



**Worldshine Homes - Assisted Living
Conditional Use No. 202311
Boyds, MD**

Excerpt from Exhibit 22(i)

Ref: Opposition to World Shine Assisted Living Facility- CU202311
Submitted 31Jan2024 - V.Krishnan

Page 2 of 4

- d. Pg 18- regarding the Seneca creek watershed- “efforts BEYOND current guidelines are **critical** to address developmental impacts to the environment” ..Instead the planning board review shows that not even the bare minimum is being done- **there is no data presented** on what the impact this particular facility will have on an already fragile and burdened water streams and reservoir!
- e. Pg 18- also says that county needs to “protect the most sensitive areas in the watershed with water quality monitoring and review- Has any study been done to show how the presence of a facility with 35% impervious surface will affect the water quality of the Seneca creek streams which feed into the Seneca Creek water reservoir? Are there other facilities that show a 35% impervious property sitting in an environmentally protected area, and how has that impacted the neighborhoods, water quality and the flora and aquatic life in the water streams? No comparison data to substantiate their assessment is provided to justify that this facility being on West Old Baltimore will have no impacts on water quality.
- f. Pg – 57- West Old Baltimore Road has been indicated as “particularly challenging environmentally in particular due to the tributaries of Little Seneca Creek and existing developmental patterns”. Yet no study or data was provided to show that the tributaries and their water quality will remain unaffected by this large facility, with large impervious areas, and heavy waste water, biohazard disposal and cleaning operations.
- g. Pg 138- The Master plan says “EXTRAORDINARY mitigation of land uses involving extensive impervious surfaces near headwater areas” is needed. The facility has an extensive 34.7% impervious surfaces in an area that is literally on top of an environmentally sensitive tributary that feeds into our raw water supply. Where is the study to look at the non inherent impact of a 120 bed, 8 building business with 70 plus employees and 34.7% impervious surfaces(double the 15% impervious surface for residential areas)? Was a study done to look at any other location in Clarksburg that would be better suited rather than situating it next to a buffer stream that feeds into the water supply reservoir and is in an environmentally fragile area?
- h. Pg 139- “Little Seneca creek is the largest sub-basin or sub watershed in the Clarksburg area and is listed as Use IV-P” and drains into public raw water supply - in this case into Potomac. The Little Seneca Creek Water shed is deemed the “second MOST sensitive to degradation” and has the greatest impact to the whole area. The placement of such a large facility DOES have a non-inherent impact to the area and definitely does not conform to the use of this location for this purpose.
- i. Pg 142-Indicates the “greatest constraints environmentally are east of 270 and in the area of the streams valley of the Seneca Creek”– which is exactly where this highly impervious surface facility is being proposed.

Excerpt from Master Plan – Page 142

- All the Master Plan’s environmental studies agree that Ten Mile Creek exhibits characteristics that make it most prone to environmental degradation from development.

In addition to the consultant studies, the Montgomery County Department of Parks produced its own assessment of the quality of natural resources in the Little Seneca Lake sub-watershed, based on existing data and some field work. The study found that the three sub-watersheds have markedly different characteristics in terms of tree cover, steep slopes, and habitat for birds and aquatic life. Overall, Ten Mile Creek was ranked as the most important watershed because it had the best or most extensive natural resources and the highest potential for undesirable development effects. Little Seneca Creek was ranked slightly behind Ten Mile Creek, and Cabin Branch was ranked third. This data reinforces the consultant study findings that this area is sensitive to degradation.

- Certain environmental features in this Study Area pose development constraints.

The map shown as Figure 45 ranks environmental constraints such as steep slopes, floodplains, and poor soils in terms of their effect on development potential.

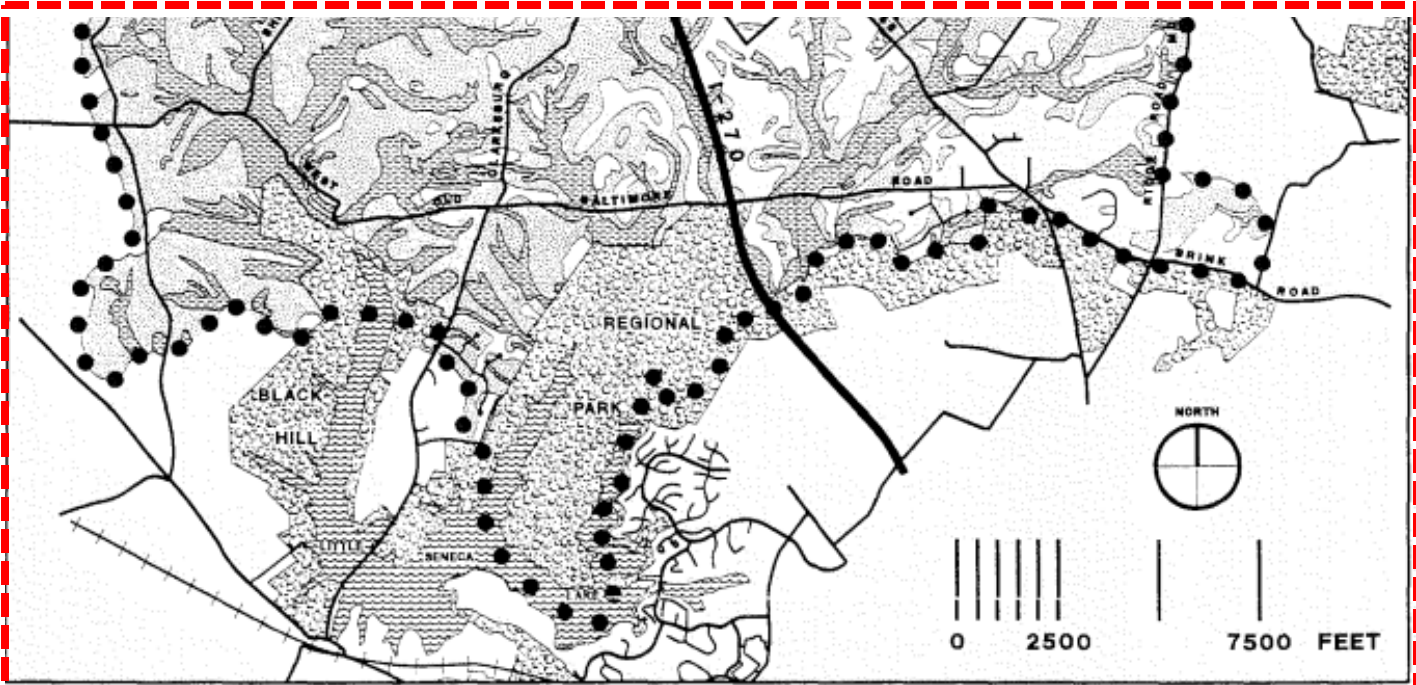
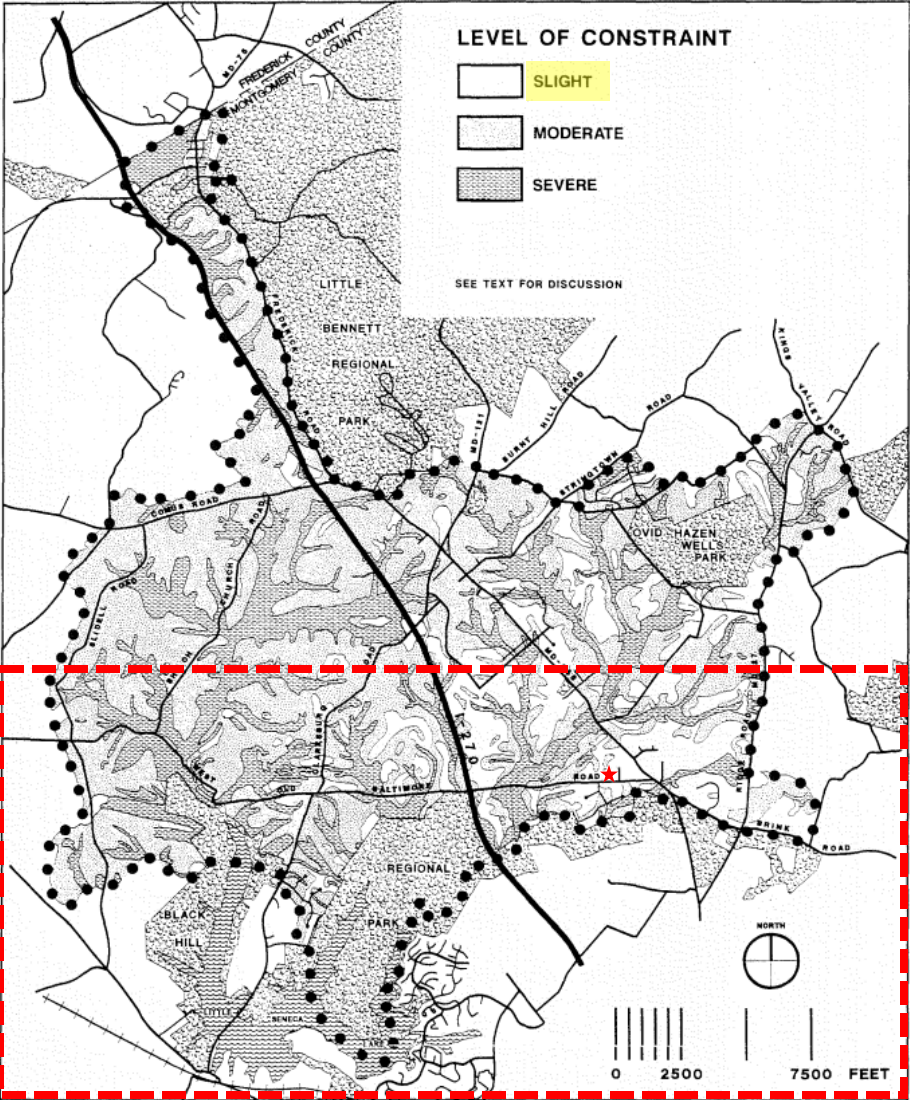
The greatest constraints are in the stream valleys. The least constrained areas are located east of I-270. The Study Area west of I-270 with the exception of the Cabin Branch Neighborhood, displays a pattern of moderate to severe constraints. The Hyattstown Special Study Area is also highly constrained.

The sensitive areas required to be protected under the 1992 Maryland Planning Act (streams and their buffers, floodplains, steep slopes, and known habitats of threatened or endangered species or species in need of conservation) are included in the areas shown in Figure 46.

Excerpt from Master Plan – Figure 45

Environmental Synthesis

Figure 45



Excerpt from Exhibit 22(i)

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Page 3 of 4

run off. And this can affect water quality and aquatic habitat of the immediate area. The streams that are just adjacent to West Old Baltimore Road and abut all around this land parcel are critically important and sensitive to any land use changes- which this conditional use application is attempting under the guise of a "residential use". But 120 individuals + 70 employees 24/7 is equivalent to a multi unit high density operation, not a single family low density use! No comparability studies of **similar properties situated close to water streams** are presented to show that even with the controls proposed for water management, whether these would truly prevent the disruption of such a delicate balance of the sensitive areas in the watershed.

- k. Pg 150- "Area where water percolates into the penetrable ground (again affected by % impervious) is the critical area to protect for recharge of ground water". Also in Pg 150- "where community water is phased in, ..can increase ground water contamination". With actively used wells in Ruby Drive and residents preferring to use the excellent natural well water available in the area- the potential for "direct conduits to the water table, toxic spills or urban runoff contaminating the ground water" and/or the streams needs to be looked at very specifically. Without these studies, the agency is at risk of being responsible and liable for any toxic spills, leaks/breaks, and health concerns that can arise from pollution due to the above issues, of the stream and well water sources that supply the area. Summerfield Crossing community which is less than 0.1 mile from this facility will be directly harmed by the presence of such a facility and it puts our health and lives at risk for all our families.
- i. Also on Pg 150- "the upper reaches of Little Seneca creek are EASILY polluted" as per the county's own assessment (DRASTIC study). Given that the facility will have 120 residents with health conditions, huge loads of laundry and cleaning supplies, biohazardous waste disposal etc, having this facility located in this environmentally sensitive area is a very obvious non-inherent impact that has not been looked into with sufficient diligence. These impacts are non inherent and unique solely due to the location that this facility is being proposed. It must be thoroughly studied before making an irreversible and long term decision that can be directly harmful to the immediate neighbors like us, as well as the whole area. This same facility in a different area that's capable of supporting such a business operation would not have such non inherent impacts, ie would not have the environmental ramifications both short term and long term.
2. In addition to the environmental concerns listed above, I also would like to point out that the master plan clearly delineates that adult day care, elderly housing, child day care are all needed in the Clarksburg area, AND provides clear recommendations and requirements as to where these should be situated. On Pg 167- "elderly housing should be dispersed through out area **with concentration towards public facilities**". Pg 138 - "Planned growth to be diverted towards existing population centers.. **AND AWAY from sensitive areas**" as defined by MD planning Act. The proposed facility application **completely goes against** the requirements of the Clarksburg master plan for locating such facilities by 1. being away from population centers and 2. By being placed adjacent to the environmentally sensitive and fragile Little Seneca creek water streams. The master plan does not allow for shuttle buses transporting elderly residents as an acceptable

Excerpt from Master Plan – Pages 149 - 150

Little Bennett Watershed

Little Bennett Creek

Little Bennett Creek will receive runoff from the Hyattstown Special Study Area, which the Master Plan recommends for generally low amounts of both residential and commercial uses. The Hyattstown Historic District straddles MD 355, the boundary between the Use III and Use I sections of the watershed. The Plan responds to the high stream quality found in Little Bennett Creek by recommending deletion of the I-270/MD 109 interchange and limited new development. The sewage disposal strategies currently under review for the Historic District should be carefully considered for their environmental impacts and potential for creating more development opportunities. However, the watershed should not be significantly affected by the proposed development under the County's standard environmental guidelines and regulations.



Clarksburg Master Plan and Hyattstown Special Study Area

APPROVED AND ADOPTED JUNE 1994

tion. Current water usage in the Clarksburg area is predominantly supplied by individual wells. The aquifer that supplies the water has been designated a Sole Source Aquifer by the U.S. Environmental Protection Agency. As part of the Master Plan analysis, a modeling approach called "DRASTIC" was used to evaluate physical features that affect groundwater conditions. Various parameters such as soil type, slope, depth to the water table, and infiltration capabilities were assigned weighted factors to identify where groundwater pollution would most likely occur. The analysis indicated that most of the highly sensitive locations are within the flood-plain/buffer areas. The Plan includes areas outside the stream buffer in the Special Protection Area.

From a planning standpoint, the area where surface water percolates into the ground is the critical area to protect. This area is called the "recharge area." Recharge of aquifers in Clarksburg is typical of the rest of the Piedmont Province, which extends along the East Coast. Typically, recharge occurs through rainfall and runoff infiltrating in permeable upland areas. Stormwater runoff that carries soluble pollutants into recharge areas and areas where surface water and groundwater mix (such as some wetlands) is one source of groundwater contamination, especially

Excerpt from Tapestry Site Plan Staff Report

MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item No.
Date: May 30, 2013

Tapestry - Preliminary Plan No. 120050950 and Site Plan 820050370

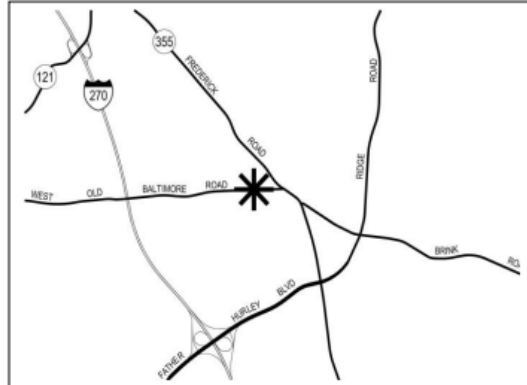
completed 05/20/13

RC Ronald Cashion, RA, Coordinator, Area 3 ronald.cashion@montgomeryplanning.org (301) 650-5671
RAW Richard Weaver, Supervisor, Area richard.weaver@montgomeryplanning.org (301) 495-4544
JAC John Carter, Chief, Area 3 john.carter@montgomeryplanning.org (301) 495-4575

Tapestry

***A. Preliminary Plan No. 120050950 with a Forest Conservation Plan and Water Quality Plan**
Request for 67 single family units including 10 MPDU's, located at the intersection of MD 355 and West Old Baltimore Road, 30.33 acres, R-200 Zone with the MPDU option, Clarksburg Master Plan & Hyattstown Special Study Area
Staff recommendation: Approval with conditions
Application Submitted: May 4, 2005

***B. Site Plan No. 820050370**
Request for 67 single family units including 10 MPDU's, located at the intersection of MD 355 and West Old Baltimore Road, 30.33 acres, R-200 Zone with the MPDU option, Clarksburg Master Plan & Hyattstown Special Study Area
Staff recommendation: Approval with conditions
Application Submitted: February 10, 2012



Site Imperviousness - The Clarksburg SPA does not have a numerically defined impervious surface limit; however, impervious surface levels must be minimized to the extent possible. The Applicant is required to make improvements to MD 355 and West Old Baltimore Road, which contributes to the amount of impervious area that is included as part of this plan. As the Application has evolved, the Applicant has reduced the amount of impervious surface for the project by increasing open space along MD 355, eliminating homes at the northern end of the Subject Property which would have required long, shared driveways, and has eliminated a left turn lane and associated transitional paving along West Old Baltimore Road and Street A. The Application proposes 7.96 acres of impervious surface for the 29.86 acre net tract area, **resulting in an impervious rate of 27 percent.**

- Montgomery County Department of Permitting Service Special Protection Area Review Elements

MCDPS has reviewed and conditionally approved the elements of the SPA Preliminary/Final Water Quality Plan under its purview in a letter dated April 1, 2013.

Site Performance Goals - As part of the water quality plan, the following performance goals were established for the site: maintain the natural onsite stream channels, minimize storm flow runoff increases, minimize increases to ambient water temperatures, minimize sediment loading, maintain stream base flows, protect springs, seeps, and wetlands, minimize nutrient loading, and control insecticides, pesticides, and toxic substances.

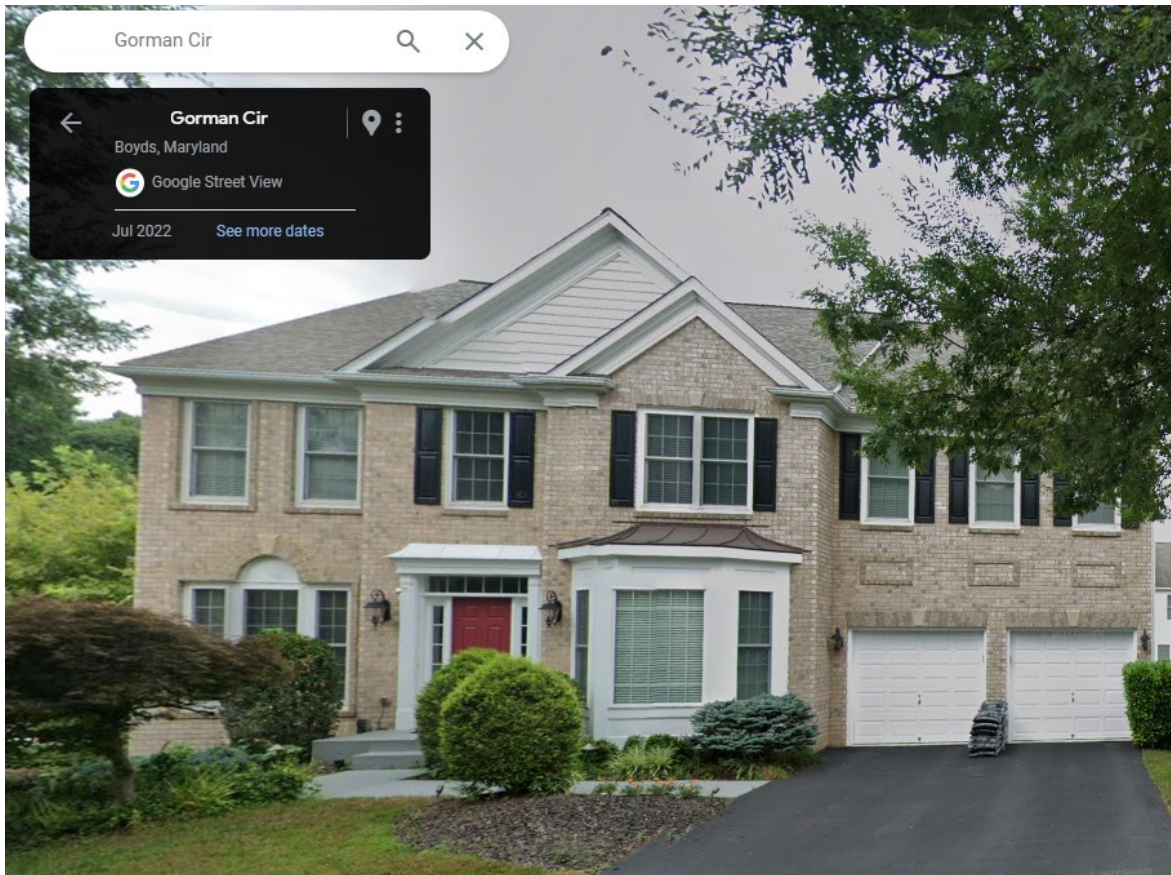
Sediment and Erosion Control - Redundant sediment control measures are to be used throughout the site. The use of sediment traps with forebays that provide 125% of the normally required storage volume is acceptable for larger disturbed areas. The use of silt fence alone will not be allowed as a perimeter control measure. MCDPS is requiring the use of super silt fence around small areas of disturbance, with an emphasis on immediate stabilization.

Monitoring of Best Management Practices - Stormwater monitoring is required for this project as

Google Streetview – Gorman Circle



Comparison of Gorman Circle to Proposed Cottages



Gorman Circle



FRONT ELEVATION
SCALE: 1/8"=1'-0"

Elevation of Proposed Cottage

SDAT Records – Gorman Circle

← → ↻ <https://sdat.dat.maryland.gov/RealProperty/Pages/viewdetails.aspx?County=16&SearchType=ACCT&District=02&AccountNumber=03450981>



[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 02 Account Number - 03450981

Owner Information

Owner Name: Use: RESIDENTIAL
Principal Residence: YES

Mailing Address: GORMAN CIR Deed Reference: /35251/ 00745
BOYDS MD 20841-2025

Location & Structure Information

Premises Address: GORMAN CIR Legal Description: SUMMERFIELD CROSSING
BOYDS 20841-2025

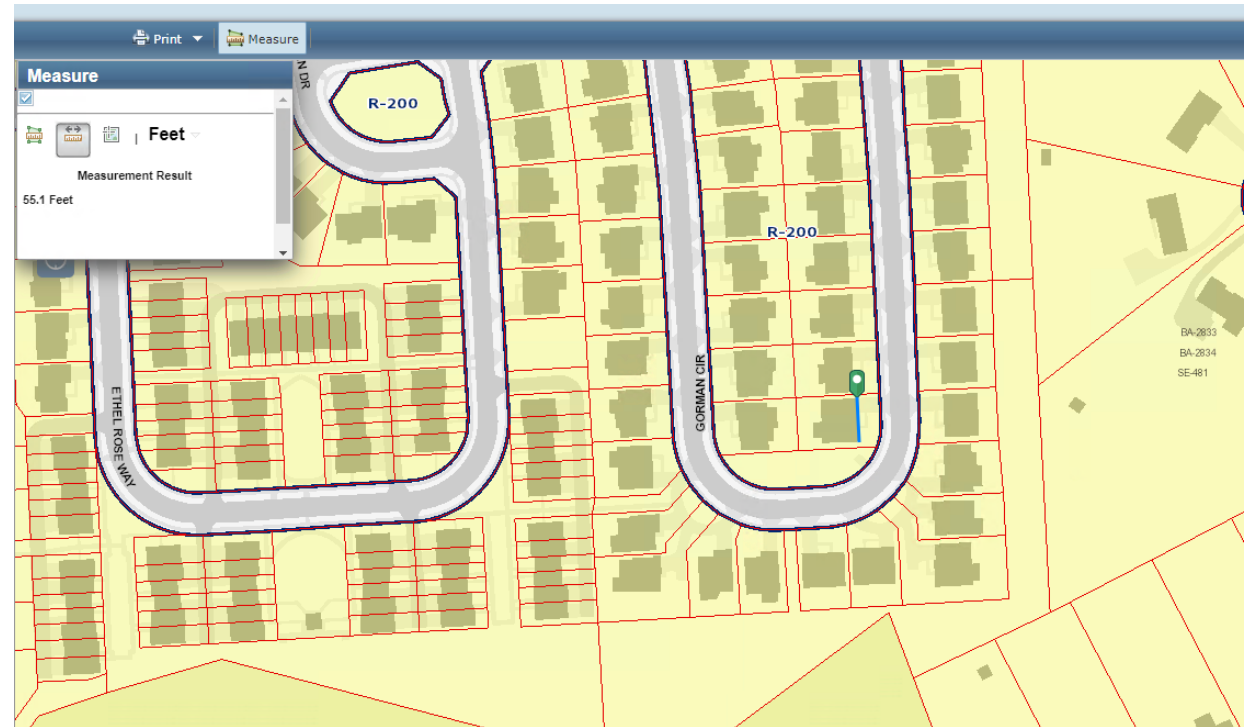
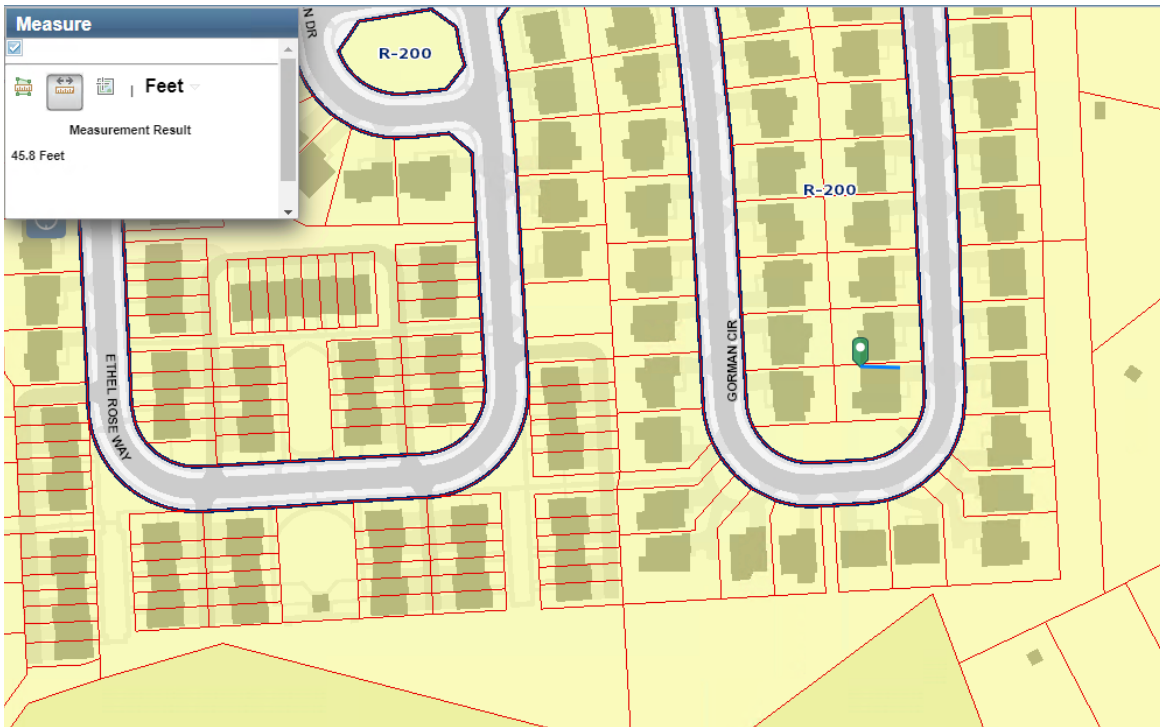
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	22954
EV42	0000	0000	2010060.16	0060		D	9	2022	Plat Ref:	

Town: None

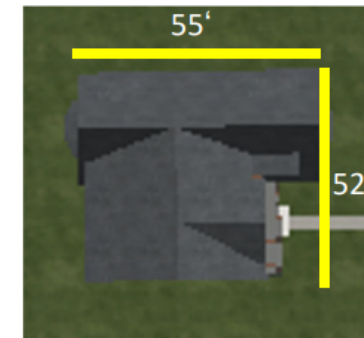
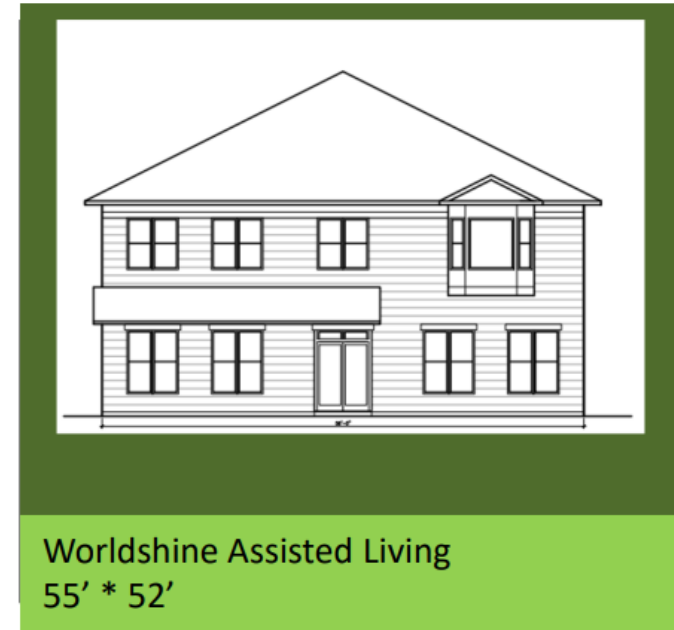
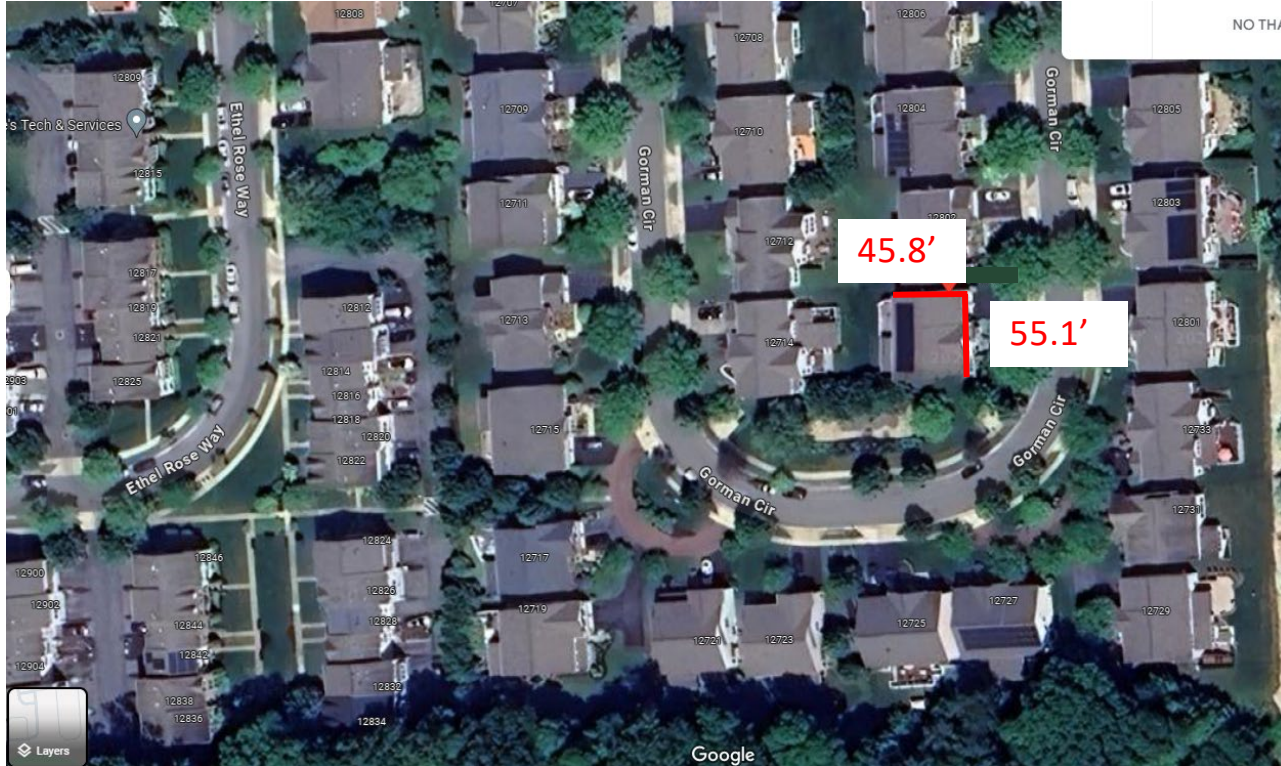
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2007	4,166 SF	1364 SF	6,636 SF	111

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNIT	FRAME/	5	4 full/ 1 half	1 Attached	

Screenshot of MCATLAS Measurement – Gorman Circle



Comparison of Gorman Circle to Proposed Cottages



Comparison of Homes on South Side of West Old Baltimore Road to Proposed Cottages

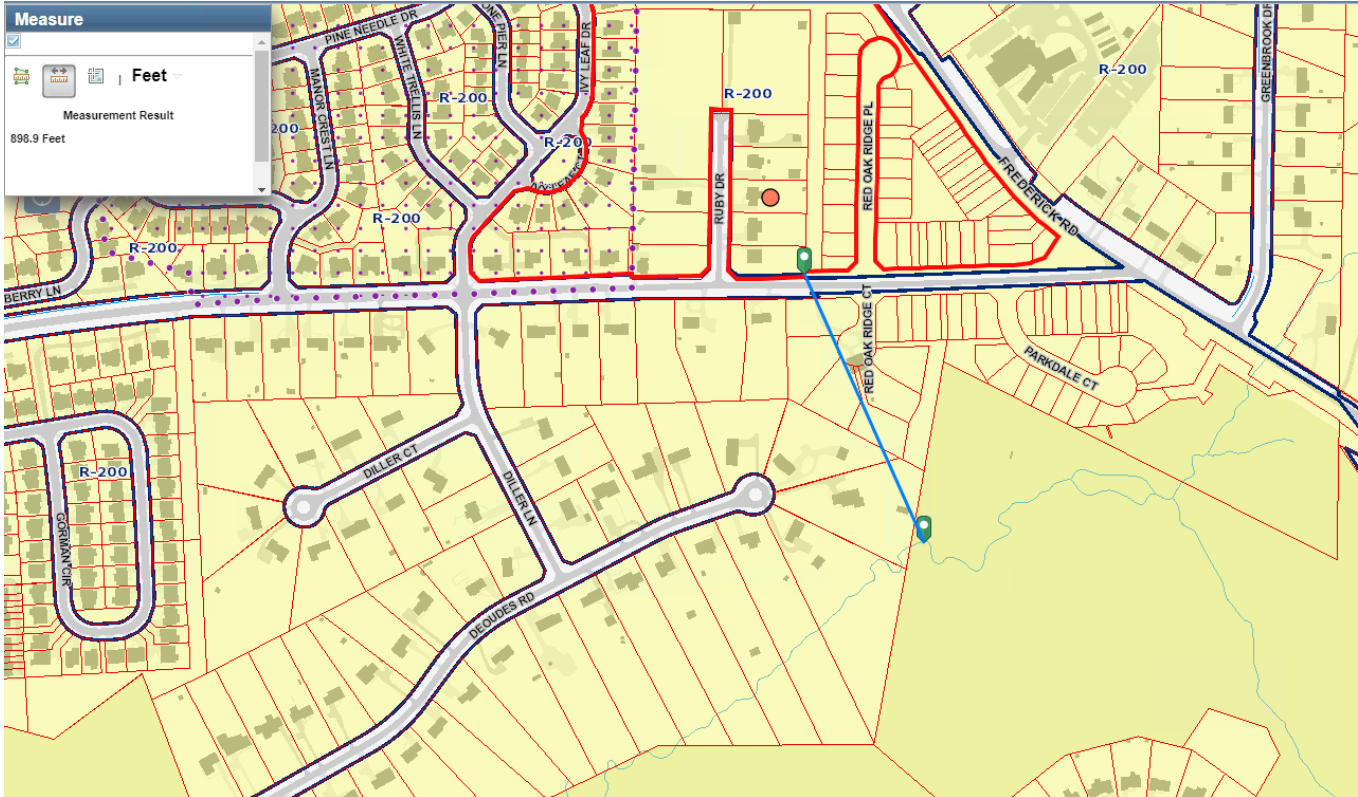
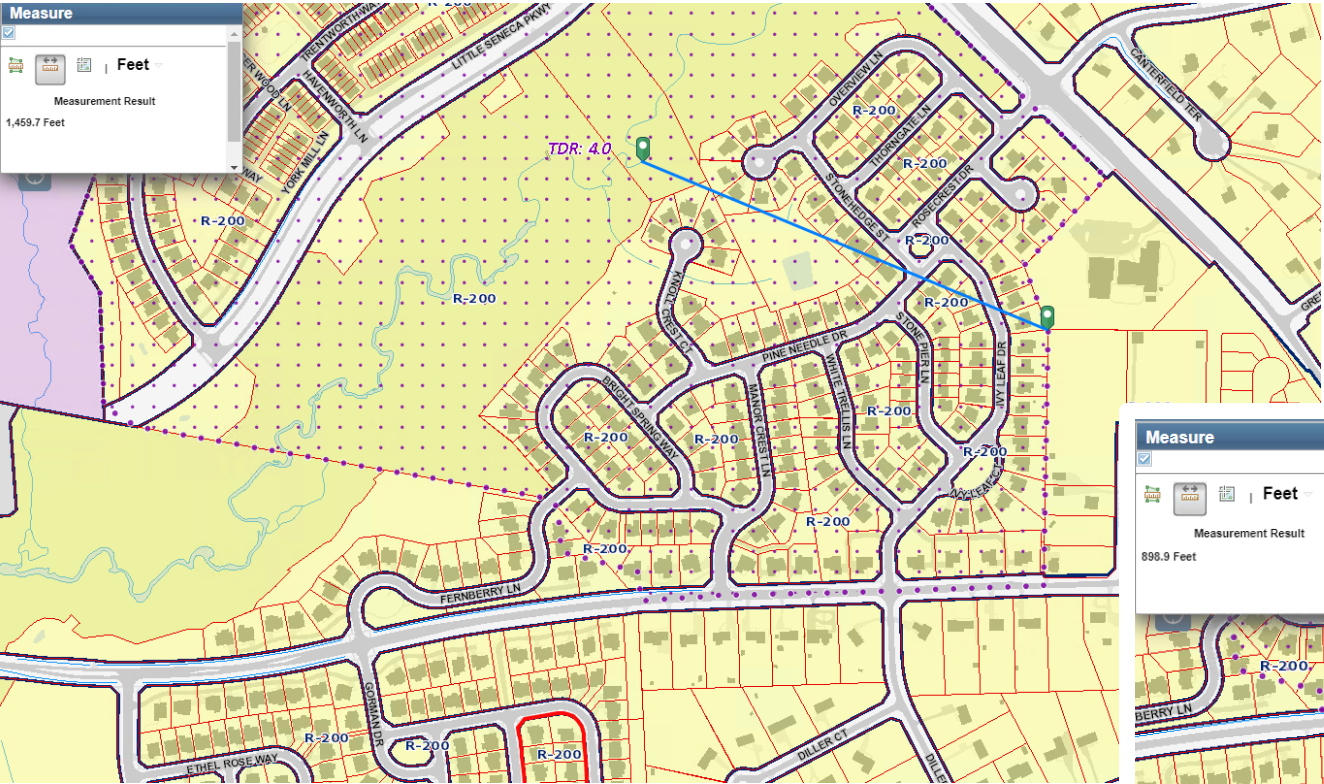


12400 W. Old Baltimore Road

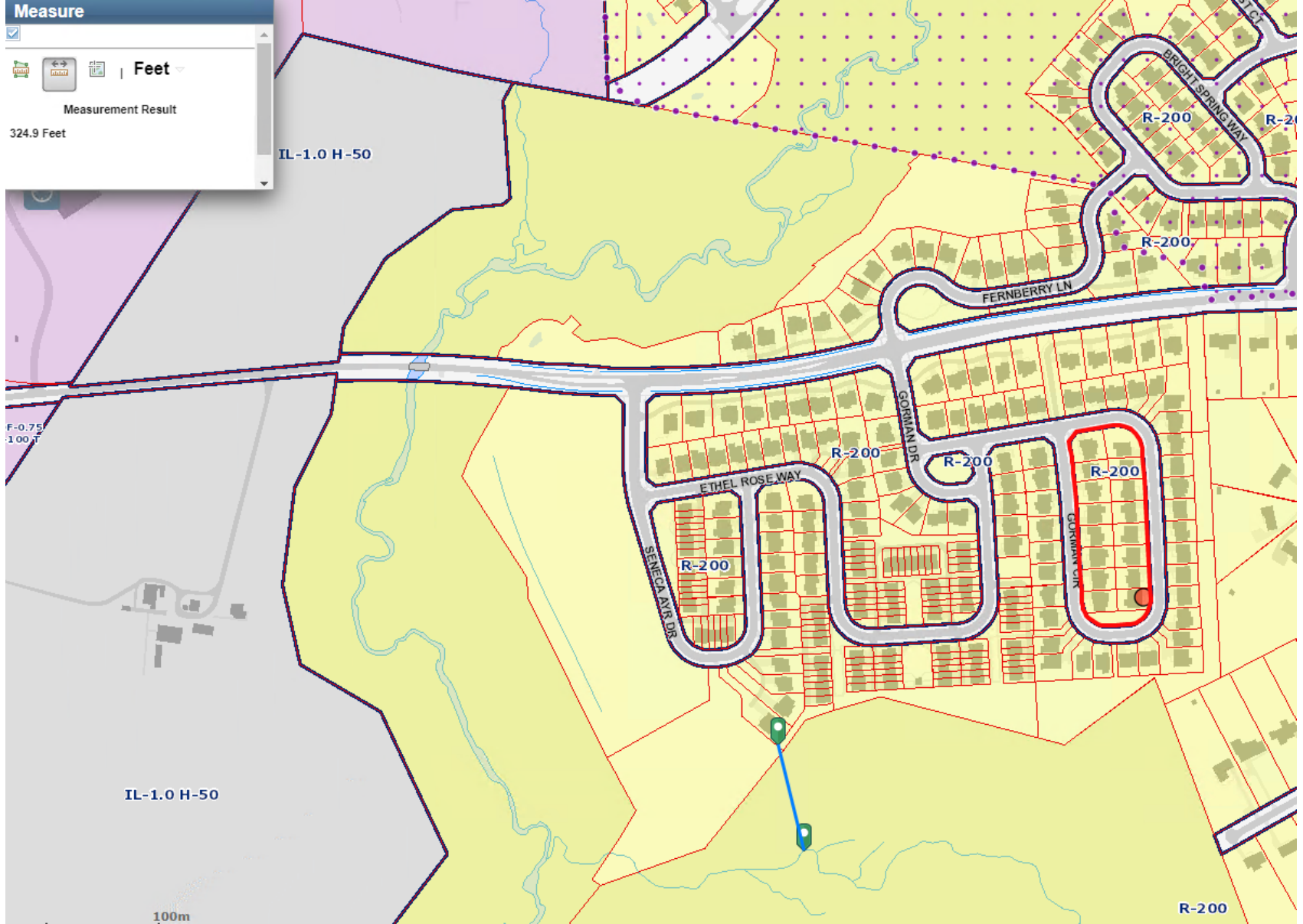


Elevation of Proposed Cottage

Distance of Subject Property to Stream



Distance of Summerfield Crossing to Stream



House on Ruby Drive



Excerpt of Debra Duffin Testimony on Tapestry Site Plan

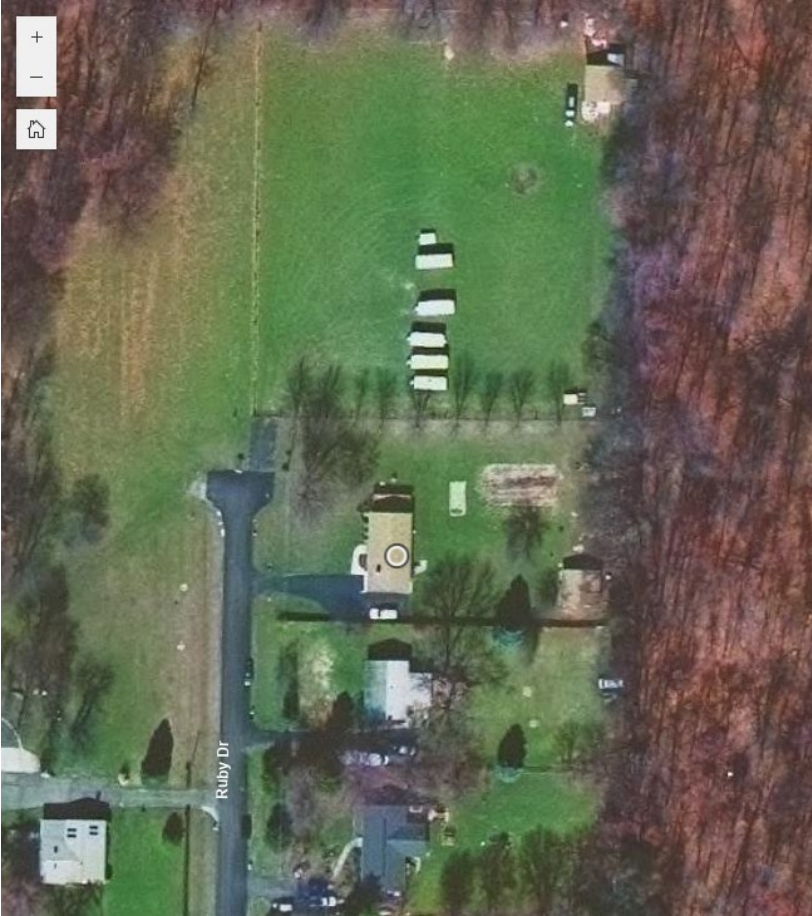
To whom:

My Name is Debra Duffin I live on Ruby.
I grew up here and now raising 7yr old twin
girls with my husband and mother after losing my
father five years ago. We are right in the middle
of the "Tapestry" mess. I moved my family to Ruby
after my dad died we turned our three-Bedroom Rancher
into a Four-Bedroom Colonial. We are on about 4 acrs.

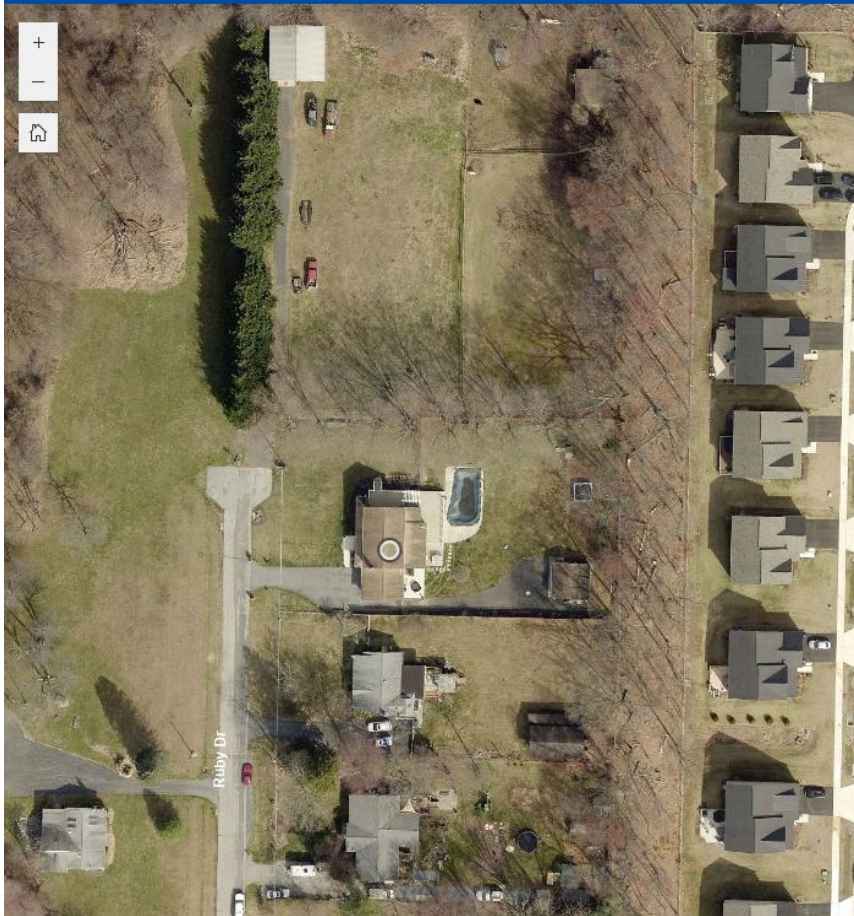
we enjoy animals, this Spring the girls bottle fed
two calves every day for three months, we plan to continue
raising animals if able. We have a inground pool and
a playset in the back yard the girls live out there
all summer. Its nice to know your kids are
okay playing in the back yard, I'm trying to
prepare myself for the change to come. Four out of
the six neighbors have been here since I was my
girls age, its a nice comfort for me knowing there
are so many memories of my child-hood here.

The way Miller & Smith have the "Tapestry"
development we will feel like a fish in a fish bowl! IS
there any way to keep more trees to buff out
some of the sight and sounds around our homes?

Historic Aerial Photos – House on Ruby Drive



Circa 2002



Circa 2023

Excerpt from DPS Building Permit Search

Please select one of the Search By methods below and define your search criteria first. Then, click the Search button to display the results. Fields with * are required items.

Search By:

Search Criteria

Details

Application [-]			
Permit Number	309988	Type	Building Residential Permit
Application Date	06/23/2003	Issue Date	07/17/2003
Final Date	08/17/2005	Status	Finaled
Work Type	Add Single Family Dwelling	Site Address	RUBY DR BOYDS, MD 20841
Square Footage	2,040	Value	\$23,500.00
Subdivision	Clarksburg Outside	Lot/Block	P4/A

Reviews [+]

Inspections [+]

Excerpt from DPS Building Permit Search

Online Services - Data Search

Please select one of the Search By methods below and define your search criteria first. Then, click the Search button to display the results. Fields with * are required items.

Search By:

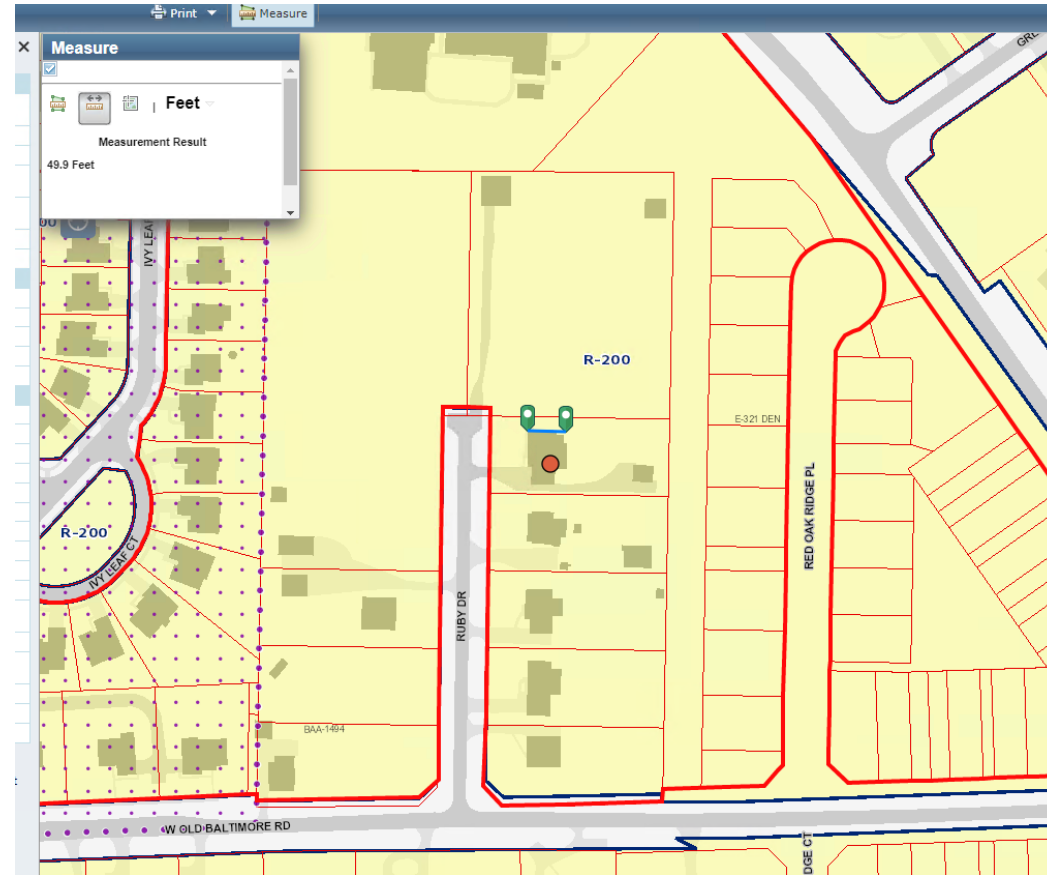
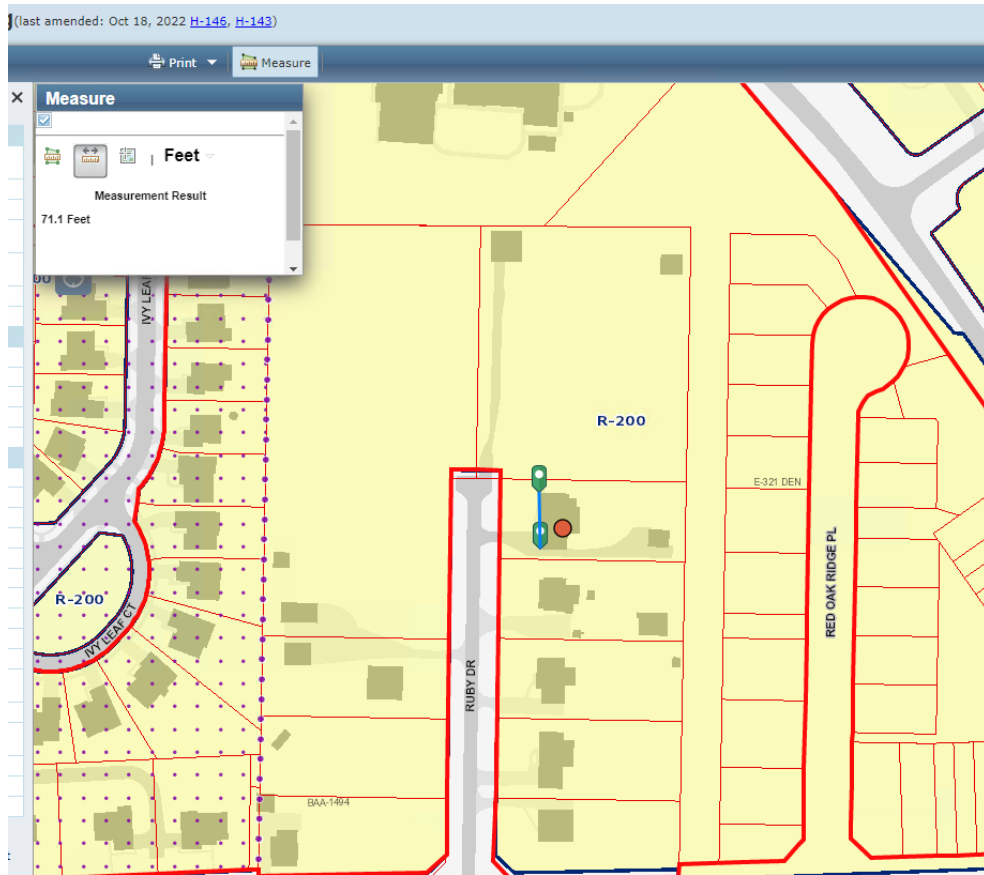
Search Criteria **Details**

Application [-]			
Permit Number	385834	Type	Building Residential Permit
Application Date	06/02/2005	Issue Date	06/28/2005
Final Date	08/16/2005	Status	Finaled
Work Type	Construct Garage	Site Address	RUBY DR BOYDS, MD 20841
Square Footage	1,296	Value	\$0.00
Subdivision	Clarksburg Outside	Lot/Block	P4/A

Reviews [+]

Inspections [+]

Screenshot of MCATLAS Measurement – Ruby Drive



Comparison of Ruby Drive to Proposed Cottages

