



Timberbrook Condominium
103 – 137 Timberbrook Lane
Gaithersburg MD 20878
c/o Comsource Management
3414 Morningwood Drive
Olney MD 20832
301-924-7355
board@timberbrookln.com


March 15, 2023

Dear Mayor, City Council and Planning Commission for the City of Gaithersburg:

We write to comment on file SK-9497-2023, the Sketch Plan for 770 Muddy Branch Road, Gaithersburg MD.

We would like to compliment Muddy Branch Investments, LLC for their efforts to inform and involve our neighboring Timberbrook Condominium community in all of the early planning and development aspects for the property at 770 Muddy Branch Road. They have been informative, transparent and courteous.


Following the advice of the famous architects and planners Mies van der Rohe and Peter Behrens, we believe and advocate that “less is more” in the context of this Sketch Plan for development. Our Timberbrook Community (constructed between 1995 and 1998) has 12 buildings, 168 units and a little over 300 parking spaces. This Sketch Plan for 770 Muddy Branch Road proposes 380 units and over 500 parking spaces right next door to us which means the addition of 400-500 more people and 500 vehicles. Public transit is limited so we presume every resident of the new development will probably have a vehicle. The access road to the Muddy Branch Investments community opens onto School Drive directly opposite the Timberbrook

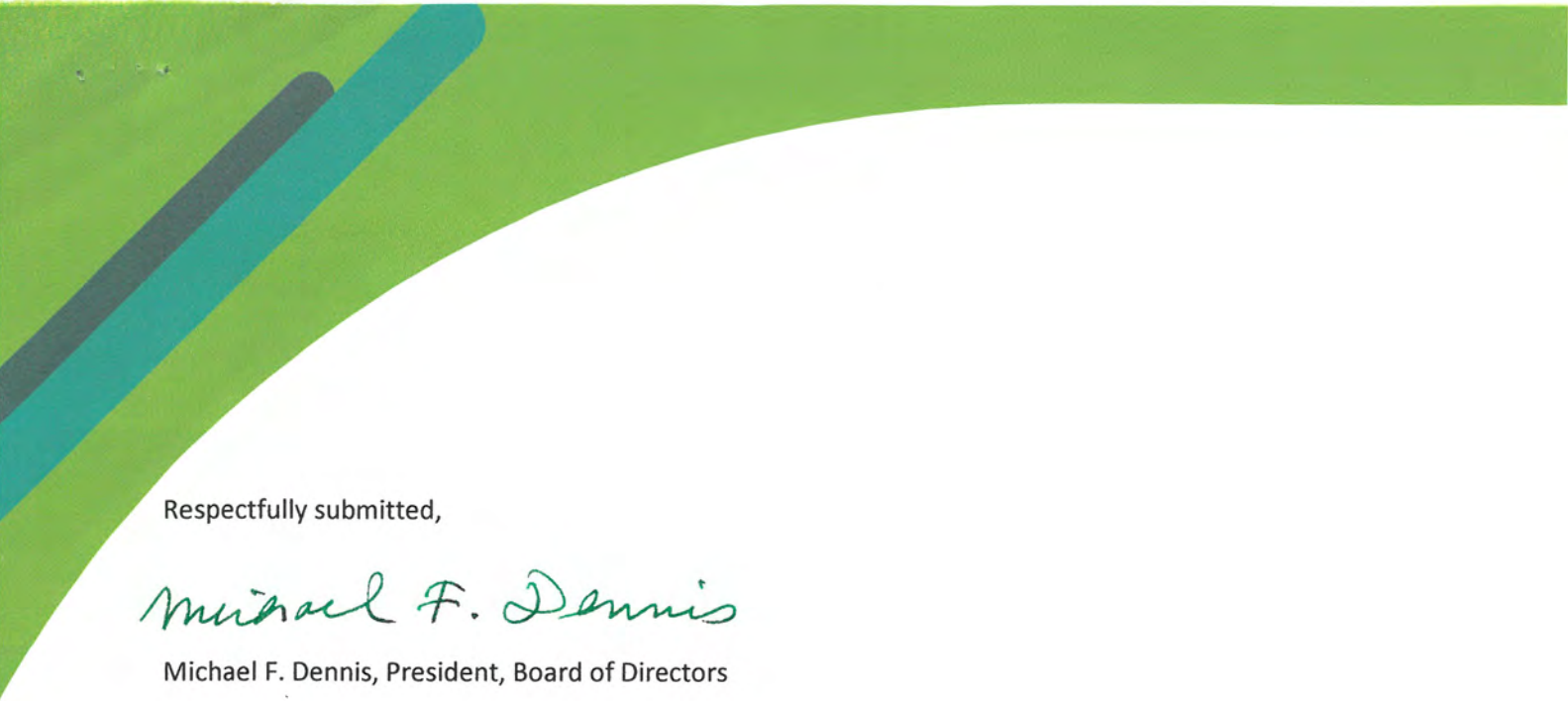


Lane entrance to our community. That section of School Drive is maintained by the City of Gaithersburg which has done nothing to maintain it since at least 1998 to my knowledge, so it is full of potholes and would need to be completely reconstructed and redesigned to accommodate an additional 500 vehicles. Muddy Branch Investments staff informed us that they had obtained interim approval from Montgomery County DOT and Gaithersburg City to install a traffic light at the intersection of School Drive and Muddy Branch Road once the development in the Sketch Plan is completed. While the traffic light would be helpful it may not materially improve the use of the intersection by 500 additional vehicles and the access from Timberbrook Lane to Muddy Branch Road would be restricted by the sheer number of vehicles added by the new proposed development.

We believe a community with a smaller footprint would be a better neighbor. The Sketch Plan proposes five story buildings but we would suggest constructing buildings of only three to four stories at 770 Muddy Branch Road. The condominium buildings at the neighboring Timberbrook and Lakelands Ridge communities are three to four stories high and, in fact, there are no buildings on any section of Muddy Branch Road from W. Diamond to Route 28 which exceed three stories in height. The Sketch Plan at issue would create buildings on an elevation that would tower over the Timberbrook and Lakelands Ridge communities and Muddy Branch Road.

We would have preferred a park or a permanent conservation easement, of course, but once the property was sold we hoped to see a development with as small and reasonable a footprint on the environment as possible while still recognizing the developers right to profit from its investment.





Respectfully submitted,

Michael F. Dennis

Michael F. Dennis, President, Board of Directors

Timberbrook Condominium, Inc.

137 Timberbrook Lane, Apt. 301

Gaithersburg MD 20878

MFD



David Batlan. 210 Shadow Glen Court, in Gaithersburg, Maryland.

As an owner of a home that borders the former NIST property and will be directly affected by the proposed development, I urge the City and the Developer to seriously address the issues raised in the March 9, 2023 HOA letter to Muddy Branch Investments. They are valid and deserve to be addressed with the utmost care and consideration.

A key concern for the Lakelands Ridge Community is the potential for cut through pedestrian traffic. Future residents of the apartment buildings will undoubtedly attempt to seek access to the Muddy Branch Shopping Center via the most direct route possible. In this case, without some type of barrier, the most direct route will be to cut through the yards of the single-family homes. This will not be acceptable. Fortunately, the Developer has engaged with the Community and placed the following note on the Sketch Plan "No direct Pedestrian connection will be provided between this project and the adjacent Lakelands Ridge Neighborhood". The developer already is planning to provide access to the shopping center directly from his property. No further access is necessary. Any attempt to connect through Lakelands Ridge will be problematic as it will place the safety and security of the Lakelands Ridge homeowners at risk.

Additionally, the single-family homeowners are concerned about the positioning of their homes on their lots and the lack

of space for outdoor activities. As originally approved by the City, rear yards with depth of as little as 8 feet exist in the community. It is imperative that the final development plans account for the lack of backyards and provide homeowners with usable outdoor space. To this end, I suggest that the approved development plan ensures that no above-ground development, including landscaping, be allowed within at least 15 feet of the homeowner's property lines. Homeowners should also receive limited rights to utilize that space as if it were their own.

In a few specific cases where homeowners have less than a 15-foot rear yard, I ask that the developer consider conveying small parcels of property to these homeowners at no cost. While this may require the transfer of less than six hundred square feet of land, it would have an outsized impact on the livability of the affected homes. This new development provides a unique opportunity to correct the harmful impacts of the original positioning of these homes, and it would be a shame not to take advantage of this opportunity.

I am pleased to say that the developer has thus far acted with great professionalism and has shown a willingness to work with the community. However, I urge them to continue this dialogue and to convert discussions into actions that adequately address the requirements of the Lakelands Ridge HOA and its members. By doing so, we can enhance the safety, security, livability, and privacy needs of both communities.

Thank you.

Kirk Eby

From: Christopher Marcum <christopher.steven.marcum@gmail.com>
Sent: Monday, March 27, 2023 8:56 AM
To: Planning External Mailing
Subject: Re: objection to proposed development in application SK-9497-20231

This email is from an EXTERNAL source. Please use caution when opening attachments, clicking links, or responding.

I'm writing to also add to my recommendation to not proceed with the proposed development in application SK-9497-20231 that the student teacher ratio at Fields road elementary School is already very poor. adding additional housing will bring in more students and it is unlikely that the county is going to provide any additional support to Fields road elementary, which would service the proposed site. please do not proceed with this proposed development.

On Sat, Mar 18, 2023, 11:17 AM Christopher Marcum <christopher.steven.marcum@gmail.com> wrote:

I'm writing to object to any new development at the former Nike missile site in Gaithersburg. this neighborhood is already very crowded, lack of parking and public services have become a major issue, there's adequate housing vacancies in the neighborhood already, and our neighborhood needs improvements in green space. The proposed development will negatively impact the quality of life of residents in surrounding neighborhoods including, warther, lakelands, shady Grove and others. It would increase the amount of waste, noise, and pollution in the neighborhood. Also, I am concerned about increased traffic and reduced parking spaces along an already dangerous driving corridor on muddy branch, where there have been several traffic related fatalities in the last couple of years - with the city doing very little to help our neighborhood in this matter. Finally, new development at the site would reduce the green space buffer between the muddy Branch shopping center and other neighborhoods.

thank you,
Chris Marcum
Gaithersburg Homeowner
Shady Grove Village



RECEIVED

APR 20 2023

PLANNING & CODE
ADMINISTRATION

April 18, 2023

Planning Commission
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

RE: SK-9497-2023: Sketch Plan for the Nike Site Property at 770 Muddy Branch Road, Proposing a Maximum of 380 Multifamily Dwelling Units and Associated Open Space and Amenities in the MXD (Mixed Use Development) Zone

The Izaak Walton League of America (the League) appreciates the opportunity to comment on this proposed development. As the Commission and City consider this proposal, the League urges: 1) careful consideration of the likely impacts of it on water quality and natural resources in the Muddy Branch watershed; and 2) conditions be included in the final approved sketch plan that will, minimally, reduce stormwater discharges and runoff into the watershed from the development overall, including, but not limited to, runoff from any structure, parking lot and/or any other impervious surfaces.

The League owns approximately 33 acres immediately to the east of the Timberbrook Condominium community. Muddy Branch Creek traverses our entire property from the point it flows under Muddy Branch Road to roughly Great Seneca Highway. The League is concerned about the impacts of large-scale development on water quality, aquatic life and the physical health of Muddy Branch and other waterways in this area.

Through direct observation of stream physical conditions and on-going water quality monitoring, the League is especially concerned about:

Stormwater Discharge: Recent urban development near the headwaters of Muddy Branch, coupled with the impacts of I-270 and abundant impervious surfaces, have resulted in flashy stormwater runoff into Muddy Branch. League staff have observed increased erosion through the stream channel, more steeply carved out banks and fallen trees in the stream channel, and an abundance of trash within Muddy Branch and the flood zone. With intense rain events that will become more abundant with climate change, it is imperative that any new development in the Muddy Branch watershed limit stormwater discharges to the greatest degree possible beginning with the design phase continuing through permitting and construction to protect the environmental health of the watershed.

Water Quality Degradation Generally: League Clean Water Program staff consistently test the water quality at two points along Muddy Branch on League property – next to Muddy Branch Road and at a point along the forested section on the western portion. Test results at both

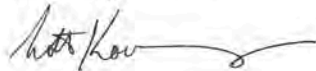
locations have shown unnaturally high levels of chloride (road salt) pollution year-round, and League staff are concerned that increased development could compound this issue. We are especially concerned about additional chloride pollution resulting from the use of traditional road salt and a wide range of chloride-based deicing products widely used by private companies that perform winter maintenance for residential developments, shopping centers and office parks.

Staff have also measured temperature spikes within Muddy Branch, especially during warmer months, that can make the stream uninhabitable for more sensitive fish and macroinvertebrate species. The addition of parking lots and large structures with asphalt or metal roofs could significantly increase discharges of abnormally warm water into Muddy Branch, especially during summer thunderstorms and other heavy rain events.

Drinking Water Safety: It is important to note that Muddy Branch flows to the Potomac River, and enters the river at Pennyfield Lock. The WSSC Potomac Filtration Plant is just 2.6 miles downstream of where Muddy Branch enters the Potomac River, meaning pollutants that enter Muddy Branch will ultimately affect the drinking water of residents across portions of Montgomery and Prince George's counties. This Potomac Filtration Plant processes approximately 283 million gallons of water per day, but it is not equipped to remove all pollutants, such as excess road salt (chloride), that can leach heavy metals from pipes and cause further health problems for residents with hypertension and kidney diseases. Protecting the environment of the Muddy Branch watershed is integral to also protecting the health of Maryland residents.

Thank you for considering these comments. The Izaak Walton League of America strongly encourages the Commission and City to proactively address these issues, among others raised by members of the community, as part of any final, approved sketch plan.

Sincerely,



Scott Kovarovics
Executive Director