

From: [Ryan Spiegel](#)
To: [Tanisha Briley](#); [Dennis Enslinger](#); [Doris Stokes](#); [Michelle Betancourt](#); [Tom Lonergan-Seeger](#); [Lynn Board](#); [John Schlichting](#); [Planning Division](#)
Subject: Fwd: Lake Forest Mall Zoning/Redevelopment - Public Comment
Date: Friday, March 10, 2023 6:43:51 AM

Begin forwarded message:

From: Robert Portanova <novaport88@yahoo.com>
Date: March 9, 2023 at 10:59:06 PM EST
To: Lisa Henderson <Lisa.Henderson@gaitthersburgmd.gov>, Neil Harris <Neil.Harris@gaitthersburgmd.gov>, Jim McNulty <Jim.McNulty@gaitthersburgmd.gov>, Robert Wu <robert.wu@gaitthersburgmd.gov>, Ryan Spiegel <ryan.spiegel@gaitthersburgmd.gov>, Jud Ashman <Jud.Ashman@gaitthersburgmd.gov>
Cc: "Peters Jason R CIV USARMY CENAB (USA)" <jason.r.peters@usace.army.mil>, "Danko Michael D CIV USARMY CENAB (USA)" <mike.danko@usace.army.mil>, "Ozburn Nicholas R CIV USARMY CENAB (USA)" <nicholas.r.ozburn@usace.army.mil>, john.j.dinne@usace.army.mil, Matthew Rowe -MDE- <matthew.rowe@maryland.gov>, Ken Bawer <kbawer@msn.com>, Tim Goodfellow <monocacyriver@yahoo.com>, Lily Fountain <lily.fountain@mdsierra.org>
Subject: Lake Forest Mall Zoning/Redevelopment - Public Comment

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I have been advised that the recently updated City of Gaithersburg Lake Forest Master Plan of 2019 is being violated with the new sketch plan by the developer of the new Lake Forest Mall redevelopment plan

Specifically, the clear cutting (removal) of 1.7 acres of a natural tree forest buffer of old growth established trees (located at the corner of Lost Knife & Montgomery Village Ave) and the removal (filling in) of a critically important storm water management pond (pond #3) along Montgomery Village Ave.

Firstly, the tree buffer is significantly important and should be saved and incorporated into the plan. It is unfathomable that this tiny sliver of 1.7 acres of tree buffer is unable to be protected. This is a clear case of negligence, lack of environmental stewardship and illustrates the

developers refusal to simply work around this small, but critical buffer. Removing this buffer is detrimental to the overall property and will result in leaving the property with no old growth habitat and will remove a natural "catch" zone for run off.

Secondly, the removal (filling in) of pond # 3 is counter to the City's storm water best management practices, established to catch run off - which will only increase as a result of this project. In the 2019 Master Plan, the City specifically stated the importance of retaining all (3) ponds. This pond encompasses less than (1) acre and again, it is unfathomable that the developer refuses to want to work around it - to save it.

You have not learned your lesson from the unconscionable environmentally destructive stream restoration projects you have sponsored in and around the City - which have resulted in demolishing hundreds of acres of natural forest and the complete annihilation of critical habitat (see *Utube videos entitled: "Save Diamond Farms Park" and "How a stream is restored in Gaithersburg"*). When will you learn ???

In short, the City has shown no integrity in reversing it's position originally to save these (2) natural resources and shows the City's cowardice (and submission to the developer) and lack of environmental compliance to it's own Master Plan.

Robert Portanova
Gaithersburg

March 09, 2023

sent by email 03/10/2023

Office of Mayor Jud Ashman
City of Gaithersburg
31 South Summit Av
Gaithersburg MD 20877
Jud.Ashman@gaitthersburgmd.gov

Re: Z-9444-2022 Lake Forest
Mall Rezoning and new Sketch Plan

Gentlemen:

I am writing regarding the subject project and the large 84-inch diameter storm drain pipe (seven feet), placed about 25-30 feet deep, that runs about 900 feet, on the west side of the Lake Forest plat area. This pipe runs north from Odendhal Rd and about parallel to Russell Ave. to empty into Pond #1. See my earlier letter as Exhibit 115 (pages 33-37 of 37).

At the March 01, 2023 meeting of the Planning Commission, some planning commissioners speculated that elevation of the Walkers Run inlet stream which is 25 to 30 feet lower at its Odendhal Rd entrance to the mall area, probably saw a stream elevation about 25 feet lower for most of its length 100 years ago. In the meantime (1940s to 1970s), the Lake Forest Mall area became "built up" with top soil, to reach an altitude that is 25 to 30 feet higher currently. Therefore, when the Mall was built about 1976, the stream was run through a large underground pipe. Questions arise as:

1) By its northern exit, at what stream elevation (altitude), does water from the pipe flow into Pond #1? Is the entrance to Pond #1 also 25 feet deep?

2) In very general terms, about how much water flows through the pipe? At a seven-ft diameter and 900 feet long, the pipe can carry a great deal of water. However, the southern Walker Run inlet stream looks shallow and seems to have modest flow, most of the time. Is there any flooding by the inlet stream during heavy storms?

Does water from another source join the inlet stream to run through the Lake Forest pipe?

Have there been any instances (e.g., 100-year storm) when the Lake Forest pipe runs fairly full? When and how often? For how long? What is the average flow rate and what is the approximate range (minimum and maximum)?

3) As Lake Forest Mall area became "built up" with 25 to 30 ft of soil, it was covered by a parking lot, used intermittently. With denser building, is there any chance a sinkhole may develop? If the developer is building and laying a new storm water pipe, there is reduced chance for pipe breakage. Furthermore, while Maryland does not have limestone soil layers like Florida, Maryland sinkholes sometimes occur - see MD I-270 dated July 06, 2022

(<https://wtop.com/montgomery-county/2022/06/crews-begin-work-to-patch-i-270-sinkhole-snarling-traffic-in-md/>) and Rt 214 in Davidsonville dated July 24, 2019 (<https://www.wbaltv.com/article/sinkhole-route-214-closed-davidsonville-central-avenue/28497437#>). See also "Geologic Map..." which suggests sinkholes in Maryland can occur related to the Grove and Frederick formations (<https://www.americangeosciences.org/geoscience-currents/geologic-map-depicts-sinkhole-susceptibility-maryland>).

4) Regarding daylighting of the Walker Run stream as it runs through the Lake Forest Mall area, if the developer is planning a new 900-foot pipe, his team might consider daylighting the stream. With Exhibit 108, the engineer describes daylighting by one option, where water flows through a 30-foot deep, "V"-shape, that is dangerous, as people or pets might fall down. By another option, which is a shallow "babbling brook" style, the stream is less deep but would be very wide, interfering with much of the development work, which cuts profit potential.

Please look at Attachment 1, on the next page, which shows Cheong Gye stream in Seoul, South Korea. As can be seen, the daylighted stream is about 30 feet deep (or more, not shallow) with U-Shaped sides that increase as stair steps, with a green edge, then a path, then a wall, then a park and then buildings. Should water flow be heavy during a bad storm, stream flow can rise to cover the sidewalk and the wall and parkland, people can evacuate (the sidewalks and parks) and water will not affect the buildings. The Seoul photo from Wikipedia is dated 2007. Hopefully a fine architect or engineer can find more recent examples of this style of daylighted stream in the United States.

Thank you for your attention. Should you have any questions, please feel free to contact me at the address below.

Sincerely,

Kathryn George
16625 Alden Ave
Gaithersburg MD 20877-1503
kay.george@verizon.net

copies: Council Member Lisa Henderson at Lisa.Henderson@gaithersburgmd.gov
Council Member Neil Harris at Neil.Harris@gaithersburgmd.gov

Council Member Jim McNulty at Jim.McNulty@gaithersburgmd.gov
Council Member Ryan Spiegel at Ryan.Spiegel@gaithersburgmd.gov
Council Member Robert T. Wu at Robert.Wu@gaithersburgmd.gov
Planning Dept at planning@gaithersburgmd.gov



03/01/2023
Attachment 1

Picture from Wikimedia Commons. Cheong Gye stream, which was daylighted in Seoul, South Korea. Photo is 2007.

Wikipedia and daylighting (streams). In Seoul, which buried the Cheonggyecheon creek during the city's 1960s boom, an artificial waterway and adjoining parks have been built atop it. Mayor Lee Myung Bak, formerly a construction magnate with the Hyundai chaebol that helped bury the river, ran for office promising to daylight it, and achieved in 2005 a 5.8 kilometres (3.6 mi) greenspace in a city without very many parks or playgrounds.[citation needed] The new park is hugely popular, alleviating fears that opening the river would cause nearby businesses to lose customers. (Kirk, 2005)