| From: | Ryan Hall |
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| То: | MCP-Chair |
| Subject: | Written Testimony Submission—MoCo Planning Board Agenda 4.27.2023 Item 9 |
| Date: | Tuesday, April 25, 2023 9:26:14 PM |
| Attachments: | Hall Written Testimony Item 9 4.27.23.docx |
| | Stormwater Additional Information 1-5.pdf |

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

Hello,

This submission of a written testimony is in response to the following agenda item for the Montgomery County Planning Board Meeting on Thursday, April 27, 2023:.

Hearing Date: April 27,2023 Item- Item 9

Item 9- Flats at Knowles Station Preliminary Plan No. 12021003A & Site Plan Amendment

No. 82021003A

Mailing Address- 4110 Knowles Ave Kensington, MD 20895

Please see the attached documents for the written testimony and additional information.

Please confirm receipt of testimony and attachment validity.

Take care,

Ryan Hall 4110 Knowles Ave Kensington, MD 20895

Be Green. Read it on-screen.

I, Ryan Hall, and most neighbors along Knowles Ave and Warner Ave have great concerns about the Flats development. Thank you for giving the opportunity for our voices to be heard in how our beloved community will be shaped by our representatives. The concerns are in the following key areas:

- A. Flooding and Water Control
- B. Traffic Impacts
- C. School Impacts

A. Flooding and Water Control

Over the span of the last 5 years the neighborhood has seen frequent major and minor flooding during moderate to heavy storms, worsening with the development of the surrounding area. I believe that a lot of this is due to improper record keeping and approvals due to inaccurate stormwater line information.

During the course of the neighborhood investigating the flooding, it was found that the HOC (Housing opportunities Commission) was found that they illegally installed an unpermitted parking lot to accommodate their staff needs. It was investigated by the public and found that this, as well, fed right into the stormwater system line that we have been having so many issues with. We successfully lobbied to have it removed (this time with a permitted removal). After receiving pressure from the community, the HOC used public funds to procure an engineering company to examine their role in how they could be contributing to our repeated flooding. The report indicated that their illegal parking lot contributed .6 % increase to our flooding concerns. This report also directly implicated the upstream construction projects as the main source of our flooding; coupled with the inadequate stormwater system in place.

This report also indicates they received inaccurate plans from the county in regards to the in-ground infostructure, but fortunately they did a site visit, popping manhole covers to ensure accuracy. They concluded that these plans, if enacted, were drawn up to mitigate the flooding.

The neighborhood is in receipt of these plans, as we asked for what the in-ground infostructure was several years ago when the flooding started happening and we were getting very concerned.

These plans show that, at very earliest in the late 70's there were plans drawn up with the forethought of alleviating flooding concerns and drastically changing our in-ground infostructure to prevent such. Although these plans are not date stamped, we can date them by a couple of key factors.

- 1. All of the Stormwater system lines are labeled as "WSSC", and the lines were only owned by WSSC until they were turned over in the late 1970's.
- 2. There are also landmarks documented on this map which show trees that were removed many, many years ago, as can be attested to by long term residents.
- 3. Various markings that point to a 1972 draft date

These plans show drastic changes that were to be made to our system. Pipe size increases from 18 to 30 in, 24 to 36 inches, 33 to 42 inches, 18 to 24 inches. Adding of new lines completely, and bricking some closed to alleviate flow to an overburdened line.

One such line, that was to be isolated, is the 24' line that runs in the ground between the houses on Knowles and Warner. This line was reported to the neighborhood several times as nothing from the

county running through it, and it was private and completely separate from anything. This was inaccurate, and only after the neighborhood lobbied and successfully had 2 state delegates physically come out and witness that all the water was running through this line, it was confirmed factual. This is important, and most of the new construction such as:

- 1. 3910 Knowles , previous a 1310 Sq ft house, 28357 Sq ft lot now beautiful Knowles Manor, a 94 unit senior housing facility,
- 2. 4000 Knowles , previous a 1956 sq ft house , 11, 533 sq ft lot size, now 6 town homes.
- 3. Now this property 10509 Summit previous a 2293 sq ft building , .84 acre lot, now wanting to be turned into multi-unit apartment complex.

runs or will run through this single line. This line has no easement, and is one of the major sources of our neighborhoods flooding.

At every turn the neighborhood's concerns have been dismissed and discounted. We were left with the burden of proving over and over again that our concerns were accurate and what was being portrayed was not accurate. We have met this challenge. From having to bring out elected officials to having to document many, many floods to prove it wasn't just fan isolated "storm of the century"

The fact remains, that until all this upstream construction began, this was not occurring. While it is great that improvements were built into the new structures to try to mitigate some of the runoff, it matters where and what flow / direction of this runoff is taking.

We have included the following as —Stormwater Additional Information 1-5—with this summary to ferment the accuracy to the above:

- 1. The plans that were drawn up a minimum of 40+ years ago, to alleviate the flooding we are encoring, but were never acted upon.
- 2. The publicly funded Engineering report provided by the HOC, Spelling out the following:
 - A. The Plans they received from MCDOT were inaccurate, and were most likely formulated to eliminate the flooding.
 - B. Due to the upstream development that has occurred over time with inadequate stormwater controls and storm drain improvements flooding will be a "continual problem".
 - C. Stormwater lines (in one case physically above ground exposed) are inadequate for the water supply
- 3. A letter from the Maryland General State Assembly, Signed by 3 State Delegates and a State Senator, expressing concerns to the HOC of all the flooding, as such helping to prompt the above engineering report.
- 4. A snip of the Plans that showing there was supposed to be a barrier placed in the storm drain line to not allow stormwater to flow towards the line that does not have a easement. The project being voted on today, will be flowing in this line, not blocked.
 - a. Please note, the drain line sizes in this snip shows the sizes we should have, not what we do have. Ex. The line heading south from the top says 27", it is only 18". The line in the middle says 24", it is only 18", the line in the bottom says 24", it is only 18". (These are the plans that were drafted in the 70's, but never completed. The same ones the Engineering report refers too being given, but not accurate)

5. A snip from the Stormnet system that shows County ownership of the line that has no easement

In summary,

- 1. The neighborhood has continuously had flooding issues during moderate rain.
- 2. In the 1970's it was planned to upgrade this system for development, but never executed
- 3. A publicly funded report states that ongoing projects are causing the flooding and will continue to do so unless the system is upgraded.
- 4. The stormwater was being funneled into a line that was disclosed as private, and was not open until the neighborhood has to prove this to be inaccurate. Even now as opened and with the removal of the parking lot, the line currently has no easement.

If there are any questions to the above, we encourage you to reach out, and the commutive neighborhood will provide any clarity needed in the way of documentation, site walkthroughs (to show how the water is flowing), stories of horrors this has caused etc. We recommend that if needed the MC Storm net system is a pretty accurate representation of how this system is currently setup, now that Councilmember Glass and his staff have helped the neighborhood get it more accurate. (note that the 15' line that was added to the system from 3910 Knowles, still has not been inputted, but also directly flows to this line that has no easement).

B. Traffic Impacts

Traffic is a constant concern for the surrounding area of this development. During workday rush hours it isn't uncommon for the traffic on Knowles to be backed up to Beach Drive, and on Summit past Cedarbrook pool. As residents on Knowles, it is nearly impossible to get out or into our driveways. I've personally had to build a turnaround to avoid backing out of my driveway, but still face waits of several minutes to exit, not to mention needing to peak out into the sidewalk to see oncoming traffic through the line, impacting bicycles and pedestrians.

With the above combined with the overflow parking in the existing location of development—I try to choose to walk instead of driving, but it is a constant game of risk played at the expense of my toddler. While trying to cross Knowles or Summit cars disregard the traffic signals, beep, scream obscenities, and speed through yellow and red lights while walk signals are in use.

I welcome any of those listening to try a weekly exit from my house at 8 AM or 5 PM, and just try walking to the park at the same time.

Regardless of what is seen by the eye, the county has determined that the Flats and other development will not add further traffic to the area. With 85-100 units + retail, it's hard to imagine how traffic won't be impacted, especially if this is done before the rumored summit expansion that will alleviate concerns is even funded.

What I'd like to point out is the traffic analysis being completed as part of the development application associated with Preliminary Plan No. 120210030. This preliminary plan was submitted in November of 2020 and approved on April 13, 2021. Details show the LATR review near or on December 11,2020.

That was the height of the pandemic, during the holidays, before silver creek nursing home, when all schools were remote, and most workers were remote. This does not seem like an accurate representation of traffic and certainly not on the best interest of the community to use for approval purposes.

In addition, the plan is over 2 years old. When I personally submitted an application for residential change, I had to complete the project within 2 years. I understand this is much larger, but in any other industry, estimates or an analysis over 2 years old is never acceptable.

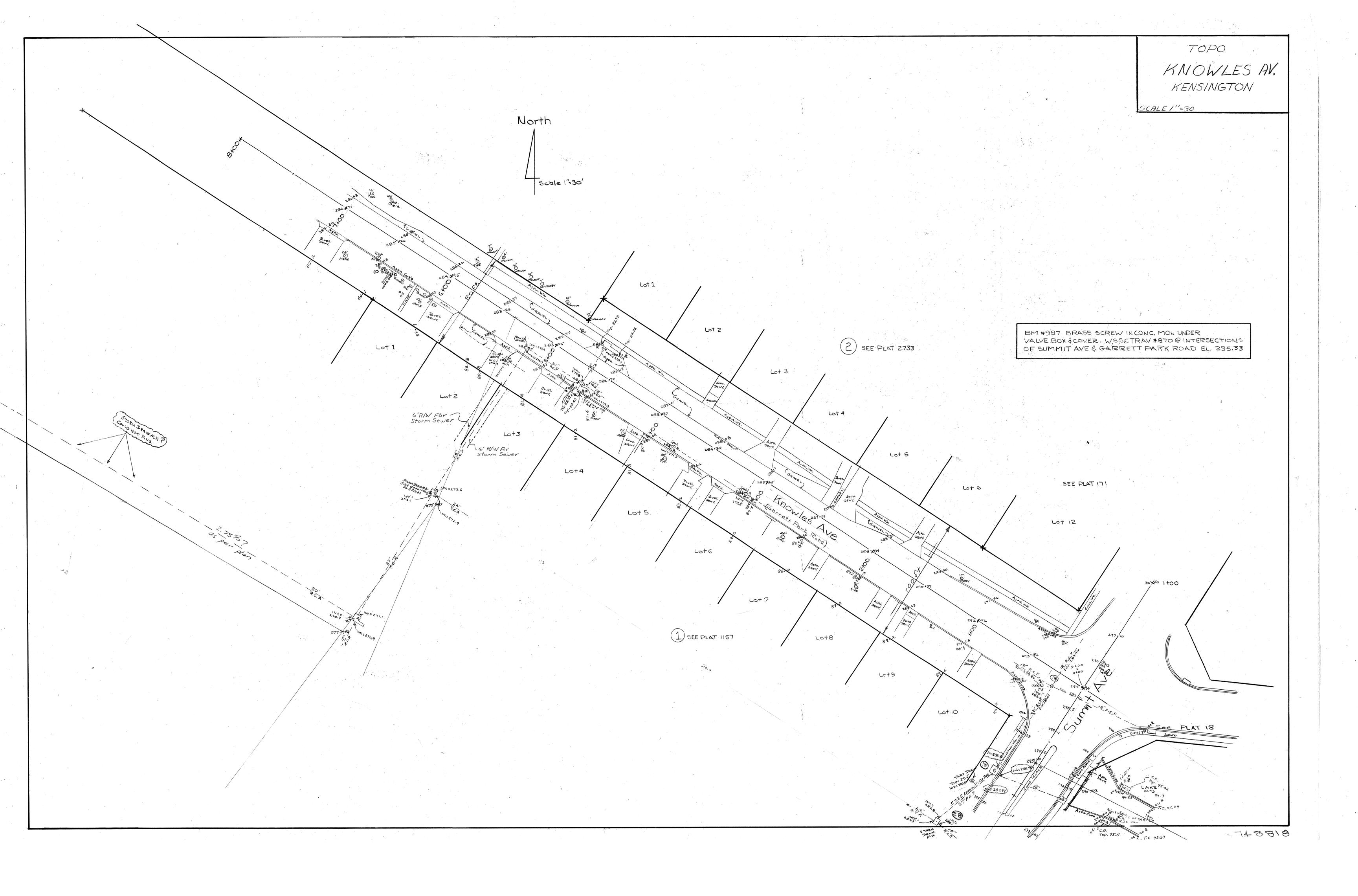
At a minimum, I believe that the traffic study should be re done during a period of normal traffic to see the true impact of more development.

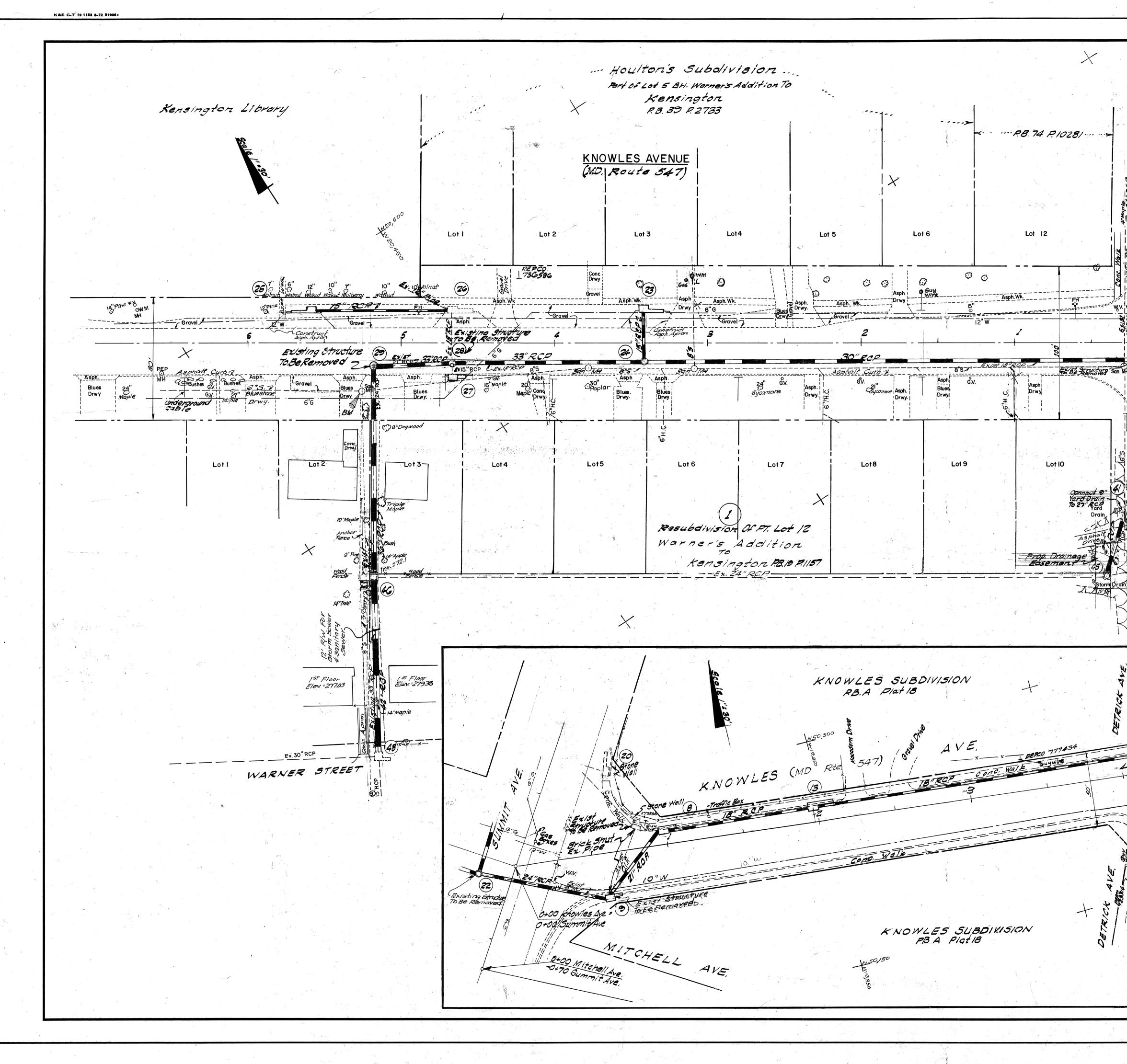
C. School Impacts

I haven't personally experienced any impacts to schools from the development over the last 5 years, and I do appreciate the county's studies on how current and future development will impact schools seeing as that's a major factor in movement to Montgomery County and the Walter Johnson cluster of Kensington, but I wanted to bring to light the county's steps for school impact approval.

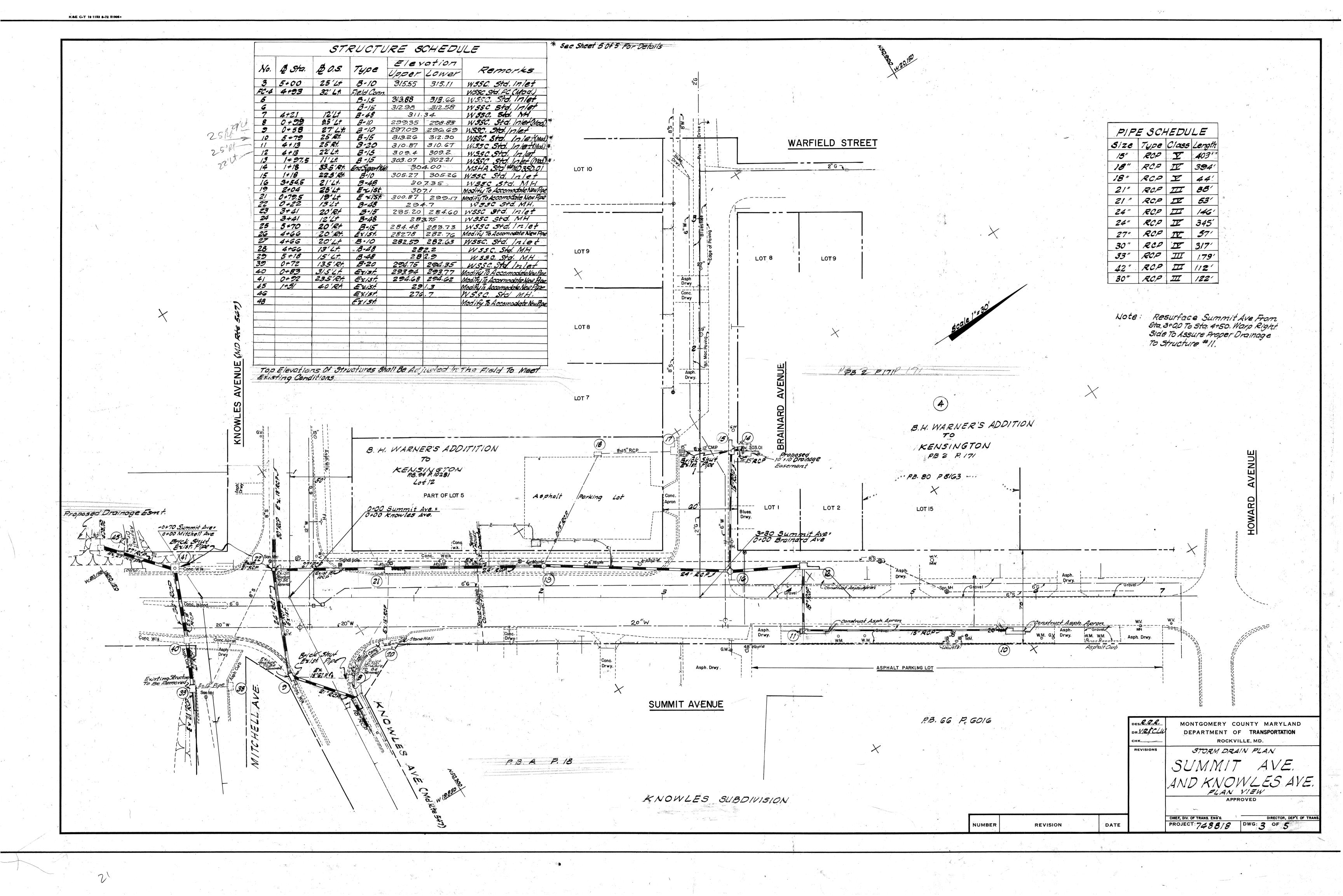
The current plan referenced the preliminary plan's approval for school impact. On page 13 of the Preliminary Plan No 120210030 for the Flats at Knowles, submitted on November 24, 2020, and approved on April 13, 2021 it states that the plan was found adequate under the rules of the 2016-2020 subdivision staging policy.

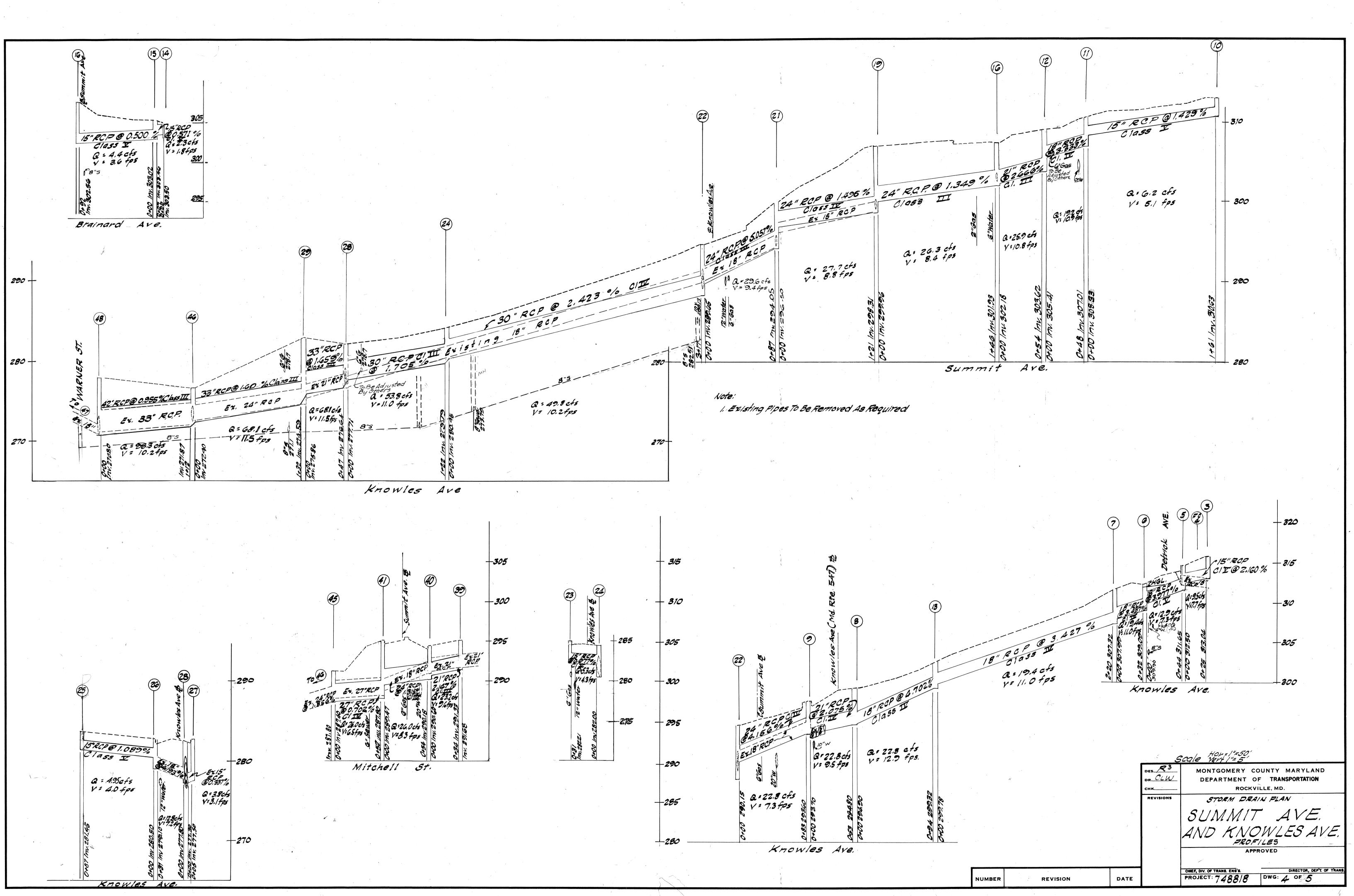
On November 16, 2020—prior to the submission of the preliminary plan, the county council approved the 2020-2024 Growth and Infrastructure Policy (formerly known as the Subdivision Staging Policy). Based on the date of submission being after the new policy, and the development being in 2023-2024, I think that it is in the best interest of taxpayers to use the current policy—approved before submission—when deeming plans for development adequate or not.

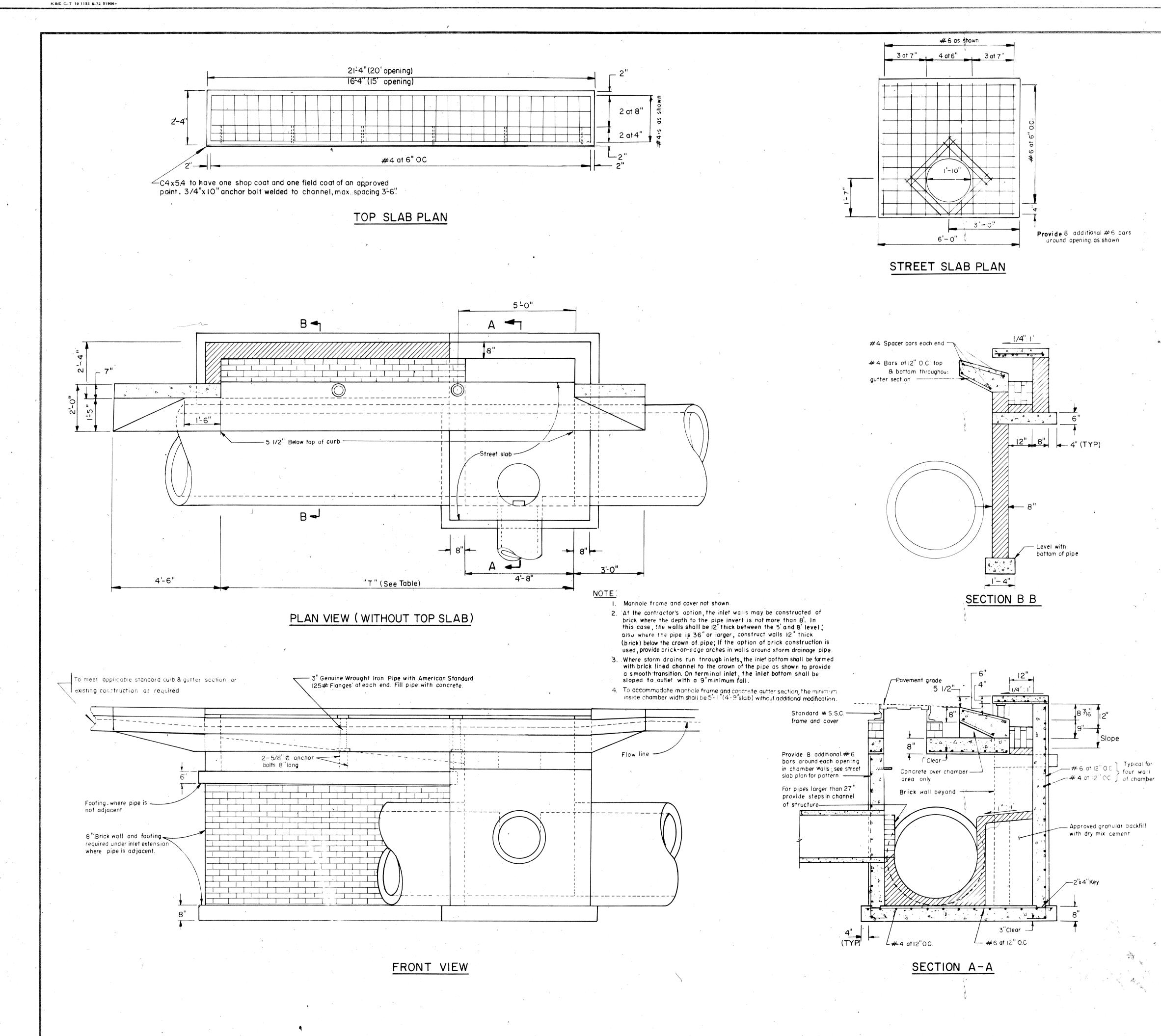




Bench Marks BM. #987 - Brass Screwin Conc. Mon. Under Valve Box & Cover. WSSC. Traverse #870@Intersections of Summit Ave. And Knowles Ave. El. 295.33 sewer MH Opposite R/W Between Lots 243 Blk 1, Near House #4114 El. 28299 Sta 5+25 314 **ENUE** Σ 24 TR Σ KNOWLES AVENUE (Md. K. Ex 15 RCP Brick Shut Exist. Pipe 36 +00 knowles Ave.= MITCHELL AVENUE Asph. Brw Stherry OF S"Ch TTPCP DB"Chern PEPCO 777434 Remove Exist. Slotted Inlet & Regrade To Direct Water Into Street. Do Not Disturb Sumface 8: PC p Fence Board of Education 15"RCP -Existing Structure CALLER PIL DES R.R.R. MONTGOMERY COUNTY MARYLAND DR. WULKECH DEPARTMENT OF TRANSPORTATION ROCKVILLE, MD. HK. REVISIONS STORM DRAIN PLAN SUMMIT AVE. AND KNOWLES AVE. APPROVED CHIEF, DIV. OF TRANS. ENG'G. DIRECTOR, D PROJECT: 7488/8 DWG: 2 OF 5 DIRECTOR, DEP'T. OF TRANS DATE NUMBER REVISION







SPECIFICATION: MSHA specification and errata to specification dated March 1968 and special provisions for materials and construction; AASHO standard specifications for highway bridges dated 1973; General Specifications of the Washington Suburban Sanitary Commission adopted September 30,1968.

LOADING: HS20-44

CONCRETE: Concrete shall be MSHA Met 3 naving a minimum compressive strength of 3500 psi at 28 days.

REINFORCING STEEL: Reinforcing steel for concrete shall conform to AASHO designation:M31 (ASTM A6I5) grade 40. All splices shall be lapped a minimum of 24 bar diameters unless otherwise noted. Minimum cover for reinforcing bars shall be 2"unless otherwise noted.

BRICK: Brick shall conform to the specification for sewer brick, AASHO designation : M9I (ASTM C32) grade MS

| STRUCTURE DESIGNATION | | NO | OF | PIPE | SUPPORTS |
|-----------------------|---------|----|----|------|----------|
| B-10. Modified | 10'- 0" | | | 1 | |
| B-15 Modified | 15'-0" | | | 2 | |
| B-20 Modified | 20'-0'' | | | 3 | - - |
| | | | | | |

DATE

* Pipe support at 5'-0" O.C.

REVISION

NUMBER

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November 3, 2021

Montgomery County Housing Opportunities Commission 231 East Deer Park Drive Gaithersburg, MD 20877

Attn: Matt Husman

RE: 4114 Knowles Avenue

Dear Mr. Husman,

Per your request, CPJ provided professional engineering services to assess continual drainage and flooding problems at a yard inlet located behind 4114 Knowles Avenue, Kensington, MD. CPJ's scope of work included a site visit to perform a visual inspection of the yard inlet. Systematically driving through the area, we identified current land uses and drainage patterns. CPJ created a drainage area map using publicly available County Lidar information that included impervious surfaces and green areas, storm drain structures, roads, etc. This map incorporated corrections made based on the field observations. CPJ checked Maryland National Park and Planning's website for proposed development plans. CPJ also reviewed the Summit Avenue and Knowles Avenue plans prepared by Montgomery County Department of Transportation (no date on Plans) that were provided to CPJ by you. Based on all this information, a drainage study of the hydrology and hydraulics (H&H) was prepared to determine the adequacy of the existing storm drain system at the yard inlet.

From the field visit, document review and H&H study, some of the observations we made include:

- The total drainage area to the yard inlet is 28.7 acres of which 16.6 acres are Impervious (roof tops, sidewalks, streets, parking lots, etc.). The impervious area represents approximately 58% of the drainage area.
- Other than the Public Library and two new developments, there were no records found for stormwater management facilities.
- There are two sites currently under construction that were found on the MNCPPC website.
- There is one proposed site that was denied approval for development until a local drainage study is performed to determine the adequacy of the storm drain system.
- One site under construction was granted a stormwater management waiver.
- The plans prepared by MCDOT did not match field conditions and we speculate they were proposed plans that were never implemented. CPJ removed manhole covers to confirm pipe sizes and pipe orientations.
- Although the number was not counted, there are a few residential lots where existing homes were torn down and much larger houses were constructed which increased the impervious area.
- The visual inspection performed of the yard inlet revealed that there are two 24" concrete pipes that enter the inlet and one 33" concrete outlet pipe. The inlet is so shallow that there is no soil cover over the 33" concrete outlet pipe where it exits the structure. The 33" concrete pipe has a wall thickness of approximately 4". The openings on the yard inlet are at the same elevation as the top of the concrete pipe. This means the structure is only 37" deep before water discharges out the top of the structure into the surrounding area.
- Using the Montgomery County Department of Permitting Services criteria for storm drain design, we computed the 10 year flow (Q10) to the yard inlet for two conditions: 1) Includes the approximately 10,500 sf impervious parking lot behind the HOC building (Q10= 125.39 cfs) and 2) the 10,5000 sf parking lot is

removed (Q10=124.58 cfs). The impervious parking lot only provided an increase of 0.60% in the amount of flow. This is such a small increase that it does not have any measurable impact on the yard inlet.

The H&H study confirmed that the yard inlet is too shallow to accommodate the existing 10 year peak flow and the 33" concrete pipe size is too small to pass the Q10. This combination does not allow any pressurization of the concrete pipe to increase flow capacity. This results in storms less than the 10 year frequency storm discharging runoff out the top of the yard inlet and flooding the surrounding area. The introduction of the HOC parking lot did provide a 0.60% increase in the Q10 but it is not the root cause of the flooding of the yard inlet behind 4114 Knowles Avenue. The flow from this parking lot goes over a grass area that can provide infiltration of the initial flows before the ground is saturated and flows enters the storm drain system. It is our opinion that due to the upstream development that has occurred over time with inadequate stormwater management controls and storm drain improvements, flooding of the inlet will be a continual problem. It is not within our scope of work to develop a corrective action plan but based on our experience, portions of the existing storm drain system needs to be upgraded to include larger pipe sizes. The MCDOT plans that was discussed earlier but never implemented was most likely developed for eliminating the flooding at the yard inlet.

Please feel free to reach me at this office (301) 434-7000 x170 or bdavila@cpja.com with any questions or comments.

Sincerely,

Brian Davila, P.E. Division Manager Charles P. Johnson & Associates, Inc.



THE MARYLAND GENERAL ASSEMBLY Annapolis, Maryland 21401

September 29, 2021

Ms. Kayrine Brown (via email to: kayrine.brown@hocmc.org) Acting Executive Director, Housing Opportunities Commission 10400 Detrick Ave, Kensington, MD 20895

Mr. Roy Priest (via email to: roy.priest@hocmc.org) Chair, Housing Opportunities Commission 10400 Detrick Ave, Kensington, MD 20895

Dear Ms. Brown and Mr. Priest:

We understand and appreciate that HOC has committed to complete the removal of the unpermitted parking area and restore the grass in the rear of 10400 Detrick Avenue when you relocate your headquarters to downtown Silver Spring approximately in December 2023. We write to echo the concerns raised by our constituents and ask you to please expedite this commitment and remove it as soon as possible due to urgent flood concerns raised by residents in the vicinity of the property.

Due in part to the series of severe weather incidents we have had, we have been made aware of worsening flooding problems in downstream residential areas on Knowles Ave, Warner Street, Colchester and Parkwood Drive. The paved lot in question drains directly to an area where regular flooding has worsened since the lot's installation in 2018. The flooding problems are a threat to safety, property and the housing of individuals and families.

We understand that the Montgomery County Department of Permitting Services and the Montgomery County Planning Department are prepared to expedite the permits required for pavement removal as soon HOC can submit them. If we may be of assistance in this process, please let us know. We ask that the restoration be completed by December 31, 2021.

We look forward to your response and are grateful for your consideration of this request.

Sincerely,

ff fald streiter

Senator Jeff Waldstreicher

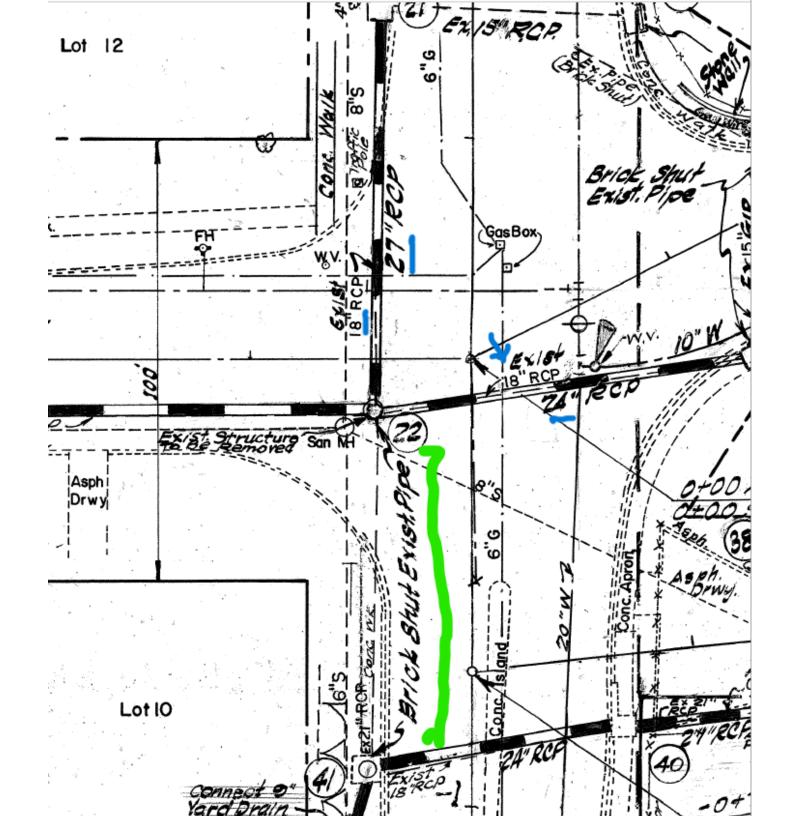
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Delegate Al Carr

Delegate Emily Shetty

Delegate Jared Solomon

cc: Marc Elrich, Montgomery County Executive Andrew Friedson, Montgomery County Council Gabe Albornoz, Montgomery County Council Evan Glass, Montgomery County Council Will Jawando, Montgomery County Council Hans Riemer, Montgomery County Council Mitra Pedoeem, Montgomery County Department of Permitting Services David Dise, Montgomery County Department of General Services Adam Ortiz, Montgomery County Department of Environmental Protection Gwen Wright, Montgomery County Planning Director Tracey Furman, Mayor, Town of Kensington



MASTER PIPES:

| MATERIAL | RCP |
|------------------|--------------------|
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| WIDTH | 24.00 |
| HEIGHT | 24.00 |
| PLAN-LENGTH | |
| INVinELEV | |
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| EDIT_AUTHORITY | MCDOT CONSULTANT |
| REMARKS | |
| PLAN_LINK | |
| OWNERSHIP | County |
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