

MINUTES – July 12, 2005

The meeting was called to order by President John Lyons. The June 2005 minutes were approved with one correction (pg. 3, changed to April 20th to June 20th) and no additions. The agenda was approved with no additions.

PUBLIC COMMENTS

- Arnie Gordon noted that the 3rd Annual Jazz Reception and Dinner for Delegate Anne Kaiser will take place on the Porch of the Actors' Residence at Olney Theatre on July 20th as a fundraiser for Anne. And on July 16th there will be a fundraiser for Ike Leggett at the home of the Offrits.
- Arnie Gordon also noted that the State Highway Administration (SHA) has done a good job with managing the closure of Muncaster Mill Road south of Emory Lane to Norbeck Road, especially extending the light cycle at Georgia Ave and Emory Lane. There have not been any real backups on Emory.

OFFICERS/COMMITTEE REPORTS

Correspondence Report – Jay Feinberg indicated that he had no report.

Treasurer's Report – According to the report Roy Peck emailed to GOCA officers prior to the July meeting, GOCA's current balance is \$5,987.96. Helene Rosenheim noted that we had received a \$2,000 check from the Joseph Sanford Foundation from the entrance fees for Joe's Ride during Olney Days.

Olney Chamber of Commerce Report – Joe Buffington reported that National Night Out will take place on August 2nd at the Olney Town Shopping Center. They expect around 3,000 people. It will include a 5K Run, Photo IDs for children, food for sale from California Tortilla and Mama Lucia's, and Kenney's Snowballs. He thanked Carl Freeman Retail for letting the Chamber use their shopping center lot for this event, and noted that they have won awards for this event each year since they started organizing them.

Civic Federation Report – Jackie Benn reported that the Civic Federation did not hold meetings in July or August. Arnie Gordon noted they are in the midst of a membership drive and encouraged each local civic/homeowners association in the Greater Olney area to consider joining Civic Federation. This will give the Civic Federation a stronger, more unified voice as we go into an election year. They are currently down to 65 member associations from 120. They have delegates who are very authoritative on a variety of countywide topics, represent the community before the County and the State Legislature, and are an excellent resource.

Membership Committee – Art Brodsky reported that we had received dues from the Towns of Environ, but had not received their membership form yet. And, he is continuing to contact a few organizations such as Hallowell.

Land Use Committee – John Lyons reported that yesterday's announcement about the ICC effects four developments in the area such as the Washington Christian Academy site. If the State goes with the southern alignment, the Academy can move ahead with their development plan. Two big parcels in the southeast quadrant had filled either preliminary or pre-preliminary plans with P&P in preparation for the completion of the sectional map amendment process implementing the new Olney Master Plan. One consists of 42 units and exits on to Old Baltimore Rd and the other has 37 units that exit on to Batchellors Forest. Also, Good Counsel High School has begun development.

President's Report - John Lyons reported that

- He had recently spoken to Khalid Afzal, Maryland-National Capital Parks and Planning Commission (P&P), who indicated to him that P&P is experiencing a major administrative crisis as a result of the problems that have surfaced in the development of Clarksburg. Everything is moving so fast and so much is going on that it is difficult to keep track of it all. Khalid did not think there were any similar kinds of problems in Olney, but John felt that we would have to keep a careful eye on things as things are developed here. Arnie Gordon suggested it might be useful to form a committee that included some engineers and lawyers, etc. to oversee future development under the new Olney Master Plan. Sharon Dooley noted that she had attended the P&P hearing on Clarksburg and one key question that was discussed was the meaning of a "story". She thought Khalid had said a residential story was 10 ft., and a commercial story is typically 12 ft. John noted that the language in our plan had been

changed from a number of stories to specific feet, so that should not be an issue in Olney. In John's conversation with him, Khalid indicated that this was a personnel matter that could become a criminal matter, but the staff does not know all the details. It is a question of the intent behind the changes.

- GOCA had received a complaint about the lighting on the Kirby retirement community site on Georgia Avenue. Several GOCA officers have observed the light and found that it is very bright with no opaque top so the light radiates out in 360°. There is not a lot that can be done legally, but as Khalid Afzal suggested, GOCA will be trying to communicate with the developer.

- Nothing new is happening with the special exception application for the Winchester School on Georgia Ave near Rock Hill Rd. The Board of Appeals is moving ahead with the processing of the application. The Board has set a date for closing the record.

OLD BUSINESS

Private Institutional Facilities in the Agricultural Reserve – John Lyons noted that no one was at the meeting from Laytonsville that evening, but he did not think that anything new was happening with Laytonsville's effort with respect to this issue. Sharon Dooley noted that the County Council had received the report it had requested related to the issue of private institutional facilities in the agricultural areas and it included issues with run-off and no large lots. Del Montgomery added that we need to rethink this whole situation and noted that there are sites in Olney that could be subject to this type of mega-development, such as a property on Georgia Ave just south of Rte. 650 owned by a church that began with one building. The church now has 9 buildings, has increased traffic, and the facility is also used by local scout troops. She called the County Council, which indicated that they did not have any jurisdiction on the development. .

ICC Update - John Lyons noted that the announcement made the previous day by the State regarding the Inter-County Connector (ICC) in terms of the route that will be selected was a significant step in this process. John Kramer of The Preserve at Small's Nursery reported that they now have a meeting with Neil Pedersen of SHA later in July to continue their discussion of the interchange at Georgia Ave. In addition to John Kramer, John Lyons will represent GOCA, and there will be representatives from the Norbeck Rd area (Cary Lamari), Brooke Manor Estates, and Longmead Crossing. They are also trying to contact Norbeck Meadows and Sycamore Acres to send representatives. John K. has spoken with Khalid Afzal to get information on the spirit and intent of the design of Georgia Ave in the Olney Master Plan as a rural entryway. SHA's analysis has determined that an underpass at this interchange would cost \$20 million more than the proposed overpass. However, their group proposed an alternative that did not require that the underpass be dug as deeply as proposed by SHA and should not represent as much of a cost increase..

John Lyons reported when he attended the early SHA meeting, he made it clear that (1) GOCA opposes the ICC and his presence at the meeting should not be misconstrued as support for the road; (2) however, if the road is going to be built, the community has strong feelings about the design of the interchange with Georgia Avenue, and (3) the community is very concerned that the Rte 28/Rte 97 intersection improvement project is being back-burnered because the ICC project will add traffic to that intersection and the improved intersection is one of the assumptions in the study of the ICC. Ed Weisel suggested that GOCA should be putting together a laundry list of concerns such as increased traffic on Georgia Avenue and the impact of the increased traffic on the ability of emergency vehicles to get through the area. John L. suggested, however, that the meeting on the 29th should be limited to discussion of the interchange itself, and that the discussion should not be diverted to other issues. These other issues should be addressed separately. Chuck Keyserling suggested that if the Rte. 28/97 intersection is not improved now, traffic will back up onto the ICC because enough cars will not be able to get through that intersection.

Some of the points made during the discussion of the ICC were as follows:

- The decision announced the previous day is just the State selecting a route for the ICC
- The State now goes to the Federal Interagency Coordinating Committee that makes the final decision on the environmental impact statement (EIS).
- The project schedule advertised by SHA is to complete the EIS during the summer 2005 and seek a final decision on the route. The press release the previous day indicates the final EIS will be issued by the Fall and a decision will be made by the Federal agencies by the end of the year.
- There are still questions about how the State will get public comments on detailed designs within a year when it has taken three years to get comments on one intersection. Based on the experience with Rte. 29, it could take about 2 years to build an interchange.
- GOCA needs to work hard to ensure that the Rte 28/97 intersection and the ICC be built simultaneously.

- Without some political pressure, it is not likely that we will get the desired decision on the Georgia Ave interchange design.
- Joe Buffington will raise the question of the design of the interchange with the Chamber to see if they will support GOCA's position.

NEW BUSINESS

The Development Controversy in Clarksburg - John Lyons noted that Clarksburg had about 1,500 units and with their new development plans would end up with 5,500 units. The design for Clarksburg involved long-term planning, multiple developments, and multiple builders. Some people initially got upset because the original plan called for a pedestrian trail connecting an historic church with the new town center area that was not only not built, but a building had been built where the path was to have been. As they looked further, people realized that many buildings are built taller than the plans called for. They found that the plans had been changed without the public realizing it. A P&P staff member admitted that he had changed feet to stories. There was a question of who was responsible for the implementation of the plan, P&P or the Dept. of Permitting Services because it was a floating zone so there was not sufficient oversight of the implementation of the development plans. Since the situation was discovered, the person who made the changes to the plans has resigned.

The planning process in Montgomery County is an administrative nightmare, is a complex process and there are procedures and rules that are in conflict with each other. This provided opportunities for misinterpretation and staff did not check and verify assertions made by developers and their representatives about their interpretations. Sharon Dooley noted that she had attended 3 hours of the 10 hours of hearing on this issue. During that time, the P&P staff reported on the planning process and Clarksburg residents spent an hour going through all the original plans and agreements. The residents also pointed out things the community had been told would be done to preserve the feel of old Clarksburg buildings and town center. The whole context of the town center is not there and many promises the community bought into are not there. Developers suggested that the changes made to the plans were simply minor changes that the staff had the authority to make without any kind of public review. Lawyers for developers tried to suggest that any mistakes in the way the developments were built were inadvertent mistakes. Developers were very conciliatory, suggesting that they want to do the right thing.

P&P has hired outside contractors to review their planning procedures. Most site plan review processes do not provide for much public comment. Preliminary plans and subdivision plans are places in the process for greatest public input. Most of the changes in the case of Clarksburg were done in a non-public setting. P&P may need to add an opportunity for public comment before site plan changes go into effect. In Olney, the town center and the southeast quadrant are going to go through massive changes and John suggested that the community should have an opportunity to have some input on the details of those development plans.

Art Brodsky was upset at the reaction of shock from the County Council over this situation, since the Council made significant changes to the Olney Master Plan at the end of their review that discounted the recommendations of the P&P staff and the Planning Board. John added that the County needs to make sure the public has an opportunity to speak to these outside consultants reviewing the process. Now the Development Review Committee is the developers' first formal opportunity to interact with the P&P staff, but the public is not usually invited to those meetings. They are not excluded if they are aware of the meetings and ask to be included, but they do not get to participate in the discussion. He added that we need to make sure that the advisory committee the master plan directed to be created to oversee the development of the town center works as effectively as possible. Brenda Egeland noted that when we asked Khalid about details of the town center design, Khalid indicated that those details would be addressed in the site plan process and that seems to be what didn't happen in Clarksburg, so we need to be careful and watchful from the outset.

Following John Lyons reminder that there would not be a meeting in August, the meeting was adjourned.

Respectfully Submitted,

Danny Benn

Danny Benn
Recording Secretary

People in attendance:

Glnia Agiola, Theresa Barczy, Danny & Jackie Benn, Ron Berger, Art Brodsky, Joe Buffington, Sharon Kay Dooley, Brenda Egeland, Dave Eskenazi, Jay Feinberg, Arnie Gordon, Liza Gutierrez (Gazette), Robert Hausman, Delegate Anne Kaiser (Dist.14), Chuck Keyserling, Dean Kimmel, John Kramer, John Lyons, Delegate Karen Montgomery (Dist 14), Astrid Pages, Susan Petrocci, Dave Quirk, Keith Robinson, Helene Rosenheim, Don Schmelter, Alan Schulman, Robert Sigillito, Del Herman Taylor (Dist. 14), L. Anthony Waktins, and Ed Weisel