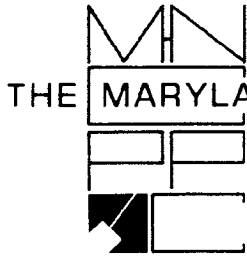


23/64 Oak Grove  
Subdivision

See memo fr.  
Brooke Ferguson  
6/92 in main  
Folder.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

June 4, 1992

MEMORANDUM

TO: Brooke Farquhar, Urban Designer  
Urban Design Division

FROM: Gwen Marcus, Historic Preservation Coordinator *GM*  
Urban Design Division

SUBJECT: Zinder Site Plan

---

Staff has reviewed the latest revision of the Zinder Site Plan and finds that it substantially conforms with the requirements delineated by the Historic Preservation Commission in 1986 - when the plan was originally reviewed.

Specifically, Oak Grove (the designated Master Plan historic site on the property) is retained on a lot of approximately 4.1 acres. It is important to note in the site plan agreement and on the record plat that this 4.1 acre environmental setting is intended to be the ultimate setting for the house and should not be further subdivided in the future.

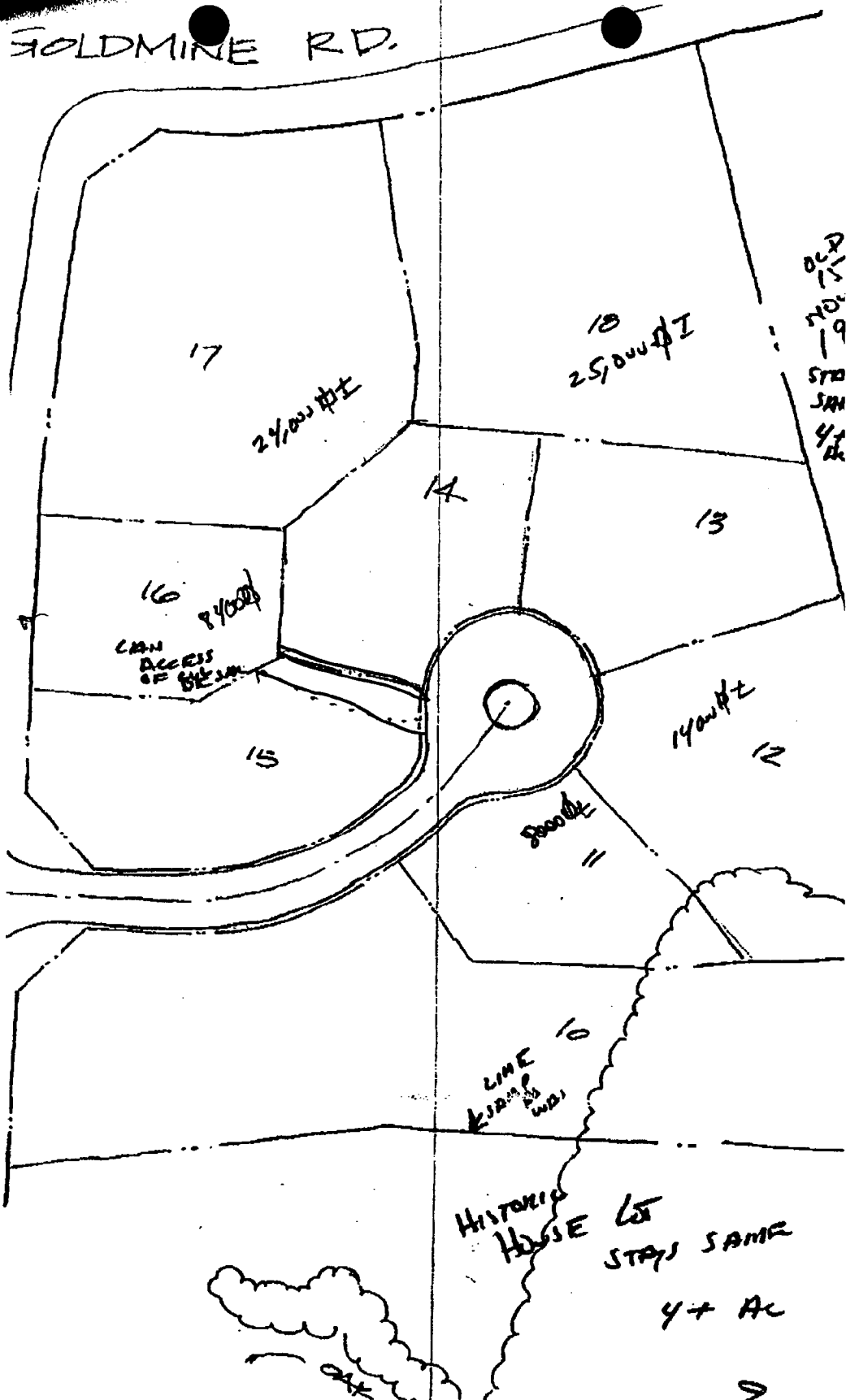
Secondly, mature trees the surrounding Oak Grove are shown to be retained and to be protected during construction. In 1986, the HPC also requested that sugar maples be planted along the road in front of Oak Grove and this is being done.

Third, a building restriction line is provided on the lots directly to the north of Oak Grove to improve and enhance the vista to the historic structure. Although some of the lots to the north have been reduced in size and reconfigured, this should not have a negative impact on the historic house.

Additionally, staff would like to reemphasize the importance of keeping the historic house occupied before, during, and after development to avoid vandalism. The current owners have expressed a willingness to do this.

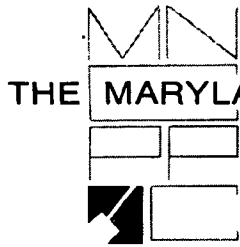
In conclusion, historic preservation staff feels that the proposed site plan provides an adequate environmental setting for Oak Grove and protects important vegetation and vistas.

# GOLDMINE RD.



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LINE 10  
HISTORIC HOUSE LOT STAYS SAME  
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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

February 6, 1986

MEMORANDUM

TO: Charles Loehr, Coordinator  
Development Review Division

VIA: Bud Liem, Coordinator *BL*  
Transportation Planning Division

FROM: Ed Axler, Transportation Planner *EA*  
Transportation Planning Division

SUBJECT: Preliminary Plan No. 1-84279  
Zinder Property

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This memorandum summarizes the traffic impact review of the proposed 253 single family detached housing development. The peak hour traffic generated from this development is expected to impact on the intersections of Georgia Avenue (MD 97) with Gold Mine Road (northern leg) and with Olney-Laytonsville Road (MD 108). The development is located in the southeast corner of MD 97 and Gold Mine Road.

Considered in the summary are: 1) existing traffic conditions, 2) recorded subdivisions, 3) the impact of projected traffic from the proposed development, 4) and improvements of the intersections at MD 97 and MD 108.

RECOMMENDATIONS

The Transportation Planning Division recommends approval of the proposed development subject to the following conditions:

- A. Upgrade Gold Mine Road to Montgomery County Department of Transportation geometric standards.
- B. There is a vertical curvature problem that precludes adequate sight distance at the southbound and northbound approaches of the intersection of MD 97 and the northern approach of Gold Mine Road. Sufficient widening or vertical curve reduction is required to provide adequate safe stopping sight distance. Provision

for intersection improvements should be coordinated with the Maryland State Highway Administration.

- C. Construct a southbound right turn lane at the intersection of MD 97 and MD 108 of 475 feet long with an end taper in accordance with Maryland State Highway Administration standards.
- D. Participate in the project to add a northbound right turn lane at MD 97/MD 108. The anticipated northbound right turn lane is to be 600 feet long.
- E. Limit the development to 253 single family dwelling units.

#### THRESHOLD CONDITIONS

There is an adequate dwelling unit threshold in the Olney Policy Planning Area for the proposed development. Under the thresholds discussed in the 1984 Comprehensive Planning Policies Report, there is additional development permitted for 1,416 dwelling units.

#### LOCAL AREA TRANSPORTATION REVIEW

Exhibit 1 shows the existing and projected conditions on impacted intersections along Georgia Avenue. Line 1 shows that existing conditions are acceptable in the AM and PM peak periods at both intersections. For the existing condition, the critical lane volume (CLV) is less than the midpoint Level of Service E or 1,525 vehicles per hour (VPH).

Line 2 shows that, under the impact of recorded subdivision on the existing traffic, the traffic conditions are acceptable in all cases except at the intersection of MD 97/MD 108 in the PM peak period. At the unacceptable intersection at MD 97/MD 108, the CLV is 1,551 VPH which is greater than 1,525.

An improvement to the intersection of MD 97/MD 108 is required to reduce the CLV below 1,525 VPH in PM peak period. Construction of a southbound (SB) right turn lane was originally proposed by the applicant in their Traffic Analyses. On Line 3, the background traffic conditions were reanalyzed to include the SB right turn lane improvement. The CLV is reduced from 1,551 VPH to 1,491 VPH in the PM peak hour. Traffic conditions at all intersections and approaches are acceptable in the AM and PM peak periods.

On Line 4, the site generated traffic is combined with the background traffic with consideration of a SB right turn lane improvement (from Line 3) for the total traffic condition. In

all cases except at MD 97/MD 108 in the PM peak period, the total traffic condition is acceptable or less than 1,525 CLV. An additional improvement is required at MD 97/MD 108 in the PM peak period to reduce the CLV below 1,525 CLV.

At the intersection of MD 97/MD 108, a northbound (NB) right turn lane is required to be constructed by the Planning Board as a condition of approval for three previous presented subdivisions. The three subdivisions are the Village of James Creek (Preliminary Plan No. 1-85130), 6-Twelve Quik Mart (No. 1-85232), and McDonald's (No. 1-85181). The applicants of these three subdivisions are now in the process of working out the details with the Maryland Department of Transportation. On Line 7, the total traffic condition (from Line 4) is reanalyzed to include this NB right turn lane improvement along with the traffic contributed by the three participating subdivisions. The critical lane volume at MD 97/MD 108 in the PM peak period decreases from 1,583 VPH to 1,480 VPH which is less than 1,525 VPH, and therefore is acceptable.

If only the NB right turn lane was constructed at MD 97/MD 108, the background traffic condition would be 1,448 VPH in the PM peak period as shown on Line 5. Yet, the total traffic condition only with the NB right turn lane improvement would be 1,543 VPH (Line 6) which is over 1,525 VPH. Therefore, both the NB and SB right turn lane improvements are required to reduce the CLV in the PM peak period below 1,525.

Even though Gold Mine Road has the lane capacity to meet the critical lane capacity standards, the road will require upgrading to meet Montgomery County Department of Transportation geometric design standards. This should include a check for adequate sight distance for safety at the northern approach of the offset intersection of MD 97 and Gold Mine Road.

#### CONCLUSION

Roadway improvements will be necessary to provide sufficient capacity and safe vehicle operation to accommodate traffic generated by the proposed Zinder Properties Development. The applicant should improve the geometric standards along Gold Mine Road and at the intersection of Gold Mine Road and MD 97 and should provide for NB and SB right turn lanes at the intersection of MD 97 and MD 108. However, since three preliminary plans have already been approved conditional on the NB right turn improvement at MD 97/MD 108, the applicant participation in this improvement should be based on 94 critical lane vehicles\* because of its mutual benefit.

In addition, the proposed development should be limited to 253 single family dwelling units.

\* 94 critical lane vehicles is the average impact to the intersection of MD 97/MD 108 in the PM peak period. The total traffic is subtracted from the background traffic for the contribution by the site traffic. Since two intersection improvements were necessary, the average difference was utilized.

	<u>SB Right Turn</u>	<u>NB Right Turn</u>
Total Traffic	1,583 (Line 4)	1,543 (Line 7)
Background	- <u>1,491 (Line 3)</u>	- <u>1,448 (Line 6)</u>
Site Traffic -	92 VPH	95 VPH



Exhibit 1. Level of Service/Critical Lane Volume  
Zinder Properties

Traffic Condition	<u>MD 97/MD 108</u>		<u>MD 97/Gold Mine Road</u>			
	AM	PM	South Approach		North Approach	
			AM	PM	AM	PM
1. Existing Traffic Condition	B/C 1172	D 1377	A 562	A 585	A 339	A 282
2. Background Traffic Condition	D/E 1377	E 1551**	A 776	A 804	A 564	A 349
3. Background Traffic Condition - (Line 2) <u>plus</u> Southbound (SB) Right Turn Lane Improvements at MD 97/MD 108	C/D 1306	E 1491	A 932	A 960	A 729	A 744
4. Total Traffic Condition - Background Traffic Condition with SB Right Turn Lane Improvement (Line 3) <u>plus</u> Site Traffic	D 1392	E/F 1583**	A 932	A 960	A 729	A 744
5. Background Traffic Condition - (Line 2) <u>plus</u> only a Northbound (NB) Lane Improvement at MD 97/MD 108*	D 1323	D/E 1448	A/B 1009	B 1041	A 796	A 728
6. Total Traffic Condition - Background Traffic with NB Right Turn Lane Improvement* (Line 6) <u>plus</u> Site Traffic	D 1412	E 1543**	B/C 1165	C 1197	A 962	B 971

Exhibit 1. Level of Service/Critical Lane Volume  
Zinder Properties

Traffic Condition	<u>MD 97/MD 108</u>		<u>MD 97/Gold Mine Road</u>			
	AM	PM	South Approach		North Approach	
			AM	PM	AM	PM
7. Total Traffic Condition - Total Traffic Condition with SB Right Turn Lane Improvement (Line 4) plus NB Right Lane Improvement* at MD 97/MD 108.	D 1337	E 1480	B/C 1165	C 1197	A 959	B 1103

\* Participation of the northbound right turn lane improvement at the intersection of MD 97/MD 108 includes the Village of James Creek (Preliminary Plan No. 1-85130), 6-Twelve Quick Mart (No. 1-85232), and McDonald's Corporation (No. 1-85181).

\*\* Critical Lane Volume over 1,525 vehicles per hour, thus unacceptable.

M E M O R A N D U M

January 13, 1986

TO: Charles Loehr  
Subdivision Review  
MNCPPC

FROM: Bobbi Hahn *BLH*  
Executive Director  
Historic Preservation Commission

SUBJECT: Preliminary Plan #1-84279, Zinder Property

At its January 9, 1986, meeting the Historic Preservation Commission reviewed the latest revision of the above referenced plan which was submitted with changes intended to address the concerns previously expressed by the Commission regarding negative impact on Atlas historic structure #23/64, Oak Grove. These concerns and the Commission's findings are as follows:

1. Oak Grove should be situated on a lot of from 3.5 to 5 acres. This is adequately addressed by the current plan.
2. Attention should be paid to the location and retention of mature trees to the west and south of the historic site. The current plan is adequate as far as the trees to the south are concerned but fails to address the retention of the tree line to the west of the house. Douglas Capelle and James Tavel, representing the developers, maintained that because A Street, which runs in front of Oak Grove, is a road which appears in the Olney master plan, it could not be moved any further to the west to allow for the retention of the tree line. If that is the case, the Commission strongly recommends that sugar maple trees be planted in front of Oak Grove along A Street to duplicate the species which now line the drive but will be destroyed during development of the property.

Mr. Loehr  
January 13, 1986  
Page two

3. Larger lots adjacent to Oak Grove along A Street. This concern was an attempt by the Commission to provide a setting for the historic structure which would integrate it into a community such as that in the eastern part of the development rather than to make it an anomaly which it will now appear. The developers have met the letter rather than the spirit of the request, but the Commission reluctantly accepts this as adequate.
4. Move A Street to the west to provide a better vista for Oak Grove as well as retention of additional mature plantings. The current plan shows A Street moved approximately 50 feet to the west. This adequately addresses this concern provided sugar maples are planted along A Street as recommended in #2 above.

In summary, the Commission recommends approval of this plan with the recommended tree plantings. It should be noted that although this plan will result in much less of a negative impact on Oak Grove, the Commission was distressed by the developers' overall insensitivity to the integrity of this historic structure.

Based on recent experience with the fate of historic structures during development of surrounding property (Master Plan Waters house in Germantown was seriously vandalized last week, and Atlas site Milton (#27/2) on Muncaster Mill Road burned last weekend), I strenuously recommend that approval of any subdivision plan on this property include a provision that the present well and septic system of Oak Grove remain operable and that the historic house must be occupied during development of the property until it is sold to a private party. If the house is not occupied, the developers should be required to board all windows and doors and install a 6 foot high chain link fence around the house. Boarding alone is not sufficient to prevent vandalism.

CC: James Tavel

0840E



CORPORATION

December 11, 1985

Ms. Bobbi Hahn  
Historic Preservation Commission  
County Office Building  
Rockville, MD 20850

Re: Zinder Property  
Preliminary Plan  
#1-84279

Dear Ms. Hahn:

The enclosed print of the Zinder Property preliminary plan reflects changes to the lot configuration in the vicinity of the Oak Grove farmhouse as discussed at the July 18 meeting. We have increased the size of the lot that the existing house is situated on to 3.5 acres and increased the front yard setback to 155 feet. The revised plan also locates and identifies by size and species the existing mature trees west and south of the existing structure which will be preserved. The lots immediately adjacent to the existing house have been increased to 1 acre.

As we discussed at the meeting, public sewer service will be provided to the existing structure, however, it cannot be extended into the portion of the tract as suggested on your sketch due to the fact that this area drains into a completely different watershed which does not have public sewer service and is not scheduled to be served by public sewer. Any lot developed in this area must be large enough to provide for septic systems.

If you require any additional information, please call. We would very much appreciate being advised of your views as soon as practicable.

Very Truly Yours,

Douglas E. Capelle

Enclosure

DEC:ags

cc: Charles Loehr - M.N.C.P. & P.C.  
Mrs. Cutler  
J. W. Tavel - Linowes & Blocher

ENGINEERS

PLANNERS

SURVEYORS

13321 New Hampshire Avenue • Suite 300 • Silver Spring, Maryland • 20904 • (301) 384-4300

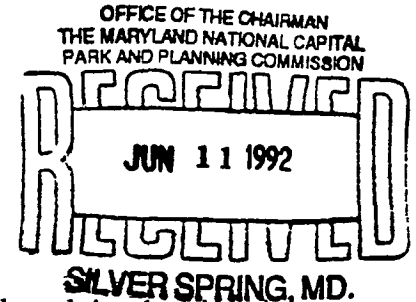
# Greater Olney Civic Association

Post Office Box 212

Olney, Maryland 20832

TO: The Planning Board

RE: Agenda Item #9, June 11, 1992  
Zinder Property



On the Barnsley Tract site plan I appeared before the Board and explained a situation we are increasingly facing in Olney: we have an escalating number of school-aged children, a good number of active volunteer sports organizations, and a severe deficiency of practice and playing fields.

On behalf of GOCA, I request that greenspace of sufficient size for a soccer field be dedicated as part of the development process. The timing is important as we are rapidly approving new housing in Olney and we are running out of available tracts of land. In a short span of time 1,000 more units are coming on line -- we have just added 500 units from Barnsley, Zinder adds 200 more, and the Keys property will be in soon with another 300.

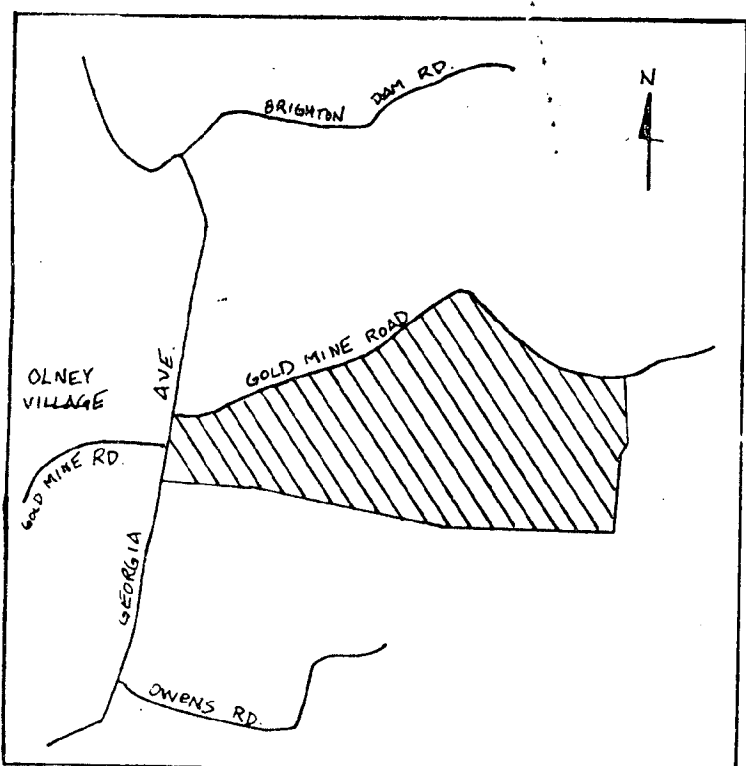
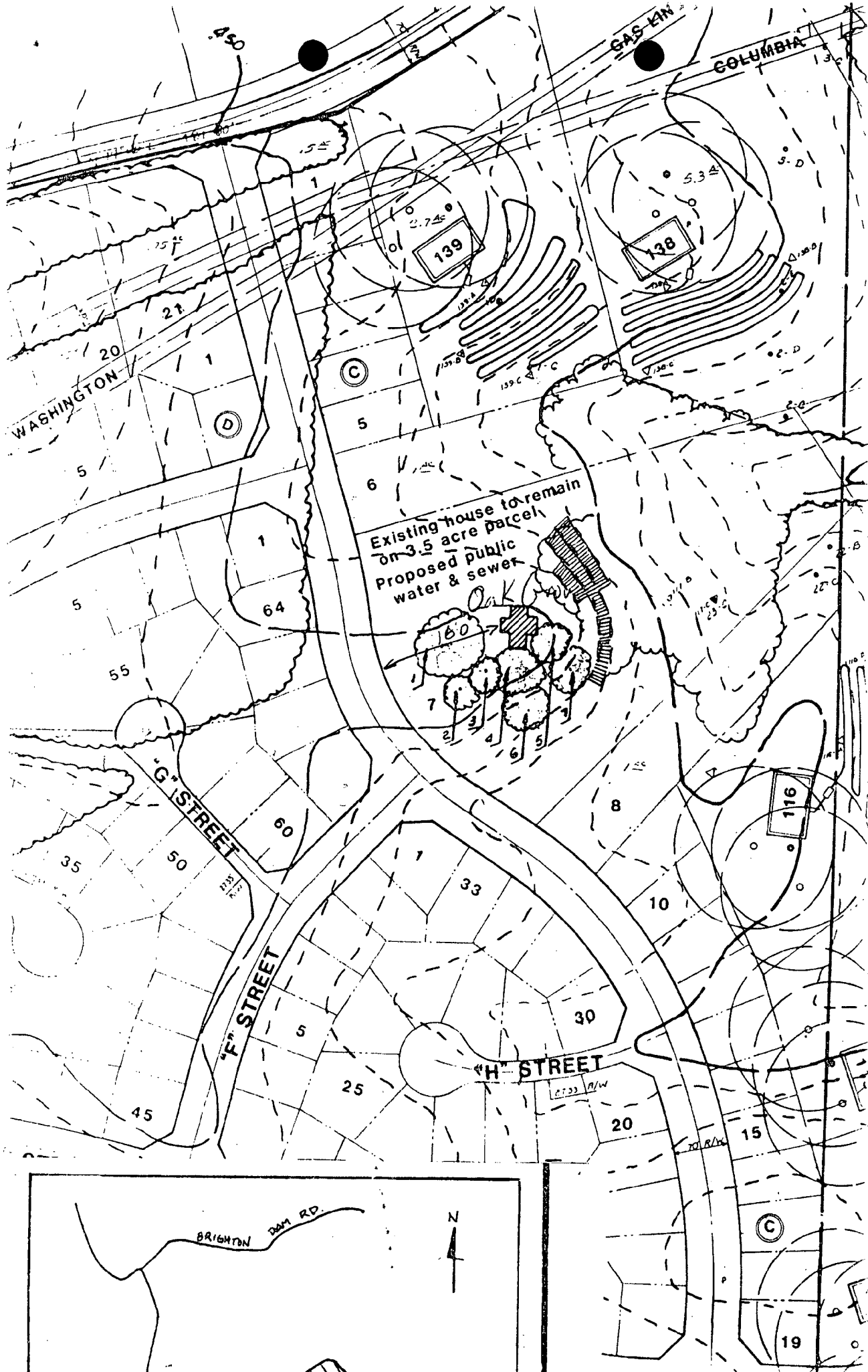
Although the Zinder property meets the recreation guidelines by using a 10 percent tolerance level, it really does not make much of contribution to the 5 - 14 year old age group, which constitutes a significant part of the new move-ins in Olney. Additionally there is no dedicated land for the broader Olney community's recreation needs in the large, dense, Northeast quadrant of Olney.

Specifically with respect to the Zinder property, an ideal space that would provide sufficient land for a regulation soccer field plus a parking area is the parcel bounded by Georgia Avenue to the west and the old and new Gold Mine Roads.

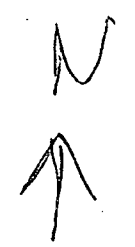
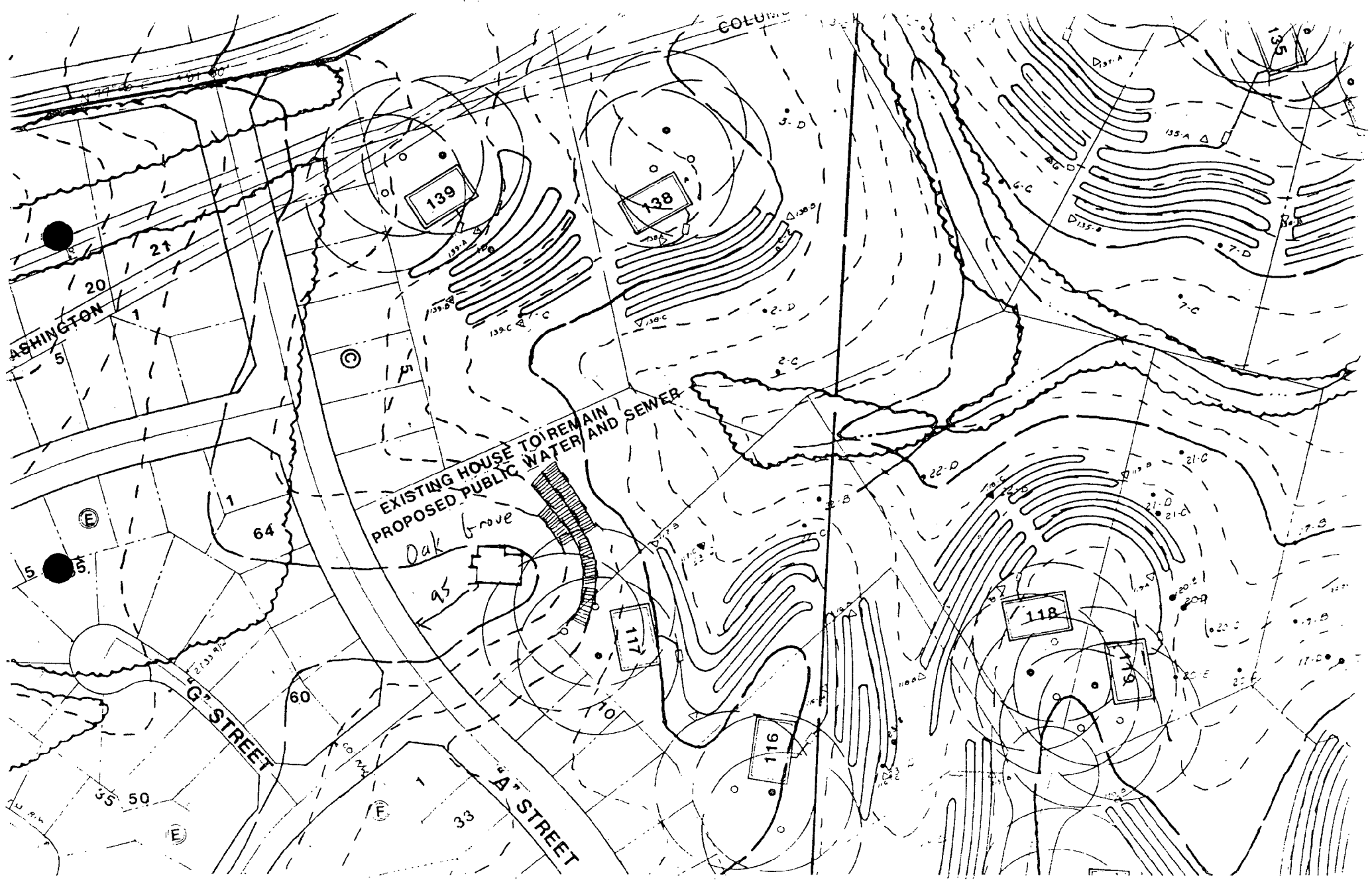
We believe it is imperative to begin to add to our inventory of fields for youth recreation as we begin a new development spurt in Olney.

Helene Jennings

Plan #3



VICINITY MAP Scale 1" = 2000'



Plan #2



M E M O R A N D U M

TO: Charles Loehr  
Subdivision Review  
MNCPPC

FROM: Bobbi Hahn, Executive Director <sup>BH</sup>  
Historic Preservation Commission

SUBJECT: Subdivision Plan #1-84279, Zinder Property

At its July 18, 1985 meeting the Historic Preservation Commission reviewed the above referenced plan which involves historic site #23/64, Oak Grove. As you will recall the HPC recommended Oak Grove for placement on the Master Plan for Historic Preservation in March of 1983. To date the Planning Board has not acted on that recommendation. It should be noted that this ca. 1850 Federal style brick house is one of the most meritorious sites in the area and is most probably eligible for the National Register of Historic Places.

At both the January 14 and July 8, 1985 Subdivision Review Committee meetings on the subdivision plan Commission concerns about the placement and size of lots adjoining Oak Grove were expressed. Despite this obvious concern the developers of the property never made any attempt to contact the HPC to work out a solution to the design problem. The Commission's position is that the following changes must be made to the plan in order to avoid causing a negative impact on the integrity of this outstanding historic structure:

1. Oak Grove should be situated on a lot of from 3.5 to 5 acres.
2. Attention must be paid to the location and retention of mature trees west and south of the historic site.
3. Larger lots should be provided on either side of Oak Grove along A street in addition to the two acre lots as shown to the rear of Oak Grove.
4. The location of A street is too close to the front of the historic structure and should be curved away from the house to provide an appropriate vista for Oak Grove as well as retention of some of the above mentioned mature plantings.

M E M O R A N D U M

TO: Charles Loehr  
Subdivision Review  
MNCPPC

FROM: Bobbi Hahn, Executive Director *BH*  
Historic Preservation Commission

SUBJECT: Subdivision Plan #1-84279, Zinder Property

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4. The location of A street is too close to the front of the historic structure and should be curved away from the house to provide an appropriate vista for Oak Grove as well as retention of some of the above mentioned mature plantings.

Page 2

As per your suggestion I have attached a suggested lot configuration which would address HPC concerns. Something along these lines, perhaps moving A street further from Oak Grove, would probably be acceptable. This type of redesign results in very little if any net loss of lots. Surely the applicant's engineers could work out a plan which meets the needs of the developer and addresses the concerns of the HPC. As this is one of a handful of historic sites in the county this effort is surely worthwhile. Please include this memo in the packet which goes to the Planning Board on this subdivision plan.

0553E

July 11, 1985

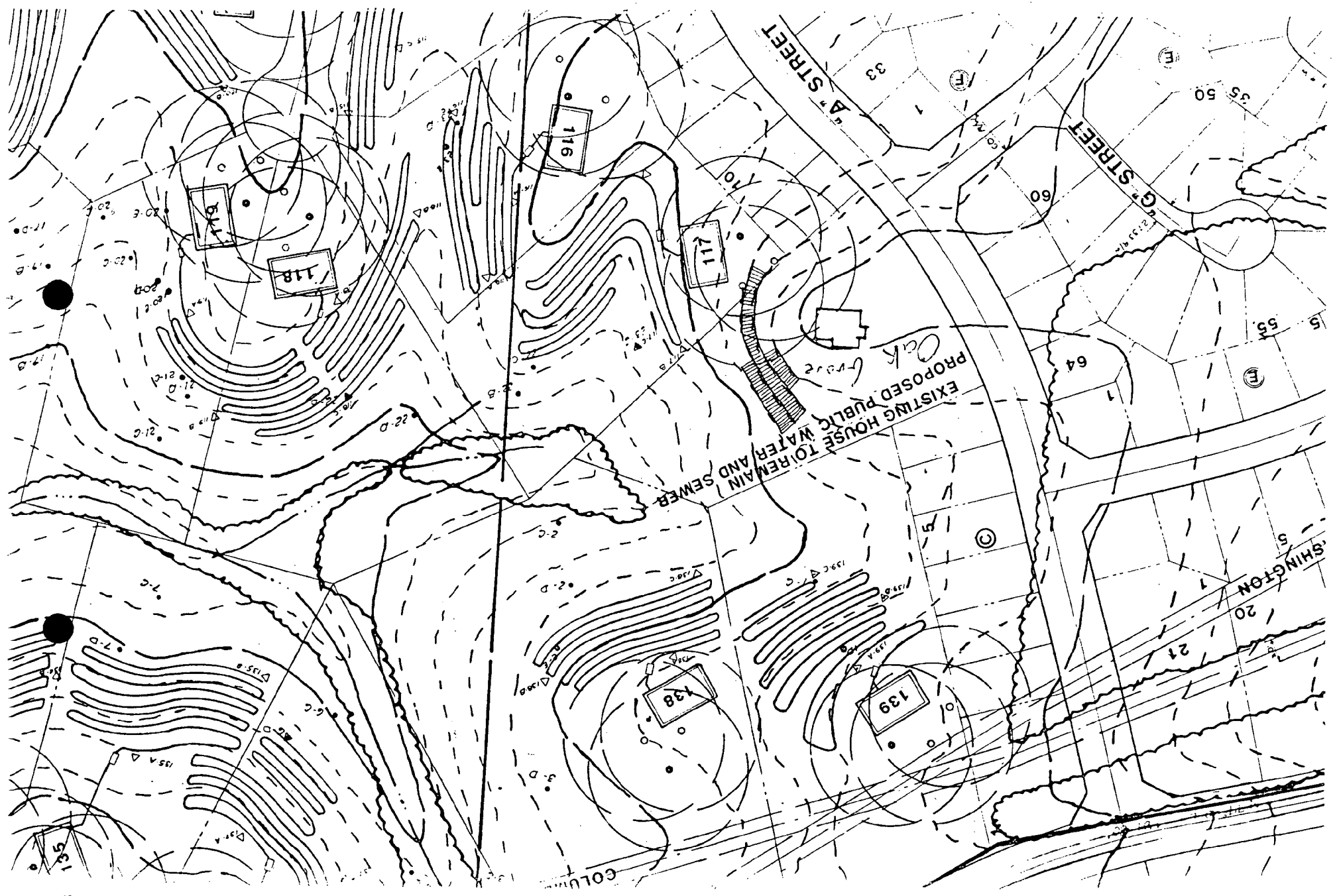
Agenda Item #V, Oak Grove Subdivision

From: Bobbi Hahn *B/H*

I have attempted to negotiate with the developers of this property at both the January 14 and July 8 Subdivision Review Committee meetings at Park and Planning to have the historic site house, Oak Grove, sited on a two acre lot adjoining other two acre lots. As you can see from the attached plan, submitted for the July 8 meeting, the developers have not made much progress in this direction. It is my understanding that Charles Loehr, who is in charge of Subdivision Review, supports our position. Oak Grove was recommended by the HPC for placement on the Master Plan in March of 1983 but the Planning Board has not acted upon it. At the request of the owner the HPC reduced the suggested environmental setting to 5 acres.

I will be happy to pursue this plan through the planning process, but I will need some firm direction from the Commission. This is the reason for this item being on the current agenda.

0514E



MEMORANDUM

July 8, 1985

TO: Charles Loehr  
Subdivision Review  
MNCPPC

FROM: Bobbi Hahn  
Historic Preservation Commission

SUBJECT: Preliminary Plan #1-84279 Zinder Property

At the Subdivision Review Committee meeting today the engineers for the Zinder property subdivision, which contains historic Oak Grove (#23/64), indicated that they would speak to you regarding incorporating the historic house into a two acre development as opposed to the present plans. It was my very clear understanding from the January 14, 1985, Subdivision Review Committee meeting that you were in agreement with the HPC's position that this was the appropriate way of developing the land adjacent to Oak Grove to diminish the negative impact of the development on the integrity of the historic structure. Please keep me informed of any changes to the plan which occur before it goes to the Planning Board. Thanks..

0500E

VINCENT J. WILSON, JR.  
1711 Goldmine Rd. P O Box 140  
Brookeville, Maryland 20729  
301/774-9302

July 3, 1985

Ms Bobbi Hahn  
Executive Director  
Historic Preservation Commission  
100 Maryland Ave  
Rockville, MD 20850

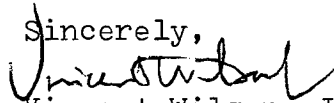
Dear Ms Hahn:

Enclosed is a copy of a letter I recently sent to Mr. Christeller that I thought might interest you. Several months ago I talked to you on the phone about my concern regarding the proposed development of the Zinder property, and you had offered sympathy and, in the event it would be useful, also support. I had included with the letter a copy of your January 4, 1985 Memorandum to Mr Loehr that I had obtained from my neighbor.

When we talked, you had encouraged me to stress the contradiction between the Master Plan's professed policy of graduated densities and the proposals of the developers; this I have done in the letter to Mr. Christeller, and I would welcome any suggestions of others to whom I should address the same argument.

Although I am a historian and student of government, I have never been involved with the County operations dealing with zoning, etc., so I am totally unfamiliar with the patterns of responsibility among agencies and departments, commissions et al. I would appreciate some informed guidance.

Thank you for your interest.

Sincerely,  
  
Vincent Wilson, Jr.

VINCENT J. WILSON, JR.  
1711 Goldmine Rd. P O Box 140  
Brookeville, Maryland 20729  
301/774-9302

June 26, 1985

Mr. Norman L. Christeller  
Chairman, MCPB  
8787 Georgia Ave.  
Silver Spring, MD 20910-3760

Dear Mr. Christeller:

Thank you for your letter, although I must confess that most of it presented information I already knew, and I thought that such knowledge was implicit in my previous letter. I regret that your letter has allayed none of my concerns.

First, regarding historic preservation. I fail to see how the proposals of the developers of the Zinder property, as described in Bobbi Hahn's Jan. 4, 1985 letter to Mr. Loehr, do not, as I maintained, "patently conflict with public and historical interests." Would that it were otherwise. Perhaps Bobbi Hahn's and my concern can be brought to someone's attention.

Most important is the proposed use of TDRs by the Zinder property developers. I strongly protest the use of TDRs on the Zinder property on Gold Mine Rd. as proposed by the KMWM Corp. Any attempt to use TDRs to alter the two-acre zoning on the south side of Gold Mine Rd. violates the MNCP&PC's own professed policy of graduated densities ranging from the Olney town center to open farmland.

The Olney Master Plan clearly enunciates the principle of graduated densities, along with the intention of keeping the northeast quadrant as open as possible, confining development primarily to the northwest section. Since the land on the north side of old Gold Mine Rd is zoned five-acre minimum, with more open space beyond, the land on the south side of that road should certainly have no greater density than the two-acre zoning that now obtains.

If TDRs are to be used in the northeast quadrant in consonance with the Master Plan, TDR-2 development should be confined to the southern portion of "Receiving Area D," extending from the southern border of the institutional land (of Marian Fathers and Oblate Sisters) to the northern border of "Receiving Area C," with its higher density (TDR-4).

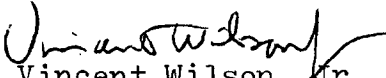


The institutional lands provide a most convenient natural buffer, making it possible to have a reasonable, graduated progression through the various densities from high to low, town to country (TDR-4 to TDR-2 to 2-acre to 5-acre).

The ultimate value of TDRs may indeed be questioned; they benefit only two groups -- farmers and developers. Devised as a plan to preserve open space, TDRs completely neglect one category of landowner who contributes significantly to open space: the owner of a parcel of land from 2 to 20-plus acres. Owners of such parcels purchased more than a city lot because they valued privacy and the natural surroundings sufficiently to invest their own funds to obtain them, and those living in the 5-acre minimum area on the north side of old Gold Mine Rd. certainly did so with the understanding the character of the area would be preserved as originally zoned. As the owner of a house and 13-plus acres on the north side of old Gold Mine Rd., I seek no benefits, as do the farmers and developers, but I do expect that my rights and my contribution to the open space of the area will be recognized and properly protected against the invasive actions proposed by the Zinder property developers.

I know that my neighbors join me in requesting that our interests and our contribution to open space be considered in your evaluation of the proposals to develop the Zinder property.

Sincerely,

  
Vincent Wilson, Jr.

M E M O R A N D U M

July 3, 1985

TO: Charles Loehr  
Subdivision Review  
MNCPPC

FROM: Bobbi Hahn *BH*  
Historic Preservation Commission

SUBJECT: Preliminary Plan #1-84279

The above noted plan scheduled for hearing before your Committee on July 8, 1985, originally reviewed by Subdivision Review on January 14, 1985, involves historic site #23/64, Oak Grove, which was evaluated and recommended for placement by the Historic Preservation Commission on the Master Plan for Historic Preservation in March, 1983. The Planning Board has not to date acted on the recommendation.

The resubmitted plan makes no attempt to address our original concerns regarding integrating the historic house into a 2 acre development. Please note our original memo to you on the subject (attached). The present plan is, in fact, worse than the previous submission in terms of negative impact on Oak Grove. Not only does it surround the house with smaller lots in every area from which it is approached, but the suggested placement of a house on lot 117 was moved significantly closer to the historic structure.

BH:jpl:0495E

Attachment

M E M O R A N D U M

January 4, 1985

TO: Charles Loehr  
Subdivision Review Coordinator  
MNCPPC

FROM: Bobbi Hahn, Executive Director *BH*  
HPC

Plan # 1-84279, Zinder Property, scheduled before your committee on January 14, 1985, involves historic resource #23/64, Oak Grove. Oak Grove was evaluated by the Historic Preservation Commission in March 1983, and was found to warrant placement on the Master Plan for Historic Preservation as noted in the attached letter which was sent to Mr. Christeller on April 6, 1983. To date the Planning Board has not acted on this recommendation. As you will note from the letter, the Historic Preservation Commission's recommended environmental setting for the house is 5 acres. The owners and their attorney were aware of the Historic Preservation Commission's recommendation and proposed environmental setting which was reduced from the full acreage at their request.

It is with great surprise and dismay, therefore, that I have reviewed the above noted plan. This is undoubtedly one of the least sensitive plans which could have been devised in terms of preserving the integrity of this historic structure. Whereas the recommended 5 ~~arce~~ <sup>acre</sup> environmental setting does not mean that the house must be on a 5 arce lot, the least that would reasonably be expected would be a 2 acre lot in a development of 2 acre lots with placement of houses on adjoining lots situated so as not to detract from Oak Grove. The lot configuration and suggested placement of houses on the 2 arce lots adjacent to lot 93 are in all probability acceptable. The size of lot 93 and the lots which adjoin it along Street A are not. Oak Grove could successfully be integrated into a 2 arce development provided it had a reasonable front vista. Once again I must express my disappointment with the developer for disregarding the guidance which the Historic Preservation Commission gave in early 1983.

BH:ds  
0102E



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23/64

December 7, 1987

MEMORANDUM

TO: Lyn Coleman, Principal Planner

FROM: Susan Cianci, Historic Preservation Planner *SC*

RE: Response to Historic Issues on Zinder Property and Gold Mine Road

Mr. Wilson raises some important concerns, in his attached letter, regarding the development of the historic Zinder property and its impact on the area. This development will change the character of this rural area from what it has been for many years. However, historic designation does not preclude development of historic resource properties as allowed under their current zoning.

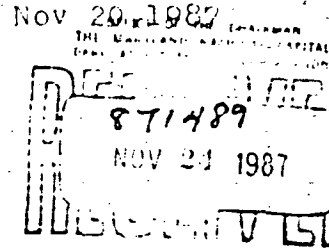
Specifically, the Zinder property is on the Master Plan for Historic Preservation (Oak Grove #23/64) and is protected under the County's Historic Preservation Ordinance. Under Section 24A-5(j) of the Ordinance, the Montgomery County Historic Preservation Commission (HPC) advises the Planning Board, in the event of subdivision of land containing an historic resource, on the appurtenances and environmental setting necessary to preserve it. The HPC has submitted their recommendation on the preliminary plan of this subdivision and will continue to be involved with the process as it proceeds.

In regard to preservation of Gold Mine Road, the HPC reviews roadway engineering recommendations and submits comments on those changes that impact upon historic resources. Preservation of the character of roadways is difficult to implement unless the road is part of an historic district or it contributes greatly to an individual historic site. As a two-lane road, Gold Mine Road does lend to the character of the area, however its preservation as this type of road is not essential to the integrity of the resources along it.

Overall, Mr. Wilson is concerned with how the landscape and the roadway work together to achieve its rural character. If this is the case, then retention of that character is a subject that is addressed through the area Master Plan and zoning, rather than through the Master Plan for Historic Preservation.

cc: Bobbi Hahn  
Piera Weiss

VINCENT J. WILSON, JR.  
1711 Goldmine Rd. P O Box 140  
Brookeville, Maryland 20729  
301/774-9302



Mrs Carol Henry  
Montgomery County Planning Board  
8787 Georgia Ave.  
Silver Spring, MD 20910

Dear Mrs. Henry:

I am writing to you for help. As a member of the working group on TDRs and an Olney resident formerly active in GOCA, you will, I hope, appreciate the particular problems posed by the proposed use of TDRs on the Zinder property on Georgia Ave. Enclosed are copies of letters on this subject sent to Mr. Christeller and Mrs. Crenca. They need no elaboration.

I would like to add that a letter of Mrs. Crenca's which appeared in the Burtonsville Free-Press directly challenges the good faith of council members who support TDRs, and her information indeed makes the protestations of the members supporting TDRs as a great vehicle for preserving open land seem hollow indeed. She states: "...if there were sincerity about preserving open space, then the millions of dollars that are currently earmarked by the state for the county government to purchase agricultural easements without transferring development rights would be spent before the funds automatically go back into the state treasury." A sorry indictment.

In my letters, I believe I have introduced a new concept into the discourse on TDRs: that landowners who own acreage above the minimums contribute indisputable to open land at no cost to anyone but themselves, and that their rights and contribution should be recognized by the county --at least by not changing the zoning -- adversely -- of land adjacent to theirs.

If the county fails to protect such landowners on Gold Mine Rd. and permits drastic down-zoning by use of TDRs on the Zinder property, the only recourse of such landowners will be to break up their own land into minimums and sell -- and move away. Thus the county would lose some otherwise free open space and destroy much of the country flavor and natural beauty that has been created at private expense. A poor bargain for everyone ---except developers. I certainly hope it never comes to that.

This section of Gold Mine Rd, which is over 200 years old, deserves some special attention -- and preservation. As a historian, I live in an old home and particularly care about preserving what we can. (See enclosed article.) But the county must do its part.

Sincerely,

*Vincent Wilson, Jr.*  
Vincent Wilson, Jr.

OAK GROVE TAPE

*Guidance*  
Prelim approved in February this year, site plan is required

Marty states guidance for site plan. Not all trees relate.

Fire: List is from Capt. Jackson  
Give us something concrete to point to as appropriate measures.

Max: Does the ordinance provide an opportunity to require that it be inhabited?

NO, Marty wants to do through site plan review process.

Max: Can it be a requirement that the house be lived in?

Norm: It probably can not, I question that too, but I think it could be that you specify measures to protect the historic asset if it is not being lived in recognizing that its occupancy is a method of protecting it so that you can put it in the way it's been stated there that if it is vacated at any time that the following protective measures should be taken.

Norm: I question whether we can say it must be occupied, but you don't have to say that.

*Mr. Tavel*  
Guest: We suggest that you might want to word it that the applicant be encouraged and required to make every effort to keep the house occupied and should it not be occupied then the measures would be required. We suggest that you have more general language to the effect that adequate provision be made for securing in respect to fire and vandalism. W

Norm: [We are not putting anything in now,] that is going to be in the site plan

Max: We've been general in the past and it has not worked out well.

Betty Ann: I think it should be in general but require the fire department to say they think that that, fire prevention bureau to say they think whatever alternative is equivalent to this type of thing so it allows alternatives.

Norm: We are not acting on these recommendations at this time. These are staff recommendations for us to consider at site plan.

Betty Ann! My concern is .. these measures would apply as soon as the property was going through the development process to try to protect it.

Norm: If we could find a way to do that it would be useful.. I'm not ~~xxx~~ at all convinced that they are available to us at this time.

FIRE PROTECTION

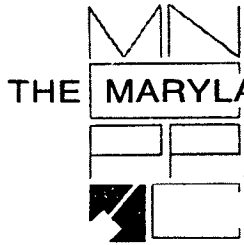
A lot of discussion on the street and trees.

Max: The recommendation is to designate the entire 208-acre parcel I'll move that.

Betty Ann: And clearly I would indicate that any of these measures are up for grabs at site plan and the intent is just clearly that we will deal with the fire protection and so forth and use their advice.

Motion: The motion is to recommend designation on the Master Plan with the entire 208-acre parcel with the final setting to be delineated in connection with the site plan on the subdivision.





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Site Plan Review #8-87010  
Project Zinder Property

Date Mailed: July 16, 1987

Action: (Motion was made by Commissioner Krahnke, seconded by Commissioner Keeney, with a vote of 5-0, Commissioners Christeller, Floreen, Henry, Krahnke, and Keeney voting for and no Commissioners voting against.)

On February 20, 1987, Miriam Cutler submitted an application for the approval of a site plan for property in the RE-2/TDR-2 zone. The application was designated Site Plan Review #8-87010.

On July 9, 1987, Site Plan Review #8-87010 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the Site Plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe and efficient; and
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;

and approves Site Plan Review #8-87010 subject to the following conditions, to be addressed prior to release of building permits:

1. Additional landscaping to be placed around townhouse court subject to staff review.
2. Existing trees around Oak Grove to be saved and to be protected during construction. Provisions for pre-grading inspection prior to release of grading permit by MCDEP to be included in Site Plan Enforcement Agreement.

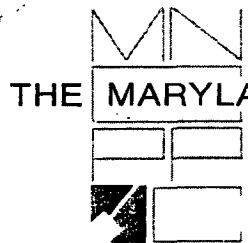
3. Submit Site Plan Enforcement Agreement, Development Program, and Homeowners Association documents for staff review and approval.
4. Any revisions to stormwater management facility or crossing of pipeline by P-13 are to be reviewed by staff prior to final approval by MCDEP and MCDOT.
5. Occupancy of Oak Grove Historic House is to be encouraged by the applicant or future owner. The Site Plan Enforcement Agreement is to specify a list of protective measures to be developed by HPC, DHCD, M-NCPPC staff, DFRS, and the applicant, should Oak Grove not be occupied. If there are disagreements between the applicant and the reviewing agencies, the issue concerning protective measures is to be brought before the Board.
6. Conservation easement with reference on plat to be placed on lots adjoining the Marion Fathers.
7. Open space area adjoining the Tumulty property is to have tree protection fences for major tree growth in areas indicated on the plan for tree saving.

ANTI-ARSON PROTECTION  
FOR HISTORICAL PROPERTY

- . Securely board all vacant properties at door and window.
- . Fence house and outbuildings.
- . Forward available property information to the Fire Marshal (i.e., owner name, address, insurance company, etc.). Advise owner of this action.
- . Place the vacant property address on the police routine patrol list. The significance of the effort to protect such properties should be voiced in a letter to police officials.
- . Require properties to be clear and weed free.
- . Require vacant properties have the utilities disconnected with verification to your office.
- . Notify the nearest fire department of the significance of the property. Many times the fire department will allow vacant or run down property to burn rather than risk firefighters safety.
- . Require yearly inspection of properties by the fire department or Fire Marshal's Office.
- . Post property with anti-arson and no trespassing signs.

2075B

*mine*



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Lunch Time Item  
July 24, 1986

MEMORANDUM

TO: Montgomery County Planning Board  
FROM: Susan Cianci, Planner  
Community Planning North  
RE: Approval of Final Draft Amendment Language for Historic Site #23/64 Oak Grove

-----  
Staff would like to clarify if it is the Board's intention to incorporate into the Final Draft Amendment the guidance that was suggested by the staff regarding the environmental setting for Oak Grove (see attached).

The Planning Board recommended that the environmental setting be reduced and delineated in connection with the site plan pending on the property. The Final Draft incorporates staff guidance regarding a reduced environmental setting. We would simply like the Board's approval to include that language since it is unclear from the minutes if that was your intention.

Also, please review the last paragraph on fire protection measures which we have amended per the Board's request.

FINAL DRAFT AMENDMENT

23/64

Oak Grove

19201 Georgia Avenue

208

- Circa 1850 -- Well proportioned, late Federal style, common bonded brick house.
- Work of a master builder as evidenced by the detailing in the window sills and lintels and in the cornice of brick dentils along the front roof line.
- The site is designated with the entire 208-acre parcel as the setting, subject to reduction and further delineation in connection with the site plan pending on the property. This amendment provides the following guidance toward establishing a refined setting for the resource.

Guidance

- The ultimately delineated environmental setting should incorporate, to the extent possible, healthy, specimen trees historically associated with the manor house.
- Lot configuration and street layout should provide for the appropriate orientation of the historic structure. ~~(Staff notes that the historic building is inconclusively sited on the approved preliminary plan and that because the building's footprint is incorrectly outlined, it is difficult to determine whether the structure is, in fact, appropriately oriented.)~~
- Lot size and configuration should ensure the integrity and the marketability of the historic structure while providing for a successful transition between the range of lot sizes proposed in the development.
- ~~Additional landscaping as recommended by the HPC~~ should be historically appropriate and enhance views of the historic structure in its redefined setting. } delete ?

- This amendment further recommends that appropriate measures be identified and taken to protect the manor house from arson and vandalism during the actual development of the property as part of the site plan review process.

## STAFF RECOMMENDATION

Oak Grove #23/64

Staff concurs in the recommendation of the HPC and the Park Historians to designate the Oak Grove Manor house, constructed in 1850, based on its associative value and significance as a late example of Federal architecture in the County.

As the Board may recall, the 208-acre parcel associated with this resource, known as the Zinder property, was the subject of a preliminary plan of subdivision approved in February of this year. As a TDR/2 development, the portion of the preliminary plan involving the historic resource is subject to site plan review. The Board had indicated as a condition of its approval that outstanding preservation issues were to be addressed as part of that site plan review process. For the Board's information, the developer has not, as yet, submitted a site plan, but legal counsel for the applicant has advised staff of their intention to file in early to mid July. Since Board action on the historic nomination will proceed that review, staff makes the following recommendations for guiding the site plan review process in the resolution of preservation issues:

- The ultimately delineated environmental setting should incorporate, to the extent possible, healthy, specimen trees historically associated with the manor house.

- Lot configuration and street layout should provide for the appropriate orientation of the historic structure. (Staff notes that the historic building is inconclusively sited on the approved preliminary plan and that because the building's footprint is incorrectly outlined, it is difficult to determine whether the structure is, in fact, appropriately oriented.)

- Lot size and configuration should ensure the integrity and the marketability of the historic structure while providing for a successful transition between the range of lot sizes proposed in the development.

- Additional landscaping as recommended by the HPC should be historically appropriate and enhance views of the historic structure in its redefined setting.

Guidance

An additional concern to both the HPC and Planning Staff in reviewing this site is the protection of the resource through the development of the property. Based on recent experiences with Milton II and the Madeline Waters House in Germantown -- both vandalized and destroyed by fire as they awaited redevelopment -- staff strongly recommends requiring that the historic structure be occupied during development. Should the house be vacated at any point, the following protective measures should be required as a condition of site plan approval:

- Secure boarding of doors and windows as required during construction to prevent vandalism.

- Fencing of the structure to a minimum height of 8' with barbed wire at the top to prevent casual entrance to structure.

- Disconnection of utilities and preparation of house for vacancy during cold weather. Notification of same to this agency and the HPC.

- Maintenance and mowing of site to keep it clear of debris and weed free.

- Posting of property with anti-arson and no trespassing signs.

In addition to these requirements of the developer, staff recommends alerting both the County police and fire departments to the vulnerability of this resource.

# MEMO



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 30, 1986



TO: Marty Reinhart  
Community Planning North

FROM: Piera Weiss *PW*  
Urban Design Division

RE: Zinder Property  
Evaluation of Historic Oak Grove Manor

-----

The Oak Grove Manor (est. 1874) has been incorporated into the Preliminary Plan, #1-84279.

The plan is for a TDR-2/RE-2 development containing 211 units in the TDR-2 area (87.95 acres), and 45 lots in the RE-2 area (102 acres).

The Oak Grove Manor is located in the interior of the site between two active crop fields.

Staff visited the site on June 27, 1986, and notes the following two issues:

- 1) The Manor House as shown on the preliminary plan is inconclusively sited. The front facade is, in reality, oriented toward Georgia Avenue.
- 2) The preliminary plan does not show a transition between the RE-2 size lots to the TDR-2 lots. This has the unfortunate result that the Manor House sits on a lot comparable in size to the RE-2 lots, but is surrounded by 6,000+ square foot lots.

In order that the Manor House maintain its dignity as development occurs around it, care should be taken to transition the size of lots near it.

Staff suggests that the road which divides the site into the TDR-2 and RE-2 areas be located closer to the zoning line before curving to accommodate the Manor House. This will allow the Manor House to be adjacent to lots comparable in size and will serve to transition from one density to another.

The large trees to be planted next to the Manor House actually obscure the house. If the house is to be kept, it seems antithetical to the intent to obscure it.



Staff believes that a reworking of the road layout will be a far better solution for blending the historic with the new and will achieve a better mix of lot types, which is the intent of the TDR/MPDU option.

PW:jed

NOV 1986

<u>Atlas #</u>	<u>Site</u>	<u>Location</u>	<u>Associated Acreage</u>
23/12	Royer/Brooks (Greendale)	23200 Howard Chapel Road	166.47

- Early 20th century farm residence built in two sections; the first portion in 1907, the second added in 1924.
- Built and expanded in the early 20th century, the house is a "post Victorian" structure which clearly breaks with the Gothic Revival architecture used in the construction of vernacular farmhouses over the preceding 50 years. As such, the farmstead is representative of a transitional period in the County's development.
- The site is designated with the entire 166.47-acre parcel as the setting with the understanding that upon appropriate siting of new construction to ensure vistas of the resource from the public right-of-way, the setting can be reduced to approximately 12 acres including the farmhouse, the entrance drive, the ancillary farm buildings, and the farm pond which define the historic farmstead.

23/64	Oak Grove	19201 Georgia Avenue	208
-------	-----------	----------------------	-----

- Circa 1850 -- Well proportioned, late Federal style, common bonded brick house.
- Work of a master builder as evidenced by the detailing in the window sills and lintels and in the cornice of brick dentils along the front roof line.
- The site is designated with the entire 208-acre parcel as the setting, subject to reduction and further delineation in connection with the site plan pending on the property. This amendment provides the following guidance toward establishing a refined setting for the resource.
  - The ultimately delineated environmental setting should incorporate, to the extent possible, healthy, specimen trees historically associated with the manor house.
  - Lot configuration and street layout should provide for the appropriate orientation of the historic structure.

- Lot size and configuration should ensure the integrity and the marketability of the historic structure while providing for a successful transition between the range of lot sizes proposed in the development.
- Landscaping should be historically appropriate and enhance views of the historic structure in its redefined setting.

- This amendment further recommends that appropriate measures be identified and taken to protect the manor house from arson and vandalism during the actual development of the property as part of the site plan review process.

<u>Atlas #</u>	<u>Site</u>	<u>Location</u>	<u>Associated Acreage</u>
23/107-1	Hyatt/Jones House	16644 Georgia Avenue	.435

- Circa 1870's -- two-story frame house important as a superb and well maintained example of Gothic Revival architecture typical of that constructed in Montgomery County from the mid-nineteenth through the early twentieth centuries.
- Historically, important as a last vestige of the historic community of Oakdale.

23/118	Amersley	1721 Norbeck Road	6
--------	----------	-------------------	---

- Built in the 1880's, this Victorian residence is a stately version of the Queen Anne style, reflecting the restraint of its Quaker builder, R. Rowland Moore.
- The 1890's additions to the house reenforced the simple, provincial design of the dwelling and contribute to making this one of the more interesting architectural resources of the Sandy Spring area.
- The site is designated with the entire 6-acre parcel as the environmental setting with the understanding that upon appropriate siting of allowable new construction, the setting can be reduced to an area that provides adequate review to protect the integrity of the historic resource.

Location

Associated  
Acreage

Brooks  
(Greendale)

23200 Howard Chapel  
Road

166.47

Early 20th century farm residence built in two sections; the first portion in 1907, the second added in 1924.

Built and expanded in the early 20th century, the house is a "post Victorian" structure which clearly breaks with the Gothic Revival architecture used in the construction of vernacular farmhouses over the preceding 50 years. As such, the farmstead is representative of a transitional period in the County's development.

- The site is designated with the entire 166.47-acre parcel as the setting with the understanding that upon appropriate siting of new construction to ensure vistas of the resource from the public right-of-way, the setting can be reduced to approximately 12 acres including the farmhouse, the entrance drive, the ancillary farm buildings, and the farm pond which define the historic farmstead.

*Nov 1986 A+A*

23/64

Oak Grove

19201 Georgia Avenue

208

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①

- The ultimately delineated environmental setting should incorporate, to the extent possible, healthy, specimen trees historically associated with the manor house.

②

- Lot configuration and street layout should provide for the appropriate orientation of the historic structure.

③

• Lot size and configuration should ensure the integrity and the marketability of the historic structure while providing for a successful transition between the range of lot sizes proposed in the development.

④

• Landscaping should be historically appropriate and enhance views of the historic structure in its redefined setting.

3 acres

- This amendment further recommends that appropriate measures be identified and taken to protect the manor house from arson and vandalism during the actual development of the property as part of the site plan review process.

<u>Atlas #</u>	<u>Site</u>	<u>Location</u>	<u>Associated Acreage</u>
23/107-1	Hyatt/Jones House	16644 Georgia Avenue	.435

294  
171

- Circa 1870's -- two-story frame house important as a superb and well maintained example of Gothic Revival architecture typical of that constructed in Montgomery County from the mid-nineteenth through the early twentieth centuries.

- Historically, important as a last vestige of the historic community of Oakdale.

23/118	Amersley	1721 Norbeck Road	6
--------	----------	-------------------	---

- Built in the 1880's, this Victorian residence is a stately version of the Queen Anne style, reflecting the restraint of its Quaker builder, R. Rowland Moore.

- The 1890's additions to the house reenforced the simple, provincial design of the dwelling and contribute to making this one of the more interesting architectural resources of the Sandy Spring area.

- The site is designated with the entire 6-acre parcel as the environmental setting with the understanding that upon appropriate siting of allowable new construction, the setting can be reduced to an area that provides adequate review to protect the integrity of the historic resource.

LAW OFFICES

**LINOWES AND BLOCHER**

FIFTH FLOOR

8720 GEORGIA AVENUE

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**SILVER SPRING, MARYLAND 20907**

(301) 588-8580

CABLE MOLIN

TELECOPIER

SILVER SPRING (301) 495-9044

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April 21, 1986

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(202) 872-9080

SUITE 600  
6411 IVY LANE  
GREENBELT, MARYLAND 20770  
(301) 982-3382

THE MARYLAND NATIONAL CAPITAL  
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APR 24 1986  
COMMUNITY PLANNING (M)

THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

135  
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APR 23 1986

DIR. OF PLANN.  
MONTGOMERY COUNTY

Mr. Norman L. Christeller  
Chairman  
Montgomery County Planning  
Board of the  
Maryland-National Capital Park  
and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

OFFICE OF THE CHAIRMAN  
THE BOARD OF PLANNING  
MONTGOMERY COUNTY  
714  
**RECEIVED**  
APR 21 1986  
SILVER SPRING, MD.

APR 21 1986  
COMMUNITY PLANNING

Re: Public Hearing on Amendment to the Plan for Historic Preservation - Oak Grove Historic Site; Olney

Dear Mr. Christeller:

Please place this letter in the Record of the above-referenced public hearing. We represent the owners of that property in the Olney Master Plan Area known as the Zinder Property, upon which is located the proposed Oak Grove Historic Site (19201 Georgia Avenue).

As the members of the Planning Board will recall, provision has been made for historic preservation for this site on the approved preliminary plan for the development of the Zinder Property. Provision for this historic site will be further confirmed by the site plan which is currently being prepared for review and action by the Planning Board.

With the approved preliminary plan and through the site plan, the Applicants have responded to those considerations raised by the Historic Preservation Commission;

1. The Historic house has been sited on the Approved Preliminary Plan in a 3½ acre setting. We believe that the Historic Preservation Plan should reflect the decision reached in the approval of the Preliminary Plan. This creates a quite extensive and sizable setting for the house which, in fact, is more grand than its historic, farmhouse setting. It represents

LINOWES AND BLOCHER

Mr. Norman L. Christeller  
April 21, 1986  
Page Two

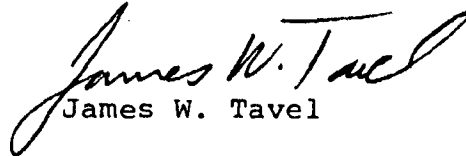
a major voluntary commitment without cost to the public of valuable property on the part of the property owners, where the allowable density is two units to the acre.

2. Larger adjacent lots are being provided.
3. The road designated in the approved Preliminary Plan as "A" Street has been moved to the extent practicable in accordance with the recommendations of the Historic Preservation Commission.
4. The Applicant will agree, as part of the Site Plan approval conditions, to planting sugar maple trees on the historic site in order to provide a desirable and appropriate environmental setting for the Oak Grove Historic House.

The Applicant believes that these efforts will provide for historic preservation of this house in a suitable and appropriate fashion while balancing the practical considerations of development of the property.

Very truly yours,

LINOWES AND BLOCHER

  
James W. Tavel

JWT:mje

cc: Ms. Miriam J. Cutler  
Ms. Katie Lee

M E M O R A N D U M

January 13, 1986

TO: Charles Loehr  
Subdivision Review  
MNCPPC

FROM: Bobbi Hahn *BLH*  
Executive Director  
Historic Preservation Commission

SUBJECT: Preliminary Plan #1-84279, Zinder Property

At its January 9, 1986, meeting the Historic Preservation Commission reviewed the latest revision of the above referenced plan which was submitted with changes intended to address the concerns previously expressed by the Commission regarding negative impact on Atlas historic structure #23/64, Oak Grove. These concerns and the Commission's findings are as follows:

1. Oak Grove should be situated on a lot of from 3.5 to 5 acres. This is adequately addressed by the current plan.
2. Attention should be paid to the location and retention of mature trees to the west and south of the historic site. The current plan is adequate as far as the trees to the south are concerned but fails to address the retention of the tree line to the west of the house. Douglas Capelle and James Tavel, representing the developers, maintained that because A Street, which runs in front of Oak Grove, is a road which appears in the Olney master plan, it could not be moved any further to the west to allow for the retention of the tree line. If that is the case, the Commission strongly recommends that sugar maple trees be planted in front of Oak Grove along A Street to duplicate the species which now line the drive but will be destroyed during development of the property.



Mr. Loehr  
January 13, 1986  
Page two

3. Larger lots adjacent to Oak Grove along A Street. This concern was an attempt by the Commission to provide a setting for the historic structure which would integrate it into a community such as that in the eastern part of the development rather than to make it an anomaly which it will now appear. The developers have met the letter rather than the spirit of the request, but the Commission reluctantly accepts this as adequate.
4. Move A Street to the west to provide a better vista for Oak Grove as well as retention of additional mature plantings. The current plan shows A Street moved approximately 50 feet to the west. This adequately addresses this concern provided sugar maples are planted along A Street as recommended in #2 above.

In summary, the Commission recommends approval of this plan with the recommended tree plantings. It should be noted that although this plan will result in much less of a negative impact on Oak Grove, the Commission was distressed by the developers' overall insensitivity to the integrity of this historic structure.

Based on recent experience with the fate of historic structures during development of surrounding property (Master Plan Waters house in Germantown was seriously vandalized last week, and Atlas site Milton (#27/2) on Muncaster Mill Road burned last weekend), I strenuously recommend that approval of any subdivision plan on this property include a provision that the present well and septic system of Oak Grove remain operable and that the historic house must be occupied during development of the property until it is sold to a private party. If the house is not occupied, the developers should be required to board all windows and doors and install a 6 foot high chain link fence around the house. Boarding alone is not sufficient to prevent vandalism.

CC: James Tavel

0840E

July 18, 1985

M E M O R A N D U M

TO: Charles Loehr  
Subdivision Review  
MNCPPC

FROM: Bobbi Hahn, Executive Director *BH*  
Historic Preservation Commission

SUBJECT: Subdivision Plan #1-84279, Zinder Property

At its July 18, 1985 meeting the Historic Preservation Commission reviewed the above referenced plan which involves historic site #23/64, Oak Grove. As you will recall the HPC recommended Oak Grove for placement on the Master Plan for Historic Preservation in March of 1983. To date the Planning Board has not acted on that recommendation. It should be noted that this ca. 1850 Federal style brick house is one of the most meritorious sites in the area and is most probably eligible for the National Register of Historic Places.

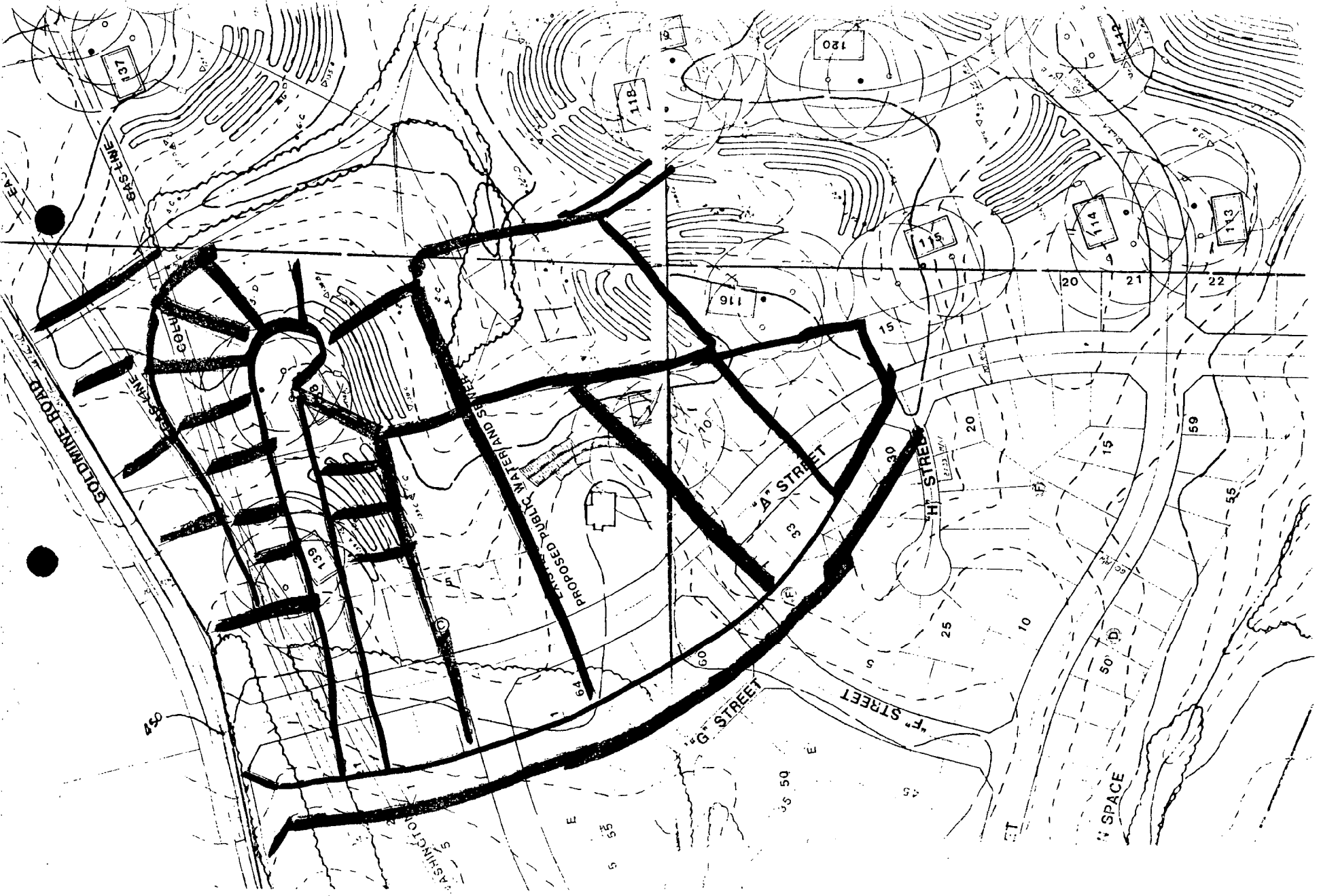
At both the January 14 and July 8, 1985 Subdivision Review Committee meetings on the subdivision plan Commission concerns about the placement and size of lots adjoining Oak Grove were expressed. Despite this obvious concern the developers of the property never made any attempt to contact the HPC to work out a solution to the design problem. The Commission's position is that the following changes must be made to the plan in order to avoid causing a negative impact on the integrity of this outstanding historic structure:

1. Oak Grove should be situated on a lot of from 3.5 to 5 acres.
2. Attention must be paid to the location and retention of mature trees west and south of the historic site.
3. Larger lots should be provided on either side of Oak Grove along A street in addition to the two acre lots as shown to the rear of Oak Grove.
4. The location of A street is too close to the front of the historic structure and should be curved away from the house to provide an appropriate vista for Oak Grove as well as retention of some of the above mentioned mature plantings.

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As per your suggestion I have attached a suggested lot configuration which would address HPC concerns. Something along these lines, perhaps moving A street further from Oak Grove, would probably be acceptable. This type of redesign results in very little if any net loss of lots. Surely the applicant's engineers could work out a plan which meets the needs of the developer and addresses the concerns of the HPC. As this is one of a handful of historic sites in the county this effort is surely worthwhile. Please include this memo in the packet which goes to the Planning Board on this subdivision plan.

0553E



M E M O R A N D U M

January 4, 1985

TO: Charles Loehr  
Subdivision Review Coordinator  
MNCPPC

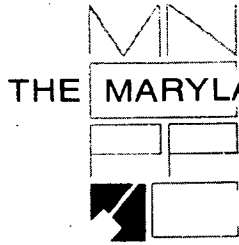
FROM: Bobbi Hahn, Executive Director *BH*  
HPC

Plan # 1-84279, Zinder Property, scheduled before your committee on January 14, 1985, involves historic resource #23/64, Oak Grove. Oak Grove was evaluated by the Historic Preservation Commission in March 1983, and was found to warrant placement on the Master Plan for Historic Preservation as noted in the attached letter which was sent to Mr. Christeller on April 6, 1983. To date the Planning Board has not acted on this recommendation. As you will note from the letter, the Historic Preservation Commission's recommended environmental setting for the house is 5 acres. The owners and their attorney were aware of the Historic Preservation Commission's recommendation and proposed environmental setting which was reduced from the full acreage at their request.

It is with great surprise and dismay, therefore, that I have reviewed the above noted plan. This is undoubtedly one of the least sensitive plans which could have been devised in terms of preserving the integrity of this historic structure. Whereas the recommended 5 acre environmental setting does not mean that the house must be on a 5 acre lot, the least that would reasonably be expected would be a 2 acre lot in a development of 2 acre lots with placement of houses on adjoining lots situated so as not to detract from Oak Grove. The lot configuration and suggested placement of houses on the 2 acre lots adjacent to lot 93 are in all probability acceptable. The size of lot 93 and the lots which adjoin it along Street A are not. Oak Grove could successfully be integrated into a 2 acre development provided it had a reasonable front vista. Once again I must express my disappointment with the developer for disregarding the guidance which the Historic Preservation Commission gave in early 1983.

BH:ds  
0102E

Date of Mailing: July 20, 1987



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation. (Motion of Comm. Krahnke, Seconded by Comm. Christeller, with a vote of 5-0; Commissioners Christeller, Keeney, Floreen, Henry and Krahnke voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-84279  
NAME OF PLAN: ZINDER PROPERTY

On 12-19-84, HELEN R. ZINDER, submitted an application for the approval of a preliminary plan of subdivision of property in the RE2 zone. The application proposed to create 221 lots on 208.05 ACRES of land. The application was designated Preliminary Plan 1-84279. On 02-13-86, Preliminary Plan 1-84279 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-84279 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-84279, subject to the following conditions:

APPROVAL of 211 lots and 6 outlots, subject to:

1. Pro-rata participation in cost of Northbound and Southbound right turn lanes on Georgia Avenue at Route 108, including consideration of pedestrian safety.
2. Dedication and construction of relocated Goldmine Road (70' right-of-way) and associated improvements to Georgia Avenue as required by SHA.
3. Dedication along Georgia Avenue (150' right-of-way).
4. No vehicular access from lots to Georgia Avenue.
5. Abandonment of portion of Goldmine Road with exchange of property as shown on preliminary plan.

6. No clearing, grading or recording of lots prior to site plan approval by MCPB.
7. Number and location of units to be determined at site plan.
8. Site plan to address HPC concerns, including location of primary road.
9. 125 TDRs and 24 MPDUs required subject to Condition #7.
10. Stream buffer to be identified at site plan including location of primary street crossing.
11. Necessary easements.
12. Health Department Memo Dated 1-22-87.
13. Conditions of DEP Stormwater Waiver.
14. Common driveway to serve lots 201 - 204.

PRELIMINARY SUBDIVISION PLAN APPLICATION FILE NO: 1-84279

withdrew or superseded: N another plan on property? fileno: -  
NAME OF SUBDIVISION: ZINDER PROPERTY DATE OF APPLIC: 12-19-84  
SPECIAL EXCEPTION OR ZONING CASE NO: DATE OF SRC: 00-00-00  
THRESHOLD: PRE-PRELIMINARY PLAN FOR THIS PROPERTY, ENTER IT: -  
LOCATION

B. SE QUADRANT OF INTERSECTION OF GOLDMINE ROAD & GEORGIA AVENUE  
200 BASE MAP NO: 226NW2 MPDUS PROPOSED: 25  
NO. LOTS PROPOSED: 221 NUMBER OF RESIDENTIAL UNITS PROPOSED: 221  
TYPE OF UNITS: SF, TW, ZONING: RE2  
NUMBER OF UNITS: 196 25 0 0 0 ZONING: TDR 2,  
PROPOSED SANITARY FACILITIES: WATER: PUBLIC SEWER: PUBLIC  
NUMBER OF TDRS: 134 REQUEST CLUSTER OPT: N REQUEST MPDU WAIVER: N  
REQUEST STORM WATER MANAGEMENT WAIVER: Y HISTORIC SITE OR DISTRICT?: I  
OWNER NAME: HELEN R. ZINDER  
ADDRESS: 2901 NORMAN STONE N.W. DR. TELEPHONE NO: - -  
WASHINGTON, DC, 00000  
CONTRACT PURCHASER NAME:  
ADDRESS: 0 TELEPHONE NO: - -  
CONVEY AREA: 208.05 ACRES INCLUDE AREA: 208.05 ACRES PLAN FEE: \$1630.00

RESTRICTIONS:  
NONE

ENGINEER OR SURVEYOR: KMWM CORP.  
ADDRESS: 13321 NEW HAMPSHIRE AVE TELEPHONE: 301-384-4300  
SILVER SPRING, MD, 20904

MPDU REQUIRED: 27 MPDU APPROVED: 27 NO. OF LOTS APPROVED: 211  
UNITS APPROVED: TYPE OF UNITS: SF,  
NUMBER OF UNITS: 211 0 0 0  
DATE OF PLAN ACTION: 02-13-86 PLANNING BOARD ACTION: APPROVED  
PLAN EXTENSION: DATE GRANTED: 00-00-00 EXPIRATION: 00-00-00  
STAGING SCHEDULE? YEAR:  
NUMBER OF LOTS:

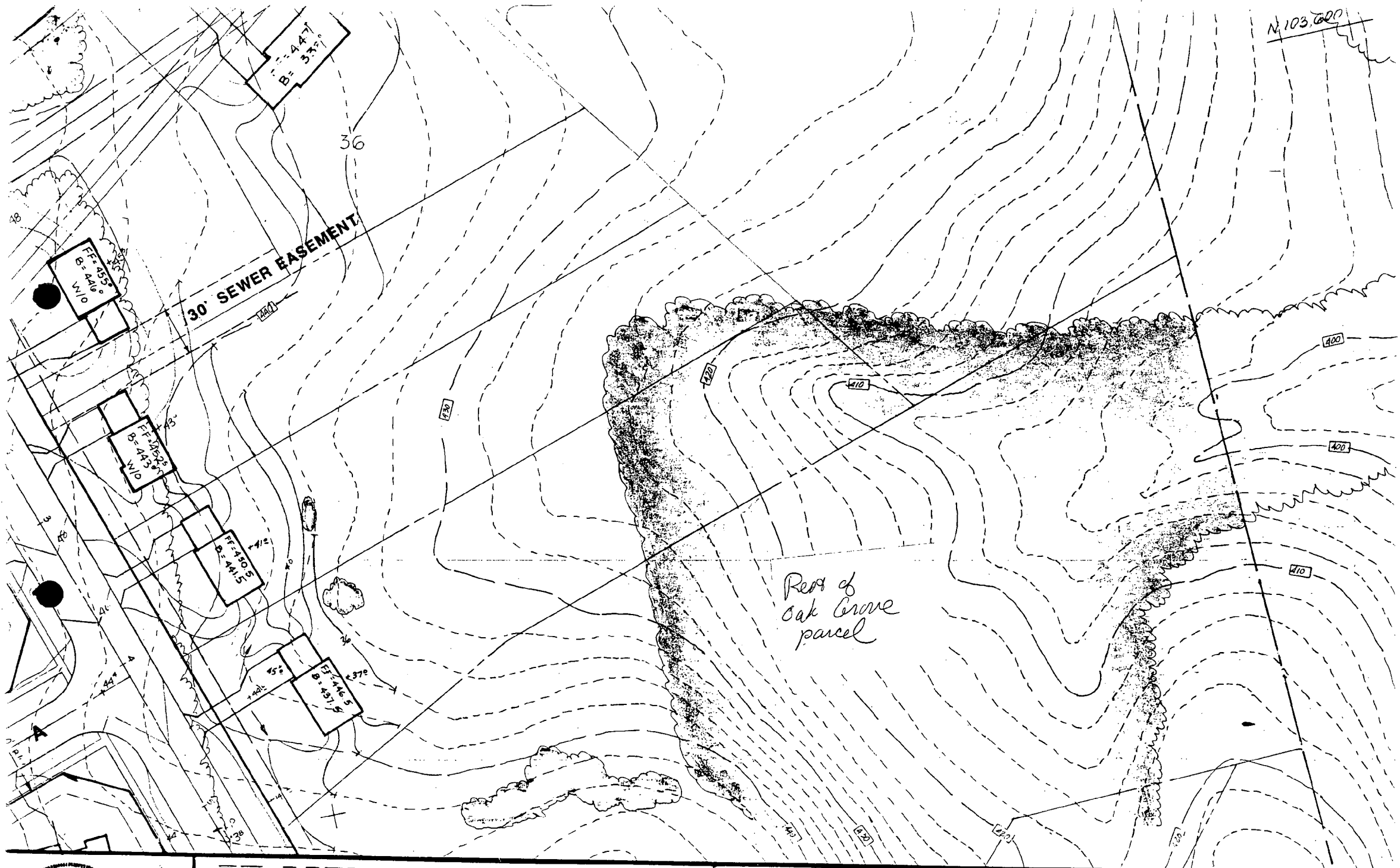
200 BASE MAP NO: 227NW03 MASTER PLAN AREA: 23 TAX MAP NO: 00000  
X COORDINATE 43.83 TAX MAP YEAR: CENSUS TRACT & BLOCK: 13029720  
Y COORDINATE 45.48 PLANNING AREA: 23 TRAFFIC ZONE: 231

SEWERSHED NO: - SEWER AUTHORIZATION NO:  
STORM WATER MGMT. WAIVER GRANTED: STREAM CHANNEL MODIFICATION:  
WRA PERMIT NEEDED:  
PARKLAND ACRES: REC FACIL: PLAYGROUND: PLAYFIELD: OTHER:

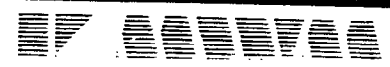


6/87





STATE OF MICHIGAN



SITE DEVELOPMENT

OWNED