

COMMUNITY EXHIBIT

RECEIVED BY MCPB

DATE:

4/12/07

ITEM NO.

10411

EXHIBIT NO.

2

TESTIMONY OF  
DAVID W. BROWN

ON BEHALF OF

SANDY SPRING-ASHTON RURAL  
PRESERVATION CONSORTIUM

ON

ASHTON MEETING PLACE

PRELIMINARY PLAN NO. 120050060

SITE PLAN NO. 8-06023

April 12, 2007

Mr. Chairman and Members of the Board:

I am David W. Brown of Knopf & Brown, counsel to the Sandy Spring-Ashton Rural Preservation Consortium Steering Committee. Let me get right to the bottom line: the recommendation of the Steering Committee in this case is that the Board should not approve the current plans for Ashton Meeting Place, as they currently stand. Rather, my clients are hopeful that, through your deliberations, the applicant will see that its interests are best served by requesting a deferral of final action to correct the deficiencies in the plan. In that event, the Committee has every intention of working with the developer in the same spirit of constructive cooperation that has marked our recent negotiations. In short, this is a plan that, with adjustments, can be improved and approved, rather than categorically rejected.

I want to elaborate just a little on the background presented by Michelle and Paul. Upon retaining me, the Committee learned quickly that although I could find my way around zoning and subdivision law, I was no expert in land planning and design. So the Committee did something extraordinary, something I think few citizen groups in the County in like situations have ever done. The Committee hired its own expert land

planner, Stuart Sirota of TND Planning, to help the residents rework the plan in a general, conceptual way, well before they had any assurance that anyone would pay attention, especially the AMP developer.

But as Michelle explained, the Committee's efforts were not in vain. In the summer of 2006, a new compromise plan emerged. It is the one before you, a significant improvement over the original, with an improved "sense of place," as Michelle has detailed, more in keeping with a rural village character. Unfortunately, among the Committee goals NOT realized in the discussions are a reduced footprint for the grocery store; any significant reduction in the size and scale of the project; a more rural village feel in the building/parking layout; and retail stores directly on New Hampshire Avenue (Route 650), instead of an internal drive aisle parallel to the highway. Overall, the Committee's impression is that the developers were not resistant to a village-style plan, but rather had certain pre-determined economic objectives for development of the land that ultimately limited their willingness to accommodate size and scale changes sought by the Committee.

This is where things stood in November 2006. At that time the Committee believed that the developer had worked out the wetlands and buffer issues with Staff. The Committee has always taken the position that the plan should adhere to established Guidelines for wetlands and buffers, and all of Stuart's plans avoided construction in them. When it became clear that the developer's wetlands mitigation plan was not acceptable to the Staff, the Committee encouraged the developer to revise the site plan to accommodate Staff's environmental concerns. The applicant has not done this, and instead has filed a rebuttal to Staff's report stating that compliance with environmental

standards can be weighed against claimed but unspecified “other public benefits achieved by the project.” The Committee does not agree with this kind of tradeoff; one can always conjure up reasons for putting aside environmental standards. Rather, the Committee would prefer to see the standards met via project redesign.

Next, the Staff report notes that (at p. 12) that under § 59-C-18.186(a), the site plan must be found to be **consistent with** the recommendations in the 1998 Master Plan. Then the report notes that (at p. 13) that under § 59-C-18.184(b), the site plan must **substantially conform with** the design guidelines in the Master Plan. But the design guidelines are themselves Master Plan recommendations, so what standard should the Board employ? In evaluating compliance with the design guidelines, it appears the Council intended to provide you with a standard short of strict compliance, but for all other Master Plan recommendations, strict compliance is mandated. Coffey v. M-NCPPC, 293 Md. 24, 441 A.2d 1041, 1044 (1982).

In the category of recommendations applicable to the AMP site that are not design guidelines, is the following Master Plan language: “[T]his Plan confirms the 1980 Plan land use recommendations ... in the Ashton Village Center...” Master Plan 38. This same language is referenced in the recent Staff rebuttal letter from the developer’s attorneys, albeit for a different point. The 1980 Plan recommendations incorporated into the 1998 Master Plan, as relevant here, read as follows:

Commercial development is channeled along New Hampshire Avenue south of Maryland Route 108 where stores and offices are interspersed with small residential lots. A small amount of commercial expansion should occur in these areas in accord with the present development pattern: small stores fronting on New Hampshire Avenue. Parking for these uses should be coordinated and placed in the rear of these structures, if this is feasible.

1980 Plan 37-38. The Committee's position is that unless and until the Master Plan language is changed, it is binding on the Board in its evaluation of the AMP plan. It also is the basis for the Committee's efforts to negotiate with the developers smaller scale and street-fronting retail along New Hampshire Avenue. As explained, the Committee did not succeed in achieving these goals in those discussions.

As for other issues raised in the Staff report, the Committee agrees with the Staff report's observation (at p. 19) that the parallel drive aisle along MD 650 raises safety and traffic back-up problems. The Committee believes these problems would be reduced or eliminated if the plan included their ideas for street-fronting retail in that location.

While the Committee recognizes the legal issues related to the zoning requirements, as Ashton area residents, the Committee does not object to the presence of residential space in the project or to mixing it with commercial space in the manner proposed. The Committee also does not object to the use of the R60-zoned land for parking. The Staff suggests in proposed finding # 4 that the parking issues might disappear with a redesigned, less dense, and thus a smaller scale, project. If the Board agrees, the expected deferral to address parking issues and other issues would mean a revised project that more closely adheres to the design, layout and scale objectives that the Committee has pursued all along.

With that, I would like to turn things over to the rest of the team to highlight the desirable design elements of the current plan and the additional design elements the Committee would like to see in a revised plan.

\* \* \* \* \*

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To conclude, we support the Staff report and agree that changes need to be made before this plan should be approved. The wetlands and buffers must be kept intact and we would like to see more rural village design elements incorporated into the plan. The Board can count on the continuation of the dedicated hard work the SSARPC Steering Committee has already brought to this project. Ashton is at a crossroads regarding its character. We look to the Board to ensure that it will become a village with a true sense of place.

**Jennifer S. Fajman**  
17922 Pond Road  
Ashton, Maryland 20861

**COMMUNITY EXHIBIT**  
**RECEIVED BY MCPB**  
DATE: 4/12/07  
ITEM NO. 10411  
EXHIBIT NO. 3  
**TOPIC: Four Corners**

**Ashton Meeting Place**  
Preliminary Plan No. 120050060  
Site Plan No. 8-06023

*I have lived in Ashton for 19 years and reside about 2 miles from the proposed Ashton Meeting Place development. I am a member of the Sandy Spring-Ashton Rural Preservation Consortium Steering Committee, but these comments are made by myself as a citizen of the Ashton community.*

We are at a turning point in the development of downtown Ashton; we have an opportunity to develop a pedestrian-friendly place where people will want to gather, creating an active and pleasant rural village crossroads.

AMP is the first corner planned for redevelopment in recent years. I envision AMP setting a standard for creating a rural village that can be emulated as the other corners are redeveloped.

How you determine today what is appropriate for our village center at the Southeast corner will set the standards for the entire area. Please keep the Master Plan's goal of a rural village center your top priority. To me, this means taking the guidelines for size, scale and walk ability very seriously.

Building an area for businesses to flourish need not conflict with building an area that provides a village center atmosphere. AMP developers can lead the process of creating a true village crossroads. They have made some strides in this direction, but the plan does not go far enough. I encourage the developers to consider the following issues as they work on a revised AMP plan and as they enter into other development projects in the area. Develop something that other developers will want to emulate!

**Pedestrian safety and "friendliness":** The corners should complement each other in a village design and in what businesses are offered. If this is done correctly:

- people will walk from one corner to another to patronize the businesses and use other amenities on the different corners
- people will walk safely between the corners
- people will feel a sense of place

The village green at the corner of Routes 108 and 650 is big enough and well designed to entice people to walk to the village center and will provide a place where people will want to gather. This is an excellent start towards making the crossroads pedestrian friendly. This concept can be duplicated on the other corners as they are redeveloped.

**Size and Scale:** The proposed center is too massive.

I support Staff's Site Plan Finding number 4 that says the structures proposed are too large in scale and mass for the scale of the village center and encourages future plans to be less dense.

It is important to create a design with

- building size characteristic of a traditional rural village
- parking spaces interspersed with small landscaped areas
- areas for people to sit and chat

The current AMP design puts too much in too little space.

DATE: 4/12/07  
ITEM NO. 10411  
EXHIBIT NO. 4  
301-717-2282

Site plan # 8-06023 Planning Board Meeting – April 2007  
Richard Ceccone 18017 Highfield Road Ashton, MD 20814

My name is Richard Ceccone and I live in the Ashton Pond Community about a mile south of the proposed Center. I am here today speaking in opposition to the proposed development plan as presented to the County.

My primary concern is the impact on traffic resulting from the design of the Ashton Meeting House project and the insufficient changes to the road system proposed by State Highway to support future regional requirements. The intersection of New Hampshire Avenue and Route 108 fronting the Center merges **two regional transportation arterials that are only two-lane rural roads**. All other regional transportation corridors in our County transportation system of Corridor and Wedges with similar regional implications have either four lanes or bypass roads which can support increased traffic volume. A project of this scope coupled with regional residential growth and without a road system to support such density will create local and regional traffic bottlenecks at this signalized intersection.

The design of Center and the proposed road improvements to the AMP project will not sufficiently satisfy future traffic volume growth but will create new traffic problems. The developer has not demonstrated the design of the project can meet the needs of increase traffic volume resulting from **future regional residential** and commercial growth. The ingress-egress design of the project and the parking scheme with parking spaces located on Route 108 is will further impede traffic and increase the probability of traffic accidents.

State Highway Administration has only considered **past** traffic volumes and turning movements, which are questionable due to the process, and a developer contracted traffic study that **only** considers local residential development in the proximity of the intersection. Regional impact studies have not been performed and are needed. The SHA studies are a single snap shot of a two day study that took place in 2000 and 2005. They do not consider the impact on future traffic volumes and patterns resulting from Good Council High School and regional residential developments in eastern Montgomery County and Western Howard County which is simply several miles away.

Under the proposed site plan, People leaving the center with intentions to go onto New Hampshire Avenue will have to cross through standing traffic to go west or cross several lanes into accelerating southbound traffic to go south. It is a traffic access and queuing problem in the making.

The proposed entrance to the proposed project on New Hampshire Avenue is approximately 200 feet south of the intersection or approximately 10 stacked vehicles. During evening rush hour 20-25 plus vehicles are typically stacked at the traffic signal and this is not considering future traffic volumes generated by the project and future regional residential and commercial growth.

Customer parking was designed for the project fronting Route 108 near the intersection. Unfortunately, the deceleration lane intended for ingress-egress for customers and residents of the Center will also be used as a staging area for customers preparing to park or pulling out of parking spaces. This will create serious traffic problems during rush hour with competing commuters accelerating off the traffic signal, customers and residents going into the Center, and customers backing out or waiting in the deceleration lane for the availability of parking spaces on Route 108.

The project will, in addition, create an additional hardship for the communities surrounding and captive to using Tucker Lane which is east of the intersection toward Howard County and off Route 108.

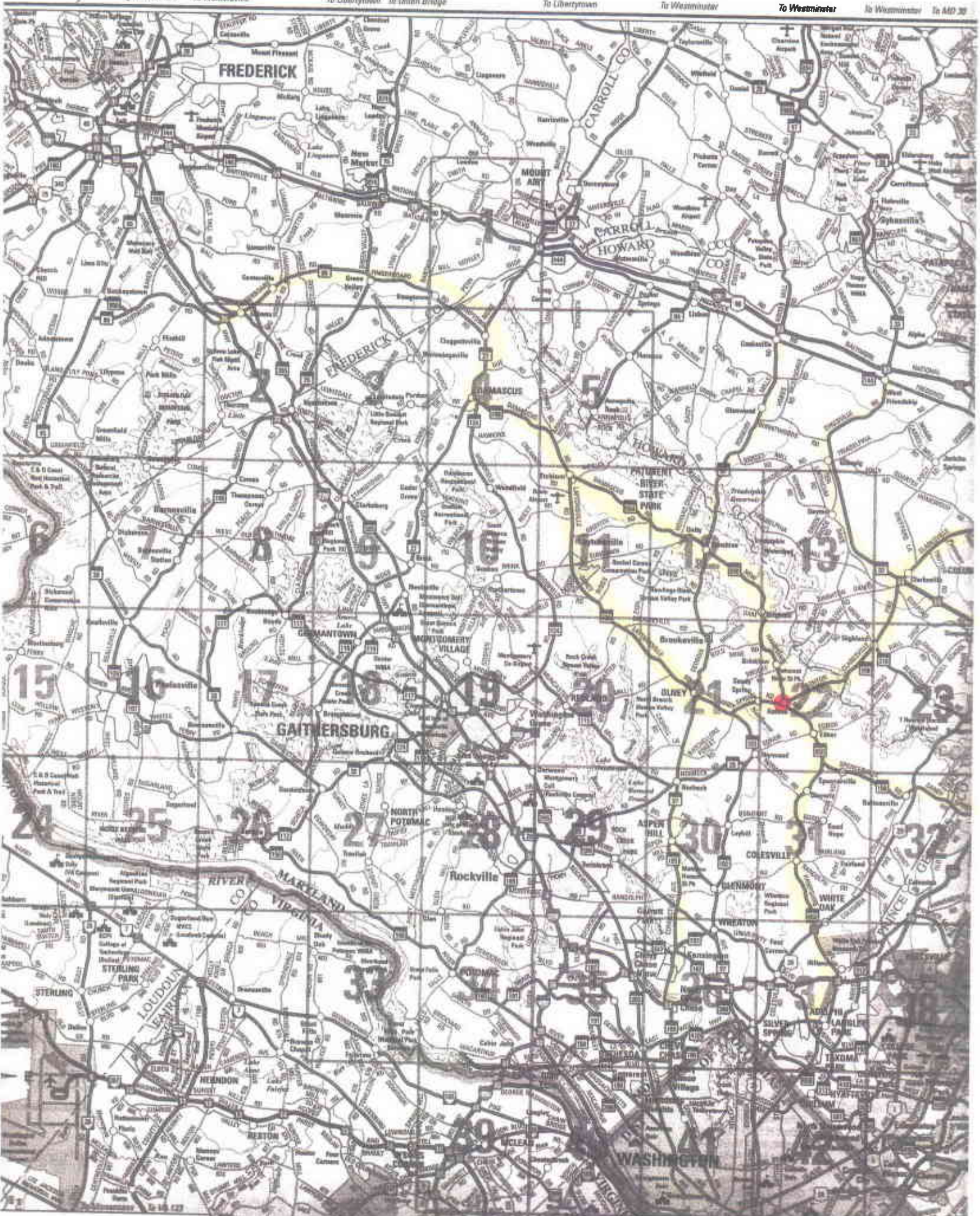
Tucker Lane is a narrow two lane hilly winding rural road designed for local traffic that extends from Route 108 past a Brighton Dam Tributary. It goes through several housing communities to New Hampshire Avenue.

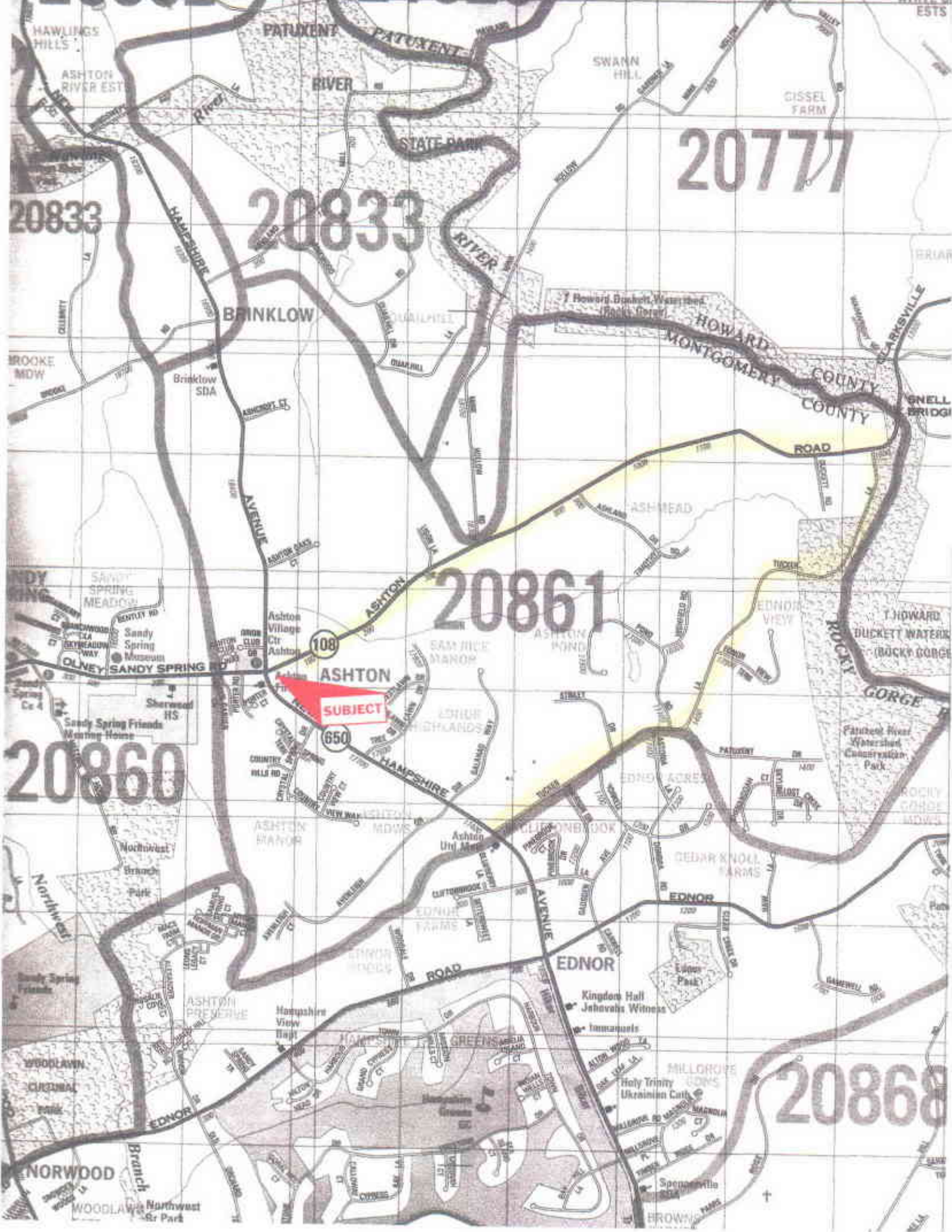
Commuters from Howard County on a daily basis use Tucker Lane, which is a narrow two lane road, in order to avoid the present congestion at the subject intersection. As a result of ingress-egress design of the project, commuters along with customers and residents from the project who desire to go south on New Hampshire Avenue will also use Tucker Lane to avoid congestion at the intersection. The increased traffic volume and the higher speeds of the drivers on this already overloaded rural road are simply problematic.

Simply put, the proposed center with it's' scope and design will place an unnecessary traffic congestion burden on the community and on the Eastern region of the County. **This is a regional intersection and needs to be reviewed as such.** For the reasons stated, I ask the Board to deny the project as designed.

... and provide you a complete step-by-step guide to using your street map book, Map Legend, Table of Contents and Key to Abbreviations. Take a few minutes to familiarize yourself with this time-saving information.

To Thurmont To Walkersville To Libertytown To Union Bridge To Libertytown To Westminster To Westminster To Westminster To AD 30





20833

20833

20777

20861

20860

20868

**SUBJECT**

**ASHTON**

**BRINKLOW**

**HOWARD MONTGOMERY COUNTY**

**EDNOR**

108

650

**NORWOOD**

**MILLROVE**

**WOODLAWN**

**BROWN**

**Branch Northwest Br Park**

**PARKS**

**WOODLAWN**

**EDNOR**

DATE: 9/12/07

ITEM NO. 10-11

EXHIBIT NO. 5

Testimony of Beth Miller Garrettson

April 12, 2007

Park and Planning Hearing for  
Preliminary Plan #120050060 Ashton Meeting Place  
Site Plan #8-06023 Ashton Meeting Place

My name is Beth Garrettson and I live ½ mile from the proposed Ashton Meeting Place. I am on the steering committee of the Sandy Spring Ashton Rural Preservation Consortium but today I speak as a member of the community. I can not support a plan for the development in Ashton that in any way encroaches on the wetlands or it's buffers or that does not comply with the master plan's support of a "rural village."

My Quaker ancestors settled Sandy Spring in 1728 and I have had family living here ever since. I graduated from Sherwood High School 52 years ago. When my husband retired, we returned here to live. Even though it has changed a great deal since I moved away, it is STILL in many ways, a rural village where people know each other, work together for the good of the community, take care of each other.

In December 2005, when I first heard of the proposal for Ashton Meeting Place, I wrote a letter to the developers stating that I thought the plan was not in keeping with rural nature of the community and that it ignored the site's environmental needs. Their reply was that they had NOT ignored the environmental constraints and I was told that the community was no longer rural so there was no need to attempt to maintain its rural nature. However, the Planning Staff states on page 19 of their recommendation for denial, "the structures...are not compatible with the rural village context and the existing small scale of the village center."

We live on Bentley Road - walking distance of both Ashton and Sandy Spring, which we do frequently - to the historic Quaker Meeting,, the bakery, a produce store, a knit shop, 2 Post Offices, a Hardware store, 2 Sandy Spring Banks, a florist, a bookstore and several good restaurants. Bentley Road is designated a country road: one of the old houses of the community is still lived in here and there are horses, chickens, sheep, goats and bees living on our road. I consider that rural.

I was apart of the small group from Sandy Spring Ashton Rural Preservation Consortium who worked with the developers to try to reach a compromise. We told them that we were not opposed to development at that site but we felt that what they were proposing was not appropriate for the site or for this rural historic community.. The 2 groups worked for MANY hours attempting to develop a design that would satisfy both groups. The design that we supported in the end did not consider environmental concerns. Since we did not have the expertise to determine how to meet these concerns, we wrote a letter to the Planning Staff in Dec.2006 stating that we supported THEIR upholding of the Guidelines for Environmental Management. We MUST protect our environment before it is too late.

I am TRULY sorry that the compromise does not follow the Master plan or meet the needs of the environment but it clearly does not. It is too bad that we did not have some of the County's information last year. I hope that a different plan can be developed that will conform to the master plan and avoid any encroachment on the wetlands & the buffers, but until that time, I cannot support the proposed Ashton Meeting Place.

Ashton Meeting Place  
Preliminary plan No. 12005006  
Site Plan No. 8-06023

COMMUNITY EXHIBIT  
RECEIVED BY MCPB  
DATE: 4/12/07  
ITEM NO. 11-12  
EXHIBIT NO. 6

Testimony of Michelle Layton on behalf of SSARPC

Good Afternoon.

For the record, my name is Michelle Layton. With me today is Paul Maninna. Together we co-chair the Sandy Spring Ashton Rural Preservation Consortium. We live at 17905 Ednor View Terrace and 17717 Pond Road, respectively, which is 2 miles from the proposed Ashton Meeting Place site. Here also is our land use attorney, Dave Brown of Knopf and Brown and the Consortium's Design Team- Landscape Architect Brooke Farquhar and awarding winning Architect Miche Booz, familiar to many as the architect of the Sandy Spring Museum.

As our name implies, the SSARPC's mission is support development in historic Ashton that conforms to the Master Plan in order to preserve the historic rural village that Ashton is. We are, in fact, *Pro-Master Plan, not anti-development*.

Since November of 2005, we have been the primary community group that has disseminated information about the Ashton Meeting Place project primarily via electronic mail to our 800 member email list and our website at [www.preserveashton.net](http://www.preserveashton.net). We have walked door to door garnering support and have held a candlelight vigil 4 public meetings and 1 Open House to update and inform the community on changes as they occur.

The SSARPC has raised money through benefit dinners and concerts, selling "Preserve Ashton" preserves and by the contributions from our many supporters. These funds have permitted us to retain the services of Dave Brown and Stu Sirota, an urban planner and Principal with TND Planning Group to help guide us through the legal and design issues of this project.

The SSARPC Steering Committee consists of residents of Ashton, Sandy Spring, Brookeville, Olney and Clarksville, all who have the same goal; To preserve the rural look and feel Ashton.

From the very beginning, we all agreed that any development in Ashton should "look like it belonged in Ashton," all the while conforming to the Master Plan which describes it as a rural village center. It was all of our observations that the original plan did not match our own vision of our small historic town.

The buildings were too big, too tall and we were all offended by the 237 ft. blank wall that fronted Rt. 108.

Additionally, our concern that the project adhere to the County guidelines for the environment was extremely important.

After 10 months of meetings and several requests to meet with the developer to discuss our concerns, finally in August 2006, we were able to sit down and begin an open discussion about the design of Ashton Meeting Place. While we made it clear that one of the goals of the SSARPC was to bring the proposal into compliance with the MP, the developer, Mr. Fred Nichols also made it clear that there were certain areas that were non-negotiable- first, the size and placement of the grocery store, second, the size of the project and third, the placement of the existing bank. Within those parameters, our design team worked with the developer's design team to negotiate the plan you have in front of you today.

In November, we were ready to present to the community, with the developer, a plan that while a compromise, would be acceptable to our group and adhered to the MP guidelines. The new plan offered a sizable village green, active store fronts, on-street parking and several other design elements advised by the Master Plan. We continued to make it clear to the developer and our listserv that while this plan was a compromise, we never abandoned our goals to reduce the size of the grocery store and bring the project to MP compliance.

We subsequently learned that P and P staff had found the developer's environment mitigation plan to be unacceptable. We encouraged the developer to revise his plan to conform to staff's recommendations. While we were still willing to support the design changes of the plan, our Steering Committee decided that we could not fully support a plan that encroached into the wetlands and their buffer.

We are appreciative of Mr. Nichols' efforts to work with us to achieve a compromise as to the design elements and we especially thank the Park and Planning Staff for having soundly and completely researched a comprehensive document that supports the vision of the Ashton-Sandy Spring Master Plan.

I now introduce you to Dave Brown who will discuss our Steering Committee's position on the plan before you today.

**TESTIMONY OF  
DAVID W. BROWN  
ON BEHALF OF  
SANDY SPRING-ASHTON RURAL  
PRESERVATION CONSORTIUM  
ON  
ASHTON MEETING PLACE  
PRELIMINARY PLAN NO. 120050060  
SITE PLAN NO. 8-06023  
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**Testimony of Brooke Farquhar and Miche Booz**  
**Sandy Spring Rural Preservation Consortium Design Committee**  
**Ashton Meeting Place**  
**Preliminary Plan 120050060 and Site Plan 820060230, April 12, 2007**

For the record my name is Brooke Farquhar and I live at 6883 Haviland Mill Rd, Clarksville. My home is exactly three miles from the Ashton Village Center where my family and I frequent the Post Office, the hardware store, and the restaurants.

A year and a half ago I was asked by some of my friends and neighbors to comment on the proposal for AMP, since I had worked as a site plan reviewer for Montgomery County for 9 years. Before even cracking open the Master Plan my reaction was that it would be difficult for the Board to make the finding of compatibility, given the big difference in size and scale compared to adjacent development.

Once I read the Master Plan and its emphasis on rural character, as well as its more specific guidelines about active fronts, I was sure the plan would be denied as designed on the basis of the finding of conformance with the Master Plan.

As you have heard from our co-presidents and our legal counsel, our group decided to hire an expert land planner, Stuart Sirota, who would have been here today except his wife is having a baby. Stu has worked several years in the public and private sectors, on land use and transportation planning projects, with an emphasis on helping communities develop their town centers while retaining their sense of place.

Stu helped us to look at the site with fresh eyes. Together, Miche, Stu and I generated several iterations of layouts for this site, including some that kept the parking off the R60, and some that showed a different grocery store location. All of our sketches had both street frontages lined with active fronts, and no encroachment in the environmental buffers.

Once the developer's design team agreed to sit down with us, we had a series of design meetings with a small team from AMP, we came to understand what the developer's non-negotiable points were, namely:

- 1) that the bank would be located at the corner because Sandy Spring Bank required it;
- 2) that the financial formula determined the location and size of the grocery store;
- 3) that the buildings along NH Avenue were set back from the street based on conventional retail shopping layout formulae, and
- 4) that they were not willing to decrease the overall size of the center, for economic reasons
- 5) that the wetlands buffer would be impacted to accommodate the grocery store.

Several rolls of trace later, we arrived at the plan you see before you today.

At this point the plan goes a long way toward Master Plan compliance, but it could go a lot farther. In particular, we were able to convince the developers to line the back of the grocery store with active fronts, to provide a truly usable village green, to hide the parking and drive aisles for the bank below grade, and to provide architectural and signage details more in keeping with a village center.

Despite these advances, we cannot argue with Planning Board staff when they say (p. 14 of the staff report) the plan “does not provide the recommended scale and active main-street the master plan envisions.” And, as you have heard we are particularly opposed to the encroachment into the wetlands buffer.

It is always difficult to translate written guidelines to an actual on-the-ground plan. But as we have seen, there are typically many ways to achieve a design solution. We have full confidence that a village center can be designed for this site that maintains the historic and environmental integrity envisioned by the authors of the Master Plan.

Thank you very much.

COMMUNITY EXHIBIT  
RECEIVED BY MCPB  
DATE: 4/12/07  
ITEM NO. 11-12  
EXHIBIT NO. 7

Good afternoon Chairman Hanson and Members of the Board my name is Fran Simons, and I am pleased to be here today to express to all of you the strong support in the community for the Ashton Meeting Place Shopping Center.

My husband and I have lived in Ashton for fourteen years, about one mile from the proposed shopping center. We moved to this part of the County for its unique rural setting. More importantly, though, we purchased our home after fully researching the area and understanding that The Ashton/Sandy Spring Master Plan clearly allowed for more dense residential growth and detailed the future commercial development for the southeast corner of the main intersection.

Fourteen years ago we were the first wave of newcomers moving into homes on the farmlands of Ashton. Over these many years we have watched the landscape change dramatically and the farmlands disappear with the development of new homes. This housing growth has overpopulated our schools and created a new demographic and more diverse culture that requires more needs and services than the Cricket Book Store and Dempsey's Restaurant can accommodate. Many in the community are looking forward to having a full service grocery store, more restaurants, and retail stores all wrapped up in beautiful, traditional architecture that is inviting and easily accessible by car and on foot.

It is the balancing of Ashton's quaintness against its expansive growth that has motivated many residents to embrace the Ashton Meeting Place plans that are before you today, proposed by Fred Nichols. To understand his commitment to and pride for the community he lives in, one has only to drive by and see the pristine care given to the grounds and landscaping of The Alloway Building in Ashton. Over the past four years, he has demonstrated this dedication to the community through his countless neighborhood meetings and large town forums to inform and discuss the proposed shopping center. In addition, he has spent an inordinate amount of time and energy making revisions based on community input.

The challenge the Developer faced in the community was bringing the necessary level of services and conveniences to its residents while preserving Ashton's unique character. Trying to achieve this blend is what caused such deep emotion in our community. However, it is Park & Planning Staff – that can truly attest to the level of passion over the center. It

is Staff who asked a group of supporters, including myself, at a meeting in July of 2006, to help bring the community together and work toward a compromise design.

Members of the Board, the plan before you today **is that compromise** – it a design that preserves the small town feel yet provides the right level of services. Staff knows that this plan is a culmination of months of negotiations between the community and the Developer and that those originally opposed stated recently that: **“the compromise plan reflects much of the intent of the Sandy Spring-Ashton Master Plan and will, if approved, be a cornerstone for creating a sense of place and village center in Ashton.”**

We respectfully request that you approve this long awaited plan as the culmination of the community's due diligence and vision for a beautiful, vibrant shopping center for Ashton.

Thank you.

COMMUNITY EXHIBIT  
RECEIVED BY MCPB

DATE: 4/12/07  
ITEM NO. 11-12  
EXHIBIT NO. 6

April 12, 2007

Public Hearing For –“ASHTON MEETING PLACE”

John D. Richardson – 1514 Lost Creek Drive, Ashton, MD 20861 Ph. 301-260-8434

Mr. Chairman and fellow Board Members, my name is John Richardson and I wish to thank you for the opportunity to speak on behalf of the plan submitted for “ASHTON MEETING PLACE”.

I am speaking on behalf of Ashton Meeting Place as an interested neighbor. I have no personal involvement or investment in this project. My family is now the fourth generation living in the Ashton area, and you can only imagine the changes that have occurred since my grandfather lived here in the late 1800's. Even when I was a student at Sherwood high school, the greater Ashton area was rural agricultural. There were active farms along New Hampshire Ave. into Ashton and beyond and now there are none remaining. I have found it very interesting that some of the primary opponents of this project have contributed to the residential growth by developing and selling of their properties and now are promoting “rural preservation”...this is about 50 years too late. As you know so well, change is a way of life and we need to recognize that it will continue.

The proposed Ashton Meeting Place will be an asset to the community and will provide needed services to the ever growing number of residents now residing in the greater Ashton area. Just getting some basic needs today require the Ashton residents to drive to Olney, Cloverly or Burtonsville. We are now losing one of our major restaurants to Chevy Chase Bank, so having a replacement in this new center will be very welcome.

The design of the buildings is the most attractive compared with any in the county. The folks developing this project have a personal interest in doing an exceptional job because they live right in the community and some have lived a lifetime here. They want to provide a center that the community can be proud of.

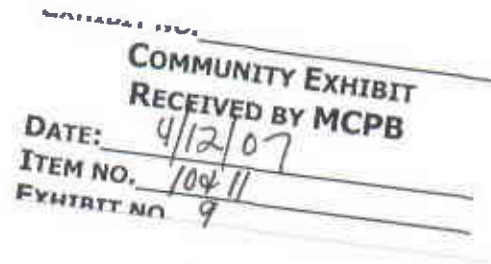
Mr. Nichols, the developer, has been willing to modify many aspects of the original plan to appease those objecting to the project. I am aware of the efforts of a few who wish to derail this project, however, you must realize that the silent majority are in full support of this enhancement to our community. I served on the Ashton/Sandy Spring Master Plan committee with the Park and Planning Commission in the 1980's, and even back then we envisioned the commercial development of this property. There were several ideas of what might be constructed such as an office complex and town home combination. I believe the proposed Ashton Meeting Place fits well into what we envisioned several years ago.

In summary, my neighbors and I encourage you to approve the Ashton Meeting Place plan so we can benefit from the opportunities that it will provide. Thank you.

**SPRING LAWN FARMS HOMEOWNERS ASSOCIATION  
P.O. Box 263  
Ashton, MD 20861**

March 28, 2007

Mr. Royce Hanson, Chairman  
MNCPPC Planning Board  
ATTN: AMP Development  
8787 Georgia Avenue  
Silver Spring, MD 20910



**Re: Ashton Meeting Place Development Plans**

Dear Mr. Hanson:

I am writing on behalf of the Board of Directors for the Spring Lawn Farms Homeowners Association, to express our community's concern regarding the sidewalk and roadway improvements which are to be completed when the development is constructed. Our community consists of forty-eight homes which exit onto New Hampshire Avenue via Crystal Spring Drive, located approximately 850 feet south of the entrance to the proposed Ashton Meeting Place. Our development is the closest subdivision to the proposed center, on New Hampshire Avenue and will be most effected by the traffic impacts of the New Hampshire Avenue entrance. Our community has been polled and all of those responding to our poll agree with the sentiments expressed in this letter.

**NORTHBOUND NEW HAMPSHIRE AVENUE**

The most recent version of the plans for the Ashton Meeting Place has reduced the length of the deceleration lane leading to the entrance to the center along northbound New Hampshire Avenue and eliminated the acceleration lane. These should be reinserted so that vehicles leaving the center can safely enter New Hampshire Avenue and to improve traffic at the New Hampshire Avenue, Route 108 intersection.

At the present time, traffic heading north on New Hampshire Avenue from our community frequently backs up in the morning and evening rush hours beyond the entrance to our development. This will be improved if an additional lane is added to New Hampshire Avenue so that traffic heading north will have an additional stacking lane before it reaches

the intersection itself. This will be accomplished if the acceleration lane is reinserted on the Development Plans.

In addition, because traffic using the intersection backs up past the entrance to the center, cars leaving the center will face a solid line of cars heading north on New Hampshire Avenue during both morning and evening rush hour. This will create an unsafe condition in which vehicles leaving the center to turn left on Southbound New Hampshire Avenue will inch out into oncoming traffic, causing a serious safety hazard. This can be avoided by reinserting the acceleration lane and lengthening the deceleration lane which were included in earlier versions of the plans.

### SIDEWALKS ON NEW HAMPSHIRE AVENUE

The current proposal also contains limited improvements to the sidewalks along New Hampshire Avenue. The Sandy Spring Ashton Master Plan recommends a sidewalk access along New Hampshire Avenue to connect existing communities both to the Village Center and to Sherwood High School. However, these are missing from the latest plans for the intersection improvements.

The entrance to our community is at the very end of the "limit of work" shown on the State Highway Administration Plans for the New Hampshire Avenue, Route 108 intersection improvements, a copy of which is attached. However, the Plans include no sidewalks on the west side of New Hampshire Avenue beyond the Ashton Baptist Church. This sidewalk ends approximately 1200 feet from the entrance to our community and children seeking to visit Ashton Town Center will have no safe way to do so unless this sidewalk is extended to the entrance to our community. I received the attached letter from Isiah Leggett, County Executive, urging the Montgomery County Department of Public Works to coordinate the necessary sidewalk improvements with Park & Planning and the Developer of Ashton Meeting Place, and urge this to be done as a condition of approval.

Thank you for considering our comments.

Very truly yours,



David C. Gardner, Vice President  
Spring Lawn Farms HOA

Enclosure

cc: Dave Phillips, SHA  
Jody Kline, Esquire  
Bruce Johnston, Dept. Public Woks & Trans.  
Michael Ma, Development Review



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

March 9, 2007

Mr. David C. Gardner  
17501 Country View Way  
Ashton, Maryland 20861

Dear Mr. Gardner:

*David*

I received a copy of your thoughtful correspondence to the Planning Board on the Ashton Meeting Place development plans.

I understand your concerns about the reduction of the deceleration lane along New Hampshire Avenue, and the elimination of the acceleration lane. I also understand your concerns about the sidewalk components of the proposed development.

The issue of the lanes rests with the State Highway Administration (SHA). I note that your letter was copied to Dave Phillips at SHA and I anticipate that these concerns will be addressed by that agency.

I am very concerned about pedestrian safety, and sidewalk links are an important component of providing connectivity among uses. I have forwarded a copy of your letter to Bruce Johnston, Director, Division of Capital Development in our Department of Public Works and Transportation. By copy of this letter, I am asking him to review the sidewalk program in the Ashton area, and coordinate any necessary sidewalk improvements with Park and Planning and the developer of the Ashton Meeting Place development.

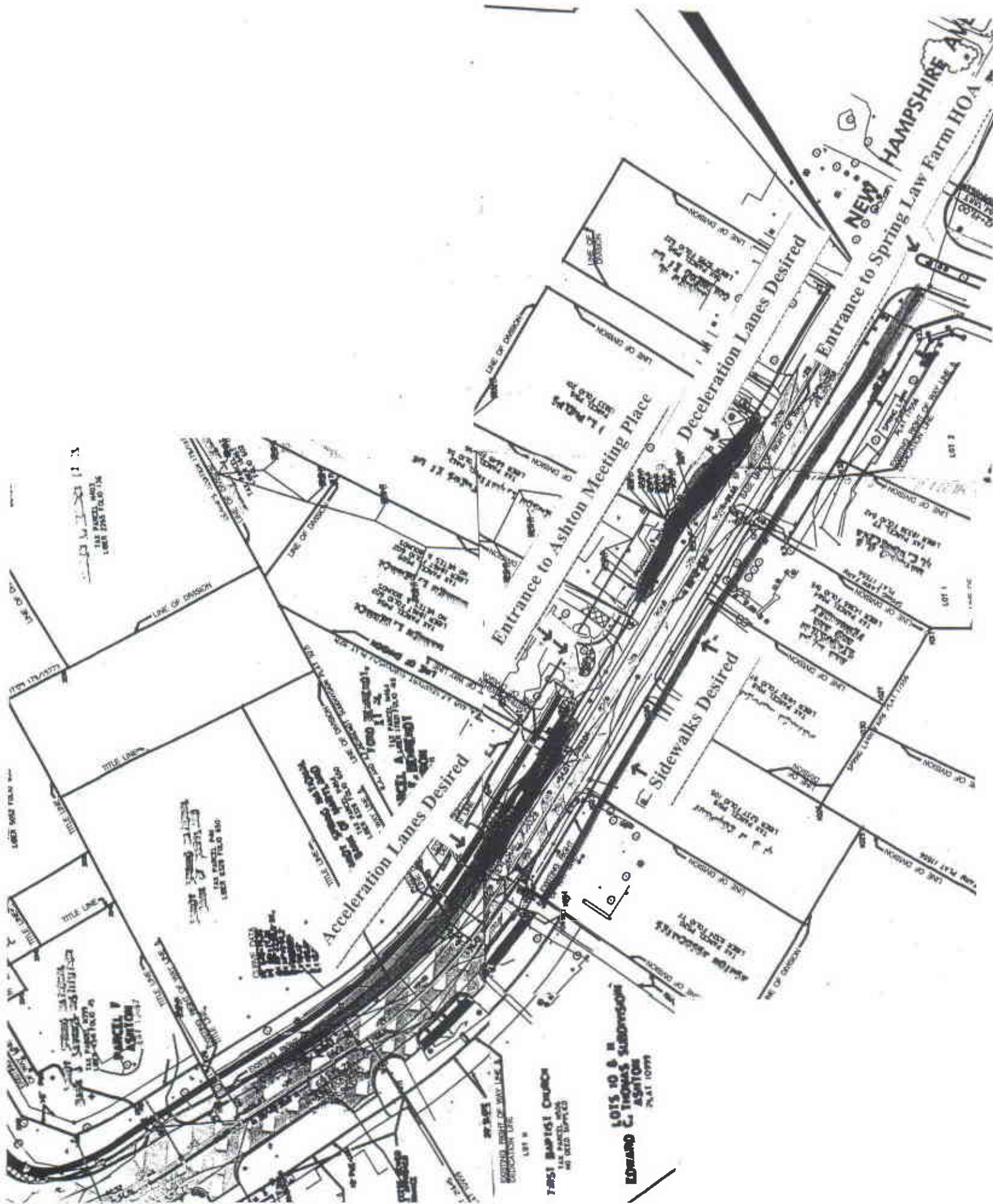
Sincerely,

Isiah Leggett  
County Executive

IL:jgs

cc: Bruce Johnston, Director  
Division of Capital Development  
Department of Public Works and Transportation

Dave Phillips  
State Highway Administration



133 N. 11th St.  
1st Floor, Apt. 113  
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Acceleration Lanes Desired

Entrance to Ashton Meeting Place

Sidewalks Desired

Deceleration Lanes Desired

Entrance to Spring Law Farm HOA

NEW HAMPSHIRE AVE

1st Baptist Church  
1st Floor, Apt. 113  
Lot 100 1000 1000

LOTS 10 & 11  
C. Thomas Subdivision  
ASHTON  
PLAT 10999

OWNER

COMMUNITY EXHIBIT  
RECEIVED BY MCPB  
DATE: 4/12/07  
ITEM NO. 10411  
EXHIBIT NO. 10

I'm Jim Bullard and speak personally about my concerns regarding Ashton Meeting Place, (AMP). I was raised in Montgomery County and was fortunate to have the opportunity to live with my wife in one of the original Thomas's houses, Clifton, c-1742, in the Sandy Spring/Ashton area for over 40 years. We have been members of the Sandy Spring Monthly meeting for nearly 50 years.

I have read the remarkable and thoughtful report of the P&P Staff concerning the proposed development of AMP at the intersection of 108 and 650. It is carefully worded and fair in its presentation. I thoroughly agree with and support the findings of the P&P staff, in that the application of the Ashton Meeting Place should be denied because of numerous conflicts with the Sandy Spring/Ashton Master Plan.

I was a member of the 1980 and 1998 CAC and worked closely with the P&P Staff to help create a Sandy Spring/Ashton Master Plan that reflected and tried to maintain the historical nature, environmental and rural character of the unique environs of the Sandy Spring/Ashton area, recognizing that the SS/A community was very different from the suburban character of Silver Spring and Olney.

Let me be clear that I have not met anyone in the community that feels the Ashton intersection should not be developed! I feel the developer has unfairly tried to foster rumors to the contrary. Unfortunately, by seeking approval to build AMP on this scale and showing such disregard for the Master Plan has had serious detrimental emotional effects on the citizens of this area.

My objections to the AMP plans are

- The scale of AMP does not come close to meeting the intentions of this member of the CACs, the P&P Staff and the Master Plan.
- The Misuse of mixed use- allowing commercial parking in a R-60 does not conform to the Master Plan.
- The Parking Garage in this C-I zone does not conform to the Master Plan
- The Ashton Meeting Place does not "substantially conform with the design guidelines" in the Master Plan,
- The length of the 108 wall of the grocery store and placement of the buildings hardly reflects a rural setting intended by the Master Plan.

- The developer trying to tell this community that the “encroachments are necessary and unavoidable--- on the wetlands” is unfortunate, to say the least! The only reasons for the developers to say this, is that they have chosen to try and build on a scale far to large and to dense for this piece of property. When I met with the developer at a community meeting, the developer team responded to the question, “was the scale of the project negotiable,” the answer was “NO!” I am convinced that it is possible to develop this corner and meet the environmental requirements by scaling down the size.

- The Ashton Meeting Place is out of compliance with the Subdivision regulations and Zoning Ordinances.

Lastly, CAC and P&P spent many hours creating the SS/A Master Plan. I feel the Master Plan is an extremely important document since it defines future development and is reviewed by families prior to moving into the area. The P&P staff has carefully examined the application and done a thorough evaluation. I feel that the P&P staff has presented substantive solid reasons to deny the application. If the recommendations of the P&P staff are not supported by the Planning Board, then I citizens work on CACs is meaningless.

Respectfully submitted,

James W. Bullard, MD. 1046 Windrush Lane, Sandy Spring, MD, 20860.

TESTIMONY OF  
Barry L. Newton  
ON

ASHTON MEETING PLACE  
ELIMINARY PLAN NO. 120050060  
SITE PLAN NO. 8-06023  
April 12, 2007

COMMUNITY EXHIBIT  
RECEIVED BY MCPB

DATE: 4/12/07  
ITEM NO. 10+11  
EXHIBIT NO. 11

Mr. Chairman, members of the Board:

My name is Barry Newton; I have been a resident of Ashton for some thirty-four years. My home is adjacent to the Sherwood High School on Route 108, which makes me very interested in the present and future state of Ashton, and gives me a relatively unique perspective. When I first moved out here, and commuted to work in the city, I drove past herds of cattle at the Cowell place on New Hampshire Avenue. My neighbor two doors down kept cattle and pigs. Can't say as I miss the pigs all that much. . .

My location places me squarely in the 180 homes designated by Mr. Kline as being in "walking distance" of the new center. Personally, I think that there are folks who'll walk farther than that to get someplace. I'd just like to comment that there are probably two hundred or more Sherwood students who walk past my place daily to get to the Seven-Eleven in the existing Ashton shopping center. They can probably be added to the count of people who will walk to Ashton Meeting Place—and double that if Starbucks comes in.

The main point I'd like to make is that the plan for Ashton Meeting Place, though much improved, is still just too big. The developer reiterates the "common knowledge" that a shopping center must have a grocery anchor store to succeed. I must dispute that. I can not think of any grocery shopping at Montgomery or Lake Forest Malls, for example. The small stores in the existing Ashton center are all thriving; the parking there is barely adequate. The

closest thing to an “anchor” there is the convenience store. Food and sundries can be sold quite successfully in smaller shops. A butcher, baker, deli, a seafood place---these would all be welcome tenants at Ashton Meeting Place. We don’t need a megastore.

I’ve been to the AMP site, and seen the wetlands, and the headwater of the stream where it emerges from the earth as a spring. The flow is at least as great as that of the Sandy Spring, a somewhat better known water source. It’s fairly easy to see that keeping clear of the wetlands will require significant adjustment to the plan. The obvious solution to me is to lose the grocery store, and the parking spaces allocated for it. Contrary to the developer’s protestations, this will not guarantee the economic failure of the center—only that it will return somewhat less rent. This should not concern the Board, and it certainly doesn’t concern the community. A smaller project will be a better fit for the village, and serve as a responsible precedent for future development in the area.

Please deny the application as submitted, and require correction of the deficiencies so ably documented by the Commission staff.

COMMUNITY EXHIBIT  
RECEIVED BY MCPB  
DATE: 4/12/07  
ITEM NO. 104-21  
EXHIBIT NO. 1213

Preliminary Plan No. 120050060, Ashton Meeting Place  
Site Plan No. 8-06023, Ashton Meeting Place

My name is David Hartge. I live at 136 Haviland Mill Road. My family has lived on our farm for seven generations. We have lived in the Sandy Spring/Ashton area since the arrival of James Brooke in 1728.

I am here today to voice my objection to the scale of the proposed Ashton Meeting Place project. It is far too large and inappropriate for our community. One of the central tenants of the Sandy Spring/Ashton Master plan is the emphasis placed on preserving the area's "rural character." The rural character that was identified in 1980, when the master plan was first adopted, continues to be in great evidence today.

I would like to point out two measures of rural character that are significant: The first is the amount of open space in the Sandy Spring/Ashton area. When traveling by car from Ashton, particularly east and north, one is immediately surrounded by open fields and farmland. Before the Ashton traffic light disappears from ones rearview mirror, one can see the Lethbridge fields dotted with bales of hay every May and June; across the road are grazing horses.

Our farm is about a mile north of Ashton. In 1994 we placed our 70 acres in a conservation easement in cooperation with the Maryland Environmental Trust. In keeping with our belief in the value of preserving the Sandy Spring/Ashton rural character, we have guaranteed that our farm will remain open space for perpetuity. Other families in the area have taken similar measures. Greater Sandy Spring Green Space, an organization with numerous members, is dedicated to educating area families on the variety of ways to preserve their land.

Another measure of rural character is evident in the people who live in the Sandy Spring/Ashton area. The Sandy Spring farmers prospered in the early 19<sup>th</sup> century because of their innovative farming techniques. Their methods enabled generation after generation to remain in the area. As the crops in the fields flourished, so did the families that raised them. This is one of the truly unique aspects of the Sandy Spring/Ashton area. You can read about it in the Sandy Spring Museum.

My family tree is populated with names that have been here for many generations, many of you are familiar with them: Stabler, Farquhar, Thomas, Ligon, Canby. We treasure the unique character of our community. Many of those who have settled here more recently have been drawn in by exactly that quality of rural character.

No amount of "shopping convenience" can compensate us for the loss of a sense of place, a sense of belonging, a sense of pride, a sense of community that is embodied by the "rural character" of the Sandy Spring/Ashton area. The roots of our community would be severely compromised under the burden of seven acres of concrete, and in the shadow of 93,000 square feet of an inappropriate, over-sized shopping center.

Preliminary Plan No. 120050060, Ashton Meeting Place  
Site Plan No. 8-06023, Ashton Meeting Place

April 12, 2007

My name is Ellen Hartge. I live at 140 Haviland Mill Road, Brookeville. Haviland Mill Rd is about a mile north of Ashton.

My husband and I and our families have lived in the area for many generations. Our children are the 7<sup>th</sup> generation to live in our home.

I was a member of the Citizens Advisory Committee for the 1998 Sandy Spring-Ashton Master Plan. The CAC worked very hard with the Park and Planning staff at the time to understand and maintain the unusual historic and rural aspects of the Sandy Spring-Ashton community.

I fully support the staff recommendation for denial of the proposed development plan for the Ashton Meeting Place. The current plan is too large and too intense for the Sandy Spring-Ashton area.

The Sandy Spring-Ashton Master Plan stipulates that new development "should maintain the small scale envisioned for the village centers". The overall density of the entire plan, in particular the proposed grocery store's size and scale, are inconsistent with that vision. The Master Plan encouraged the development and revitalization of the village centers but it cautioned, "in these village centers such increases need to be balanced with the Plan's intent to maintain the small-scale of existing centers."

The Master Plan emphasizes the still-rural character of the area and the need to retain this by gearing new commercial development to the needs of local residents and not for the surrounding region at large. The commercial density of this proposed plan is out of balance with the Master Plans intent to maintain a small scale village center and not add to the suburban sprawl. The Master Plan also states that auto-oriented and large scale developments are *inconsistent with rural character and rural development patterns*.

To use the R-60 zone, which is a residential zone, for the parking needs of a large scale commercial development is not compatible with the Master Plan or with current zoning laws. Also, the addition of a parking garage to supply the required parking needs of such a large development is neither in keeping with small village centers nor rural character.

It was wonderful to read the staff's recommendation to make a future plan less dense. The staff raises the same concerns that many in the community share about the size and scale, the encroachment on wetlands and the compatibility with the Sandy Spring-Ashton Master Plan.

I hope the board agrees with the staff recommendation and denies approval for the current plan.

Thank you  
Ellen Hartge

Sylvia A. Bell  
1500 Tucker Lane  
Ashton, MD 20861

April 12, 2007

COMMUNITY EXHIBIT  
RECEIVED BY MCPB  
DATE: 4/12/07  
ITEM NO. 10411  
EXHIBIT NO. 714

Preliminary Plan No. 120050060, Ashton Meeting Place  
Site Plan No. 8-06023, Ashton Meeting Place

My name is Sylvia Bell and I live on Tucker Lane in Ashton.

The Staff Report discusses some serious problems with this proposed plan. Many of these problems could have been avoided by reducing the project's size and scale.

Ashton is a Village. The Ashton/Sandy Spring Master Plan indicates that it should stay that way, but the proposed AMP development would change its look and feel, by putting too much, too conspicuously on that SE corner in the center of our village. Many community members protested about the size and scale of the development in the first plan - but that has not changed to any noticeable degree in this latest one.

When we first learned about AMP, the plan appeared to many of us to violate the Master Plan, because of the overwhelming size and scale of the project, especially the grocery store; and the excessive height and mass of some of the buildings. The Staff Report reaches the same conclusions (pages 12 through 14). We also worried about the expected increase in traffic on our already congested roads, and the adverse effect this would have on other local businesses such as The Cricket Bookshop.

These concerns and others led to the call to Downsize the Project. I believe that for many people in the community, including me, the project will never be acceptable if it is not substantially Downsized. The Planning Board Staff appear to agree with us. In the last seven pages of their 21 page report, more than a dozen times they refer to the size, scale and/or mass of the project (and the need to reduce it),

The developer insists that a large grocery store is needed as an anchor for the other stores. He is apparently ignoring the fact that many retail developments operate successfully without such a store, relying instead on several small retail food stores to draw customers. One such development is the popular Belvedere Square in Baltimore.

The developer complains that he cannot stay off the wetlands buffer. But he has caused his problems. What if he decided to go with small food stores, instead of that big grocery? Then he could easily get off the wetlands buffer, and he would also reduce the number of parking spaces he requires. He would reduce the area of impermeable surface needed, and the resulting runoff. He would reduce the amount of traffic drawn to the area. But above all he would get rid of the large grocery to which so many of us object.

The bottom line is that this project, as it is, is too big, and I would respectfully ask the Board to reject the proposal, unless and until the project can be made smaller.

Thank you.