

MINUTES – September 8, 2009

The meeting was called to order by President Sharon Dooley at 7:50 p.m. The minutes from the July meeting were approved as corrected. The agenda was accepted.

Public Comments

- Amanda Partington from Rep. Donna Edwards' office announced that she had left flyers for Donna Edwards's forthcoming events.
- Joe Buffington reminded everybody of the upcoming Community Night and Taste of Olney on October 7, 2009 at Longwood Recreation Center from 5:00 p.m. – 8:30 p.m.
- Lisa Stancik outlined highlights of the current Olney Loop television show which can be seen on cable channel 21 and streaming on the internet from the County website. Lisa said that she is always looking for good stories and asked for anybody with any ideas to please contact her at theolneyloop@yahoo.com.
- Project Change representatives reminded the meeting of their upcoming camp out on Saturday, 9/12/09 which will also be featured in an article in the Gazette.
- The Knights of Columbus asked for donations as they once again hold their 2009 Tootsie Roll Program to benefit people with intellectual disabilities. Last year over 23 organizations helped with this worthwhile cause.
- Montgomery County Fire and Rescue service was featured on the Jerry Lewis telethon on Labor Day as Jerry's 44th telethon was televised to help Jerry's Kids fight Muscular Dystrophy and associated diseases. Our Montgomery County Fire and Rescue service workers and volunteers collected over \$250,000 to help Jerry and his kids.

SPECIAL PRESENTATION

Bowie Mill Road proposed development

The first presenter, all of whom would be talking about the proposed Bowie Mill Road development, was Scott Reilly, Chief Operating Officer of Montgomery County Department of Housing and Community Affairs. Mr. Reilly stated that he was shepherding this project along from the public sector side. Mr. Reilly gave a little background information as to how approximately 4 years ago the Department of Housing and Community Affairs approached the County Executive with 4 possible sites for development for affordable housing including the proposed Bowie Mill site. The Bowie Mill site was held back until the Olney Master Plan which was under consideration at that time had been passed and then was brought back to the forefront. The County Executive did recommend that the 4 sites be used by the Department of Housing and Community Affairs for mixed income or affordable housing. Mr. Reilly said that at that time they asked for expressions of interested using language crafted in and by the Master Plan. The expression for interest was pulled and then reissued not including the language for a second site in order for consideration. The two finalists made presentations to GOCA. Subsequent to the comments as a result of the GOCA meeting and other public meetings a partnership of Elm Street Development and Montgomery Housing Partnership was selected to carry out the county's wishes on this. The language of the expression of interest included PD3 zoning instead of R200 zoning as called for by the Master Plan language.

The next to present was John Clarke with Elm Street Development. Mr. Clarke stated that over the course of the summer Elm Street Development and Montgomery Housing Partnership had presented at meetings of neighborhood associations, GOCA and Olney Coalition and the purpose of being at GOCA tonight was to present information about what was being proposed on the Bowie Mill site. Mr. Clarke stated that because of the detailed selection process they had gone through with the County, the plan being shown tonight contained very few changes from the plan shown a couple of years ago. The plan has been submitted to the County for rezoning to PD3. Mr. Clarke then went on to detail the time frame involved. Meetings were held in June and July and then letters were sent out to adjacent property owners. Mr. Clarke expected that specific plans would be sent out to associations and adjacent property owners within the next few days following the GOCA meeting. A development review committee meeting is scheduled for late September/October with various different departments whose comments would be taken into account. Mr. Clarke stated that modifications would be made based on the GOCA comments and comments from the development review meeting and at that point they would be willing to come back to GOCA to show modifications to the plan based on this input. They anticipated that this would be in the October/November timeframe. The Planning Board hearing was scheduled for December/January in front of the Planning Board and then in front of Hearing Examiner in January and expected a determination by the County Council in April/May.

Mr. Clarke detailed the plan from the site drawings he had with him. He went on to state that site would comprise of 30% market price dwelling units, 30% work force housing and 40% market housing. Mr. Clarke showed from his drawing the distribution proposed for the

housing, the approximate prices for the units and the approximate prices for the units. Mr. Clarke claimed that the environmental buffer actually got bigger. Mr. Clarke pointed out walking paths connecting the new development to existing developments. Not a requirement of the plan but something that will be included is perimeter landscaping in accordance with the comments the developers has received. Mr. Clarke hoped to have landscaping in the next plans presented based on comments received. Mr. Clarke stated that they were looking at possibilities for a teenage recreation area. Mr. Clarke said that not entirely under their control was the inadequate paving of Bowie Mill Road and the possibility of sidewalks along Bowie Mill Road,

Questions were asked about the density and the recommendations of the Master Plan. A question was asked as to what was meant by MPDU – moderately priced dwelling unit. Other questions raised were about the square footage of the lots for the market housing in relation to the size of the homes and questions about the integration and number of affordable units. Comments and concerns were raised about the lack of parking in the development; the lack of public transportation for the affordable housing; the lack of recreation in the central part of the community and no access to shopping because of the lack of transportation.

It was asked when they expected to break ground and how this would impact schools. It was proposed that ground would be broken at the end of 2011 approximately and they did not anticipate that the school population would become greater as driven by the annual growth policy and projections from the Board of Education.

Concerns were expressed about the current condition of Bowie Mill Road and the impossibility of making turns onto the existing road and how this development would impact Bowie Mill Road with extra cars and extra school buses.

Mr. Clarke and Mr. Reilly went on to point out that this was a County owned site and therefore did not have to follow the same rules as for a privately owned site. A determination had not been made as to whether HOC or non profit developers would be purchasing for rentals. It was pointed out that Norbeck Grove and Oatlands is having a problem with this right now.

Growth Policy

Arnie Gordon wanted to advise all present that at the September meeting of the Civic Federation they would be dedicating their whole program that evening to a discussion of the Growth Policy. The Civic Federation meeting is scheduled at 7:45 p.m. on September 24, 2009 at the County Council Executive Building 101 Monroe Street, Rockville, in the 1st floor rear auditorium. The Civic Federation was planning to vote and take a position on the growth policy at the end of the proposed discussion.

Sharon Dooley explained to the meeting what the Growth Policy is. Every 2 years the County Council decides on just how much growth they will allow. It is as the name sounds. Even though we are in a recession at the moment, projects can still get approved. The growth policy determines school capacity. If the capacity is reached then a moratorium is set. Currently Bethesda and Clarksburg have reached their capacity and are in a moratorium. That means no more building until the schools have been improved and classrooms added. The growth policy is concerned with buildings, roads, schools and public services including fire stations and police stations. Currently the growth policy allows for school capacity at 105%. 2 years ago the growth policy was proposed at 130% capacity meaning that schools could allow for 30% over capacity equaling a third more students in classrooms. This in turn led to over 700 trailers being used to accommodate students across the county. The current proposal for school capacity is 110% and the Civic Federation is proposing to oppose this. Those who are interested in learning more were directed to the Civic Federation website.

Sharon Dooley urged all present to become familiar with what is being proposed by going to the Park and Planning website. The new plan is also allowing Olney traffic to be more congested as we according to the plan are not transit dependant.

Sharon Dooley also urged people to become involved. Email representatives. Attend hearings. Let their feelings be known. The next hearing would be 9/22/09 and Sharon urged all to attend. By the end of November the new growth policy has to be defined.

Barbara Falcigno Resolution on and discussion of the Special Presentation – Proposed Bowie Mill Development

Barbara explained the rezoning proposal to go from 78 units to 117 units and from PD3 to R200. Barbara explained that this was a change in the law as zoning is law. She explained that it is a legal process and that involves the Hearing Examiner. If you want to be heard you either have to fax or mail because emails are not accepted for applications to be heard as they must contain a signature. The Planning Board staff will write a recommendation. Barbara felt that letters would be just as effective as being heard for 3 minutes at Planning Board meetings. Anything said to the Planning Board would not be part of the official record because it is the Hearing Examiner ONLY that comments need to be addressed to as it is the Hearing Examiner's recommendation and determination only that the County Council takes into account. Everything said to the Hearing Examiner, however, is shared with the Planning Board. The Hearing Examiner's hearing is scheduled for January 22, 2010 but can be changed if the developer changes something in the proposed plan. Hearing Examiner hearings are only on Mondays and Fridays and are booked up into February 2010. If this gets postponed it would jump into February and more likely March 2010. A letter would be received stating the change in date. The County Council is not present at that meeting. The County Council ruling is entirely based on the Hearing Examiner recommendations and determinations.

Those submitting on behalf of an HOA or GOCA have to submit a pre hearing package 10 days prior to the date of the hearing and have to comply with a host of documentation requirements. Barbara asked that if anybody is testifying on behalf of a group that they get in touch

with her and she will provide them what is required for the package. The Hearing Examiner determines how long the file will be kept open. It could be as little as 10 days or as long as 45 days. Once the file is closed no more submissions can be made to the Hearing Examiner.

The Hearing Examiner will then have 45 days in which to submit a report to the County Council and those who testify either in person or by letter will be sent a copy of the Hearing Examiner's decision. Anybody wishing for this in email should notify Barbara and she will get them a copy. This process is outlined on the Olney Coalition website right now. There could be 3 possible outcomes to the report – either a recommendation to accept, to decline or to remand back to the Planning Board. If you are not in agreement with the outcome of the report you can request for oral argument. That is when you may speak in front of the Council. No new information may be brought forth at this time but you can restate your testimony and any points they really need to consider.

Barbara then gave the address of the Hearing Examiner. There are only two examiners so all mailings should include the number G885 which is the name for this particular case. All correspondence, therefore, should be addressed to: Hearing Examiner for application G885, 100 Maryland Avenue, Room 200, Rockville MD 20850.

Barbara informed the meeting that she would be posting her entire testimony on the Olney Coalition website at www.olneycoalition.org well before Thanksgiving including numbers, graphs, and hard facts that get taken notice of by the Hearing Examiner.

Barbara Falcigno proposed a motion that GOCA oppose the rezoning of the Bowie Mill site from PD3 to R200 based on three major factors.

1. Compatibility - density
2. Environmental impact
3. Affordable housing units not well integrated into the community

The motion was seconded by Chuck Young of Olney Acres.

During the discussion it was pointed out that the County is not meeting the affordable housing needs. Several thousand are required but approximately 400 a year are being built. It was felt the since the County owned the property they had a great incentive to increase the number of proposed homes on the site. It was felt that this proposed development was totally incompatible with the rest of the surrounding area. Ellen stressed the need for correct language and statements.

Arnie pointed out that Mr. Reilly had referred to 4 sites in his presentation. Arnie wanted all to be aware that one of the sites in Potomac which was almost identical to the Bowie Mill property had been made into a park. Arnie also feels that the County should stick by their commitment to the 78 units and restated that the County can do anything it wants with its own land.

Karen Montgomery wanted to commend us for coming together as we have. She is extremely impressed by us. She urged us to use the technical points when writing testimony. She also urged folks to come to all meetings because each and every meeting has something that affects the community.

After discussion Ron Berger made an amendment to the motion giving GOCA the right to revisit the question should the development plans change in a material way prior to the matter being referred to the Hearing Examiner. All approved of the amendment.

The motion was voted on with it passing unanimously – 23 for the motion, 0 against the motion and 0 abstentions.

OFFICERS/COMMITTEE/LIAISON REPORTS

Treasurer's Report:

No report but approximately \$11,000 in the bank right now.

Correspondence Report:

Ruth detailed correspondence received from Our House amending their petition, Elm Street Development on the Bowie Mill site and a Williamsburg Village resident application for an accessory apartment addition to their home.

Chamber of Commerce Report:

Joe Buffington urged all to attend the Community Night and Taste of Olney to be held on October 7, 2009 at Longwood Recreation Center from 5:00 p.m. – 8:30 p.m. Joe had passed out Olney Community Maps and Chamber Business Directories and said these were available at Chamber member stores.

Olney Town Center Advisory Committee Report:

Olney Town Center Advisory Committee plan to cancel their meeting so that committee members can attend the hearing on the growth policy on 9/22/09 in lieu of their regularly scheduled meeting as members would be testifying. The OTCAC is working on their list of capital improvement projects mentioned at a previous GOCA meeting. Finished on an illustrative concept and now working on development guidelines which have to do with signage, sidewalks landscaping, etc. For example, they are discussing a provision for cafes to have outside chairs and tables on the wider sidewalks. Freeman and Harris have gone public with their plans to replace the cinema with a 52,000 square foot store, agreeing in principle to accommodate the Olney Farmer and Artists Market.

Civic Federation Report:

Arnie had left so no report.

Membership Report:

No report.

Transportation Report:

Dave commended Matt for being quoted in the Gazette on Environmental issues. Karen Montgomery reported of proposed detours on New Hampshire Avenue shortly due to ICC construction. Dave asked for those with sway with PEPCO to arrange to have trees trimmed.

President's Report:

Sharon urged everybody to attend the Community Night on October 7 and also to support the Farmer's Market.

ANNOUNCEMENTS:

No new announcements at this time.

The meeting was adjourned by unanimous motion at 10:30 p.m.

Respectfully submitted,

Lori Wilen

Lori Wilen, Recording Secretary

PEOPLE IN ATTENDANCE:

Regan Crump (Victoria Springs); Helene Rosenheim (Mid County RSC); Joe Corbett (Williamsburg Village); Greg Greseth (Briars Acres); Jane Nickerson (Olney Square, Daly Manor); Jim Smith (Oatland Farm); Amy Gearhart (Olney Square, Hedgegrove); Matt Zaborsky (Norbeck Meadows); Ruth Laughner (Williamsburg Village); Jim Haddow (Hallowell); Ron Berger (Norbeck Meadows); Lisa Stancik (Homeland Village); Bob Beard (Homeland Village); Steve Cohen (Oak Grove); Karen Montgomery (Delegate); Robert and Grace Grohs (Briars Acres); Amanda Partington (Office of Representative Donna Edwards); John Webster (Manor Oaks); Joe Buffington (Olney Chamber of Commerce); Matthew Leakan (Olney Village); Sergio Coelho (Oatlands Farms); Chuck Graefe (SEROCA); Lisa Mix (Oatlands Farm); Bob Epstein (Olney Acres); Carol Sullivan (Cherrywood); Heather Sutton (Olney Acres); Patti Abate (Oatlands Farm); Terri Hogan (The Gazette); Roger Segamish (Briars Acres); Larry Solomon (Norbeck Grove); Richard Artz (Olney Acres); Amy Martin (Olney Square); Diana Littlefield (Olney Acres); Mukesh Malik (Olney Oaks); Nancy and Ken Brown (Olney Oaks); Tom Hameski (Olney Oaks); Ed and Judy Goodwin (Olney Acres); Lori Wilen (Cherrywood); Louis Wilen (Cherrywood); Chuck Young (Olney Acres); Arnold Gordon (Norbeck Meadows); Mike Frye (Olney Oaks); Walter Lee (Townes of Environ); Ed Baxter (Olney Oaks); Cathy Murphy (Olney Oaks); Kimbelee Manns (Olney Square); Curtis Toliver (Olney Square); Ruth and Lowell Toliver (Olney Acres); Sue Robbins (Olney Library Advisory Committee); Audrey Partington (Olney LAC and Project Change); Benny Bienvenue (Our House and Chamber of Commerce); Robin Shea (Oatlands Farm); Rich Koski (Briars Acres, Daly Manor); Brad Brauch (Olney Mill); Howard Greif (Norbeck Grove); Dave Eskenazi (Norbeck Meadows); Christopher Doyle (Briars Acres); Mark Lavoie (Briars Acres); Linda Dunn (Norbeck Grove); Mike Ames (Olney Square); Hicia Rodriguez (Olney Acres); Mike Bingley (Elm Street Development); John Clarke (Elm Street Development); Robert Goldman (MHP); Steve Sprecher (MHP); Dow Katzew (MHP); Scott Reilly (Mont. Co. DHCA); Sharon Dooley (James Creek); Ellen Bogage (Victoria Springs); Barbara Falcigno (Olney Oaks); Deborah and Paul Vale (Olney Oaks)