now been corrected and the Coop still stands, it is an example of a disconnect. And these types of issues cannot be blamed on the State Highway Authority staff.

There are alternatives. A smaller development that address needs in Montgomery County/Takoma Park can make far more sense than the NDC plan which fails on many issues including causes like racial equity and the "missing middle" housing. Examples of alternative paths,

- **Montgomery Planning's Missing Middle Housing Initiative** comes to mind. There is a critical need for housing and this Junction site could lend well to such housing. [Link to MC Missing Middle Housing](#) initiative.
- Consider a smaller development. An example can be found at this link [Takoma Junction Plan](#).

Please help us to move forward by not approving the plan conditionally or otherwise, or granting additional time.

Sincerely,

Rasanjali Wickrema

From Poplar Ave.

From: bgrupp11@gmail.com
To: [MCP-Chair](#)
Subject: Vote NO on Takoma Junction
Date: Wednesday, January 26, 2022 7:34:00 AM

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

I URGE you to vote NO on the Takoma Junction proposed development. The proposal is too monstrously big for our community and they have not successfully dealt with the dangerous traffic that will result. What are they thinking!?

The Takoma Park City Council, the state highway admin, and the TP community have all voted AGAINST this proposal so I am appalled that there would be any further dissent at this point.

Please pay attention to what those of us on the ground are saying. We know our community best and we know what would be thoughtful, appropriately sized development.

Thank you,
Beth Grupp

From: Elliott Andelman
To: MCP-Chair
Cc: Poplar Ave 7000 and 7100 block; bfgilbert@groups.io; Judy Kirpich; Gary Stern
Subject: Re: [bfgilbert] [PoplarAve] Takoma Junction issues
Date: Wednesday, January 26, 2022 9:37:08 AM

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

I live walking distance from the Takoma Junction. I am writing to support Gary Stern's comments. I too would like to see development at the junction, but it should be along the lines of the alternative plan that Gary provided a link to.

Thank you for your careful consideration of this matter.

Elliott Andelman
6 Montgomery Ave.
Takoma Park MD 20912
301 980 4367

On Mon, Jan 24, 2022 at 6:50 PM Gary Stern <garymstern1@gmail.com> wrote:
Dear Chairman Casey Anderson and the Montgomery County Planning Board:

I live three houses down from Judy, and fully support her statement.

But I would also like to add that I strongly support development of the Takoma Junction site, but urge you to oppose the current NDC development proposal. As so many people have commented at every stage of this project, the NDC plan is simply too big for the site and is not only highly likely to cause problems related to traffic and pedestrian safety, but will also adversely affect stormwater, noise, trees, and the COOP. Yet all of these problems can be resolved by simply making the project smaller (an example of such a plan can be found at this [link](#)).

Thank you for considering my views.

Sincerely,

Gary M. Stern
7112 Poplar Avenue, Takoma Park, MD 20912
240-475-2816

On Mon, Jan 24, 2022 at 4:48 PM Judy Kirpich <judy@grafik.com> wrote:
Chairman Casey Anderson and the Montgomery County Planning Board
Dear Casey,

I am writing to urge you to look carefully at the increased traffic and layby lane at the proposed Takoma Junction development. This intersection has been a problem over the years.

I have lived at 7118 Poplar Ave behind the Takoma Junction project for 42 years. I have written countless letters, attended numerous meetings, read every traffic study commissioned by the city and the developer and participated in endless conversations with our elected officials who appear to have turned a deaf ear to the problems with the current NDC proposal. I read with some amazement the document, *Takoma Junction Site Conditions and Limitations*, March 2021 that provides a one sided argument for the project.

- **Cut Through traffic** Not only does the traffic back up on Carroll Avenue, but cars, trucks and buses often cut through our neighborhood streets to avoid the congestion. Unfortunately the studies did not adequately look at the effects of the extra traffic and parking that will be created by additional cut through traffic.

- **Delivery conditions** Why is it just now that the city manager deems the deliveries are an issue? Before there was a Coop, there was a parts store, and a garbage dump. Since its inception the Coop has been taking deliveries from the city lot, and with the exception of trash occasionally falling down the hill (which by the way was the City's responsibility to keep clean), deliveries have not been unsafe. If you are worried about trucks illegally making left hand turns, wait until you see what happens when the layby is occupied and the trucks come careening down our streets waiting for the layby to open up. If the City is worried about traffic backups, I suggest you look at the intersection almost any time of the day and witness that the traffic backups are there when no trucks are present. Take a look at the drivers who currently pass on the left to get around the buses at the bus stop at the Junction of 410 and Sycamore, and imagine a delivery truck either in the layby or pulling out of the layby. The most recent study showed that delivery trucks would be dangerously close to going over the yellow line when leaving...

Also it is my understanding that the layby will not just be for the Coop's use but for the possible restaurant, retail tenants planned as well as garbage trucks. Will one layby really serve so many businesses?

Ironically, every single elevation I have seen shows a lovely storefront with trees. NONE OF THEM TAKE INTO ACCOUNT THAT THIS VIEW WILL REALLY BE OF THE SIDE OF A TRUCK parked in front of the "beautiful streetscape".

- **Dangerous intersection** Montgomery County has found this intersection to be unacceptable and the studies of the layby lane show trucks pulling out into the opposing lane to enter and exit. This is compounded by cars attempting to pass buses on the left at the bus stop. This is a disaster in the making.... I personally have witnessed a half a dozen accidents from vehicles pulling out and around buses that are picking up passengers. Now add a layby lane....

- **Failing grades** Every single traffic study has given this intersection a failing grade, and that is before adding the new NDC development and the new day care facility opening at the corner of Elm and Poplar. With the fire station, the blind curve at 410, the proposed entry into the underground garage as well as the pedestrian and bike traffic, this is not a safe situation and will be exacerbated by the new development.

- **Not enough parking** Parking impacts on existing local businesses are exacerbated by the fact that NDC is requesting a parking waiver to provide fewer than the minimum spaces required by Code for the development itself, much less providing parking to existing Junction businesses.

- The Junction intersection has had traffic problems for many years, and it was hoped that the Junction development would lead to SHA significantly reconfiguring the intersection. This now appears unlikely. Any development will have to work with the intersection as it is now.

- I urge you to look into this matter immediately.
Thank you for your attention.

Judy Kirpich
301-332-7183

--
"Popular" Poplar Ave, a great block in Takoma Park

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<https://groups.google.com/d/msgid/PoplarAve/CAL8kPvX%2BKza96yYkRRM0JcNNgECpg1EfF7OLk81HCc0VvfNDEA%40mail.gmail.com>.

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[Your Subscription](#) | [Contact Group Owner](#) | [Unsubscribe](#) [andalman@gmail.com]

From: [Coello, Catherine](#)
To: [MCP-Chair](#)
Subject: FW: Document shared with you: "BHK PB Testimony on Tk Junction 01-24- 2022.docx"
Date: Wednesday, January 26, 2022 10:13:50 AM
Attachments: [image001.png](#)
[image003.png](#)

From: TGC inc (via Google Docs) <tgccinc.bhk@gmail.com>
Sent: Tuesday, January 25, 2022 5:29 PM
To: Coello, Catherine <catherine.coello@mncppc-mc.org>
Cc: cynthiamariel@starpower.net; Bogdan, Grace <grace.bogdan@montgomeryplanning.org>
Subject: Document shared with you: "BHK PB Testimony on Tk Junction 01-24- 2022.docx"

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

tgccinc.bhk@gmail.com shared a document



tgccinc.bhk@gmail.com has invited you to **edit** the following document:



I also have four second video I wish to insert, which I have sent to Cynthia Mariel to assist me with.

Thank you



[BHK PB Testimony on Tk Junction 01-24- 2022.docx](#)



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LANDSCAPE +ARCHITECTURE / ENVIRONMENTAL PLANNING/ GREEN DESIGN +CONSTRUCTION

THE STUDIO @ 6517 Westmoreland Ave.
tginc.bhk@gmail.com

Takoma Park, MD 20912

240-678-9121 cell
MD:LLA # 200019

25 January 2022

Mr. Casey Anderson, Chair,
Members of the Montgomery County Planning Board
2425 Reddie Drive, 14th Floor, Wheaton, MD 20902

RE: Takoma Junction; MR: 2021019, PP#120190150, Site Plan # 820190090

My name is Byrne Kelly, I've lived in Takoma Park since 1983.
I am a member of Takoma Stormwater Solutions.

I am one of over 100 downstream property owners directly south of the run-off path from the proposed Takoma Junction development, and we have suffered from 3 major floods since 1989.

The flooding in September of 2020 resulted in \$9,000.00 of damage to my property, when the force of the surging brown water, contaminated with sewage, cascaded across the entire width of Circle Avenue, and stripped my asphalt driveway, and flooded my Studio with 18" of polluted water.

In 2008, Montgomery County constructed a new fire station directly to the west and south of three Junction properties, without adding, or upgrading the existing 24" storm drain.

Since that time, the Poplar Avenue Valley has been enduring ever more damaging, and potentially deadly floods, due to climate change.

The Valley begins behind the Fire Station and the Junction Parking Lot, where the overland runoff is presently scouring the steep wooded slopes.

These are the same wooded slopes that the Proposed Development's stormwater is designed to discharge onto. This will surcharge the already overwhelmed storm drain system in the valley even more than you saw in the video.

One intersection to the south, at Poplar and Elm Avenue, the FEMA maps show the 100-year floodplain covers the entire intersection. The storm that struck in September 2020 was considered a 500-year storm.

Our City owned property serves and supports all of the existing and new Junction businesses, including the anchor and community engine, Food Coop, which was guaranteed parking by the City.

A new upscale restaurant is planning to open directly next to the property which will require the existing municipal parking, for it to succeed, especially in the evening hours.

The open space of the lot is not only essential for the economic stability, and growth of all the businesses at the Junction, it is a major contributor to the safety, and welfare of the entire intersection of two State Highways, as it is the only space a semi-tractor trailer can turn around in.

TK Junction PB Testimony P.2

25 January 2022

As determined by both the SHA, and the MoCo DPW& T, the Lay-by is not a safe loading dock alternative. The lay-by is a violation of the County's Code that requires Loading Docks to be at the rear of new commercial buildings.

So, what is the best use for this open community space in the center of our City?

It could, should, and needs to be, a beautiful: Pervious Paver Plaza, with properly spaced shade trees, that allow the big trucks to safely navigate around.

A Plaza for the public to park on, while shopping at all of the existing businesses around the Junction.

A Plaza for concerts and festivals and emergency food distribution, as it has historically been used.

With a Mixed –Use, Pervious Plaza, there is the potential for a vast amount of stormwater retention which could attenuate and slowly discharge, without run-off, and will support the wooded slopes and plaza trees. Thereby, reducing the risk of increased flooding in the Poplar Valley.

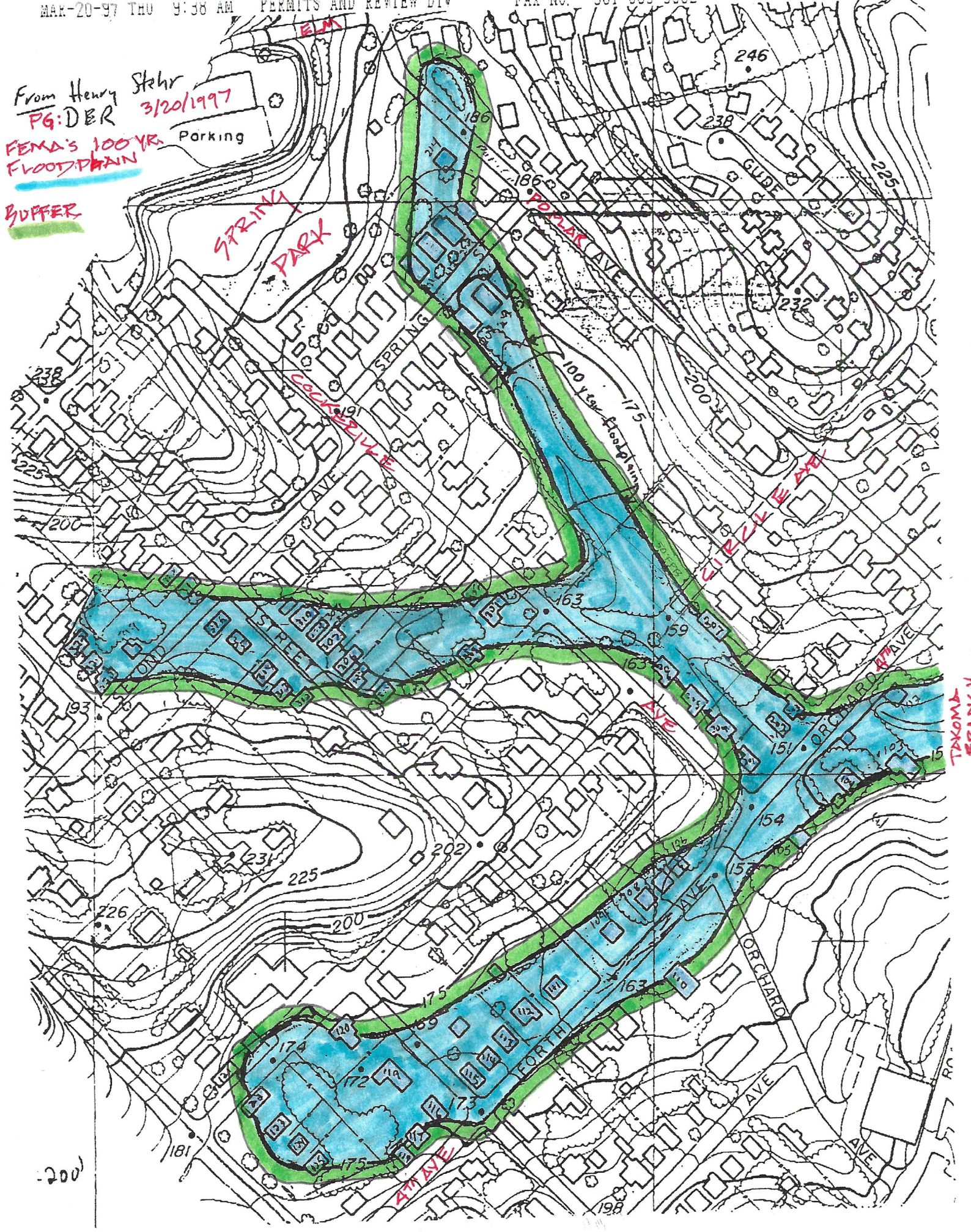
In conclusion, and most importantly, this parking lot is also our Public Square, a cherished acre of Open Space used for the benefit of its owners, we the Public, the citizens and visitors of Takoma Park.

RED LINES/SHADING INDICATES
FLOODING OBSERVED ON
SEPTEMBER 10TH 2020 SOUTH OF:
TAKOMA JUNCTION



TESTIMONY MAP BY BYRNE KELLY
FOR P.B. TAKOMA JUNCTION HEARING
ON 1/27/2022

From Henry Stehr
PG:DER 3/20/1997
FEMA'S 100 YR.
FLOODPLAIN
BUFFER



From: Gary Stern
To: Elliott Andalman
Cc: MCP-Chair; Poplar Ave 7000 and 7100 block; bfgilbert@groups.io; Judy Kirpich
Subject: Re: [bfgilbert] [PoplarAve] Takoma Junction issues
Date: Wednesday, January 26, 2022 11:11:06 AM

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

I would like to add that the alternative plan accommodates standard delivery trucks through a driveway and rear entrance.

Sincerely,

Gary

7112 Poplar Avenue

240-475-2816

Gary M. Stern

On Jan 26, 2022, at 9:34 AM, Elliott Andalman <eandalman@gmail.com> wrote:

I live walking distance from the Takoma Junction. I am writing to support Gary Stern's comments. I too would like to see development at the junction, but it should be along the lines of the alternative plan that Gary provided a link to.

Thank you for your careful consideration of this matter.

Elliott Andalman

6 Montgomery Ave.

Takoma Park MD 20912

301 980 4367

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7112 Poplar Avenue, Takoma Park, MD 20912

240-475-2816

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- **Cut Through traffic** Not only does the traffic back up on Carroll Avenue, but cars, trucks and buses often cut through our neighborhood streets to avoid the congestion. Unfortunately the studies did not adequately look at the effects of the extra traffic and parking that will be created by additional cut through traffic.

- **Delivery conditions** Why is it just now that the city manager deems the deliveries are an issue? Before there was a Coop, there was a parts store, and a garbage dump. Since its inception the Coop has been taking deliveries from the city lot, and with the exception of trash occasionally falling down the hill (which by the way was the City's responsibility to keep clean), deliveries have not been unsafe. If you are worried about trucks illegally making left hand turns, wait until you see what happens when the layby is occupied and the trucks come careening down our streets waiting for the layby to open up. If the City is worried about traffic backups, I suggest you look at the intersection almost any time of the day and witness that the traffic backups are there when no trucks are present. Take a look at the drivers who currently pass on the left to get around the buses at the bus stop at the Junction of 410 and Sycamore, and imagine a delivery truck either in the layby or pulling out of the layby. The most recent study showed that delivery trucks would be dangerously close to going over the yellow line when leaving...

Also it is my understanding that the layby will not just be for the Coop's use but for the possible restaurant, retail tenants planned as well as garbage trucks. Will one layby really serve so many businesses?

Ironically, every single elevation I have seen shows a lovely storefront with trees. NONE OF THEM TAKE INTO ACCOUNT THAT THIS VIEW WILL REALLY BE OF THE SIDE OF A TRUCK parked in front of the "beautiful streetscape".

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- The Junction intersection has had traffic problems for many years, and it was hoped that the Junction development would lead to SHA significantly reconfiguring the intersection. This now appears unlikely. Any development will have to work with the intersection as it is now.

- I urge you to look into this matter immediately.
Thank you for your attention.

Judy Kirpich
301-332-7183

--

"Popular" Poplar Ave, a great block in Takoma Park

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<https://groups.google.com/d/msgid/PoplarAve/CAL8kPvX%2BKza96yYkRRM0JcNNgECpg1Etf7OLk81HCc0VvfNDEA%40mail.gmail.com>.

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From: [Melanie Stevenson](#)
To: [MCP-Chair](#)
Cc: clerk@takomaparkmd.gov; [Community Vision for Takoma](#)
Subject: Takoma Junction
Date: Wednesday, January 26, 2022 11:31:36 AM
Attachments: [image.png](#)

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

Good Morning,

I am writing to urge you to reject the proposed development at the Takoma Junction and to immediately terminate existing agreements with the Neighborhood Development Company (NDC), which has not acted in good faith throughout this years-long process. For the past ten years, I have lived directly across the street from the Takoma Junction and the TPSS Co-op, and the NDC's proposed development will **not** be an asset to the community.

(1) Major Safety Issues: The Junction is already a major intersection and adding further complications will lead to chaos in the neighborhood.

- Over the years I've witnessed a considerable increase in vehicular traffic and reckless driving around the Junction. As the SHA report showed, a lay-by and an underground parking lot will exacerbate this issue and I am very concerned for people's safety, especially children's safety.
- Every morning and afternoon, the Junction requires two very hard-working crossing guards to ensure that cars follow the traffic rules. Even when the crossing guards are present, cars attempt to run red lights and put people at risk.
- I regularly see cars treat Sycamore as a one-way, two-lane road, using the left lane to cut around traffic and possibly crash head-on into cars turning right from Ethan Allen. These are commuters who are trying to find a shortcut around traffic at the Junction, and the Junction development will create more hazards.
- Even though the Sycamore-facing parking lot at the Co-op is one-way, I regularly see cars driving the wrong way across the lot in an attempt to save time.

(2) Development is Not in Line with the Character of the Neighborhood: This area of Takoma Park is a national historic district and everyone (residents, businesses, the local government) must ensure that development benefits the community and maintains the historic nature of the neighborhood.

- The NDC project has ballooned into a monstrosity during a time when office and retail space has been sitting empty for the past two years due to covid. This is not the right time and NDC is not the right developer.
- The Co-op is a vital part of the community, and the NDC has attempted to stop the Co-op's from using its loading dock and will continue to put the Co-op's existence at risk. The Co-op employs many people in the community, has a staff union, gives excellent discounts to EBT card holders, and more. NDC seeks to maximize profits and definitely does not have the long-term needs of the community in mind.

- It is my opinion that we do not need more parking spaces in Takoma Park, and an underground parking lot creates loads of environmental issues. Walking, biking, and using public transit should be encouraged; driving should not.
- From NDC's [website](#). This does fit into the Junction area, size-wise or style-wise. And cars definitely won't stop for pedestrians at that crosswalk.



We should create something wonderful at the Junction, but the NDC project is not it.

Thank you for your time and consideration.

- M. Stevenson, Sycamore Ave.

From: [Kathryn Desmond](#)
To: [MCP-Chair](#)
Subject: Reject NDC plan at Takoma Junction now
Date: Wednesday, January 26, 2022 11:33:36 AM

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

Wednesday, Jan. 26, 2021

Dear Mr. Anderson and members of the Planning Board,

As I drove through the **Takoma Junction** intersection this morning, I was moved to write to describe for you the vibrancy of the neighborhood and business district so that you will understand more clearly why the NDC project must be rejected.

On this cold, golden morning at 8:30 a.m., an 18-wheeler and a smaller box truck unloaded inventory for the Takoma Park Silver Spring Coop, a thriving grocery store and the City's largest employer, in the City-owned parking lot, site of the planned NDC development. Parents on their way to work made a quick stop in the same parking lot to drop off preschoolers at the Montessori school across the street. The bakery, animal hospital and business center welcomed both car and foot traffic. Crossing guards guided hundreds of school children through the maze of multi-directional crossings. A Metro bus discharged riders at the stop in front of the parking lot, and the nearby Capital Bikeshare rack was already half-empty. Across Route 410 from the parking lot, electric cars charged at RS Automotive, the nation's first "all electric gas station" and point of pride for a Junction that has served transportation needs since the 19th century. And at the firehouse on the edge of the Junction, I am sure Takoma Park volunteer firefighters and MoCo career firefighters were, as always, ready to careen into the intersection to respond, in a heartbeat, to the call for help.

As the lights changed, and the stream of rush hour traffic began to flow through the Junction on its way elsewhere, I was struck by how the node serves so many purposes for *commerce, transit, and residential* life. That the Junction is a part of the Takoma Park Historic District brings a valued *cultural* reason to assure its continued vibrancy. And this publicly owned land's location within walking distance of a range of socio-economic households commands it to *serve the needs* of the whole community, not just the wealthy, in any planned development.

The Junction's interdependent interplay of purposes works in large part by the *flexible use of the city-owned land* for parking and delivery - use that would be permanently derailed by the NDC development. Sustaining existing businesses and assuring the safe, efficient movement of pedestrian and vehicular traffic through the Junction are important goals that would be pushed aside by removal of easily accessible parking and construction of a layby. The State Highway Administration has repeatedly recognized the latter. Please heed their wisdom and reject the NDC design.

Sincerely,
Kathryn Desmond
238 Park Avenue
Takoma Park, MD 20912

From: [Sally Ours Kern](#)
To: [MCP-Chair](#)
Cc: [Sally Ours Kern](#)
Subject: Please don't green light plans that haven't yet met Maryland Safety standards
Date: Wednesday, January 26, 2022 11:43:26 AM

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

Dear Board Chair Casey Anderson,

Please hold the line on safety; neither approve or give conditional approval to the NDC's Takoma Junction project, which has in repeated submissions with only minor revisions, failed to meet Maryland's State Highway's standards of safety.

Takoma Junction represents unique safety challenges that call for a Vision Zero-centric approach to planning, so that any new development or redevelopment, and the inherent infrastructure should arise from the needs of this complex intersection rather than desires of any particular developer.

Our residential community deserves a better-designed development that upholds the tenets of Vision Zero, and is planned from the start to protect pedestrian, bicyclist, transit user and motorist safety.

Thank you for your consideration.

Sincerely,
Sally Ours Kern
7114 Woodland Avenue
Takoma Park

From: [Kathryn Desmond](#)
To: [MCP-Chair](#)
Subject: Reject NDC Plan at Takoma Junction Now - date corrected!
Date: Wednesday, January 26, 2022 11:43:28 AM

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

Wednesday, Jan. 26, 2022

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Sincerely,
Kathryn Desmond
238 Park Avenue
Takoma Park, MD 20912

From: [CRAIG HOOPER](#)
To: [MCP-Chair](#)
Cc: [Bogdan, Grace](#)
Subject: Agenda item 4-- Takoma Junction -- Recommend Denial
Date: Wednesday, January 26, 2022 11:49:15 AM

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

My name is Craig Hooper, and I live on Woodland Avenue, just around the corner from the planned Takoma Junction site. As much as I would like to see something built on the Takoma Junction site, I cannot support the current proposal.

I bicycle through the site daily. The intersection is dangerous enough as it is, but adding a “lay-by” will just make the street chaotic. There’s no bike lane there anyway, and the road is already highly traveled and narrow. Lay-by spillover will push me out into the traffic and make things really dicy.

But the lay-by is not the only reason I cite for refusal. The proposal suggests an innovative—and risky—design, using semi-prefabricated wood structures from a lumber supplier. That supplier is no longer in business, and the base wood frame design hasn’t apparently proven as cost effective or as resilient as originally touted. Aside from my concerns about sourcing from a defunct supplier (which risks putting the builder into an ugly financial position in the project from the start), I fear the builder will cut corners and saddle the county with a design that won’t last and may, as the building ages, manifest serious weaknesses.

While nobody thinks dealing with Takoma Park’s cadre of resident NIMBYs is fun, I believe the builder’s tactics have been pretty ugly too. I did not care for the seemingly retaliatory maneuvers the builders took after the lay-by decision was announced. To be frank, the State’s decisions on the lay-by and the builder’s subsequent fracas with the local Co-Op over the parking lot was what got me to really do some real thinking and evaluating about how the lay-by—which I had dismissed as a non-factor up until then—might impact my safety while I bike commute.

And, finally, I don’t think the team has set the site up for success. The builder’s marketing effort for the site has been, at best, lackadaisical, and their vision—which is out of touch with the present economy (and, again, I think the marketing plan cites a now-defunct business as a potential primary tenant) threatens to leave us all with a new building full of vacancies.

As much as I hate to say it, I think we should try this long and arduous planning process again, with a different building partner and plan. Both Takoma Park and Montgomery County can do better.

Cheers,
Craig Hooper

From: dparis.moco@yahoo.com
To: [MCP-Chair](#)
Subject: Please Reject the Unworkable Takoma Junction Proposal
Date: Wednesday, January 26, 2022 11:55:37 AM

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

Dear Commissioners:

Please reject the Neighborhood Development Corporation (NDC) proposal seeking what is tantamount to yet another blank check to continue to impose upon the Takoma Park community an unworkable project that threatens the continued existence of our community grocery. The Takoma Park Silver Spring Coop (TPSSC), a democratically run grocery institution, should not be placed at a competitive disadvantage to large corporate grocery stores in order to permit a disingenuous developer to pursue an unworkable, dangerous, and duplicitous development plan.

The project is unworkable because it does not provide for appropriate loading for the TPSSC, the importance of which has been recognized by the Takoma City Council and the overwhelming majority of persons participating in the public discussion about the NDC proposal. The Takoma Park Fire Department has further testified that the proposed layby will create traffic congestion that will threaten lives by blocking fire and emergency vehicles.

Approval is further inappropriate in light of NDC's history of repeatedly misrepresenting important elements of its Takoma Junction development proposal and attempting to further delay providing a workable proposal for accommodating Coop loading. Presently, NDC is again inviting the commission to overlook the consequences of the City's failure to require a resolution of access issues in 2017. After five years, an NDC design solution is as unlikely as the prospect of the unveiling of documentation that the last presidential election was rigged.

NDC has exhibited short-sighted insensitivity to the core grocery services that have made Takoma Junction a valuable community destination. NDC was chosen despite being one of the higher bidders because it was the sole developer proposing to provide a loading dock. Similar broken NDC promises include the failure to produce a promised workable plan to maintain access for grocery consumers during construction.

Dupliciously, the NDC quickly abandoned the loading dock, burdening public space with a large and unsightly driveway in front of the store. Moreover, the promised community space is to be shoehorned into the dangerous and inappropriate public area endangering pedestrians, cyclists, and transit users, while threatening access to the adjacent Takoma Park Fire Station.

NDC's abrupt abandonment of the loading dock, the Co-op's supply lifeblood, was rationalized in an NDC letter blithely referring to the existence of frontal loading at a single unidentified Trader Joe's store. This turned out to be Trader Joe's in Adams Morgan, a highly urbanized area in the heart of DC six miles from Takoma, in a renovated building that, unlike the proposed new building, could not be retrofitted with a loading dock.

All of the Co-op's nearby grocery competitors have substantial loading docks and seas of parking spaces, including Lidl (1 mile), Whole Foods (2 miles), and Safeway (2 miles). Moreover, all other Trader Joe's DC locations have loading docks, including the West End facility, which nonetheless appears to have some problems with trucks [blocking](#) the sidewalk. A liquor license application for the Capital Hill Trader Joe's includes a signed agreement with DC Advisory Neighborhood Commission 6B, promising to "receive deliveries at the [loading dock](#) provided by the landlord of the subject premises for use by retail tenants."

Grocery stores are the last place to focus efforts to reduce a small-scale parking lot, at least in the absence of

the availability of some form of affordable local jitney service. Most grocery store customers regularly need to carry heavy loads of groceries and many must contend with physical challenges, include age and disability, which I share. While many Takoma Park commuters have access to mass transit, there are no comparable jitney services for grocery customers, who should not be forced to shop at nearby corporate grocery stores offering free parking accommodation.

During the early 1970's, parking planned for Takoma Station was radically reduced in response to community efforts. At that time, I actively participated in the planning process as both a Takoma Park resident and as research director of the Washington Ecology Center, a community nonprofit. To help accommodate the severe reduction in parking, which was championed by the Montgomery County Government, the Ride On Bus system was established. However, related plans for the future development of a "Dial a Ride" jitney system were never implemented. Particularly because its parking lot is modest, TPSSC customers should not be singled out for the implementation of an ill-considered environmental agenda that is not being applied to existing grocery facilities with seas of free parking spaces.

The TPSSC has been a reliable member of our community since 1995, when it renovated and moved into the vacant Turner Building, creating a thriving ongoing community enterprise that is now threatened by governmental intermeddling and developer lies. The Co-op steadfastly went ahead with the move despite the failure of the Maryland Assembly to appropriate \$1 million in economic development funds for the Junction, "if the city could demonstrate there also was significant [new private money](#) ready to be invested" in addition to the city's planned expenditure of "\$515,000 next month to acquire a vacant 1.4-acre lot in Takoma Junction."

Over the years, the Co-op has paid its own way. It may even have been overcharged by the city for use of the city lot for parking, judging from the reduced [rental rate](#) that the city is considering charging NDC. A recent state capital improvements grant, which must be matched, is the first occasion of the Co-op receiving or requesting substantial government economic assistance. Over recent years, the Co-op has been forced to spend hundreds of thousands for legal and architectural fees participating in the wasteful and unproductive process created by NDC's duplicity.

Please uncatagorically reject, once and for all, the unworkable and destructive bait and switch proposal that NDC has tried to impose on the Takoma Community and the Takoma Park Silver Spring Co-op.

Thank you for your attention.

Keep Safe,

Dave Paris, Takoma Park