

Item 9 - Correspondence

From: [Susan Cooke Soderberg](#)
To: [MCP-Chair](#)
Cc: [Ballo, Rebecca](#); [Wayne Tobiassen](#); [Kristen Walker](#); [Lisa Gonzales](#); [Ted Farrand](#); [Norm Gordon](#)
Subject: Waters Village
Date: Tuesday, April 11, 2023 3:14:08 PM
Attachments: [Murder of Horace Waters \(2019_06_26_15_12_50 UTC\).docx](#)

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In reference to Waters Village
Montgomery County Planning Board Public Hearing on April 20, 2023
preliminary Plan # 120220200
site Plan # 820220260

The Germantown Historical Society has no comment on this plan from a historical perspective.

We would, however, request, as we have done before, that the street name "Waters House Road" be changed to "**Horace Waters Road.**" The name Waters House is too generic as there were three Waters brothers who settled in Germantown 1775-1790 and built houses here. And there are many other Waters houses built by descendants as well. This is a small section of a much longer road, Waters Road, that originally connected at least six "Waters" houses. It has now lost that connection and this section is on the land of only one -- Horace Waters.

Horace Waters was a well-known and respected member of this community in the early 20th century, and probably would have been elected mayor if Germantown had been incorporated. He owned the general store and was murdered by a robber in his store on January 20, 1932 (see attached article). He owned the land that this development sits on, so it is most appropriate to name the street for him. This will mean much more to the Germantown Community than a generic name. People need to connect to the history of the place where they live and to the people who lived there before in order to enhance a sense of community.

We hope that we can work with your staff in the future to name more streets and roads for local people and places that reflect our history.

Susan Cooke Soderberg
President
Germantown Historical Society
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Germantown, MD 20875
germantownmdhistory@gmail.com
301-814-5048

The Murder of Horace Waters

The peace of the little village of Germantown was broken by the sound of gunshots on January 20, 1932. Robbers had entered Horace Waters' store at around 7pm. They shot and killed Mr. Waters, a prominent citizen of Montgomery County, and wounded his clerk, Richard Bennett.

Horace Waters was known to carry a large amount of cash, and often loaned money to local people in need, both white and black. He had operated a general store in Germantown at the corner of Germantown Road and Clopper Road for more than 50 years. A grandson of one of the first settlers of the area, William Waters, Horace was a director of the Farmer's Banking and Trust Company of Rockville and well respected in the community.

At around 7pm on the evening of January 20, 1932, Mr. Waters was sitting behind his desk at the rear of the store, and his clerk, Richard Bennett, was at the counter in the front. Three local men, Herman Moore, Milton Warren, and Quaint Perry were sitting around the stove near the back. Three African American men entered the front door of the store and went directly to the rear where the leading man pointed a gun at Mr. Waters and demanded money. Waters resisted when the robber started to go through his pockets and the robber shot him in the chest just under the heart. He died almost immediately. On seeing the scuffle, Mr. Bennett had rushed to the aid of his employer, only to be shot in the wrist by the assailant, which bullet also hit Mr. Waters in the hip.

Just then there was the sound of a vehicle pulling up to the front door and, frightened of being caught, the three intruders hurriedly left. The vehicle was a bread truck pulling up to get gas. J.M. Siever and W.C. Hershberger got out of the truck and entered the store. When they came upon the scene Hershberger immediately telephoned the police. It was found later that Mr. Waters still had his wallet pinned inside his coat with more than \$100 in it.

The police combed the area but found no trace of the three bandits. The three men who were inside the store during the incident, and Bud Praither who an informant said was a person that the robbers were looking for, all African American, were jailed and questioned, but released after a few days. State's Attorney Stedman Prescott assigned the case to Gen. Gaither, Police Commissioner for Baltimore City, but they got no further than the local police in solving the case, even with Montgomery County offering a \$1,000 reward for information leading to the arrest and conviction of the killers.

In April, however, the case was revived when Mary Burns, wife of the local postman Harry Burns found a gun under the hedge in front of her house at 19311 Germantown Road (now Liberty Mill Road), the probable escape route of the robbers. The gun was a 45 caliber pistol, the same that shot Horace Waters, but no fingerprints were found on it.

The murder was not solved until four years later. According to an article written by Jack Toomey for the Monocacy Chronicle in 2007, the murderer, Donald Parker, was overheard telling a fellow inmate at the penitentiary in Baltimore about the killing in 1936. He was tried and convicted of the murder and sentenced to life imprisonment. According to police files, Parker, Gordon Dent and James Gross made up a gang who held up filling stations, taverns and stores all around the mid-Atlantic area. Dent and Gross had already been hanged for another murder by that time. According to Toomey, Parker was released on parole in 1953, re-arrested in 1958, paroled again in 1962 and died in Washington, D.C. in 1973.

The funeral of Horace D. Waters was attended by about 500 people. Canon Arthur B. Rudd of the Washington Cathedral officiated. He is buried at the Neelsville Presbyterian Church Cemetery. He was 79 years old when he was killed and left a widow, Valeria Dorsey Waters, and five adult children.

The store clerk who was wounded, Richard Allen Bennett, age 68 at the time, went on to live another 14 years. He is also buried at the Neelsville Presbyterian Church Cemetery.

A Sunoco gas station now occupies the site of the Waters General Store at the NE corner of Clopper Road and Liberty Mill Road.

From: [Barr, Stuart R.](#)
To: [MCP-Chair](#); [Casey, Jonathan](#); [Duprey, Alexandra](#); [Whelan, William](#)
Cc: [Pereira, Sandra](#); [Butler, Patrick](#); [Barr, Stuart R.](#)
Subject: Item #9 - April 20th Agenda - Waters Village/Goodwill Germantown project -120220200/820220260 - Letter from Applicant
Date: Wednesday, April 19, 2023 1:42:42 AM
Attachments: [KHR Letter to Planning Board re Objections to Staff Report \(4-18-2023\)\(4982341.2\).pdf](#)
[UT-1_04-17-23sm3.pdf](#)
[RENDERING CIRCULATION.pdf](#)

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Please see the attached letter for the Waters Village/Goodwill Germantown project – Application Numbers 120220200/820220260 (Item #9 on the April 20th agenda). If the Chair’s office could please confirm receipt, I would appreciate it.

We ask for at least 15 minutes for our presentation. We also ask that the two attached exhibits --- Utility Poles Exhibit and Pedestrian Connectivity Exhibit --- be available to us electronically to use during the hearing.

Thanks very much ---- Stuart Barr

Stuart R. Barr, Attorney

Lerch, Early & Brewer, Chtd. rise to every challenge
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April 18, 2023

BY ELECTRONIC DELIVERY

MCP-Chair@mncppc-mc.org

Mr. Jeff Zyontz, Chair, and Members of the Montgomery County Planning Board
Maryland National Capital Park and Planning Commission
2425 Reedie Drive
Wheaton, Maryland 20902

Re: Waters Village - Preliminary Plan Application No. 120220200/Site Plan Application
No. 820220260
Item No. 9 - April 20, 2023 Planning Board Agenda
Objections to Two Conditions Recommended by Planning Department

Dear Chair Zyontz and Members of the Planning Board:

We are submitting this letter in connection with Item No. 9 on the Planning Board's April 20, 2023 Agenda -- Waters Village Preliminary Plan Application Number 120220200 and Site Plan Application Number 820220260 (the "Application"). Our firm represents KHR Waters Investments, LLC (the "Applicant"), the owner of the property located at 19621 Waters Road in Germantown, Maryland (the "Property"). The Applicant proposes redevelopment of the Property with a one-story Goodwill retail store, other general retail in a one-story building, an eating and drinking establishment with drive-thru, surface parking, related site improvements, stormwater management, and associated utilities (the "Project"). The new retail shopping center and Goodwill facility will help to meet the County's growing need, and particularly the Upcounty/Germantown area's growing need for these types of services

This letter objects to two conditions contained in the April 10, 2023 Planning Department Report. Otherwise, the Applicant supports the Planning Department Report, which recommends approval of the Application, with conditions.

We want to emphasize that the Planning Department has worked extensively with the Applicant team over the past couple of years to revise the proposed plans for the Property. In many ways, the Planning Department's and Applicant's hard work has resulted in a superior plan when compared with prior iterations. In other respects, the Applicant believes that it has gone above and beyond reasonable expectations in order to accommodate Planning Department

design preferences.¹ Collectively, we have pushed this Project as far as it will go, and we now are at the tipping point where any further material changes to the proposed plan potentially complicate the viability of the Project. We appreciate the Board's consideration of the Applicant's position on the following two proposed conditions in particular, which we will be prepared to discuss further at the public hearing on April 20th.

Preliminary Plan Condition #4 – Requirement to Underground Utilities on Waters Road

The Department of Transportation proposes a condition to require the Applicant to underground dry utilities along the Waters Road frontage.² The Applicant opposes this proposed condition, and based on the financial impact, we do not expect that the Project will move forward if this condition is imposed.

The Applicant and its utility consultant, Richter & Associates, have studied the cost implications of this proposed condition. As reflected on the attached Utility Poles Exhibit, there are four utility poles along the Waters Road frontage -- one within an island at the Wisteria Drive/Waters Road intersection, and three more along the Property's western frontage. Due to proposed Waters Road frontage improvements, the three poles along the Property other than

¹ Notably, based on Planning Department feedback, the Applicant has:

- Relocated the proposed restaurant and drive-thru from the northwest side of the Property (i.e., the corner of Waters Road/Wisteria Drive) to the southwest side, and relocated the general retail building from the southwest side to the northwest side.
- Created an amenity space/pedestrian connection in between the general retail buildings.
- Improved vehicular circulation within the Property.
- Provided additional right-of-way dedication on Waters Road to accommodate on-street parking, a 7 foot planting strip, and a 10 foot wide shared path along Waters Road.
- Placed all structures as close as possible to the adjoining road frontages and enhanced the street presence of buildings along street frontages.

² Preliminary Plan Condition #4 recommended by the Planning Department provides:

4. *The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated March 23, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.*

The March 23, 2023 Department of Transportation letter (Attachment B to the Planning Department Report) provides:

8. *The applicant will be required to underground all utilities along their Waters Road frontage.*

the one in the island will need to be relocated. The projected cost of this relocation work is **\$276,377** and the Applicant is prepared to bear this cost.

By contrast, the projected cost of undergrounding the utilities is **\$703,181** – or approximately **\$426,804** more than the cost of relocation. The two costs are summarized in the following table:

| <u>Utility</u> | <u>Relocation Cost</u> | <u>Undergrounding Cost</u> |
|-------------------------------|-------------------------|----------------------------|
| Pepco | \$66,816 | \$135,128 |
| Verizon (including fiber hub) | \$129,752 | \$299,677 |
| Comcast | \$45,753 | \$215,620 |
| Crown Castle | \$34,056 | \$52,756 |
| Total | <u>\$276,377</u> | <u>\$703,181</u> |

The significant difference in cost is attributable to the inherent enhanced cost of undergrounding utilities and to the unique characteristics of these particular utilities. In order to underground the overhead lines for the Waters Road frontage, two additional poles must be installed off-property. According to Richter & Associates, these include:

- An additional pole that needs to be installed to allow for proper guying of the overhead line that is to remain along the north side of Wisteria Drive. This additional pole would be installed along Waters Road on the north side of Wisteria Drive in front of 13097 Wisteria Drive (building west side). An additional underground telecom ductbank would have to extend from the Project Property across Wisteria Drive to this new pole location; and
- An additional Pepco pole that needs to be installed to allow for Pepco to refeed the existing overhead electric lines that would remain to the south of the Project Property. The new Pepco pole would be installed in-line with the existing overhead electric lines, near the entrance to the U-Haul Moving and Storage of Germantown. An additional Pepco ductbank will need to extend from the west side of Waters Road (Waterford Hills Subdivision) where the Pepco underground line originates from to this new pole in front of the U-Haul Moving and Storage of Germantown.

Furthermore, Richter & Associates notes that it is not feasible to underground one of the poles (Pole #2 shown on the Utility Poles Exhibit) because it carries 5G equipment that must remain above ground in order to function. Thus, even if undergrounding was imposed, that relocated pole would still need to exist above ground and would be visible.

To our knowledge, the Master Plan does not require underground utilities in this location in Germantown. Moreover, both the 2021 Complete Streets Design Guide³ and the County Subdivision Regulations⁴ provide the Planning Board with the discretion to allow above-ground dry utilities, if circumstances warrant.

In this case, the size and density of the proposed development does not warrant the additional cost of undergrounding utilities. The entire Project size is less than 30,000 square feet. The Applicant is very concerned with the cumulative financial impact of relocating the utilities, the required frontage improvements on Wisteria Drive, Waters Road, and Waters House Avenue, the payment for off-site transportation improvements, and the expected County development impact taxes. On top of those costs, the cost of undergrounding utilities would be excessively disproportionate to the size of the Project and would place an onerous financial burden on the development that may not be viable. For these reasons, we ask the Planning Board to remove this condition.

Site Plan Condition #12(b) – Additional Goodwill Building Entrances on Wisteria Drive

Site Plan Condition #12(b) recommended by the Planning Department currently provides: “Add two entrances to the front of Goodwill Building, along the frontage of Wisteria Drive.” The Applicant and Goodwill respectfully object to this condition and request its removal.

As explained in the Applicant’s Second Supplemental Statement (Attachment E to the Planning Department Report), prior to filing Concept Plan Application Number 520210170, the Applicant conducted two significant meetings with the Planning Department. Those meetings occurred on May 18, 2021 and September 1, 2021. During those meetings, the Applicant made it clear that Goodwill was proposing one building entrance facing the proposed customer parking. Subsequently, in support of the Preliminary Plan and Site Plan Applications, the Applicant’s Statement dated July 22, 2022 indicated:

“Based on the proposed Site Plan, the proposed store entrance to the Goodwill building currently faces south towards the proposed customer parking. During an initial meeting to discuss the Project, the Planning Department suggested a second Goodwill store building entrance facing Wisteria Drive. Goodwill is not aware of any Goodwill stores nationwide that have more than one building entrance, and Goodwill has several

³ See pages 56 and 154 of the 2021 Complete Streets Design Guide for Town Center Streets.

⁴ Under Subdivision Regulations Section 50.4.3.I.1.b: “The developer may also be required to underground any above-ground or overhead utilities that exist either within the property being subdivided or within the road right-of-way along the frontage of the property being subdivided, *if the Board determines it is necessary based upon the size and density of a proposed subdivision*” (emphasis added).

concerns about the feasibility of a potential second store entrance, from a store control and layout standpoint.”

Goodwill’s position on this point has not changed from when the Application was filed. Goodwill’s response to the request to add building entrances is as follows:

“All of Goodwill of Greater Washington’s (GGW’s) twenty-one retail stores have a single customer entrance, which allows the stores to maximize the amount of retail floor space available for merchandise and provides a single control point for customer entry and exit. Cash registers are placed near the entrance so that cashiers can welcome customers to the store. Also, since theft is unfortunately a large and growing problem for all retailers, this register placement ensures that store employees are near the store exit to deter any potential shoplifting. If a store was required to have a second entrance on the opposite site of the building, it would reduce the amount of floor space available for merchandising, which would reduce revenue. A second entrance also would require a second set of cash registers and additional staff, which would increase expenses. GGW knows of only a few instances of other Goodwill stores across the country that have more than one store entrance, and in each case, those stores have indicated that they have increased theft on average when compared with stores with one store entrance, despite their mitigation efforts. As a non-profit organization, Goodwill strives to maximize the value of each donation in order to provide workforce development services to the community. Having a second store entrance would materially change the financial projections for the proposed Germantown store and GGW would need to re-assess whether it makes sense to move forward with a store at this location.”

Zoning Ordinance Section 4.5.3.C.5.a. allows for Building Orientation and Transparency requirements to be modified by the Planning Board during site plan review if the Planning Board finds that the plan *“1) deviates from the Building Orientation and Transparency requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use and 2) incorporates design elements that engage the surrounding publicly accessible spaces such as the streets, sidewalks, and parks.”*

The proposed land use is a Goodwill retail store. The store is not expected to generate any meaningful volume of pedestrian activity, and the vast majority of Goodwill’s customers are expected to drive. Thus, the Goodwill Building entrance faces the parking lot, which is the most convenient and logical location for the building entrance.

As reflected on the attached Pedestrian Connectivity Exhibit, and in the proposed plans, the Project design significantly enhances pedestrian connectivity in the area and engages the surrounding publicly accessible spaces such as streets, sidewalks, and parks. At the Planning

Department's request, the Applicant has provided additional dedication on Waters Road to accommodate frontage improvements and increased the width of sidewalks and paths along all three frontages. These substantial frontage improvements on Wisteria Drive, Waters Road, and Waters House Avenue will engage the streets, sidewalks, and the proposed green open space pedestrian gathering area located on the northwestern side of the Property at the intersection of Wisteria Drive and Waters Road.

As explained in the Applicant's Second Supplemental Statement, the architecture along Wisteria Drive is engaging on its own without the need for an additional building entrance. The façade along Wisteria Drive has been articulated with a series of varying materials as well as the required storefront opening fenestration required by the County regulations. The façade includes the required window openings to adequately activate this façade with views into the Goodwill retail store.

Finally, as reflected on the attached Pedestrian Connectivity Exhibit, there are no pedestrian connections across Wisteria Drive in between the Waters Road/Wisteria Drive and Waters House Avenue/Wisteria Drive intersections. Crossing Wisteria Drive in between the Waters Road/Wisteria Drive and Waters House Avenue/Wisteria Drive intersections is not safe for pedestrians, and the Project design should not encourage any mid-block pedestrian crossings across Wisteria Drive. A second building entrance may have this unintended effect.

For these reasons, no further Goodwill building entrances should be required, and the plan should be approved, as proposed. We ask that Site Plan condition #12(b) be removed.

Thank you very much for considering our position concerning these two proposed conditions, and we look forward to discussing them with you further at the hearing on April 20th. We ask for at least 15 minutes for our presentation at the public hearing.

Respectfully submitted,

Lerch, Early & Brewer, Chtd.



By: _____

Stuart R. Barr
Attorneys for Applicant KHR Waters Investments, LLC
7600 Wisconsin Avenue, Suite 700
Bethesda, Maryland 20814
Phone: (301) 961-6095

Attachments:

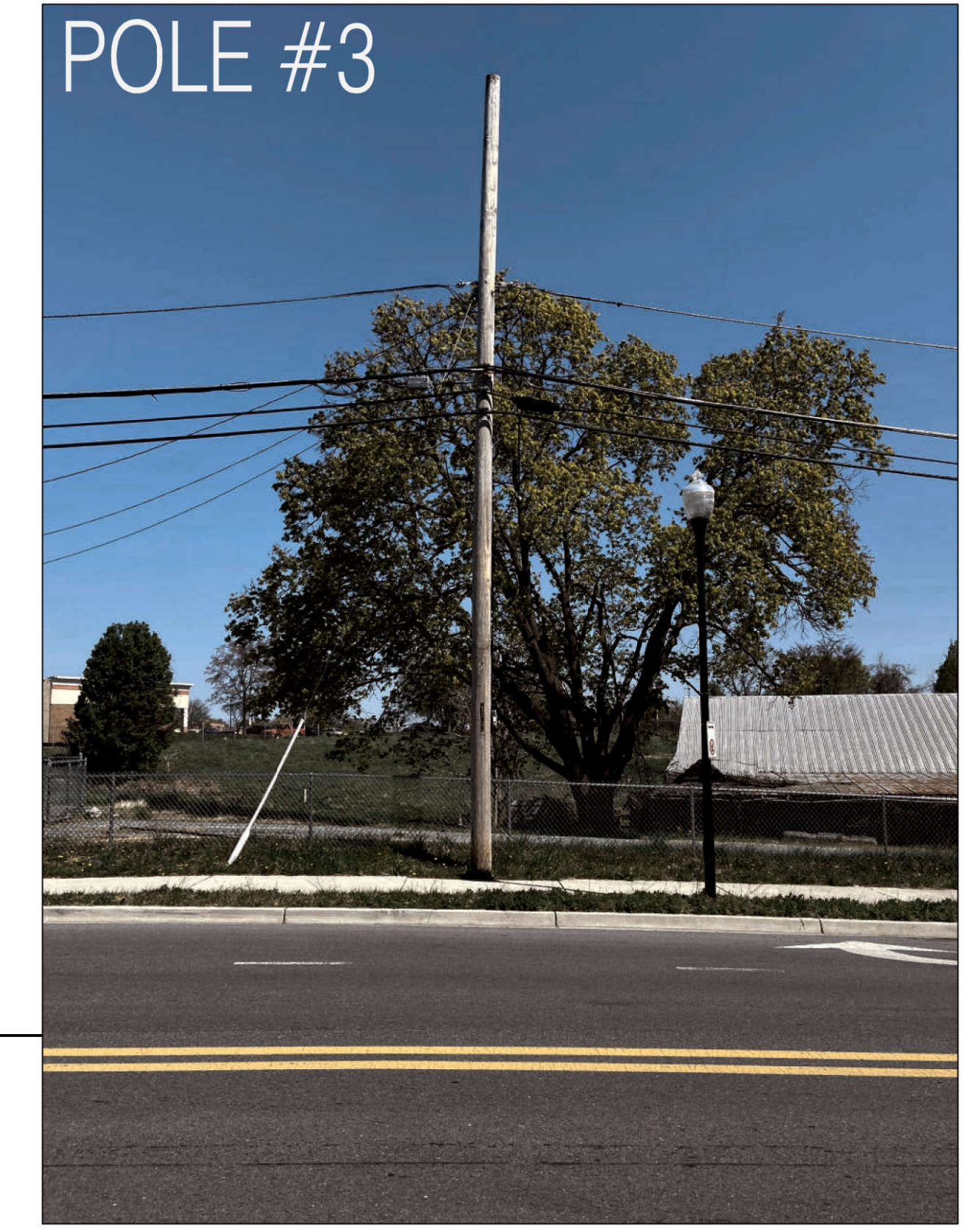
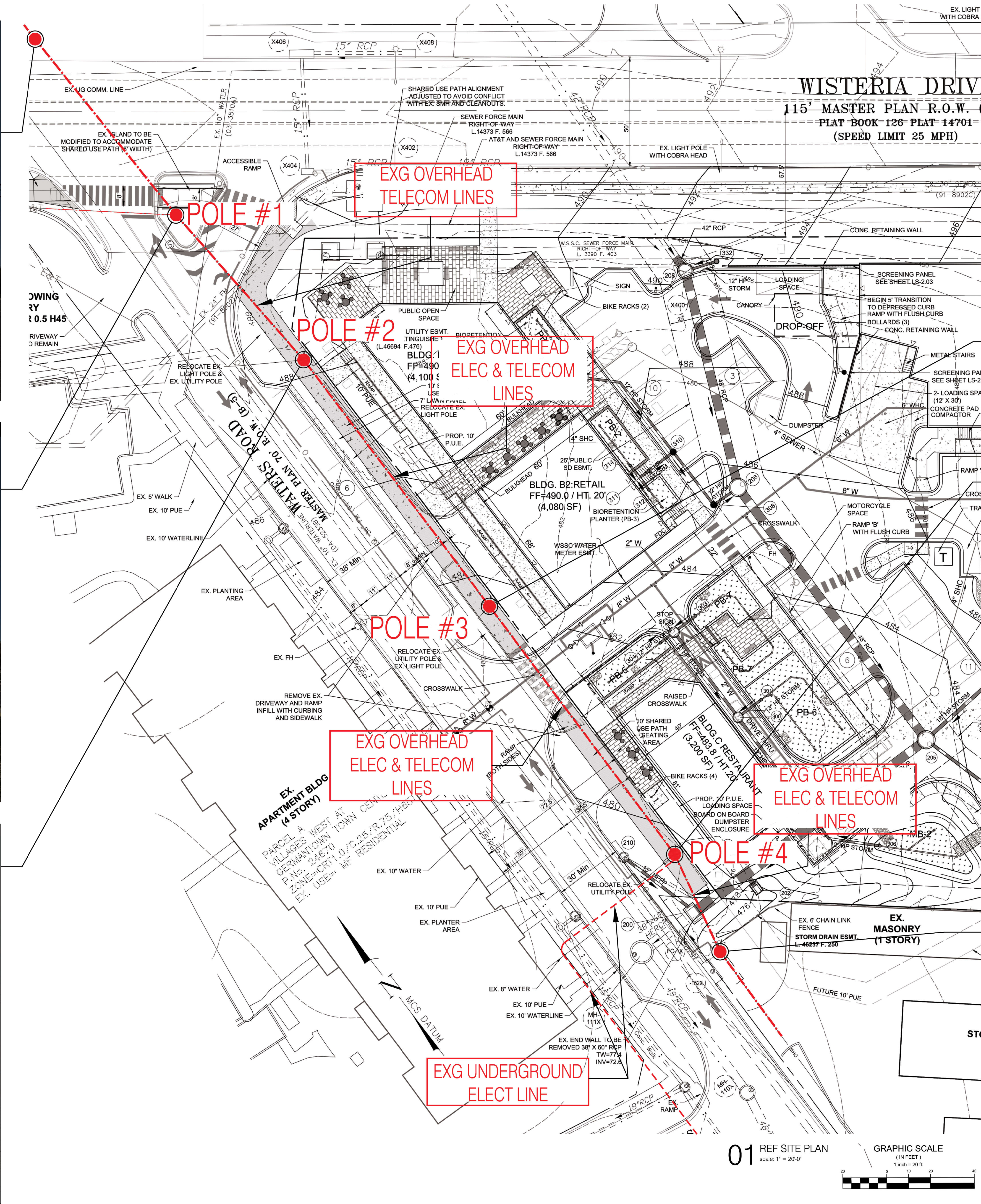
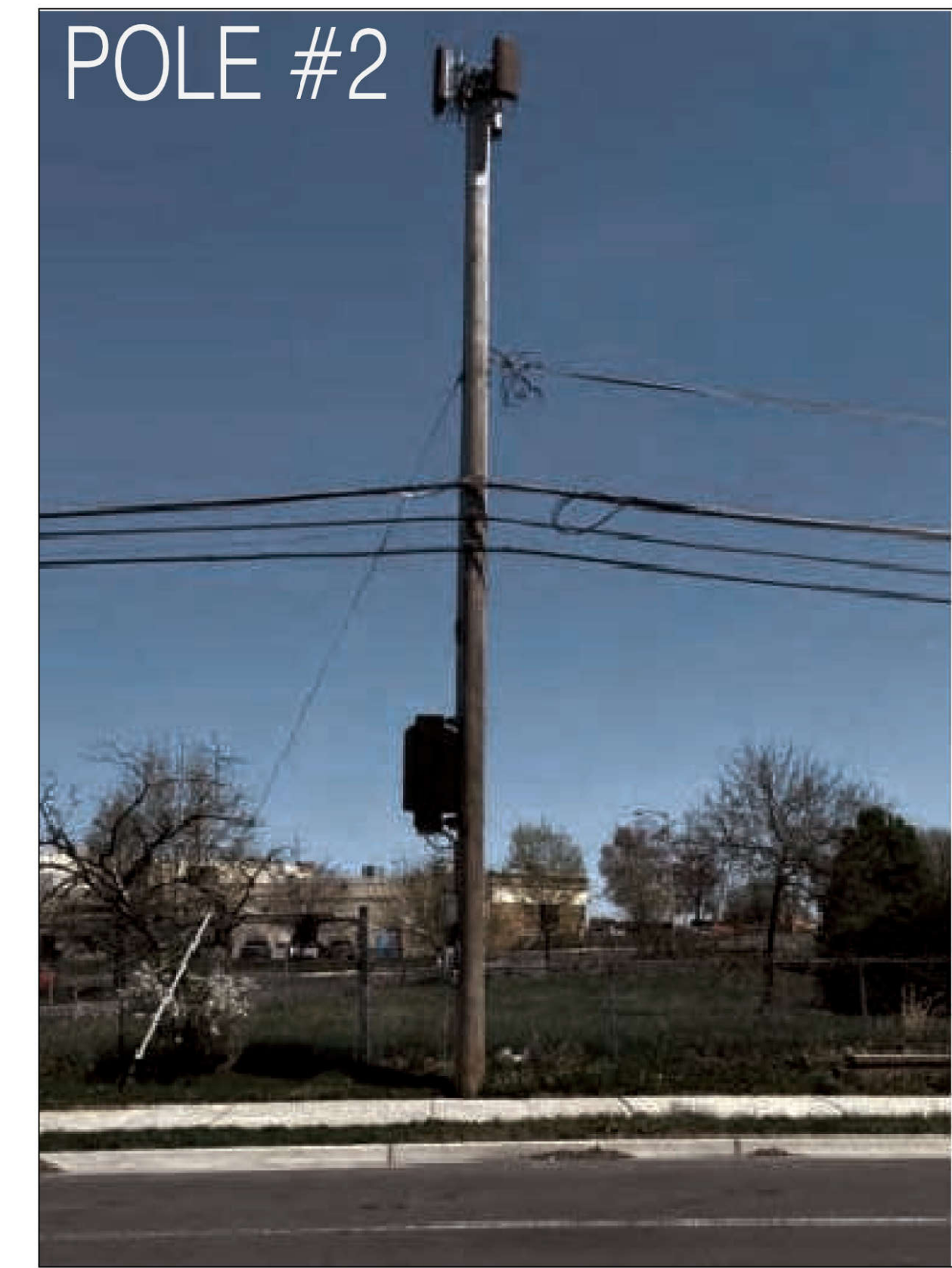
- Utility Poles Exhibit
- Pedestrian Connectivity Exhibit

cc (by e-mail): Jonathan Casey

Alexandra Duprey

William Whelan

Applicant Team



REVISIONS

| NO. | DESCRIPTION | DATE |
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| | | |

TAX MAP EU 42 WSSC 227 NW 13
PARCEL 760
L 17837 F 693
CHESTNUT RIDGE
2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

WATERS VILLAGE

| | |
|-----------|------------|
| PROJ. MGR | BJD |
| DRAWN BY | PHR |
| SCALE | 1" = 30' |
| DATE | 02.13.2023 |

PEDESTRIAN CONNECTIVITY EXHIBIT

PROJECT NO. 2017.117.22

NO PEDESTRIAN CONNECTION ACROSS WISTERIA DRIVE

FUTURE
-CONCEPT
PEDESTRIAN
CROSSWALK
(BY OTHERS)

EXISTING
BUS STOP

WISTERIA DRIVE

TRANSIT STOP

AMENITY AREA

RETAIL

RETAIL

WATERS ROAD

RESTAURANT
WITH
DRIVE THRU

AMENITY AREA

PARKING LOT
SCREENING

FUTURE WATERS
HOUSE AVENUE
EXTENSION
(BY OTHERS)

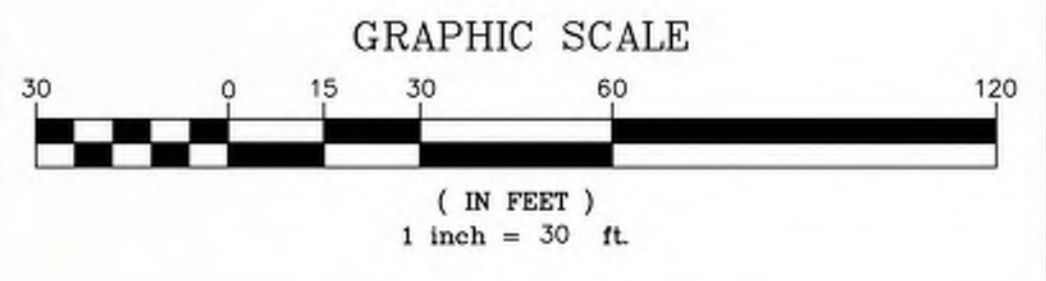
FUTURE WATERS
HOUSE ROAD
EXTENSION
(BY OTHERS)

CURBSIDE
CUSTOMER
DROP-OFF

BUILDING
ENTRANCE

LEGEND

- PROPOSED SHADE TREES
- PROPOSED ORNAMENTAL TREES
- PROPOSED FOREST CONSERVATION MITIGATION TREES
- PROPOSED RIGHT-OF-WAY TREES
- PROPOSED SHRUBS
- PROPOSED HERBACEOUS PERENNIALS & GRASSES
- PROPOSED STORMWATER MANAGEMENT PLANTING
- PROPOSED TURF GRASS
- PROPOSED DECORATIVE PAVING
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- PROPOSED FURNISHINGS
- PROPOSED DUMPSTER
- PROPOSED LIGHT FIXTURES
- PROPOSED BIKE RACKS
- PEDESTRIAN CIRCULATION
- PEDESTRIAN CIRCULATION (FUTURE BY OTHERS)



From: [Will Clark](#)
To: [MCP-Chair](#); [Duprey, Alexandra](#); [Casey, Jonathan](#)
Subject: Waters village
Date: Wednesday, April 19, 2023 10:31:59 AM

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

Good morning,

These will be my last comments on this development plan, Waters Village. Seems to be pointless if the plan will be approved regardless of the wishes of the community currently living here.

Some continuing points and concerns:

The traffic plan only records current traffic. Seems the increase in traffic onto Waters road and WHB seems to almost double in the afternoon. It appears to be cars wishing to cut through and avoid the traffic backup at 118 and Wisteria Rd during evening rush hour.

The plan makes no mention of the projected traffic increase on Waters Rd and Waterford Hills Blvd as expected from a drive through restaurant and retail. A minimum expectation must be needed to make these retail fronts viable. Doesn't mention the still empty storefronts in the ground level of the apartments, nor the empty storefronts in the adjacent shopping center off Wisteria.

The plan makes no mention of the lack of turnover in parking on Waters Rd which is monopolised from Apartment dwellers parking their cars to avoid either lack of an apartment parking permit or just close proximity to the buildings. I suggest meters to increase turnover to make the retail viable.

Of course this will add more parking problems already present on Waterford Hills Blvd by residents from Liberty Mills Apartments and also Ashemore condominiums parking on Waterford Hills Blvd. Many of these "residents" are not recorded on leases so lack any parking permits in their community. Also we have an overabundance of commercial vehicles parking illegally on our residential street.

The current companies located on Waters Road are low traffic impact companies. Geisers (an impound lot), U Haul storage facility, a RV storage lot, and Werking garage (an auto body repair shop). The current proposed development was simply a parking lot for buses. None of these are high traffic volume facilities. The incoming retail and drive-thru will require a much higher car traffic volume to be economically viable. Unfortunately Waters Road, a very narrow, constricted road was never designed to handle an increase in traffic.

That the false idea of the MARC Rail Communities, that was sold to support the desirable high density communities like in Clarendon and Courthouse located around metro stations, are not a metro stations. The MARC trains run only Monday through Friday with very limited hours. Not at all comparable to a Metro system. Just a cash grab for developers.

The plan makes no mention at the traffic constriction when Ubers double park on Waters Road to pick up apartment passengers. No mention of a School bus stop currently located near the very site of traffic egress to the planned shopping center. The plan doesn't mention what happens to traffic when FedEx, UPS, and USPS trucks park on Waters Road for deliveries making traffic even more dangerous as visibility and traffic flow is blocked. Not to mention when Geisers car carriers do park in the middle of either Waters Road or Wisteria and bring traffic to a complete stop. Of course we have the total lack of traffic or parking enforcement on the already existing roads and already planned developments.

View sites are blocked by cars that have parked illegally permanently in no parking zones at the end of Waterford Hills blvd perpendicular to Waters Road. This actually makes trying to make a turn from Waters Road onto Waterford Hills Blvd dangerous and difficult. Many times the Ride On buses can barely make the turn from Waters Road onto Waterford Hills Blvd. Are we to resign ourselves to more traffic and more unenforced parking here?

The traffic plan only shows one bike ever recorded. So why the infatuation with bike racks and bike access for none that actually travel here? Seems that the over abundance of car part stores, one even on Waters Road seems to prove bikes are not used in this area.

So is low end retail all that will now come to upper Montgomery county? A Good Will Thrift store is not one of those desirable retail stores, others located in the metro area are not adjacent to housing but in isolated shopping centers. I guess the Trader Joe's shopping center in Travaille didn't want a Good Will Thrift moving in. All I see now here in Germantown are Chinese carryout, Vap and pot dispensaries, wine and beer stores, and now a Good Will Thrift Store. So have the developers mentioned the crime level here? We have assaults, shootings, stabbings within this proximity. So high density will lessen crime? I think not. Will high density increase desirability here? I think not. Just desirable for developers to maximise profit at the expense of current homeowners. I even doubt that Lidl will now open on 118.

The current area is considered a high traffic noise area and also a high traffic volume area. No plans to make it less so. Seems the county doesn't care about the loud mufflers so pervasive here also. This will only get worse with the projected

increase in traffic required to make these incoming retail and restaurants viable as projected in the plan. So more noise, more traffic congestion, and more crime in an area of underperforming schools.....sounds like a good campaign for the Germantown Chamber of Commerce.

These gentlemen brothers that are planning this development had the chance to sell this plot to the apartment development that included our 166 townhomes which would have made better use and a more integral design for those that currently live here. So just a poorly planned cash grab by two non-residents (appears they haven't lived in their former home for a rather long time) is the best Montgomery county can do? There are four more sites, off Waters Road, that could also be developed in a rather bad piecemeal way. So those that have bought here must pay the price for this? Please bring development that brings community desirability and supports home values. The only people benefitting seems to me are the two gentlemen brothers with a tract of land really too small for the proposed development.

My vote is still "no" to this development and is felt by others living here in the Waterford Hills Community. Thank You for the consideration.

Sincerely,
William Clark
President of the Waterford Hills HOA

From: [Duprey, Alexandra](#)
To: [Will Clark](#)
Cc: [MCP-Chair](#); [Casey, Jonathan](#)
Subject: RE: Waters Village Testimony with address
Date: Wednesday, April 19, 2023 11:29:17 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi William,

Following up on my previous email – since your letter was sent to the Chair’s Office, the Board will have your letter on hand and may raise questions for us and the Applicant to address during the hearing. We will be addressing these concerns during our presentation on Thursday. Because we are receiving this supplemental letter so close to the hearing, that is the most appropriate way forward.

Thank you for taking the time to reach out on this Application.

All the best,
Alexandra



Alexandra Duprey (she/her)
Regulatory Planner II
Montgomery County Planning Department
The Maryland-National Capital Park and Planning
Commission
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Alexandra.Duprey@montgomeryplanning.org
p: 301-495-1309

From: Duprey, Alexandra
Sent: Wednesday, April 19, 2023 10:40 AM
To: Will Clark <wmclark222@gmail.com>
Cc: MCP-Chair <mcp-chair@mncppc-mc.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: RE: Waters Village Testimony with address

Good morning William,

I set a meeting to talk through your concerns with our Transportation Planners this afternoon. I will send you a detailed response to these concerns afterward.

Thank you,
Alexandra Duprey

|



Alexandra Duprey (she/her)

Regulatory Planner II

Montgomery County Planning Department
The Maryland-National Capital Park and Planning
Commission

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From: Will Clark <wmclark222@gmail.com>

Sent: Wednesday, April 19, 2023 10:37 AM

To: MCP-Chair <mcp-chair@mncppc-mc.org>; Duprey, Alexandra
<Alexandra.Duprey@montgomeryplanning.org>; Casey, Jonathan
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Subject: Waters Village Testimony with address

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Good morning,

These will be my last comments on this development plan, Waters Village. Seems to be pointless if the plan will be approved regardless of the wishes of the community currently living here.

Some continuing points and concerns:

The traffic plan only records current traffic. Seems the increase in traffic onto Waters road and WHB seems to almost double in the afternoon. It appears to be cars wishing to cut through and avoid the traffic backup at 118 and Wisteria Rd during evening rush hour.

The plan makes no mention of the projected traffic increase on Waters Rd and Waterford Hills Blvd as expected from a drive through restaurant and retail. A minimum expectation must be needed to make these retail fronts viable. Doesn't mention the still empty storefronts in the ground level of the apartments, nor the empty storefronts in the adjacent shopping center off Wisteria.

The plan makes no mention of the lack of turnover in parking on Waters Rd which is monopolised from Apartment dwellers parking their cars to avoid either lack of an

apartment parking permit or just close proximity to the buildings. I suggest meters to increase turnover to make the retail viable.

Of course this will add more parking problems already present on Waterford Hills Blvd by residents from Liberty Mills Apartments and also Ashemore condominiums parking on Waterford Hills Blvd. Many of these "residents" are not recorded on leases so lack any parking permits in their community. Also we have an overabundance of commercial vehicles parking illegally on our residential street.

The current companies located on Waters Road are low traffic impact companies. Geisers (an impound lot), U Haul storage facility, a RV storage lot, and Werking garage (an auto body repair shop). The current proposed development was simply a parking lot for buses. None of these are high traffic volume facilities. The incoming retail and drive-thru will require a much higher car traffic volume to be economically viable. Unfortunately Waters Road, a very narrow, constricted road was never designed to handle an increase in traffic.

That the false idea of the MARC Rail Communities, that was sold to support the desirable high density communities like in Clarendon and Courthouse located around metro stations, are not a metro stations. The MARC trains run only Monday through Friday with very limited hours. Not at all comparable to a Metro system. Just a cash grab for developers.

The plan makes no mention at the traffic constriction when Ubers double park on Waters Road to pick up apartment passengers. No mention of a School bus stop currently located near the very site of traffic egress to the planned shopping center. The plan doesn't mention what happens to traffic when FedEx, UPS, and USPS trucks park on Waters Road for deliveries making traffic even more dangerous as visibility and traffic flow is blocked. Not to mention when Geisers car carriers do park in the middle of either Waters Road or Wisteria and bring traffic to a complete stop. Of course we have the total lack of traffic or parking enforcement on the already existing roads and already planned developments.

View sites are blocked by cars that have parked illegally permanently in no parking zones at the end of Waterford Hills blvd perpendicular to Waters Road. This actually makes trying to make a turn from Waters Road onto Waterford Hills Blvd dangerous and difficult. Many times the Ride On buses can barely make the turn from Waters

Road onto Waterford Hills Blvd. Are we to resign ourselves to more traffic and more unenforced parking here?

The traffic plan only shows one bike ever recorded. So why the infatuation with bike racks and bike access for none that actually travel here? Seems that the over abundance of car part stores, one even on Waters Road seems to prove bikes are not used in this area.

So is low end retail all that will now come to upper Montgomery county?

A Good Will Thrift store is not one of those desirable retail stores, others located in the metro area are not adjacent to housing but in isolated shopping centers. I guess the Trader Joe's shopping center in Travaille didn't want a Good Will Thrift moving in. All I see now here in Germantown are Chinese carryout, Vap and pot dispensaries, wine and beer stores, and now a Good Will Thrift Store. So have the developers mentioned the crime level here? We have assaults, shootings, stabbings within this proximity. So high density will lessen crime? I think not. Will high density increase desirability here? I think not. Just desirable for developers to maximise profit at the expense of current homeowners. I even doubt that Lidl will now open on 118.

The current area is considered a high traffic noise area and also a high traffic volume area. No plans to make it less so. Seems the county doesn't care about the loud mufflers so pervasive here also. This will only get worse with the projected increase in traffic required to make these incoming retail and restaurants viable as projected in the plan. So more noise, more traffic congestion, and more crime in an area of underperforming schools.....sounds like a good campaign for the Germantown Chamber of Commerce.

These gentlemen brothers that are planning this development had the chance to sell this plot to the apartment development that included our 166 townhomes which would have made better use and a more integral design for those that currently live here. So just a poorly planned cash grab by two non-residents (appears they haven't lived in their former home for a rather long time) is the best Montgomery county can do? There are four more sites, off Waters Road, that could also be developed in a rather bad piecemeal way. So those that have bought here must pay the price for this? Please bring development that brings community desirability and supports

home values. The only people benefitting seems to me are the two gentlemen brothers with a tract of land really too small for the proposed development.

My vote is still "no" to this development and is felt by others living here in the Waterford Hills Community. Thank You for the consideration.

Sincerely,

William Clark, President of the Waterford Hills HOA
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Germantown, MD 20874