

**From:** Karamihas, Adrienne L <Adrienne\_L\_Karamihas@mcpsmd.org>

**Sent:** Thursday, March 30, 2023 12:32 PM

**To:** Larson, Clark <[Clark.Larson@montgomeryplanning.org](mailto:Clark.Larson@montgomeryplanning.org)>

**Subject:** RE: [EXTERNAL] Fairland and Briggs Chaney Master Plan revised school recommendations

Clark,

Thanks for the opportunity to comment. Please see comments/edits (strikethroughs and edits in red) below and let me know if you have any questions. Thanks.

Adrienne

***Adrienne Karamihas***

***Director, Division of Capital Planning and Real Estate***

***Montgomery County Public Schools***

***Tel: 240-314-1035***

***Fax: 240-314-3062***

Hello Adrienne,

I would like to share with you some updated language pertaining to schools in the Working Draft of the Fairland and Briggs Chaney Master Plan. We will be presenting the Working Draft to the Planning Board on March 23<sup>rd</sup>, after which we hope to have a Public Hearing Draft released for public comment through the month of April and a Public Hearing tentatively on May 4, 2023.

Please let me know if you have any comments or reservations about the text below. We also welcome your input on these and other elements of the Fairland plan at later stages in the master plan updates process, as well.

Best,  
Clark

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**Background Context – Public Schools**

The Fairland and Briggs Chaney Plan area is located within the Northeast Consortium, and served by Blake High School and Paint Branch High School. Elementary school students attend either Fairland Elementary School, Galway Elementary School, Greencastle Elementary School, or William T. Page Elementary School based on their addresses. For middle school, students matriculate to either Benjamin Banneker Middle School or Briggs Chaney Middle School.

In the current 2022-2023 school year, the enrollment at a few of these schools, including Blake and Paint Branch High School, Benjamin Banneker Middle School, Greencastle Elementary School, and Page Elementary School, exceed the capacity of their built facilities, necessitating the use of relocatable classrooms. However, Page Elementary School is expected to see

classroom additions completed by the start of the 2023-2024 school year and Paint Branch High School has the ability for future expansion. Greencastle Elementary School is also in the process of receiving classroom additions and is awaiting approval of construction funds to meet a completion date by the 2025-2026 school year.

The Montgomery County Public Schools (MCPS) ~~Division of Capital Planning and Real Estate~~ **Department of Facilities Management** develops facility plans and capacity relief strategies to meet the needs of changing public school enrollment. They ~~generally~~ consider **capital or non-capital solutions** ~~classroom additions~~ when the six-year projection of a Capital Improvements Program period indicates that student enrollment is expected to exceed capacity by 200 seats for high schools, 150 seats for middle schools, and 92 seats for elementary schools.

According to the latest projections in the Superintendent's Recommended FY 2024 Capital Budget and Amendments to the FY2023-2028 CIP, both Blake and Paint Branch **high schools** are expected to exceed that threshold by the 2028-2029 school year. A feasibility study was scheduled in FY 2022 to determine the scope and cost for classroom additions at these schools, yet due to fluctuation in enrollment trends year to year, MCPS will instead continue to monitor the projections to determine **whether a capital or non-capital solution should be considered in a future CIP.** ~~when funding should be considered for the project.~~

Banneker Middle School's **enrollment** projections do not meet the seat deficit threshold to be considered for a **capital or non-capital solution**. However, the facility has been identified for a feasibility study in the FY 2023-2028 CIP to address the needs of its aging infrastructure through a major capital project, which often opens the opportunity for a capacity increase as well, **if necessary**. Once the feasibility study is complete, a recommendation regarding scope, timeline and funding will be considered in a future CIP.

### **Recommendations – Schools**

*Please Note: These recommendations are extracted from the Working Draft Plan since they pertain directly to school planning and programming. The full Working Draft Plan will be shared with MCPS once it is finalized and posted for review by the Montgomery Planning Board.*

1. Given the lack of additional elementary school sites owned by Montgomery County Public Schools (MCPS) in the vicinity, and the diminishing availability of large parcels of land in general, opportunities to obtain an additional elementary school site should be sought before the actual need arises, including but not limited to the following options:
  - a. MCPS should consider the Fairland Center as an additional elementary school site that can serve the Plan area and vicinity, and seek to relocate the holding facility to an alternate location.
  - b. MCPS should consider the possibility of retrofitting a non-traditional site, such as vacant office or commercial space, into an adaptive reuse school facility, or ~~acquiring~~ a place of worship site seeking to relocate or close.

- c. MCPS should pursue acquisition, reservation, or dedication of land as part of property redevelopment at the Auto Sales Park, the Verizon office and data center, or some other vacant or unoccupied property of appropriate size beyond the Master Plan area.
2. ~~If there are extended periods of idle time when Fairland Center is not in use as a holding school, MCPS should consider short term leasing of the space for other users, with priority given to programs that would benefit the educational opportunities of the surrounding community, such as after school extracurricular activities or community meeting space.~~ **Comment: MCPS already leases, where feasible, our holding facilities as well as our closed schools.** The Fairland Center is one of the five holding facilities MCPS utilizes to host schools that are undergoing major capital projects or large-scale addition projects. MCPS intends to maintain its use as a holding facility for the foreseeable future to ensure that there is space to relocate students and staff during construction.
3. The Department of Recreation should work with MCPS to improve the hard-surface trail connecting Gateshead Manor Way with the sports fields of Greencastle Elementary School, providing adequate signage and through access for this pedestrian pathway between Gateshead Manor Way and Robey Road and ensuring regular maintenance of vegetation and the trail surface.

### **Implementation – School Capacity Planning**

When a master plan is underway, the Planning Department collaborates with MCPS on the plan's potential impact on public school enrollment. To estimate the potential impact over a 15-20 year period, a maximum build-out scenario is hypothesized in which the residential capacity of each parcel is built out to the full extent allowed, and the number of students that can be generated from that scenario is calculated.

Based on this plan's maximum build-out scenario, school enrollment impact is estimated to be:

- 400 to 750 additional high school students
- 300 to 600 additional middle school students
- 750 to 1,150 additional elementary school students

It is difficult to gauge the actual number of residential units that will be built, and the pace that development will occur. Furthermore, master plans generally envision a 20–30-year timeline, whereas MCPS uses six-year projections to determine their capital budget and CIP. Therefore, a Plan's estimated enrollment impact alone will not warrant immediate action by MCPS to request for capital investment in schools serving the area. Instead, MCPS will continue to monitor actual enrollment trends as residential development appears and reflect the change in their projections annually. In the meantime, the Planning Department will continue to evaluate the projected utilization levels of schools through the Annual Schools Test and impose Utilization Premium Payments appropriately on residential units proposed in school service areas projected to be overutilized.

**Attachment B – Written Testimony**

Item 1 - Karamihas

In that light, the high schools and the middle schools serving the plan area should be able to accommodate the Plan's estimated enrollment impact with appropriate and timely capital improvements to the existing facilities. The elementary schools, on the other hand, will mostly be at the maximum capacities ~~that MCPS will operate at~~ once the capital projects scheduled in the current CIP are complete. Therefore, opportunities to obtain an additional elementary school site that can accommodate the expected demand from this plan should start being sought before the actual need arises.

**From:** Salles, Cicero <[Cicero.Salles@montgomerycountymd.gov](mailto:Cicero.Salles@montgomerycountymd.gov)>

**Sent:** Friday, March 31, 2023 4:04 PM

**To:** Larson, Clark <[Clark.Larson@montgomeryplanning.org](mailto:Clark.Larson@montgomeryplanning.org)>

**Subject:** RE: Notice of Fairland and Briggs Chaney Master Plan Planning Board Public Hearing Draft

Good afternoon, Clark and Don,

Thanks for dropping the draft Fairland Briggs Cheney Master Plan. I reviewed the document and have transportation comments regarding two recommendations:

1. “Establish a **continuous greenway network**, as illustrated in the Concept Framework Plan, connecting parks, open spaces, community facilities, and bus stops with neighborhoods within and beyond the Master Plan Area. The inner and outer circulation loops may consist of natural-surface and paved trails, boardwalks, side paths, and shared-use pathways.” **This is an important and significant improvement to better connect the community, increasing transportation mode alternatives, health, and leisure options. Who/what agencies would be responsible for developing the detailed plan and how would it be implemented?**
2. “Remove from the Master Plan of Highways and Transitways proposed grade-separated interchanges on Columbia Pike (US 29), previously recommended by the 1997 Fairland Master Plan, at the following intersections: Greencastle Road, Fairland Road, Musgrove Road, and Tech Road.” When presenting the earlier draft to the previous planning board, I believe staff initially recommended urban interchanges for Industrial Parkway and Tech Road. The 2014 White Oak Science Gateway (WOSG) Master Plan confirmed the need for a grade-separated interchanges at US 29 and Industrial Parkway/Tech Road, as previously recommended in the 1997 Fairland and White Oak Master Plans, to “accommodate the full level of potential development recommended by this Plan’s proposed zoning.”

The approved zoning will allow 12 million square feet of new development at VIVA White Oak, in addition to the other areas within the WOSG. This development will take decades to reach it’s build-out. Therefore, I believe it would be premature to remove the interchanges without conducting a detailed traffic study that would include all stakeholders. Therefore, I strongly recommend that the language in the revised Master Plan be modified to: **“SHA and/or MCDOT shall conduct a detailed traffic study to assess traffic capacity, accessibility, and safety, prior to any decision regarding the removal of the grade separated interchanges. The study should include the build-out scenario, and urban interchange and BRT alternatives.”**

Thanks, and congratulations to all your team. Have a great weekend, sincerely,

***Cicero Salles***

White Oak Planning Manager

Cell #: 202 993-6951

Office #: 240 777-8417

Address: 3300 Briggs Chaney Road, Silver Spring, MD 20904

**From:** [stephen.ashurst@gmail.com](mailto:stephen.ashurst@gmail.com)

**Sent:** Wednesday, April 12, 2023 1:01 PM

**To:** MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)>

**Subject:** Testimony for Fairland and Briggs Chaney Master Plan

Dear Montgomery County Planning Board Chair and Board Members,

I praise the idea of slowing the target speed down to 25 MPH on Greencastle Road east of US-29, but this section is designed with 2 lanes + central turn lane + wide shoulders + shared use path on south side + side walk for parts of the North Side. We have an opportunity to make this section appeal to all users who may want to walk, run, bike, stroll, etc. Please narrow the driving lanes as they are much too wide in most of this section already (10 ft should be the maximum width) and then create protected bike lanes in both directions from the shoulder and extra width taken from the lanes. Along with this, please provide floating bus stops so that bicyclists do not have to leave the protected bike lane at bus stops, while providing a much better facility to bus users. Finally, eliminate the slip lanes at the Fairland Park entrance, these are unnecessary on a 25 MPH road and conflict with bicycle lane traffic.

With all the great connectivity to the park and from the residences along Greencastle Road on the east side of US-29, I believe the scope always misses to connect these places with the rest of the useful amenities accessed via Greencastle Road west of US-29. The Shared-Use-Path that begins at US-29 should continue westbound, all the way to Old Columbia Pike. This gives access to schools, libraries, and community centers in the area, as well as shopping in Burtonsville. On the reverse, having a shared use path along Greencastle Road west of US-29 allows residents safe access to the park, car free!

Enabling the proper paths and protected bike lanes will make both segments of Greencastle Road safer. To connect these segments, the US-29 intersection must be prioritized for vulnerable users. Today, turn radii are all too large and practically create slip lanes for drivers of large vehicles to navigate without slowing much at all. Unfortunately, the starting point for the crosswalks across US-29 are too far around the corner for any driver to safely see someone starting out. Safe turning radius for each corner should be setup, including having bump-outs and islands. Turn signals should be setup so that turning on red is eliminated to protect the pedestrians and bicyclists using the cross walks.

Finally, Old Columbia Pike needs to provide continuous safe connectivity for these users via shared-use-path and protected-bike-lane along Old Columbia Pike between MD-198 and Randolph Rd along with Breezeways to get users east and west along MD-200.

To summarize:

1. Reduce lane width on Greencastle Road east of US-29
2. Build protected bike lanes on Greencastle Road east of US-29 along with floating bus stops
3. Build the shared-use-path on Greencastle Road west of US-29
4. Fix the US-29 and Greencastle intersection to make it safe for pedestrians and bicyclists
5. Complete Old Columbia Pike Shared-Use-Path and Protected-Bike-Lane and breezeways for regional connectivity.

Please continue to create safe spaces for all modes of transportation for the area via the updated Fairland and Briggs Chaney Master Plan and take into consideration these additional specific comments.

Sincerely,

**Attachment B – Written Testimony**

Item 3 - Ashurst

Stephen Ashurst  
14401 hollyhock way  
burtonsville, md  
20866

**From:** Susan Llareus -MDP- <[susan.llareus@maryland.gov](mailto:susan.llareus@maryland.gov)>

**Sent:** Thursday, April 20, 2023 10:57 AM

**To:** Larson, Clark <[Clark.Larson@montgomeryplanning.org](mailto:Clark.Larson@montgomeryplanning.org)>

**Subject:** Fwd: Notice of Fairland and Briggs Chaney Master Plan Planning Board Public Hearing Draft

Good morning Clark,

Thank you for forwarding the Public Hearing Draft of the Fairland and Briggs Chaney Master Plan to our attention. We appreciate the opportunity to review the draft plan and hope you find our comments helpful. Please feel free to contact me if you have any questions or would like any further assistance.

Best regards,

Susan



Susan Holm Llareus, PLA, ASLA  
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Planner Supervisor  
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Wes Moore, Governor  
Aruna Miller, Lt. Governor



Rebecca L. Flora, AICP, Secretary

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**Maryland**  
**DEPARTMENT OF PLANNING**

April 20, 2023

Clark Larson, AICP  
Planner III, Upcounty Division  
Montgomery County Planning Department  
2425 Reddie Drive, Floor 14  
Wheaton, MD 20902

Re: Fairland and Briggs Chaney Master Plan Update

Dear Mr. Larson:

Thank you for requesting Maryland Department of Planning (MDP) comments on Montgomery County's draft Fairland and Briggs Chaney Master Plan Update (March 2023). As a charter county, the Maryland Land Use Article does not require a formal state agency 60-day review. Planning acknowledges the county's desire to go beyond its legal mandate. It is our understanding that the Planning Board has adopted the staff recommendation and the document is now considered the Planning Board Draft Plan. MDP appreciates the opportunity to comment on the Draft Plan in preparation for the Planning Board hearing(s).

Planning recognizes the significant and thoughtful effort that Montgomery County staff, stakeholders, and residents applied to the development of the Draft Plan and looks forward to coordinating with the county on any assistance it seeks for plan adoption and implementation.

Sincerely,

Charles Boyd, AICP, Director  
Planning Coordination

cc: Tanya Stern, Acting Director of Montgomery County Planning Department  
Clark Larson, Planner III, Montgomery County Planning Department  
Valdis Lazdins, Assistant Secretary for Planning Services, Maryland Department of Planning  
Joseph Griffiths, Local Assistance and Training Manager, Maryland Department of Planning  
Susan Llareus, Planning Supervisor, Maryland Department of Planning

Wes Moore, Governor  
Aruna Miller, Lt. Governor



Rebecca L. Flora, AICP, Secretary

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## Maryland DEPARTMENT OF PLANNING

### Maryland Department of Planning Review Comments

April 20, 2023

#### Fairland and Briggs Chaney Master Plan Update (March 2023)

##### Draft Plan

The Maryland Department of Planning (MDP) received the Draft Fairland and Briggs Chaney Master Plan Update (Draft Plan) on March 30, 2023, in an email to Secretary Flora from Clark Larson, on behalf of the Montgomery County Planning Board. While the Land Use Article (LUA) does not require MDP to review charter county draft comprehensive or master plans, such as for Montgomery, MDP acknowledges the county's desire to go beyond its legal mandate. Therefore, we are providing feedback as part of our assistance to local jurisdictions. It is MDP's understanding that the Draft Plan was reviewed by the Planning Board at the March 23, 2023, public hearing, when it was accepted as the public hearing draft, with comments.

##### Master Plan Draft Summary

The Draft Plan is an amendment to the adopted Thrive Montgomery 2050 (Thrive) plan and includes a portion of the 1997 Fairland Master Plan. The plan area is 1,800 acres and concentrates on five miles of Columbia Pike (US 29), south of Silver Spring and north of Washington DC. The Draft Plan continues policies to achieve the county's "Three Overarching Outcomes" of Equity, Economic Health, and Environmental Resiliency, as stated in Thrive. Existing land uses include residential and commercial uses along Columbia Pike, Paint Branch Stream Valley Park along the southwest and Fairland Regional Park along the northwest. The Draft Plan concentrates on revitalization and reinvestment in the community by incentivizing mixed-use development and higher densities.

##### Charter County Minimum Planning Requirements

Thrive is a high-level policy plan and upon its adoption Montgomery County expressed to MDP that subsequent master plan updates would refine the elements required in general plans, which include:

- Development regulations element.
- Housing element.
- Sensitive areas element.
- Transportation element.
- Water resources element.
- Mineral resources element if geological information is available.
- Priority preservation area element, developed in accordance with § 2-518 of the Agriculture Article, may be included.

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#### Maryland State Visions (Section 1-201 of the Land Use Article)

A planning commission (board) must implement the Maryland State Visions through a general plan. While Thrive addressed the 12 State Visions (Visions), MDP suggests describing how the Draft Plan implements the Visions and/or how Draft Plan visions, described in Section 2.B (page 4), connect to the state Visions.

#### Maryland State Elements

The LUA describes required charter county comprehensive plan components but does not mandate how they are to be addressed. The following identifies required plan elements and how the Draft Plan addresses or adheres to them.

Checklist of Maryland Code (Land Use Article) Element Requirements for Charter Counties		
Comprehensive Plan Requirements	MD Code Reference and Additional MD Code Reference	Reference in the Planning Board Draft
(1) The planning commission for a charter county <b>shall</b> include in the comprehensive or general plan the visions under § 1-201 of this title and the following elements:	<a href="#">L.U. § 1-406 (a)</a>	
(i) a development regulations element	<a href="#">L.U. § 1-406 (a) (1) (i)</a> <a href="#">L.U. § 1-407 -- Development Regulations Element</a>	This element is expressed as the Sectional Map Amendment relating to rezoning, as indicated in Tables 7-14, listing specific properties.
(ii) a housing element	<a href="#">L.U. § 1-406 (a) (1) (ii)</a> <a href="#">L.U. § 1-407.1 -- Housing Element</a>	Chapter 3: Plan-wide Recommendations 3.B.
(iii) a sensitive areas element	<a href="#">L.U. § 1-406 (a) (1) (iii)</a> <a href="#">L.U. § 1-408 -- Sensitive Areas Element</a>	This element is expressed as environmental resilience throughout the document.
(iv) a transportation element	<a href="#">L.U. § 1-406 (a) (1) (iv)</a> <a href="#">L.U. § 1-409 -- Transportation Element</a>	Chapter 3: Plan Wide Recommendations 3.C
(v) a water resources element	<a href="#">L.U. § 1-406 (a) (1) (v)</a> <a href="#">L.U. § 1-410 -- Water Resources Element</a>	Not addressed. See discussion below.
(2) a mineral resources element, IF current geological information is available	<a href="#">L.U. § 1-406 (a) (2)</a> <a href="#">L.U. § 1-411 -- Mineral Resources Element</a>	Appendix A (page 144).
(b) A comprehensive plan for a charter county <b>MAY</b> include a priority preservation area (PPA) element	<a href="#">L.U. § 1-406 (b)</a> <a href="#">For PPA Requirements, see § 2-518 of the Agriculture Article</a>	Appendix A (page 143) Functional Master Plan for the Preservation of Agriculture and Rural Open Space reference.
(4) Visions -- A county <b>SHALL</b> through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<a href="#">L.U. § 1-414</a> <a href="#">L.U. § 1-201 -- Visions</a>	Not Addressed. See discussion above.
(5) Growth Tiers -- If a county has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the county's comprehensive plan	<a href="#">L.U. § 1-509</a>	Not addressed. See discussion below.

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**Conformance to Section 1-406 (a) of the Land Use Article**

- (1) The following analyzes whether the Draft Plan includes the required charter county LUA elements, in accordance with Division II, Title 21, Section 104 (a) Required elements, “the planning commission for a charter county shall include in the comprehensive or general plan the visions under § 1-201 of this title and the following elements:”

**Development Regulations Element**

This element includes recommendations for land development regulations that implement the plan; encouraging flexible development regulations and promoting innovative and cost-saving site design that protects the environment. Within designated growth areas, it should further include innovative economic development techniques and streamlined development application review, including permits and subdivision plats.

**Plan Analysis**

The Draft Plan includes a Sectional Map Amendment, which guides the subsequent rezoning of properties identified in Tables 7-14 for each activity center and residential neighborhoods. The Plan identifies both as within growth areas. It also appears that only one of four existing Transferable Development Rights programs will be available in the future (page 11).

Montgomery County should consider the following:

1. Does the Draft Plan provide for flexible development regulations, promote innovative and cost saving site design that protects the environment?
2. Are innovative economic development techniques referenced in the Draft Plan?
3. Are streamlined development application processes included in the Draft Plan to incentivize reinvestment?

**Housing Element:**

The housing element must address the need for housing that is affordable to low-income and workforce households within the jurisdiction. The plan must also define and address average median income, low-income housing and workforce housing, in accordance with state requirements and include an assessment of affordable housing needs for low-income and workforce households in the jurisdiction.

**Plan Analysis**

The Draft Plan includes a housing element in Chapter 3 - Plan Wide Recommendations, Section 3B Housing (pages 39-41) and Section 2.D.2 Demographic Context indicates that approximately 7,000 dwelling units and 15,000 residents are within plan boundaries. MDP's previous review of Thrive noted that HB-1045 requires all comprehensive/general plans adopted after June 1, 2020, to have a housing element. Since this Draft Plan refines the general plan, it should therefore address the need for low-income and workforce housing, as defined by the Land Use and the Housing and Community Development Articles, including a needs assessment for the affordable housing categories. MDP recommends including the state definitions of and ranges for low-income and workforce housing in the glossary. Text should also be revised accordingly whenever referring to low-income and workforce housing.

The Draft Plan suggests that future housing supply and demand challenges were analyzed based on the following:

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“Metropolitan Washington Council of Governments (MWCOC) established regional housing targets to address a growing supply gap and affordability issues in the region. To meet our housing goals and obligations, the county needs an additional 10,000 housing units by 2030 to meet future housing demand from population and job growth. This is beyond the existing 31,000 housing units already forecasted through the completed MWCOC forecast process. In this context, the Fairland and Briggs Chaney Master Plan allows for the creation of new housing units in the plan area to help meet our housing goals.” (page 17)

While Thrive, page 114, referenced the July 2020 Montgomery County Housing Needs Assessment, it is not mentioned in the Draft Plan.

Montgomery County should consider the following:

1. Is this a shift in the housing needs assessment? If so, please explain.
2. Is the Draft Plan housing element consistent with Thrive’s?

**Sensitive Areas Element:**

The sensitive areas element must include goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts) and assigns the Maryland Departments of Environment and Natural Resources the responsibility to provide and review sensitive area data.

**Plan Analysis**

The sensitive areas element is called the environmental element in the Draft Plan, and it is referenced throughout the document; most notably in Chapter 1. One of the Plan’s three main objectives is Environmental Resilience, which is in concert with Thrive. It is explained further in Section 2.B.3. An Environmentally Resilient Community (page 4). Section 2.D.8 Environmental Context provides a clear picture of the area’s current ecological conditions, naming extreme heat as the “...predominant risk from climate change in the plan area...” (page 26). Environmental goals and recommendations can be found in Chapter 3, on page 59. MDP encourages the county to continue working with MDE and DNR on sensitive areas issues. MDP can assist as needed to facilitate an agency meeting or provide contact information.

**Transportation element:**

The transportation element must reasonably project into the future the most appropriate and desirable locations, character, and extent of transportation facilities to move people and goods, accommodate bicycle and pedestrian access and travel-ways, and estimate their anticipated use.

**Plan Analysis**

The Draft Plan includes a transportation element in Chapter 3 - Plan Wide Recommendations, Section 3C Housing (pages 41-52). Because it is corridor-focused, the Draft Plan prioritizes transit service and non-auto modes over single-occupancy vehicles and seeks infill development around major Bus-Rapid Transit (BRT) stops to enhance neighborhood connectedness and sustainability. To achieve this vision, the Draft Plan includes the following goals and recommendations:

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(a) prioritize transit service over single-occupancy vehicles by building and improving Bus Rapid Transit (BRT) along the US 29 corridor and other transit systems, (b) emphasize the creation of a contiguous and safe on-/off-road walking, bicycling, and rolling network connecting neighborhoods and amenities including improving pedestrian and bicycle crossing and along US 29,

(c) create complete street patterns in downtown and town center areas, and (d) call for establishing an electric car charging network. In addition, the element recommends a 30% Non-Auto Driver Mode Share for all new development through the usage of transit and non-auto modes of transportation.

These are consistent with the transportation vision of the State Planning Policy, defined in Subtitle 5-7A of the State Finance and Procurement Article.

Recommendation 4 (page 43) seems to recommend improving the US 29 and Industrial Parkway interchange; however, Map 19 (page 46) doesn't include that recommendation - please clarify.

**Water Resources Element:**

The water resource element must consider available data from the Maryland Department of the Environment (MDE) and identify drinking water that will be adequate for the needs of existing and proposed future development; and suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs. MDE and MDP are available to provide technical assistance to develop the water resources element, ensuring consistency with MDE programs and goals.

**Plan Analysis**

The County Council approved the [Water Resources Plan](#) (WRP) in July 2010, which was adopted by the full Commission in September 2010, and states the following:

“The Plan provides information on County water and sewer service capacity in light of planned growth to 2030, summarizes an estimate of nutrient loadings on watersheds for existing and future conditions, and identifies the policies and recommendations to amend the General Plan that are needed to maintain adequate drinking water supply and wastewater treatment capacity to 2030, and meet water quality regulatory requirements as the County continues to grow. It is meant to satisfy the requirements of House Bill 1141.” (Abstract of the Approved and Adopted Water Resources Functional Plan)

This suggests that an amendment to the general plan would address policies and recommendations relating to maintaining an adequate drinking water supply and wastewater treatment capacity to 2030; continuing to meet the needs of the county. Thrive did not include the policies suggested in the 2010 WRE, but instead adopted it by reference. The WRP used pre-2010 data to examine Montgomery County's land use, growth, and stormwater management capabilities, as related to adequate drinking water supplies, wastewater treatment capacity, water quality regulatory requirements, and inter-jurisdictional commitments. As redevelopment occurs, the increases in density proposed in this Draft Plan, and in other master plans, will likely impact the waters of the state and existing water, sewer and stormwater infrastructure capacities.

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The Draft Plan states that, “A portion of the Upper Paint Branch Special Protection Area Overlay Zone applies to properties in the vicinity of the Old Columbia Pike and Briggs Chaney Road intersection, which requires protections beyond standard environmental laws, regulations, and guidelines for land development and certain uses” (page 12)

- The Montgomery County Department of Environmental Protection (DEP) should review the WRP and determine if it accounts for the Draft Plan’s revised development capacities. This analysis should consider stormwater infrastructure, water and sewer capacity analysis, and finally, upgrading old systems that may be failing or improperly sized for increased development. MDP encourages updating the WRP since it impacts all master plans and the Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan.

**Growth Tier Map**

The Draft Plan identifies specific areas designated for growth and conservation. Montgomery County implemented the Maryland Sustainable Growth and Agricultural Preservation Act of 2012 by adopting a Tiers Map and a legislative amendment to the county’s Subdivision Regulations (Ordinance 17-20 on September 19, 2012), which has been incorporated by reference as noted in Thrive - Appendix A (page 114). The areas within the boundary of the Draft Plan are mainly in Tier 1, and limited areas in Tier 2

**From:** cwright01 <[cwright01@aol.com](mailto:cwright01@aol.com)>

**Sent:** Wednesday, April 26, 2023 11:09 AM

**To:** MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)>

**Subject:** Fairland and Briggs Chaney Master Plan - potential boundary expansion

Dear Planning Board/ Mr. Larson,

I am the owner of property adjacent to the northern boundary of the current Fairland and Briggs Chaney Master Plan boundary. The property is a 3+ acre vacant lot, currently zoned residential, located behind the 4 houses on Greencastle Rd at the Rt29 end and adjacent to the Towns of Gloucester townhomes.

I wanted to inquire if the county would be interested in purchasing this land as part of the planning of this project?

address: 14831 Old Columbia Pike (Tax Description [1244 184](#) Sopers Seat, Account # 00249956).

Please let me know if this should be a topic at next weeks meeting and I can provide the required request in more detail.

I look forward to your reply.

Or alternatively to any recommendations for who to contact for consideration in another planning project.

Thank you for your assistance.

Regards,

Cynthia D Wright

301-421-1320 (land)

301-233-1887 (cell)

Sent from my iPhone

**From:** Jeyakumar Daniel <jkdaniel@hotmail.com>

**Sent:** Wednesday, April 26, 2023 3:26 PM

**To:** MCP-Chair <mcp-chair@mncppc-mc.org>

**Subject:** Opposition to recommended zoning change to a piece of land on East Randolph Road (10 acres)

Hello Chairman,

I would like to bring to your attention rezoning application LMA H-145PFFCP H-145 that was submitted and eventually withdrawn to change the zoning on this piece of church land on East Randolph Rd. I am attaching 100 pages oppositions that was submitted against this rezoning. It looks like the master plan also recommending a zoning change for this piece of church land from residential to commercial. I sincerely request the planning board to reconsider their decision by weighing the over whelming oppositions and valuable points made by the community members(attached). We are not against the master plan initiatives; but all we are asking is that not to change the zoning of this piece of church land from residential to commercial.

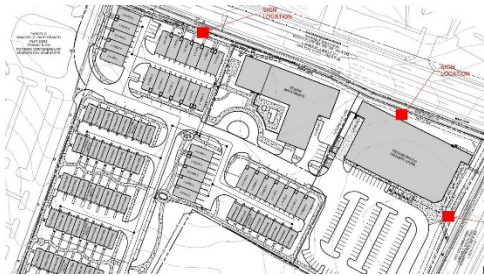
Thanks,

Jey Daniel

732-581-9325

Attachment: Oppositions letter submitted against rezoning of this land

Online opposition petition link (787+ signed): <https://www.change.org/p/opposition-to-zoning-changes-at-land-across-from-forcey-church-on-east-randolph-road-in-silver-spring-road?redirect=false>



### [Sign the Petition](https://www.change.org/p/opposition-to-zoning-changes-at-land-across-from-forcey-church-on-east-randolph-road-in-silver-spring-road?redirect=false)

Opposition to Zoning Changes at Land across from Forcey Church on East Randolph Road.

[www.change.org](https://www.change.org)

**From:** Moses Duggirala <duggiralamosesd@gmail.com>

**Sent:** Thursday, April 27, 2023 4:06 PM

**To:** MCP-Chair <mcp-chair@mncppc-mc.org>

**Subject:** Opposition to recommended zoning change to a piece of land on East Randolph Road (10 acres)

Hello Chairman,

I want to raise your attention to the rezoning application LMA H-145PFFCP H-145 for this plot of church property on East Randolph Road, which was made and subsequently withdrawn. I'm attaching 100 pages of objections to this rezoning that were made. It appears that the master plan also advises changing the zoning of this plot of church property from residential to commercial. I humbly ask the planning board to reevaluate their choice in light of the strong opposition and important arguments raised by the locals (attached). We only request that the zoning of this plot of church property remain as residential instead of being changed to commercial. We are not opposed to the master plan efforts.

I appreciate your consideration in advance.

Thank you.

--

***DUGGIRALA Moses***

***14917 Falconwood Dr, Burtonsville, MD 20866.***

<https://www.change.org/p/opposition-to-zoning-changes-at-land-across-from-forcey-church-on-east-randolph-road-in-silver-spring-road?redirect=false>

**From:** Wallace, Scott C. <[swallace@MilesStockbridge.com](mailto:swallace@MilesStockbridge.com)>

**Sent:** Friday, April 28, 2023 3:30 PM

**To:** MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)>

**Subject:** Written Testimony for Fairland/Briggs Chaney Master Plan Public Hearing on May 4

See attached letter being submitted on behalf of MileOne/Montgomery Auto Park.

Thank you.

**Scott C. Wallace**

11 N. Washington Street | Suite 700 | Rockville, MD 20850-4229

D: +1 301.517.4813 | O: +1 301.762.1600 | F: +1 301.517.4813



vCard | [swallace@milesstockbridge.com](mailto:swallace@milesstockbridge.com)





April 28, 2023

Scott C. Wallace  
[swallace@milesstockbridge.com](mailto:swallace@milesstockbridge.com)  
301.517.4813

Mr. Jeff Zyontz, Chair  
Montgomery County Planning Board  
2425 Reedie Drive, 14<sup>th</sup> Floor  
Wheaton, MD 20902

Re: MileOne – Montgomery Auto Park– Fairland and Briggs Chaney Master Plan Update

Dear Mr. Zyontz:

This office represents MileOne, the owner and operator of multiple dealerships and service centers in the Montgomery Auto Park (“Auto Park”) as identified on the attached Zoning Map. MileOne’s sites are included in the area designated as the “Main Street District-Briggs Chaney (South) Activity Center” of the Public Hearing Draft of the Fairland and Briggs Chaney Master Plan Update (the “Update”). We have reviewed the Update and our comments on behalf of MileOne are provided below.

**Applicability of Master Plan Recommendations to MileOne’s Anticipated Improvements and Development**

MileOne intends to operate at the Auto Park for the foreseeable future and potentially beyond the life of the Update. Future improvements to the MileOne sites could range from modest exterior improvements to existing buildings to the replacement of older buildings with updated dealership and service center concepts. Such improvements are essential to maintaining the appearance and vitality of the Auto Park, which is recognized in the Update at page 17 as a major employment center in the planning area. These projects would most likely be constructed with other buildings and site features such as stormwater management, surface parking and landscaping remaining in place and would not entail or require the comprehensive redevelopment of MileOne’s sites.

However, the Update includes recommendations for the comprehensive redevelopment at the Auto Park that would not be feasible to impose on the targeted improvements that MileOne would pursue in the foreseeable future. Moreover, even the “near term” improvements recommended in the Update may not be feasible or practical given the modest scope of MileOne’s likely development at the Auto Park over the life of the Update. Because of the required finding for development plans to “substantially conform” with the applicable Master Plan, recommendations in the Update that might be appropriate if significant redevelopment is proposed could be an impediment to MileOne’s pursuing improvements to existing buildings or



Mr. Jeff Zyontz  
April 28, 2023  
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construction of a new building. Accordingly, the Update should explicitly state that (i) the recommendations applicable to comprehensive redevelopment at the Auto Park do not apply to targeted development projects and (ii) any requirements for near-term improvements must be commensurate to the scope and size of a proposed development.

**Briggs Chaney (South) Activity Center – Section 4.B.4 – Location of a Major Public Facility / Provision of Significant Public Open Space (pp. 95-96)**

The Update at page 95 recommends the Auto Park provide a minimum 3-acre contiguous public open space as part of any major redevelopment and, at page 96, recommends the Auto Park as a possible location for a major public facility. It is unclear as to how these recommendations would be implemented at the Auto Park, which has multiple owners and relatively small lots. Any recommendation that makes the Auto Park a potential location for a significant public facility and/or a large public open space creates uncertainty in the planning and design of new projects. Accordingly, the recommendations for location of a public facility or public open space in the Auto Park must be more clearly defined and stated in order to allow MileOne to assess the impact of such a recommendation on their operations.

**Plan-Wide Recommendations – Section 3.F Environment – Tree Plantings (pages 60-61)**

Recommendations regarding tree plantings should take into account the need for visibility of dealership sites for both customer exposure from the street and for security, including not impeding effectiveness of security cameras and other safety and security measures. Moreover, planting requirements must allow alternative planting locations and flexibility in species selection to avoid damage to paved areas and sidewalks as trees and their root structures grow to maturity. Additionally, species selection and planting location is important to prevent damage to dealership inventory from acorns and sap. (This comment also applies to the planting recommendations under the Main Street District section at pages 94-96 of the Update.)

**Briggs Chaney (South) Activity Center – Section 4.B.2 (page 88) and Section 3.C.2, “Street Network Recommendations” (page 49)**

Recommendations for retrofitting Briggs Chaney Road or Automobile Boulevard must recognize the need to maintain MileOne’s existing curb cuts for driveways on both roads. Further, improvements to MileOne’s facilities on Briggs Chaney Road should not automatically trigger a requirement to underground utilities because the cost to underground would make modest improvements and redevelopment projects economically unfeasible.



Mr. Jeff Zyontz  
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**Briggs Chaney (South) Activity Center – Map 37, “Recommended Zoning” (pages 98-99)**

The MileOne sites are currently zoned GR and EOF and are recommended in the Update to be rezoned CR and IM. See recommended zoning for Sites 19B and 19E on Map 37 at pages 98-99 of the Update. The rezoning recommendations must take into account the permitted uses in the GR Zone to ensure additional restrictions or approval processes are not placed on existing uses. For example, “major” vehicle repair is permitted as a limited use in the GR Zone, but is a Conditional Use in the CR Zone. MileOne operates a body repair shop on one of its sites as a permitted use and should not be required to obtain Conditional Use approval for modifications to an existing service center or for a new service center.

We also note the recommendations to rezone the County-owned property to the rear of MileOne’s main lot from GR to R-60 would impose the compatibility requirements under Section 4.1.8 of the Zoning Ordinance to future development on this lot. This would limit MileOne’s design options and is unnecessary given that the County-owned land has no residential development potential.

Please consider these comments as you review the Public Hearing Draft of the Update. We will provide additional comments as the Update process continues.

Thank you.

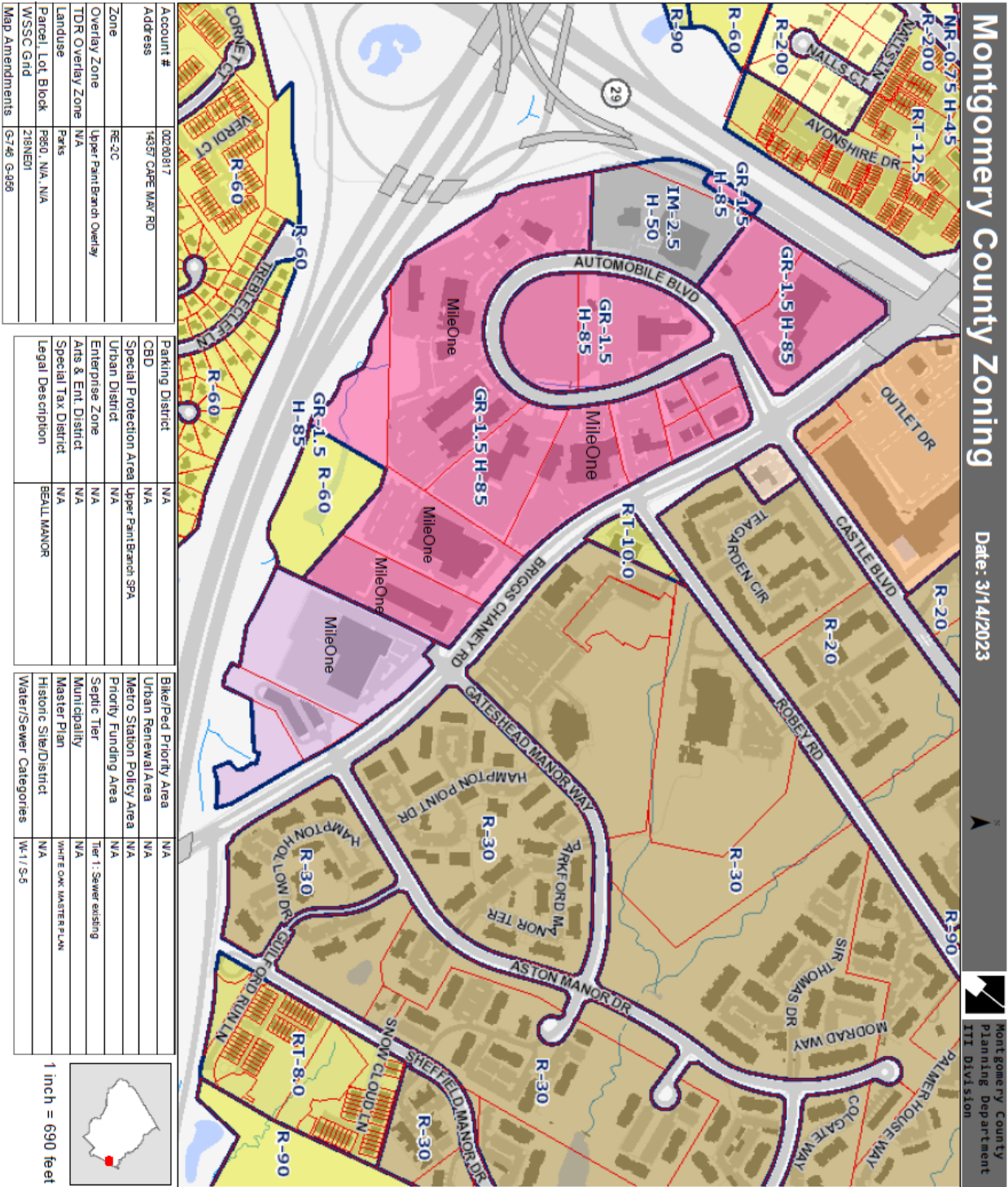
Very truly yours,

**MILES & STOCKBRIDGE P.C.**

*Scott C. Wallace*  
km

Scott C. Wallace

cc: Molline Jackson  
Clark Larson  
Dennis Turnbaugh  
Sabrina Sauer



**From:** Matthew Gordon <mgordon@sgrwlaw.com>

**Sent:** Monday, May 1, 2023 3:10 PM

**To:** MCP-Chair <mcp-chair@mncppc-mc.org>

**Subject:** General Conference of Seventh-day Adventists' Written Testimony for May 4th Planning Board Public Hearing on Fairland & Briggs Chaney Master Plan

Chair Zyontz and Planning Board Commissioners,

Please see the attached written testimony submitted on behalf of the General Conference of Seventh-day Adventists for the May 4<sup>th</sup> Planning Board hearing on the Fairland & Briggs Chaney Master Plan.

Thank you,



**Matthew Gordon** | Partner | Attorney

[mgordon@sgrwlaw.com](mailto:mgordon@sgrwlaw.com)

Direct: 301-634-3150 | Office: 301-986-9600 |

Fax: 301-986-1301

4416 East West Highway, 4th Floor, Bethesda,  
MD 20814





Matthew M. Gordon, Esquire  
[mgordon@sgrwlaw.com](mailto:mgordon@sgrwlaw.com)  
Direct Dial: 301-634-3150

May 1, 2023

*VIA E-MAIL DELIVERY*  
[MCP-Chair@mncppc-mc.org](mailto:MCP-Chair@mncppc-mc.org)

Mr. Jeff Zyontz, Chair  
And Members of the Planning Board  
Montgomery County Planning Board  
2425 Reedie Drive, 14<sup>th</sup> Floor  
Wheaton, Maryland 20902

Re: General Conference of Seventh-day Adventists' Headquarters Property, 12501 Old  
Columbia Pike, Silver Spring – Written Testimony for Fairland and Briggs Chaney  
Planning Board Public Hearing Draft (the “Master Plan”)

Dear Chair Zyontz and Members of the Planning Board:

On behalf of the General Conference of Seventh-day Adventists (the “General Conference”), the owner of the property located at 12501 Old Columbia Pike in Silver Spring (the “Property”), we are submitting this written testimony for the May 4<sup>th</sup> Planning Board public hearing on the Master Plan. As described in greater detail below, the General Conference supports the vision, goals and objectives set forth in the Master Plan.

The General Conference was originally incorporated in the District of Columbia as a nonprofit corporation in 1904 but has maintained its headquarters in Montgomery County for over 100 years. The General Conference has operated its worldwide headquarters at the Property since the late 1980's. The Property includes office space, ancillary surface parking and storage space, and a variety of green space and amenities. The Property continues to serve the General Conference very well and aids it in furthering its various philanthropic and charitable missions. Further, as identified by the Master Plan, the General Conference is proud to be one of the major employers located in the Master Plan boundaries. (Master Plan, p. 11).

While the General Conference has no defined plans for the Property and the headquarters continues to meet its workforce and day-to-day demands, planning staff's initiation of the Master Plan presented a unique opportunity for the General Conference to undertake strategic planning for its future at the Property. In this respect, the General Conference appreciates the opportunity to provide feedback on the Master Plan to both planning staff and the Planning Board. In

\*00433846;2

**Selzer Gurvitch Rabin Wertheimer & Polott, P.C.**

4416 East West Highway • Fourth Floor • Bethesda, MD 20814-4568 Phone:  
(301) 986-9600 • Fax: (301) 986-1301 • Toll Free: (888) 986-9600  
[www.selzergurvitch.com](http://www.selzergurvitch.com)

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recognition that the Master Plan will establish key land use and zoning recommendations for the Property for the next 20-30 years, the General Conference would be remiss if it did not take the opportunity to evaluate various future scenarios for its headquarters in the context of the Master Plan process.

Notwithstanding that the Property continues to serve the General Conference well and that it has are no plans to redevelop or otherwise change the Property, the General Conference supports the Master Plan recommendation to rezone the Property from its current EOF zone to CR-2.0 C-1.5 R-1.5 H-120. (Master Plan, pp. 79-80). The Master Plan recommended CR zoning for the Property provides the necessary flexibility for the General Conference to respond to its future organizational needs and market demands. This CR zoning maximizes the opportunity for the addition of ancillary uses to the General Conference's headquarters as well for more comprehensive redevelopment of the Property that supports the Master Plan recommendation for "pedestrian-friendly street frontages and building design, active ground-floor uses, publicly accessible open space, and a mix of uses that allows living, working, shopping, and gathering near transit" and related goals established by Montgomery County Thrive 2050. (Master Plan, p. 81).

In addition to the Master Plan recommendations for the Property, the General Conference also supports the recommendation that "[i]n the event of future development on the property at 12501 Old Columbia Pike, MCDOT should partner with the property owner to develop the Tech Road Park and Ride lot as an extension of mixed-use development at this high-frequency transit station area." (Master Plan, pp. 81-82). The majority of the adjoining Tech Road Park and Ride Lot was dedicated by the General Conference when its headquarters was developed at the Property in the late 1980's, with a portion of the Park and Ride lot still owned by the General Conference. As a result, the General Conference has a vested interest in any future re-use or redevelopment of the Tech Road Park and Ride lot, and desires to have a seat at the table should MCDOT/SHA pursue redevelopment of this site.

In conclusion, the General Conference supports the Master Plan vision for the Property and surrounding vicinity. The Master Plan recommendations will provide the General Conference with the needed flexibility as it continues to study its long-range plans for the Property and will also further many important land use, housing, environmental, and economic development goals of the County. We respectfully request that the Planning Board adopt staff's recommendations for the Property when it transmits the Master Plan to the County Council.

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Very truly yours,

**Selzer Gurvitch Rabin Wertheimer  
& Polott, P.C.**

*Matthew M. Gordon*

By: \_\_\_\_\_  
Matthew M. Gordon

Enclosure

cc: Paul Douglas, GCSDA  
Josue Pierre, GCSDA  
Tanya Stern  
Robert Kronenberg  
Patrick Butler  
Donnell Ziegler  
Clark Larson  
Molline Jackson

**From:** cwright01@aol.com <cwright01@aol.com>

**Sent:** Monday, May 1, 2023 4:57 PM

**To:** MCP-Chair <mcp-chair@mncppc-mc.org>

**Subject:** Fairland and Briggs Chaney Master Plan - Written testimony to expand the study area boundary

1 May 2023

Dear Planning Board Chair:

Thank you for allowing me the opportunity to provide my written testimony for review at the Planning Board hearing on 4 May 2023.

Public Hearing Item: The Fairland and Briggs Chaney Master Plan draft

Mailing address:

Cynthia D. Wright  
3112 Winifred Drive  
Burtonsville, MD 20866

Testimony Comments /Request:

I would like to request the Planning board consider expanding the northern boundary of the Fairland and Briggs Chaney Master Plan map to include a 3.2 acre vacant, wooded parcel located off U.S. 29 that is privately owned. Reference Map 3: Fairland and Briggs Chaney Study Area, my family's property is located between the jagged arrow part of the outline and U.S. 29. The address of this parcel is 14831 Old Columbia Pike (Tax Description [1244 184](#) Sopers Seat, Account # 00249956).

Background:

The Athey family is one of the original Burtonsville founding families. This parcel was split off from the parent Athey property tract on Old Columbia Pike in Burtonsville many years ago when the State of Maryland constructed U.S. 29 causing the address to be misleading and confusing since it is actually located off the northbound side of U.S 29 near the intersection of Greencastle Road. The property is currently zoned residential and Montgomery County property taxes have been paid accordingly over the years. As an inherited owner of the property, I have discovered that the land was left with no access/without a right of way for entry/exit when the Townes of Gloucester townhomes were built in the 1980s. We have had several buyers over the years interested in purchasing the land but this fact makes it impossible to get through to a final sale.

My Grandfather, Roy Jack Athey, was one of the founders of the original Burtonsville Volunteer Fire Department and the family continues to support the fire department to this day. My Grandfather's love of the land and the family's desire to have the land used for the Community led to the sale of another Athey property off Spencerville Rd in 2012 to the Maryland Park and Planning Agency for planned recreational use with sports fields and park development.

Over the last 5 years, with delays due to the Covid pandemic closures and restrictions in 2020-2022, I communicated directly with the County Executive, the Montgomery County Eastern Regional Director, several Area 3 Maryland National Capital Parks and Planning Commission Senior Planners, the Montgomery County Tax Assessment office, the Maryland State Highway Administration, a local Real Estate Lawyer and my mother's estate Lawyer on how to proceed. None of these communications provided viable options on how to proceed with a sale of the property without great personal expense.

Comments:

Expanding the current boundary to include this 3.2 acre parcel supports the goals of the Master Plan's land use, zoning and environmental items of this study area.

This also supports the potential future Transportation plan for an exchange at U.S. 29 and Greencastle Rd.

I personally have paid the Montgomery County Real Property Taxes since 2015 and it has become a financial burden. The last Planning Member concluded the following "However, without legal and perpetual access to Wexhall Terrace, and by extension, the public street network the development potential of this property is non-existent. " . Thus, my family is left with continuing to pay property taxes on a land-locked property that is not likely to developed without great expense, if at all.

This small land area addition to the Fairland and Briggs Chaney Master Plan does not cause major impacts to the proposed plan. The sale of this 3.2 acre parcel will reduce my financial burden of paying the taxes on an unusable property. It will enhance the usability of the area. Both lead to an easy Win-Win option for Montgomery County Planning, the Community and my family.

Request:

Please consider adding this 3.2 acre parcel to the Fairland and Briggs Chaney Master Plan study area map and purchase the 3.2 acres at a fair market price now.

Thank you for your consideration of this request. I look forward to your response.

Cynthia D. Wright

**From:** Mani Panickar <mpanickar@gmail.com>

**Sent:** Tuesday, May 2, 2023 10:01 AM

**To:** MCP-Chair <mcp-chair@mncppc-mc.org>

**Subject:** Opposition to recommended zoning change to a piece of land on East Randolph Road (10 acres)- from Resident of the county.

Hello Chairman,

I would like to bring to your attention rezoning application LMA H-145PFFCP H-145 that was submitted and eventually withdrawn to change the zoning on this piece of church land on East Randolph Rd. It looks like the master plan is also recommending a zoning change for this piece of church land from residential to commercial.

I sincerely request the planning board to reconsider their decision for the following reasons

- This a quiet residential neighbour hood
- The area is surrounded by Churches, School, Temples and homes

And rezoning from Residential to Commercial will

- impact the quiet neighbourhood
- add traffic issues
- Safety to elementary school kids- few commercial shops that already exists

And with the new developments, coming up across Rt 29, which has stores and facilities available for people to shop and enjoy

Also, the new white oak town center as well.

We are not against the master plan initiatives; all that we are asking is not to change the zoning of this piece of church land from residential to commercial.

Thank you

Mani Panickar

2738 Hunters Gate Ter

Silver Spring MD 20904