

Broyhill McLean Estates Neighborhood Association

March 27, 2017

Mr. John W. Foust

County Supervisor, Dranesville District

McLean Government Center

1437 Balls Hill Road

McLean, Virginia 22101

**Re: Subdivision Plan 8435-SD-001-1**

Dear Mr. Foust and Related Parties:

We are writing to you as McLean Broyhill Association as we are the neighborhood that is directly adjacent to the proposed Retreat at Mclean, 7103 Old Dominion Drive, McLean, Virginia 22101. Our community association, McLean Estates Civic Association (aka MBE) is a group of volunteers who give their time and dues to foster, promote and protect the civic and community interest of people of the neighborhood. A network of Block Captains help relay info and promote safety and civic engagement in our community.

We understand from materials received from RC Fields & Assoc. that you and Mr. Walter Hamilton are reviewing the plan currently being proposed by Toll Brothers to develop this property. Our neighborhood has formed a Committee and would like to respond to the plans that we received in the mail from RC Fields and Associates.

First, the plans we received were so small that many of our neighbors could not read them. Why would a plan be furnished that we can barely read? We would like to know what the exceptions are that the builder is seeking from the County?

**The McLean Broyhill Association opposes this development in its current form and notes the following reasons below:**

**1. Traffic Problems** – The original Broyhill Estates on Merrimac Drive had approximately 17 homes. Eleven more were added in the 80s when land became available for development at the end of the original Merrimac Drive. Now the plan proposes 21 additional homes which will be serviced by Merrimac Drive. That's close to three times the original use for Merrimac Drive. We think this is way too much, especially when there is already a perfectly good entrance that has been used for high density activity on this property (Retreat at McLean) for as long as anyone can remember – its Old Dominion Drive.

Our residents/neighbors are concerned about traffic and safety problems on Rte. 123, Mayflower, Merrimac, Monitor and Old Dominion. We are requesting a traffic study and

a safety study as our entrance/exit on Old Dominion and 123 are arguably the most dangerous and busiest intersection before entering downtown McLean and McLean Central Park.

The severe problems we are experiencing already with our neighborhood being used as a "cut-through" and traffic light avoidance pose serious and problematic safety concerns for our families and McLean citizens. For example, Fairfax County School buses cannot turn right onto Mayflower from 123 when another car is on the corner of Mayflower turning right towards Tysons. They simply cannot fit! Buses are delayed with children in them for more than 10 min. at times on 123, waiting to turn safely onto Mayflower to drop children off at the end of the school day. This is a major problem and adding more cars to that equation only worsens it.

Crossing the street, at Old Dominion to McLean Central Park remains a great safety concern. It is unsafe now, and adding a minimum of an additional 60 or so cars to cut through our neighborhood to 123 and to Old Dominion only adds to that safety concern and frankly in our view makes it a critical safety issue for our families. We have children riding bikes, roller skating, skate boarding and scootering thru the neighborhood. The Supervisor's offices are responsible for maintaining citizen safety and our concerns are not being addressed.

Cars turning left from 123 are already backing up in the turn lane, there is no light, and this results in slowed and stalled traffic on 123 any time after 3:45 every day. Adding an additional 45-60 cars or more to that equation, thru our neighborhood on Merrimac (which is a dead end) would be creating a very dangerous safety concern.

Therefore, we request that your offices conduct an independent, major traffic and safety study prior to any approvals being granted for this development.

There are no posted speed signs on Merrimac Drive today and all the neighbors indicate that cars coming from 123 and Old Dominion are speeding thru the neighborhood. Children are unable to ride bikes freely in this neighborhood anymore without parents being glued to them because of the safety risks posed. Speed bumps should be placed throughout the McLean Broyhill neighborhood. Many neighbors are thinking that we should close off 123 and Mayflower sooner rather than later on our side in order to maintain a safe community. (only one entrance to McLean Broyhill from Old Dominion) So now you have some of our thinking on safety to consider and factor into a decision going forward. That's where we are right now with this whole thing.

We are so puzzled about why Old Dominion at 7103 is being closed off as an entrance to the new development? Frankly, hundreds of cars came in and out of this address for 59 years while it was the Dominican Retreat House. We are advised that it's because the entrance is not wide enough? We believe that keeping that entrance open would only support a safe community. Is the developer seeking approvals to widen the road to make it an entrance? In our view, Old Dominion should remain an alternative entrance/exit to such development.

**2.Storm Drainage** - The RC Fields materials indicate that storm drainage plans may be changed and that no construction is proposed! Is this a trick sentence? The storm water drainage plan is not clear. Our neighbors have drainage concerns on Merrimac and for those abutting the stream restoration where a 10' wall is being shown. Specifically, their concerns are the following;

**Change of grade and associated retaining wall.** The current plan indicates a proposed retaining wall with max height up to 10' that will be built within 10' feet of the property line of existing homes on Merrimac Drive. This implies that major changes in the grade will be required in order to build the two homes which back to 7130 and 7128 Merrimac Dr. In addition to the massive retaining wall at the back of the property, additional retaining is planned on the lots since the existing hill is so steep. It should be noted that the base of this massive retaining wall literally sits within feet of the Dead Run drainage ditch as well as a county mandated water catch pond area where major amounts of storm water from Merrimac drive drains. Building a 10' wall practically on the property line will dramatically change the aesthetics of the effected properties from what is now a garden like setting with trees. Are there no set-back requirements where structures cannot be built a certain number of feet from the property line? Where this wall is not technically a building, it's certainly a major structure. Should this not be subject to some sort of rules on set-backs? Having a 10' retaining wall built anywhere on the property, let alone so close to the property line is not acceptable and needs to be removed. This wall destroys the aesthetics of surrounding homes and substantially devalues adjacent properties.

**Drainage.** The Dominican Retreat currently sits on top of a hill with moderate to steep drop-offs on all sides, especially to the West into the Dead Run Drainage area and the south into the back yards of houses on Merrimac Dr. During periods of heavy rain, massive amounts of water flow down these hills and much of it ends up draining into the back yard of 7128 and especially 7130 Merrimac Dr before it finally drains into the Dead Run basin. The proposed development will certainly create massive new amounts of impermeable ground with all the houses, streets, driveways, sidewalks, decks, patios, sheds and such that will be built. This is especially problematic with the long driveways that are necessary with the pipe shaped lots that are proposed to maximize the density of homes on the property. All the water that would normally soak into the ground on these locations has to go somewhere or it will end up flooding houses surrounding the property. The existing plan shows some water retention areas but only on the east side of the property. These retention areas will do nothing to protect the homes on the southern side of the property that are most likely to be affected by the additional run-off that will be created by the new impermeable surfaces. At the very least, substantial water retention basins need to be constructed on all sides of the property since the rain drains to all sides of the property. Either that or the amount of impermeable land should be massively decreased so not to cause flooding into the yards of surrounding houses.

The storm drainage problems should be examined more closely by an environmental engineer and expert. We want to ask your offices for a major water impact and environmental and grading study to be done since the drainage system would be so close to the RPA and the stream restoration adjacent. This of course, impacts the entrance issue on Old Dominion Drive as well but it is our view that easements should be sought to widen that entrance so that it can safely accommodate cars coming in and out of their development. This requires additional certifications and approvals as we understand the current process and we seek support from your offices and MCA to support our community with this request.

**3. Environmental Impact** - Additionally, we are also concerned about the Tree Canopy and environmental impact on our neighborhood and the larger McLean Comprehensive plan for example, we want the bike lanes on Old Dominion and a pedestrian friendly McLean as is being outlined in the development of the comprehensive plans for downtown McLean. Tree preservation needs further discussion in McLean and requires that we try to save more trees rather than rush thru a poorly monitored tree minimum standard! We would welcome further discussions on this topic with the county and our neighbors want to discuss this with MCA. It appears that a waiver is being sought to exclude the bike lanes and sidewalk as well on Old Dominion. We oppose that idea.

The plan also does not make clear what trees it is abandoning or leaving in place and only marks all trees with an X but does not state how many trees on the buildable acreage it will be saving. It cannot be deciphered from the current plan as to which trees are exactly coming down and which trees are being saved as they are all marked with the same black X ( not red for coming down or green for saving). We are unable to understand the tree canopy plan for the development in its current form.

Is the RPA figuring into the buildable acreage formula? We don't believe that it should be factored in and that it should be factored out since the builder is not entitled to touch that county easement as an RPA. The buildable acreage should exclude the RPA. There are beautiful tall pines on the perimeter of this property citizens would like to see them preserved and saved. There are trees that are 100 years old (weeping cherry) that are beautiful and should be preserved. (30% tree canopy law)

We request that we know exactly which trees are being taken down and that a 30% tree canopy remain on the buildable acreage which does not include the RPA.

**4.Planning and Zoning** - Buildable Acreage is a major concern as highlighted above. It is not clear to us from the current plan, what the buildable acreage is as the formula for figuring the buildable acreage appears to be different?

The dead run stream restoration project which is being financed by Fairfax County taxpayer funds, is protected by the Chesapeake Bay Watershed Protective Ordinance. This acreage belongs to the county and is protected from being built on as per the ordinance. Therefore, again, that acreage should be "factored out" since it's a

County easement rather than being factored in as owned by the developer and the County together.

We held a stream restoration walk thru the proposed property on Feb. 10, 2017 with all concerned residents and were advised at that time that the Old Dominion access/entrance would be kept as the entrance to the development (which makes sense as it has been used for 59 years with hundreds of cars coming and going to the Dominican Retreat on a daily and weekend basis). Easements and permits to widen that entrance could be sought to preserve safety for all and to ensure that our neighborhood is not posed with serious safety concerns on the tertiary roads. We should also mention that the streets on Merrimac and Monitor are all less than 50 feet wide! They are approximately 28 feet wide.

Is the developer asking for special exceptions to the zoning plan to allow special setbacks, increased density and a cluster development and other plans? If so, isn't a public process necessary and Final Plan Approval required through a public process first? Don't we have any say in this matter since its through our neighborhood? Is there a Committee that is looking at Overbuilding it? How about Destruction and Degradation of Neighborhoods?

**5.Aesthetics and Continuity** - McLean Broyhill Association is very concerned about the ability of our Fairfax County residents to access the stream restoration via trails. We have always been able to walk over the bridges and alongside the stream on pine bark trails. It is our taxpayer funds that will restore the stream restoration project. Pine bark trails should be put back on both sides of the stream and the bridges as they are being restored so that citizens can enjoy walking along the trail/stream once the restoration project is completed. Just as citizens can enjoy and care for the stream restoration as outlined in the CBPO Act on the McLean Central Park side, we would appreciate having access to walking on the trails once restored. We support that and we hope that the Developer supports that as well as the Dranesville Supervisor. This stream restoration connects us to McLean Central Park's stream restoration and we see this as one whole project (being done in phases) but one that should preserve citizen access to the stream restoration rather than prevent it or exclude it.

We are opposed to a development that does not preserve the continuity of the landscape and preserved nature that we have become accustomed to and as outlined in the McLean Comprehensive Plan and the CBPO. Citizens have a right to be involved in the protection and preservation of our communities. A development like this could cause serious problems, or it could be done in a way that includes the genuine input of our association and neighborhood, and MCA. A Comprehensive plan that rejects preserving safety first, and pedestrian friendly McLean is one that should be seriously rejected and re-examined. Currently, we all feel as though we are being muscled by Toll Brothers and rushed through a process that we are not part of at all. This is wrong.

**6.Construction Vehicles** – Many neighbors do not want to have construction vehicles in our neighborhood at all during the summer months as children are in the

neighborhood. We are opposed to having large vehicles come through the neighborhood as we have many families with small children and do not wish to pose additional safety hazards. Our neighborhood would like to preserve what little is left of our safe streets and we feel that this poses yet another safety concern. We don't want any construction on Monitor Lane! It has been closed for the past 59 years and we prefer that it stays that way. Still, we are open to a respectful discussion with the Developer.

Although we are not opposed to welcoming new neighbors, we are offended by how inconsiderate and smug the developer has been when it comes to taking into consideration the views of neighbors and their adjacent properties as well as the views of all of us whose lives and streets will be directly impacted by such a development.

Finally, we have no assurances that the best management practices are being followed in all issues raised above since we are being rushed through a process. We have been given 2 wks. to respond to a letter and we are responding together as a neighborhood. We look forward to receiving a thorough response to each of our concerns from the County representatives. We welcome a town hall meeting to discuss this project whereby the other adjacent neighborhood would also be invited.

Finally, we hope that we will be allowed to have a genuine voice in this process and that we are being listened to by our local government. We appreciate your diligence and dedication and years of experience in seeing that our concerns are satisfactorily addressed. We also respect our long friendship with your good offices,

Respectfully Submitted,

The Neighborhood Committee of Broyhill Estates of McLean  
Adrienne V. Doherty, Broyhill McLean Estates Representative

Related Parties to Retreat at McLean Proposed Development

Cc: Walter Hamilton, County Engineer - [Walter.Hamilton@Farifaxcounty.gov](mailto:Walter.Hamilton@Farifaxcounty.gov)

RC Fields and Associates, Retreat at McLean Proposed Development

Jeff Barnett, President, McLean Citizens Association – P&Z, Environmental, Traffic

Katie Broom, President, Broyhill McLean Estates

Citizens and Neighbors of McLean Broyhill Estates