



# Greater Olney Civic Association

Post Office Box 212 Olney, Maryland 20830

Our Website Address: <http://www.goca.org>

GOCA MEETING - November 14, 2000

The meeting was called to order by President Michael Kelley. Following introductions, the agenda was approved with no additions or deletions. and the minutes were approved with the addition of Ed Weisel's name to the list of people in attendance. Before opening the floor was opened to Public Comments, Mike welcomed the delegate from the Manor Oaks development that had recently joined GOCA.

-Ed Weisel commented that the new lane on Georgia Avenue beginning just north of Emory Lane has driven the level of service at Norbeck Rd to "Z". It has taken him as much as 5 light cycles to get through that intersection on several mornings. Mike Kay added that he thought traffic, in general, was heavier on Georgia Avenue now, and has backed up to Rte. 108. Mike indicated that he would ask Dave Eskenazi to check with the State on the light cycle. It was also noted that now that there is no acceleration lane on Georgia for cars from eastbound Emory going south on Georgia and it is difficult to see which lane the southbound traffic on Georgia is in. This has created a dangerous situation for the cars on Emory making that right turn. Rich Kopanda noted that the east-west movements seemed to have been resolved by the construction at that intersection. Joe Hess indicated that the still felt that arrows on the ground were needed.

- Rich Kopanda reported that no one from GOCA had testified about the proposed deer hunt to eliminate some of the overpopulation of deer in the County. However, North Creek did testify. Most of the testimony was in support of the deer hunt. The government gave a good explanation of the need for this hunt. They noted that the people doing the shooting can put 2 bullets in a half dollar at 100 yards. Prior to the shots, the Park Police will post signs warning about them, and they will warn people in the parks where the shootings will go on and then ticket them if they are still in the parks when they start. The shots will take place after dark, when no one should be in the parks, in the middle of the night between 2-3 am, using night vision scopes. The meat will be butchered and go to shelters. The park in the Norbeck Meadows/North Creek area goes up to Bowie Mill Rd. Joe Hess noted that they see a lot more deer around his property now. Where they used to see a few deer every couple of months, they now see 3-4 deer a week. He would like to have the marksman in his area where there is a 90 acre equestrian preserve as well. Rich indicated that the Park Police had set their priorities for the year for which areas to perform the hunts in, but he would give Joe the name of a person to contact. Ed Weisel noted that the deer are animals of prey, but have no predators in this area, and the deer have done extensive damage to the flora in the area

- Mike Kay reported that he had had a problem with a solicitor trying to get into his house. The solicitor had knocked on the door and tried to come in, but his wife would not let him in. He left and Mike kept track of where he was going. He called the police and they sited him with peddling without a license. Mike just wanted everyone to be aware that they need to be very careful about people posing as solicitors to gain access to their homes.

## SPECIAL PRESENTATION

The People's Counsel - What is it. - Mike introduced Mary Klauber, the Montgomery County People's Counsel to give an overview of what his position is. Marty began by stating that in 1991, the County Council enacted legislation establishing the positions and then amending in 1999 to provide funding for it. He was hired and began on January 3, 1999. The position was created for 2 purposes. There are 5 kinds of public hearings involving land use matters that he can participate in before the Board of Appeals and the Planning Board: rezoning, special exceptions, variances, subdivisions, and site plans. He can appear and testify at any of these types of hearings representing "the public interest" not representing an individual or civic association. In answer to the question, what is the public interest, Marty noted, "I know it when I see it." For example, in the case of the site plan amendment to reorient the restaurant on the Olney Theatre campus, he helped with the opposition because he knew of the original intent when the cultural zone was created and he felt the proposed change was inconsistent with that intent. In the case of the elderly housing project on Rte. 108 in which the road would only be a scaled down road after it goes to subdivision. The main issue with that case was what will be visible from Rte.108 now that the building has been scaled down and reoriented.

When he appears at a hearing it is to ensure that there is a complete record. The more testimony he can give and he can get out by cross examination of witnesses, the more we can hear and the more the decision-makers have to base their decisions on. He can't give legal advise and assistance to citizens and associations, but he can give technical advice, and he decides what is legal assistance. He felt that the Council did not create this position for the incumbent to say to the public that he cannot help them. He doesn't mind if people call him about other things than land issues. He has gotten calls on WSSC issues, cable box locations,

etc. He wanted to make it clear to everyone that they should feel free to call him. He added that he prefers phone and voice mail because he generally needs to ask questions to get enough information to see how he can help. He feels government has a responsibility to react to citizen concerns

There is a 3 ½ year sunset on the legislation creating his position which expires 7/1/2003. He hopes the Council will make it a permanent position at that point. That is what they did with the Inspector General position. They created it initially with sunsetted legislation and then after some experience with it, made it permanent. Mike Kelley asked if he had any jurisdiction over the Historic Preservation Commission (HPC). Marty indicated that he did not currently have jurisdiction to appear before them, but he can provide technical advice to parties appearing before them. He also, would not object to the HPC being added to a jurisdiction he has a right to participate in.

The following points were made during questions and answers:

- Mike Kay asked about the County Council action on the Victory Housing application in Cloverly after the Planning Board decision. Marty noted that the Council has not come to a vote yet. The application goes to the Board of Appeals next.
- Ellen Bogage asked that since he is an employee of the County Council, what happens if his position on a matter is opposite theirs. He noted that he could potentially take them to court since he is a party to any case he gets involved with and has standing to sue them, and he would if he thought he had a good basis for doing that.
- Most of the cases he has gotten involved with so far, he has gotten into them himself, deciding whether to get involved based on such things as impact of a case or it setting a new precedence
- Don Spence, the new chair of the Board of Appeals has made a number of changes, for the better, in the way the Board handles cases and how parties are treated. He felt that Don has done a fantastic job and Marty supports that where he can.
- Variances have become a problem. Often, attorneys do not fully describe what a variance is to their clients, and people are making an investment, then come to the Board of Appeals and don't really know what a variance is and the requests are denied. He is writing a brochure explaining all the burden involved and people will be required to read it when they file for a variance or inquire about applying for a variance. He also created a pamphlet called "How to Effectively Participate in the Subdivision Process" that will be distributed shortly; and he is doing one on the site plan process.
- Marty can give technical assistance with the master plan process. However, the process involved in working out a master plan is in and of itself in the public interest. It takes a long time and give people multiple opportunities to have input into the process and to influence the final plan. He recommended that we have a whole meeting dedicated to talking about what we want Olney to look and be like in 5 years and in 10 years; and setting our priorities for our community. He noted that master plans are just a guide, that site plans have more strength, and that master plans carry more weight in the Board of Appeals processes because of the Krahnke legislation.
- Ed Weisel noted that we had identified areas for elderly housing in our master plan in the town center area with better access to public transportation, commerce, and the hospital. Then a developer came in and showed that there was no market for elderly housing and got the zoning changed. Marty noted that now applicants have to show need, not market analysis. He did work to show differences between showing need and doing market analysis which can be done different ways and on criteria developed to show how needs analysis should be done.
- While he is only one counsel and there are many cases, he does have an assistant and, so far he has not been overwhelmed. He suggested that we should contact him right after the first contact with a developer if we think we need his assistance. He gets copies of all Board of Appeals applications, but he does not get all site plans. He only gets ones when he is a party to the case.

## **OFFICERS/COMMITTEE REPORTS**

**President's Report:** Mike Kelley reported that:

- A Department of Justice organization called COPS is offering a training class on community leadership that he and Helene Rosenheim are attending. There are still 7-8 slots and suggested anyone interested consider attending. Handouts on this and other courses they are offering were made available.
- In response to a question from the Manor Oaks delegate about what we are doing about increased vandalism in the area since they are not getting good response from the police; Mike noted that we used to have regular reports on Fire and Safety issues and representatives from the Police Substation attended periodically. He suggested that, perhaps, we need to invite them again.

- There will be a special meeting in January or February to kick-off the master plan review process. We will work with Khalid on the agenda and structure. First there will be a presentation at a GOCA meeting to outline the master plan review process and then we will have the larger meeting to get broader community input about our priorities for that review. We will be applying for a grant from the Mid-County Regional Service Center through their Community and Neighborhood Initiatives Program to help pay some of the costs in planning and executing this meeting. Khalid noted that the master plan process takes about 2-3 years.

**Correspondence Secretary's Report:** Ellen Bogage reported that:

- She will be circulating a new correspondence notebook she has set up with the current correspondence, newsletters, and agendas we have received,

- The correspondence of note includes a letter from the Sharp Street Church thanking us for participating in their annual Picnic and Parade.

**Treasurer's Report:** Roy Peck reported that:

- Our current balance in savings is \$2480.15 and in checking is \$880.

- There is a current unpaid balance of \$1,600 for the Olney Days Festival 2000.

- So far this year, our expenses are exceeding our income by \$1677.

- We have put together a new budget based on a fiscal year beginning in July. This was done because we have received a \$6,200 grant from the County for the Olney Days Festival 2001 and we want to match their budget cycle which begins on July 1<sup>st</sup>.

**Membership Report:** Rich Kopanda reported:

- There has been no change in membership.

- For next year, we need to think about actively approaching new associations and associations that are not participating actively.

**Transportation Report:** Dave Eskenazi reported:

- There will be a walk-through the following Friday of the various proposed alignments of the Brookeville Bypass. He and Rick Coburn are planning to attend.

- We were unsuccessful at keeping Norwood Rd open during the construction of the crossing with the Rte 28/198 connector. However, he had spoken with Al Genetti, Director of the County's Dept. of Public Works and Transportation, who indicated that the Parks Department is rethinking their decision to not permit the expansion of the Norwood/Ednor/Layhill Rd intersection onto their property. There is a funding issue because of some Federal agency involvement in the process, but Genetti thinks there will be a much better improvement to that intersection with the use of the Park Dept's land.

## **OLD BUSINESS**

**St. Andrew Kim Catholic Church Site Plan** - Mike Kelley reported that there will be a hearing before the Park & Planning (P&P) Planning Board on November 16<sup>th</sup> on the site plan for the St. Andrew Kim's Catholic Church. Khalid Afzal explained that this was for a technical clarification to amend a condition of approval for the plan as a result of the elderly housing project approved for the site. Jim Folk, who was unable to attend the meeting had the details on the plan, but it does not appear to be any changes except to include the information about the elderly housing project on the site. The plan had been sent to us by Victory Housing. The Board of Appeals put a condition for a full road to Rte. 108. The Planning staff also wanted a full road so that it would be in place when the adjoining property was developed and the realignment of Batchellors Forest Road this road connects to is built.

The Victory Housing plan only required a driveway from their buildings.

**Olney Theatre Development Plans** - Mike also reported that Gus Balmann, the attorney for Olney Theatre had called him to see if he could come to our December meeting an updated development plan for the theatre campus. Mike asked him to send a copy of the new plan as soon as possible. Gus indicated that in this plan the restaurant is being moved further from the houses in Arden Woods, closer to its location in the original plan. Khalid noted that they seem to be doing what the P&P staff had asked them to do by putting the building on the property line. There seemed to be more of a partnership in this plan with both the Theatre and Bill Miller, the developer of the restaurant/inn being joint applicants and with a condominium type arrangement on the part of the restaurant on the Theatre's property. Their hearing before the Planning Board is scheduled for

Dec. 14<sup>th</sup> and by our December meeting we should have the staff report. There was some concern about the fact that the hearing was only 2 days after our next meeting and that would not provide enough time for us to properly analyze the new plan and get comments to the staff for their consideration in their report. So, Mike Kay moved:

THAT GOCA SEND A LETTER TO PARK AND PLANNING REQUESTING THAT THE HEARING ON THE REVISED OLNEY THEATRE PROPERTY BE POSTPONED AT LEAST TO DECEMBER 21<sup>ST</sup> SO THAT WE CAN HAVE AMPLE TIME TO REVIEW THE PLANS PRIOR TO THE HEARING.

The motion was seconded by Joe Hess and passed unanimously.

**Upper Rock Creek Master Plan Review** - Rich Kopanda reported that the Upper Rock Creek Citizens Advisory Committee (CAC) had gotten bogged down on the issue of what their role is and the extent to which they can make environmental recommendations without more fully understanding these aspects. The main issue is a clustering of housing with sewer and water in an area where some residents do not want to see that level of density and one individual seems to be dominating the direction of the discussion. Their draft master plan was to have been done in November, but that has been delayed to January or February. Rich thought that the issues in the Olney master plan review should be more balanced and that we need to strategize about what we want to focus on. Khalid agreed that the process in the Upper Rock Creek area had been bogged down by one or two people.

**Olney Community Center Task Force** - Helene Rosenheim reported that she, Paula Kahla, and Elaine Barkley were going to meet with George Griffen, one of Duncan's special assistants, to present our proposal for a community center in Olney to house the Library, the Police substation, the Mid-County Regional Service Center's Olney Satellite Office, and the Olney Chamber of Commerce along with a Visitors Bureau the Chamber would like to establish. We hope to get the support of the County Executive and, hopefully, to get some planning money in next year's CIP. Natalie Cantor, Director of the Mid-County RSC has asked the County's Facilities staff to look at the site on Rte. 108 to see how feasible our proposal might be. Someone from their staff is supposed to be contacting Helene.

**Olney Chamber Community Night GOCA Survey** - Helene noted that GOCA had a table at the recent Olney Chamber Community Night event. As we have done in the past, we prepared a short survey that we asked people to fill out as they came by our table. There were 3 basic questions - two relating to the Community Center concept and reuse of the library building and one about the State Legislature redistricting suggestion presented by Yale Weisburg at the October meeting. There were 38 forms completed. Of those, the results were as follows:

Question 1 concerning creating the community center: 55% strongly agreed, 39.5% agreed, .5% had no position, 0% disagreed or strongly disagreed.

Question 2 concerning use of the existing library as a teen center: 43% strongly agreed, 30% agreed, 16% had no position, 3% disagreed, and 8% strongly disagreed.

Question 3 concerning redistricting District 14/14A to a district solely in Montgomery County with a senator and 3 delegates vs. the current situation with District 14 split between Montgomery and Howard Counties: 50% strongly agreed, 28% agreed, 19% had no position, 3% disagreed, and 0% strongly disagreed.

## **NEW BUSINESS**

**2000 GOCA Awards Nominations** - Helene noted that it is time once again to solicit nominations for the 2000 GOCA Awards that will be presented next March at our annual Awards Ceremony. She reminded everyone that awards are presented in 4 categories: The Howard J. Garber Memorial Citizen of the Year Award, Contribution to Community Awards, the Olney Heritage Award, and the GOCA Worker of the Year Award. Nominations are sought throughout the community, not just within GOCA and can be individuals including our youth, groups, and businesses that have made significant contributions to the Olney community. She noted that this is an opportunity for the community to express its appreciation to people who have worked hard to add to or help maintain the quality of life here. She encouraged everyone to either submit nominations or to let their friends and neighbors know about the Awards and to share the nomination forms with them. She also noted that it was important that we encourage people to attend the awards ceremony, particularly our delegates.

Nominations will be accepted until January 9, 2001 at our meeting. A ballot is put together from the nominations and ballots are mailed to our members in good standing. Ballots are tallied at our February meeting and the awards are presented the first Sunday in March at Longwood Rec Center. She will be placing a box at the Olney Library where people can submit nominations and they can also mail them to our PO Box or to Ron Berger, give them to any of the officers, or bring them to one of our meetings.

Respectfully submitted,

Helene Rosenheim  
Recording Secretary

**People in Attendance:**

Roy Peck, Michael Kay, Terri Hogan (Gazette), Bill Thewes, Joanne Karambellas, Ellen Bogage, Rich Kopanda, Joe Hess, Michael Reichgut, Ed Weisel, Art Brodsky, Khalid Afzal, Larry Konefal, and Helene Rosenheim.