



DRAFT MINUTES – October 10, 2006

The meeting was called to order by President John Lyons. Approval of the September 2006 minutes was tables as the minutes were not available yet. The agenda was accepted with one addition.

Introduction of New Montgomery Co. Police Dept. District 4 Commander – John Lyons introduced the new District 4 Commander, Capt. Nancy Demme. Capt. Demme noted that she had served in the District as a Lieutenant so she was familiar with the Olney community. She has been with the Department for 23 years and she felt that she had made more of a difference during the years she was stationed in this District, so she wanted to comeback. She is currently enrolled in a graduate level Homeland Security course which she will complete within about 6 months. Most of her experience has been in investigation, vice and intelligence. So, initially she will be relying on her lieutenants for their experience with patrolling. She is very interested in partnering with other agencies within the County and outside of the County because there are issues and problems that other agencies can impact for example, through code enforcement or passage of new legislation that help the police address an issue. She is looking at some traffic engineering issues at Georgia Avenue and Emory Lane in an effort to eliminate some traffic hazards there. They are still working on dealing with speeding issues on Georgia Avenue. There were some changes to the lieutenant structure in the District about six weeks before she came on board, but she has not made any changes. There is a philosophy for career development in the County is to rotate people. She has had extensive discussions with Capt. Walker about issues within the District and in Olney. John Lyons noted some of the concerns GOCA had discussed with Capt Walker over the past few years with respect to the Olney Satellite station and the impacts on quality of life because of the apparent increase in criminal activity in Olney, recognizing that even with the increase we are still not talking about “serious” criminal activity.

SPECIAL PRESENTATION

Status of and Plans for the Olney Shopping Center - John Lyons introduced Pat Sandlin, B. F. Saul's property manager for the Olney Shopping Center on the southwest corner of the Rte. 97/108 intersection. Pat noted she had been at GOCA's July meeting. She distributed some copies of proposed changes to the signage for the shopping center. They are interested in replacing the old pylon sign with a more contemporary sign closer to the corner that they feel will improve the appearance of that corner. If they receive a preliminary approval from GOCA, they will proceed with surveying the corner for the precise location of the new sign. B. F. Saul is also planning to make some improvements to the shopping center. Ms. Sandlin has included a number of improvements in her budget request for the coming year, however they have not been approved yet. They include repainting the entire shopping center including the roof and repaving the rear parking lot. She is currently working on getting trash compactors in the rear parking lot to replace the current trash dumpster.

The following are some of the points made during the discussion of Ms. Sandlin's presentation:

- The location they want to use for the sign is in the State right-of-way. They are requesting a preliminary approval from GOCA. Once that is obtained, they will request approval from the State Highway Administration to use their land for the sign. If the State approves the use of the land, they would then remove the pylon sign and build the new one. However, it does not appear that the State will approve it without GOCA's concurrence.
- The sign will be perpendicular to the corner, but should be set back far enough so that it will not obstruct the view of drivers approaching the corner on Rte. 108 from the west.
- B.F. Saul would maintain the area around the sign
- While she was not involved in the design of the sign, it is Ms. Sandlin's understanding that they went with a simple design to compliment the existing architecture of the center, the intersection, and surrounding community. It is intended solely to serve as an identifier for the shopping center. They did not use any bright colors, do not intend to list names of tenants, and will not use it for any advertisements.

- They do not have any plans for any major renovations. Following the renovations proposed for the upcoming year, she hopes to repair and repaint the stairwells to the second floor and replace the directory signs in the lobbies.
- Ms. Sandlin is interested in working with the State on the possibility of getting a traffic light at the entrance on Rte. 108.

PUBLIC COMMENTS

- John Austin announced a District 14 Republican Candidate's Forum on October 24th.
- John Clifford, a Hallowell resident and member of the Sherwood Elementary PTA relayed the PTA's concerns about the inability of the school to meet anticipated growth. Karen Nelson noted that this school has one of the largest geographic boundary areas of any elementary school in the County and just driving through their boundary area they have identified 261 homes in the development stage beyond the projected numbers. There are already portables at the school and currently there is no funding in the school systems budget for an addition to Sherwood. If there was something in the budget now, the earliest it could be constructed would likely be 4 years because of the scope of the project. The PTA intends to request that the Superintendent amend the current budget to include funding for an addition to the school. There is a Board of Education hearing in mid-November that the school is trying to get a good turnout for to show support for the request and they are reaching out to the larger community to support this effort. The Sherwood Cluster will be commenting on their support at the November hearing. It is also unlikely that the overcrowding could be remedied by changing boundaries within the cluster because there is not enough capacity at the other schools to carve out a community that could be redistricted. Plus, Sherwood was involved in a difficult redistricting process about 10 years ago and it is unlikely the school system would want to do one now.
- Del Karen Montgomery wanted to make people aware of problems that can result from individuals or communities hiring companies to do yard work or home repairs, etc that are not properly insured. If workers get injured on the job and the companies are not properly insured, the companies may try to pass the expenses back onto the community or homeowner. So she stressed the importance of making sure people you hire are properly licensed and insured.
- Ed Weisel noted that recent statistics show that the Norbeck Rd/Georgia Ave intersection is failing and will not be improved by the construction of the Inter-County Connector. It will only be improved above failing by construction of the proposed underpass. He noted that some of the candidates for the District 14 and 19 State Legislature seats have supported this project, but not all. Roy Peck noted that he had learned at the last Civic Federation meeting that the project is currently 6th on the County's list of State road projects. However, it will not be built without State funding and, currently, the State does not plan to fund it before 2030. John Lyons noted that this has been a high priority for GOCA for several years, but we have not gotten much of a positive response to our requests.

OFFICERS/COMMITTEE REPORTS

Treasurer's Report – Roy Peck reported that the current balance is \$4,537.78. He also noted he had a couple of uncashed checks he would like to resolve.

Correspondence Report – No report.

Olney Chamber of Commerce Report – No report

Civic Federation Report– No additional report, beyond Roy Peck's remarks during the Public Comments item above on the Rte. 28/97 intersection.

Membership Committee – No report.

Land Use Report – Barbara Falcigno reported that

- Park & Planning (P&P) had a public hearing on the draft rules and procedures that include changes to the procedures for testifying. Time frames for testifying are being tightened for both applicants and public witnesses.
- We had supported approval of Aunt Hattie's Place in Sandy Spring. While P&P staff recommended denial by the Board of Appeals, the Planning Board recommended approval.
- The development plans for the Indian Springs Country Club site was approved.
- The Reserve at Fair Hill Farm was approved with a few changes to the road alignment and a few others.
- The in-fill development in the Christie Estates was approved.

- The sewer and water category change on the Hyde property was approved with conditions that the approval did not guarantee density or place or the use of grinder pumps. It was approved to let the process move forward in analyzing those design elements.

President's Report – John Lyons noted that:

- It is important to the success of GOCA that people, not only attend meetings regularly, but step up and take on positions as GOCA officers and committee chairs. Positions such as Recording Secretary and Corresponding Secretary, Treasurer, and even Second Vice President positions are jobs that are not as demanding, but allow individuals to ease into more responsible higher-level offices. The First Vice President position focuses on land use issues, and the Executive Vice President focuses on membership and communication, particularly electronic communication. He asked that people begin to think seriously about these positions and to agree to take them on when, in a few months, Ron Berger begins to try to put together the 2007 slate of GOCA officers. John believes GOCA plays an important role in the shaping of the community and in maintaining the quality of life here and without people being willing to take on this responsibility, GOCA cannot continue to contribute. People do not need to be experienced in dealing with the kinds of issues we get involved with from the outset. Most of the officers have learned over a period of years serving in positions like the secretarial offices, or serving on committees or as committee chairs working on issues of interest to them, and then expanding their knowledge bases over time. People shouldn't be afraid to take on their jobs when Ron approaches them closer to the end of the year.

OLD BUSINESS

Aunt Hattie's Place Special Exception Proposal Update – John Lyons noted that GOCA had a presentation from Hattie Washington at a previous meeting and had taken a position in support of the project she was proposing to build. Aunt Hattie's Place will be a group foster home for boys in Sandy Spring on the property where Dr. Washington's home is and will remain. Some of the existing accessory buildings will be redesigned and expanded to create the living and leisure time space for the boys. At the hearing before the Planning Board, there appears to be a split in the support of the community. In addition, there was a split among the staff. The Development Review Committee had concluded that the scope of what was being proposed was inconsistent with the Sandy Spring Ashton Master Plan. John noted that while one of GOCA's primary roles is to protect and defend master plans, we found ourselves asking the Planning Board to ignore part of the staff's interpretation that it was inconsistent for a variety of reasons. The letter outlining GOCA's position on the proposal is available on GOCA's website. After a long hearing, the Planning Board did vote to approve the plan with a number of conditions; although he did not have a list of the conditions to present that night. Del. Karen Montgomery noted that the Sandy Spring Civic Association had initially supported the concept of the group foster home, but when the size of the facility became clear they had expressed concerns about the size of the facility in relation to surrounding homes, and as well as such things as the impact of the lighting on neighboring homes. Dr. Washington was also asked to put a fire door between her home and the facility and will be considering some other modifications to the design. The proposal now goes before the Board of Appeals.

Hyde Property Sewer and Water Category Change Update – John Lyons noted that Barbara Falcigno had touched on the approval of the Sewer and Water Category change for the Hyde property earlier. Without recounting the whole history of GOCA's involvement, he just noted that GOCA had strongly opposed the change. GOCA made a calculated decision that with the politics involved at the County Council on this issue, we might not get the outcome we hoped for. So, GOCA agreed to meet with the developer and representatives from SEROCA whose residents are significantly impacted by this proposed change to try to develop some compromise language to be presented to the Council. The language that was drafted provided a conditional approval by the Council with detailed language that specified that all of the merit issues would be decided on later by the Planning Board as they reviewed the project. The Planning Board approved the compromise language without any real discussion, and John anticipated that the Council would act similarly when it comes before them the following Tuesday. Then it will go back to the Planning Board where all of the technical issues can be discussed and considered in detail for their decision.

Troutner v. Planning Board – John Lyons reported that this item relates to rural open space in the Rural Neighborhood Cluster (RNC) Zone. The lawsuit is really an appeal of the Planning Board approval of the Pulte development, Reserve at Fair Hill Farm, formerly referred to as the Freeman property in the Upper Rock Creek Planning Area, along Rte. 108 near Johnson's Nursery. The dispute is over what will happen to land set aside on the site as open space. Under the RNC zone, close to 70% of the land will be open

space. The zoning ordinance had some ambiguity at the time the project was approved; ambiguity that was later removed from the ordinance by a zoning text amendment. The lawsuit challenges the authority of the Planning Board to receive the land as County parkland and not place an easement in perpetuity preserving the land as open space as the ordinance now requires. The Planning staff did not feel they needed to place an easement on the land since it was not required at the time of the approval. David Troutner, an Upper Rock Creek resident, filed the suit to get them obtain the easement. It was felt at the time that it was worth joining the lawsuit because with the zoning ordinance change this would be the only property not being protected, and if we lost, only this property would be affected because the zoning text amendment fixed the problem relative to any future properties. The Planning Board recently filed its papers with the Courts and one of their arguments is that it may not be true that the decision would only affect this one property. The Planning Board has argued that even if the Court wants to side with Mr. Troutner it should not because the Planning Board does not have to abide by this zoning text amendment because it violates the Maryland State Constitution. The argument is that the Planning Board is established under a public general law of Maryland and as such any local ordinance that conflicts with the general public law is unconstitutional. While there may be arguments about why the ordinance is not in conflict with the State law that authorizes the Planning Board to acquire and hold parkland, there is now concern that if the Court accepts the Planning Board's argument, it would neuter this provision. So, GOCA is currently trying to figure out what its current strategy should be. Mr. Troutner and GOCA are trying to decide whether they should withdraw the appeal until the situation can be fleshed out more thoroughly. Mr. Troutner was suppose to submit a response that day, but had gotten concurrence from the Planning Board for a 2-week extension to look into this.

Parking and Lighting on the Senior Housing Development on the Kirby Property on Georgia Avenue – John Lyons noted that some concerns had been raised about the cars parking on Georgia Avenue in front of this project and the spillage of light off the property of the lights in the parking area surrounding the building. At the time Mr. Kirby was presenting his proposal to GOCA, he was asked if he had sufficient on-site parking, and he insisted that there was more than enough parking because many of their residents do not have cars. However, from the time residents starting taking occupancy, people started parking on the street, at an angle to the curb, in the area intended to merge the two northbound lanes into one lane proceeding north from their facility. Jay Feinberg noted that Mr. Kirby had asked to meet with him after the summer to discuss their lighting and they are still working on setting up that meeting.

Olney Town Center Advisory Committee Update – John Lyons noted that Jim Smith was not there and just noted that they committee is still working on clarifying exactly what product they are suppose to come up with in terms of creating a vision for the town center and are making progress towards that as they learn more about urban design..

Planning Board's Sustainable Growth Conference – John Lyons noted that while Derick Berlage was still its chair, the Planning Board undertook a project to try to look ahead and think about how Montgomery County is going to continue to grow and accommodate all the people that are likely to move here, looking at questions like where should grown occur and how do we maintain the Agricultural Reserve, etc. To do this, they held a series of 3 conferences that had originally been described as the Corridors and Boulevards Program intended to focus new development around Metro stations and along existing transportation corridors. John and Barbara Falcigno had signed up to attend, but neither was able to go. However, with there now being a new Planning Board Chair, Royce Hansen, it is not clear how the input from those conferences will be used. John understood that Mr. Hansen did not feel wedded to the recommendations coming out of the conferences, but would review them to see if there were any useful suggestions or ideas he might want to incorporate or act on.

NEW BUSINESS

Good Counsel High School Community Liaison Committee – John Lyons reported that he had received a letter reminding us that as a part of site plan approval Good Counsel High School was required to form a Community Liaison Committee and GOCA is entitled to have 2 representatives serving on that Committee. He noted that there was going to be an informal meeting of that Committee the following evening. He was planning to attend, but did not necessarily want to serve as the GOCA liaison long term. He noted his earlier comments about people needing to get involved and asked that anyone interested in serving as the liaison contact him. He anticipated that the Committee would only meet 2, possibly 4 times a year to evaluate whether the school's traffic mitigation plan was working. And, if there were no volunteers, he might be approaching people asking them to take on that responsibility.

Discussion of Special Presentations**Olney Shopping Center Sign – Barbara Falcigno moved that:****GOCA SUPPORT THE B.F. SAUL PROPOSAL TO LOCATE A NEW OLNEY SHOPPING CENTER SIGN IN THE STATE RIGHT-OF-WAY CLOSER TO THE RTE 97/108 INTERSECTION IN PLACE OF THE EXISTING PYLON SIGN FOR THE CENTER.****The motion was seconded by Arnold Gordon.**

The following are some of the points made during the discussion of the motion.

- There is some concern with the size of the sign and with the fact that we do not know the precise location they are proposing to place the sign on.
- Placing a commercial sign in the State right-of-way on this corner would be inconsistent with our goals in the previous and current master plan for maintaining a more green area at the 4 corners separating the commercial development on those corners from the intersection which is why the right-of-ways are much deeper than standard State setbacks. Over the years we have wrestled with businesses on the other corners that wanted to put things in the intersection. Several years ago, in response to a request from the Olney Chamber of Commerce, GOCA did agree to the removal of some of the evergreen trees on the corner in questions and to trimming several of the lower limbs to increase the visibility of the stores in the Center. However, there are no commercial signs in the enlarged right-of-way areas on the other 3 corners.
- It may be an attractive sign, but it is not clear why it has to be so far out into the corner towards the intersection.
- There was a concern that if we agreed to letting B F Saul put a sign in the State right-of-way, it would be difficult to oppose similar signs on the other corners.
- if we were to agree to let them put a sign in the right-of-way, at a minimum, the sign should be redesigned to incorporate some space that could be used by the community for some public purpose use such as advertising community events, perhaps in place of banners on the other corner. There doesn't seem to be any reason to agree to this if there isn't some public benefit for the community.

The question was called, and the motion failed.**Sherwood Elementary PTA Request for Support for A Request for a 2007 Supplemental Budget Item for an Addition to the School.- Barbara Falcigno moved that:****GOCA WRITE A LETTER SUPPORTING THE SHERWOOD ELEMENTARY PTA REQUEST TO OPEN THE 2006-2007 CIP FOR AN ADDITION TO THEIR BUILDING.****The motion was seconded by Arnold Gordon. Following a brief discussion, the motion passed.**

Following a few announcements, the meeting was adjourned

Respectfully Submitted,

Danny Benn

Danny Benn
Recording Secretary

People in attendance:

Gloria Allen, John Austin, Danny Benn, Ron Berger, Art Brodsky, Joe Buffington, John Clifford, Dominique D'Anna, Capt. Nancy Demme, Brenda Egeland, Jay Feinberg, Lori Goodwin, Arnold Gordon, Terri Hogan (Gazette), John Lyons, Roger Manno, Del Karen Montgomery, Karen Nelson, Astrid Pages, Buck Parr, Dale Ann Pearlman, Roy Peck, Pat Sandlin, and .Ed Weisel