



# Greater Olney Civic Association

Post Office Box 212 Olney, Maryland 20830

[www.goca.org](http://www.goca.org)

## MINUTES – June 10, 2003

The meeting was called to order by President Stephen Smet. Following introductions, the minutes were approved with a series of corrections made by Khalid Afzal to the summary of the presentation on the Greater Olney Master Plan and the addition of the name Dave Quirk to the list of attendees. The agenda was approved with one addition to Old Business and one addition to New Business.

### OFFICERS/COMMITTEE REPORTS

**President's Report** – Stephen Smet reported that the issuance of the draft master plan had been delayed and it is now expected that it will be released early in July. The earliest it would be presented to the Park & Planning Commission (P&P) Planning Board is July 11<sup>th</sup>. Then the Planning Board is off for August, so the earliest time for a public hearing would be in September which will give ample time to review the draft before any hearing before the Planning Board. He noted that the master plan will last for about 20 years and needs to accommodate change over that time. We have had some experience with the Upper Rock Creek Master Plan review process that will be useful in reviewing the draft master plan for Olney. There is an emphasis by both the County Executive and the County Council on high density housing and moderately-priced dwelling units (MPDUs) and we need to be mindful of that as we look at our plan. We also need to be mindful of rezoning by special exception. We need to focus on where we want development to occur. Most of the new development address by the draft plan will be in the town center area and in the southeast quadrant of Olney. One of our goals is to maintain the essence of the rural entryways into the Olney area.

He also noted that, with respect to the proposal for the reuse of Olney Elementary School, there has been a lot of communication between the Williamsburg community, GOCA, P&P, and Montgomery County Public Schools since the last GOCA meeting. GOCA and the community have always been concerned about maintaining green space and careful development.

**Correspondence Report** – Don Schmelter reported that we had received:

- a copy of a petition from the Sandy Spring Friends School to the Board of Appeals that basically followed what they presented at the last GOCA meeting,
- a copy of the notification from the County's zoning hearing examiner denying the request for a parking waiver for the Kirby elderly housing development on Georgia Avenue just north of Rte. 108. They are now requesting the opportunity to make oral arguments before the County Council which makes the final decision on their zoning application. They based their request on the concept that this is elderly housing and, therefore, has fewer drivers. What Jeff Kirby requested is consistent with what he presented to GOCA. The zoning application was also denied because it was based on the parking waiver.
- An acknowledgement of receipt by P&P of our correspondence on the E. Norbeck Local Park with a notation that they are now considering the situation.

**Treasurer's Report** – Roy Peck reported that the current balance is \$8,693.22.

**Olney Chamber of Commerce Report** – Joe Buffington reported that they are still working on finding a way to get donations for the Police Substation through a charitable organization and then to the police.

**Membership Committee** – John Lyons reported that the response to the dues letters has been slow, but are still coming in. So far, we have received replies from 15 associations, several of which included additional donations for Olney Days. Helen Dodson suggested doing some outreach by going to the homeowners and civic associations meetings.

**Land Use Committee** – John Lyons also reported there are no current development plans for the Silo Inn property, but GOCA may want to discuss this soon to be sure that the Dept. of Permitting Services does not grant building permits based on what we believe is their misinterpretation of the grandfather provisions of the zoning ordinances. He also noted that the proposed rezoning in the draft Master Plan for the southeast quadrant will need to be addressed. Roy Peck noted that there is now a sign up on the property stating it is available for leasing. Stephen Smet added that Harvey Maisel does have a development plan that only uses the C-2 land on the site, but Maisel has not shown it to anyone in GOCA yet. Stephen noted, too, that GOCA is putting together a letter to the Dept. of Permitting Services (DPS) regarding our difference of opinion with their interpretation of the status of the abandonment of the grandfathered use. The DPS indicated that the time clock on the 6 months a grandfathered use must be out

of operation before it can be considered abandoned begins when their office is notified that a use has been abandoned. We have found case law that supports our position that the six months period begins when the use is abandoned, regardless of when DPS is notified.

**Transportation Committee** - Dave Eskenazi reported that he had received a call from Greg Cooke with State Highway Administration in connection with the road clubs for the following intersections: Rte. 97/108, Spartan Rd. and Rte. 97 and Spartan Rd. and Rte. 108. Dave had indicated to him that the community was opposed to the changes being proposed for the Rte. 97/108 intersection and felt that there was a greater need for improvements at the Spartan Rd at Rte. 108 and to a lesser extent at Rte. 97.

## Public Comments

Boy Scout Troop 89 explained that they were at the meeting to observe as a part of earning their civic badges.

## OLD BUSINESS

**Report on Olney Days Festival** –Helene Rosenheim reported that generally speaking the weekend was a success, but only about half of the events survived the rain. The Olney Community Band Concert and the Mr. & Mrs. Olney Contest gave the weekend a fun beginning. But, she speculated that because people are used to it being outdoors, many people did not realize the event was indoors. So the crowd was a bit smaller than she had hoped for. But the Band played beautifully, as always, including their newer Jazz Ensemble and Dixieland Band. The Mom's Club did a great job with the Mr. & Mrs. Olney Contest. Both the contestants and the spectators had a good time. Joe's Ride in Memory of Olney's Kids on Saturday morning was a phenomenal success. Bobby and Sandy Fletcher and their committee did a great job organizing the event. They had 41 people registered for the 40K ride that braved the rain and the cold of the early morning hours. There were around 300 people preregistered for 10K ride and with the rain causing many soccer and ballgames to be canceled they ended up with close to 400 riders. The Bike Rodeo for the younger children was equally well attended and enjoyed. She thanked the US Park Police for their help running the Rodeo. Activities at Olney Manor Park except the Home Run Derby did go off, but the crowds were very small. It rained lightly off and on most of the afternoon and evening. But it never rained hard enough for the fireworks company, Zambelli, for the fireworks shooter to cancel the display. So, after coming close to deciding to wait to try to shoot the fireworks on Sunday evening, we decided to go ahead with them. We were somewhat vindicated because people did finally begin showing up between 8:00 and 9:00 when the fireworks were shot off. We had decided at one point to shot them off a little early, but the fire marshals had to leave in response to a fire alarm and we had to wait for them to return. But, that worked out okay, because a lot of people arrived while we were waiting. We ended up with a respectable crowd, but clearly one that was just a small percentage of the number we usually get. Sunday morning about 40 hearty fishermen and ladies came out for the Fish 4 the Cure Fishing Tournament which raised about \$1,600 for the Children's Inn at NIH. The donations raised by Joe's Ride coincidentally were also given to the Children's Inn at NIH. Each year the Joseph Patrick Sanford Foundation started after Joe died will decide which charity to give the donations from the Ride to. A little later Sunday morning about 20 cars showed up at Fletcher's Amoco for the Car and Truck Show, about half the number pre-registered. But after struggling with a decision for about an hour and a half, the decision was finally made that it was too wet and especially too cold for the Parade and the Bar-B-Que. We found that we will have to make that kind of decision a little earlier because by the time we made the decision at noon, the deadline for when we had said we'd make the decision, some of the people were already on their way to the staging area and even some spectators showed up, and some volunteers showed up to help set up the tent for the Bar-B-Que at the Buffington Building. Overall, she was pleased that they were able to hold the new events and that they were successful and that some of the repeat events came off. She thanked all that had helped with the event and all those who helped sponsor the event, especially Fletcher's Amoco and the Good Earth Garden Center who sponsored the fireworks and the many civic associations that are members of GOCA who made donations towards the Festival.

**Draft Greater Olney Master Plan Update** – Stephen Smet noted again that they expect to present the draft master plan to the Planning Board on July 11<sup>th</sup>.when they will set a public hearing date. After the public hearing, the Planning Board will hold a number of work sessions, with no testimony, where they discuss issues they have questions about, often requesting that the staff develop additional information. Following the work sessions, they will approve the draft as they have modified it and send it to the County Council for final approval. The Council will also hold a public hearing and will determine if they want to make any additional changes to the draft.

Stephen noted that the language relating to Olney Elementary has been modified to say that if the school is disposed of by MCPS, it should be used as a civic center housing such organizations such as the Olney Library, the Mid-County Regional Services Center's Olney Satellite office, and the Mont. Co. Police Olney Satellite Facility, a Visitors Center run by the Chamber of Commerce. One Williamsburg Village resident preferred that there not be any reference to Olney ES in the master plan, but Stephen indicated that we needed to see what the language says when the draft is finally released. John Lyons noted that the other schools in the area are not being considered because they are not in the town center area which is where the civic center needs to be and reiterated that all of this begins with the school system indicating that they do not need the school site any longer. But by going through this process now and including this information in the draft master plan provides an opportunity to express an intention to have a civic center in the town center area to provide a cohesiveness to the community. In response to a question about including other sites as options for the civic center, Khalid Afzal, the P&P staff leader for the Olney Master Plan review

project, noted that he had focused on this site because it is publicly owned. Other sites considered were privately owned and would be extremely costly to use for this purpose. It would not be against the Master Plan to use commercial property for the center, if there was a large enough space and a decision can be made at that point if it is appropriate. It will take about 4 – 4 ½ acres to include all the proposed uses. Helen Dodson moved that

**GOCA CONSIDER RESCINDING THE PREVIOUS MOTION PASSED AT THE NOVEMBER 2002 MEETING SUPPORTING RELOCATION OF OLNEY ES TO THE UNUSED BOWIE MILL RD HS SITE.**

The motion was seconded by Roy Peck. The consensus of the discussion was that it would be better to wait to see the actual wording in the draft master plan before taking a formal position. The motion carried unanimously.

Stephen noted that a public hearing on or after Sept 11<sup>th</sup> would give us August and September to discuss the draft master plan and proposed that we plan to have a meeting in August even though we do not normally have one then. Everyone agreed this would be appropriate.

Ken Cusick noted that the Williamsburg Village CA had forwarded several resolutions for consideration by GOCA. He wanted to clarify their association's position. If the school system decides that it does not need the Olney ES building, they would not want a multiple-story office building on that site and felt that a feasibility study for using it for a civic center would be appropriate, but they would not like to see a road across the site from Morningwood Dr to Queen Mary Dr. They also want the site to retain the amount of open space that currently there and that the use of the site take into consideration that it is the edge of the core town center area and is contiguous with a residential area.

**NEW BUSINESS**

**Proposed Zoning Text Amendment Eliminating Neighborhood and County Need Requirements for Special Exceptions –**

Helene Rosenheim reported that it turned out that this amendment would have limited to no impact in the Olney area because it applied to zones that did not exist in this area. Khalid Afzal noted that this amendment had come from Park & Planning's Research Division staff because they felt there was no way to differentiate need from demand. They have not been able to develop a real measure of the need for proposed uses, and what has happened is that they end up considering a more marketing type of assessment of demand. They felt that wasn't really what the ordinance was trying to consider. Failing to have a real way of measuring need, the staff felt it was better to not consider this. However, the Planning Board did not agree and voted to not recommend approval of this zoning amendment to the County Council.

**FY2005 CIP Budget Recommendations for the Greater Olney Area –** Helene R. noted that the Capital Improvements Projects budget is on a bi-annual cycle and the budget for the 6-year period from FY2005- FY 2010 is currently being developed. This budget covers the construction and maintenance of County facilities and roads, including sidewalks and hiker/biker paths. Each County agency makes recommendations for projects within their jurisdiction that should be included in the budget to the County Executive who then synthesizes their recommendations into a budget he forwards to the County Council who have final approval authority. In the process of making his decisions considers the recommendations from each of the 5 regional citizen advisory boards for their priorities. In preparation for making their recommendations to the County Executive, the Mid-County Citizens Advisory Board (CAB) is hosting a public forum at which agency representatives outline the projects they intend to propose to the County Executive and the public is given an opportunity to state what their priorities are either among projects proposed by the agencies or other projects they want to suggest. The CAB is interested in hearing what GOCA's priorities are. The following items were identified: a community civic center, a skateboard park, development of passive uses for Cashell Local Park, keeping renovations of Cashell ES be kept on track, sidewalks in a number of locations, a hiker/biker path on Emory Ln. from the end of the existing path to Muncaster Mill. Gymnasiums at any of the elementary schools in the area that do not have them yet. Lighting on some trails that are in more secluded areas, and street lighting on a number of streets in Williamsburg Village. The information will be presented at the CAB's public forum on the following Tuesday.

**Request to Rename Olney Manor Park's Ballfield #4 for Bill Tait –** Helene Rosenheim noted having seen a item in the agenda for the Planning Board relating to a proposal to rename one of the ballfields at Olney Manor Park for someone named Bill Tait, she contacted the Parks Department to find out more about it. She was only able to exchange voice mail messages with Carolyn Wainwright in their community outreach office, but she did learn that members of the Seniors Softball League that play at Olney Manor Park had requested that Ballfield #4 be named for Mr. Tait, a team member who has been very instrument in initiating their league and planning their tournaments. Carolyn indicated in her message that the Planning Board did not approve the request, but she did not explain why.

**Zoning Text Amendment 0309 –** Susan Petrocci noted that there will be a hearing before the County Council on this zoning text amendment. It applies to requiring the provision of moderately-priced dwelling units (MPDUs) to large lot developments if they are changed from septic to public sewer and water. This approach is driving a lot of the density increase in the Upper Rock Creek draft master plan. It will also affect areas such as Burtonsville, Potomac, Cloverly, Damascus, Sandy Spring, and Olney. She thought GOCA should testify since it could have a significant impact in Olney if it passes.

Khalid A. noted that currently MDPUs are not required in the RE-1, RE-2, RNC, and RE-5C zones with sewer as with other zones. The County Council and the Planning Board are looking for more opportunities to introduce more MPDUs into the County's stock of MPDUs. They are proposing to require developments in the RE-1, RE-2, and RNC zone with sewer with 35 or more units include a minimum of 12 ½% of their units as MPDUs, with a bonus of 22% additional density with a maximum of 15% of the total number of units being MPDUs. Master plans will define area that should be developed with sewer. Then if a developer applies for sewer rather than developing with septic fields with 35 or more units, they would be required to include MPDU units..

Sue P. noted that in the Upper Rock Creek area, they have language to keep sewer envelop that hasn't changed in 40 years. This legislation pushes the community to open some areas which will change the character of the area as well as the setbacks and building heights. Khalid noted that the master plan for the Upper Rock Creek could move forward without the zoning text amendment. If the amendment passes, it will have an effect countywide for property currently not sewer, but that come in for a sewer category change to public sewer and water. Chuck Young stated that this amendment would change those large lot areas with large green spaces between Olney and Gaithersburg to large lot areas with pockets of high density development. Susan added that the issue in the Upper Rock Creek master plan is the density impact of the zoning text amendment. For example, with the Casey property, with septic the yield is 85, with sewer, but without this amendment the yield is 136. with the current MPDU formula the yield is 186. But with this new bonus formula, the yield becomes 210.

Khalid noted, in response to a question, that most of Olney would not have MPDUs with its current zoning and without this amendment. Olney is in the midrange of percentages of MPDUs at approximately 4% more. Stephen S. added that the community hopes that the MPDUs in the Kirby development will count for a lot of Olney's MPDUs. Khalid added that they are looking at extending the 10 year time frame before MPDUs revert to market value as a way of expanding the stock of MPDUs.

Dave E. added that, if we have concerns about this particular approach, we need to make it clear that we do not oppose the general concept of MPDUs, just this approach. It was also noted that we seem to be caught between two public policies – 1. limiting growth to what can be supported; and 2. providing affordable housing. The latter is a current policy and it is one that is supported by the current Council which is actively looking for ways to accomplish this. Given the current political reality and Olney's history of approving mixed housing, just arguing that it will increase density is not a good enough reason for the Council to not approve this because they know this will increase density. We may need to look at why MPDU's were not used in large lot zones before. We may need language in the master plan to tie that together with adequate public facilities needs. Ken Cusick felt the County's approach seemed arbitrary and they want to put them wherever they can despite the impact. Chuck Young felt that while he supports MPDUs, this amendment should be opposed because it puts high density in the green space wedge. Khalid suggested that sewer is a big bonus, so if a developer gets sewer which is a public service, that developer should give something in return for that benefit. Why should large lots that are getting this benefit, not give something in return. He noted, as well, that the County is already putting extra density near Metro and they are just looking at other options for finding new sources of MPDUs, especially since many now in the program are nearing that 10 year time restriction and will be dropping out of the program. Stephen concluded the discussion by noting that there was not sufficient time for GOCA to analyze the real impact of this proposed text amendment and take a position at this meeting, but strongly suggested that our member associations consider testifying at the public hearing on the zoning text amendment on June 17<sup>th</sup>.

Following a few announcements, the meeting was adjourned.

Respectfully submitted,

Helene Rosenheim

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Recording Secretary

**People in attendance:** Khalid Afzal, Jackie & Danny Benn, Ron Berger, Joe Buffington, Alison & Joe Corbett, Ken Cusik, Helen Dodson, Dave Eskenazi, Mark Feinroth, Madelon Halula, Robert Hausman, Terri Hogan (Gazette), Jack Kerekes, Chuck Keyserling, John Lyons, Karen Montgomery, Astrid Pages, Roy Peck, Susan Petrocci, Ellen & Dave Quirk, Helene Rosenheim, Don Schmelter, Stephen Smet, Clare Smith, Lisa Stanch, Deborah Stevens Panzer, Herman Taylor, Chuck Young, and members of BS Troop 89.