

Situated in the green hills & valleys of Sligo Creek & its tributaries abutting the burgeoning downtown Silver Spring

November Issue 2011

Seven Oaks Evanswood



CITIZENS' ASSOCIATION
SILVER SPRING, MARYLAND

Presentations: MONDAY, November 7, 2011, 7:30 pm

Reemberto Rodriguez, Director Silver Spring Regional Services Center. Since July 2009, Reemberto Rodriguez has served as director of the Silver Spring Regional Services Center, a county government supported Center. He works out of the Veterans' Plaza Civic Building and has an extensive background in building community partnerships, planning and revitalization. He is a surrogate mayor to all things Silver Spring, magically working behind the scenes to generate the "Spirit of Silver Spring." You may get the notices of events he posts on our listserv. Come meet Reemberto and learn about downtown Silver Spring. He beats to the pulse of our interconnectedness between the community, the county government, and business. Reemberto has worked with NeighborWorks America, served with the City of Atlanta in the Department of Community Development's Bureau of Planning, and has extensive experience as a trainer and facilitator, covering topics such as neighborhood revitalization strategies, design charettes, how to engage your community, public private partnerships and ethics collaboration.

Chelsea Task Force Reception: Chelsea Task Force Reception: A Tip of the Hat to the Task Force, Petition Signers, and to those who attended the Oral Argument. Remand celebration & recognition with light fare and conversation. Hear updates on the October 18 Oral Argument and the Hearing Examiner's Remand & Recommendations, **and next steps for a development that is compatible with the surrounding neighborhood.** Over 40 residents attended the Oral Hearing and saw first hand how zoning decisions are made. We learned why it is so critical for neighborhoods such as ours to advocate strongly for the protection of established neighborhoods on the edge of central business districts. We need to continue to work to ensure reasonable, consistent, and compatible levels of infill development on sites such as the Chelsea School and to preserve the 1.4 acre historic setting of the pre-Civil War Riggs-Thompson house. As this case bears out, spaces like these inside established single family communities are indeed vulnerable to being up zoned by developers despite being located outside the densely developed central core of mixed business/residential zones such as downtown Silver Spring.

AGENDA

For SOECA Residents

Monday, November 7

Silver Spring LIBRARY

7:30 — 9 pm

Basement Meeting Room

*Note: Library Doors are closed and locked at 8 pm
Please arrive on time.*

7:30 Welcome & Greetings

7:35 Presentations/Speakers

Reemberto Rodriquez

Silver Spring Regional Services
Director

Reception, Reports & Updates

- Chelsea School Task Force
- First Baptist Church Update
- Holiday Party

Business Meeting

- Membership Report
- Treasurer's Report
- Approval of Sept. Minutes

SOECA boundaries include:
Colesville Road on the West,
Cedar and Fenton Streets on
the South, Bonifant and Wayne,
on the East, and Franklin &
Caroline Avenues on the North.

EVENTS: Veterans' Day Tribute Jazz Concert,

Civic Building Great Hall

Friday, Nov 11, 7 pm.

Reception 6-7pm. Tickets are \$20,
at the door or online.

The concert features Warner Williams—
this year's National Endowment for the
Arts Heritage Fellow—and the Greater U
Street Jazz Collective. Proceeds benefit
Hero Dogs, Inc. and Vietnam Veterans
of America, Chapter 641. Silver Spring
Town Center, Inc. [http://
www.silverspringtowncenter.com/
veterans-concert-2011](http://www.silverspringtowncenter.com/veterans-concert-2011)

SOECA September 26, 2011 Meeting Minutes

The meeting was called to order by President Kathleen Samiy at 7:35 pm at the Silver Spring Library.

Curfew Presentation

Luis Cardona, the Youth Violence Prevention Coordinator (YVPC), and Toriano Cross, both of the County's Dept. of Health and Human Services (DHHS), talked about their activities.

Mr. Cardona has worked since 2004 with the gang task force, now known as the **Positive Youth Development Initiative (PYDI)**. Focusing on prevention, intervention, and suppression, it has been successful in driving gang crime down over the last four to five years. He sees flexibility and accessibility as strengths of the PYDI (for instance, no fees, no questions about documents). Mr. Cardona works mostly in intervention, partnering with schools, the MC Police Dept. gang unit, courts, community centers, libraries, DHHS, non-profits, and with youth and their families. He supervises the **Street Outreach Network (SON)** and collaborates with the regional gang coordinator's taskforce.

Through MC Public Schools and churches, the PYDI helped over 300 parents learn how to keep kids out of gangs, or get them out. The PYDI engaged with high-level gang-involved individuals and supported the Safe Schools Act 2010, which requires law enforcement to share information with the schools so at-risk youth can get services, by educating MCPS staff and security. Two other programs that Mr. Cardona described are the Crossroads Youth Opportunity Center and the Northwood HS wellness center.

The SON develops relationships between youth, outreach workers, and other stakeholders. Its approach is to keep from writing gang members off. It sponsors such activities as a DJ class, a graffiti alternatives class, sports, youth empowerment to stop the violence, and a video production class. The youths they are trying to help are 66% African-American, 62% male, 60%

previously arrested. Through these initiatives, the arrest and suspension rates are down about 60%, 40 youths are now employed, and there have been 24 successful mediations without further conflict.

Recent trends and needs include growing violence among African-American youths in areas that are seeing migration from other areas in the DC metropolitan area. There is a potential for conflict as populations shift due to such pressures as gentrification. There is increased tension between local and immigrant Latino gangs. There is also increased violence among and against LGBT youth. We have increased needs for intensive family case management and for additional outreach.

Next steps include, to implement geographically targeted community based intervention. Because the problems involve young adults as well as youth, it is important to introduce transition age youth service integration (e.g., for those aging out of foster care or moving on to post-secondary education). We should also sustain county funding for opportunity centers.

Mr. Cross works mostly in outreach, particularly in the north county. He is currently working in Damascus Gardens, a federally granted community. Residents are from a variety of places, both locally and regionally. When he first started working there, it had the only open-air drug market in the County. He set up a boxing program for kids who like to fight and used that to build relationships with the youth. After tonight's meeting, he is going to meet with a kid who has been a problem and is threatening to kill someone.

Kathleen asked what they need from us, and whether more recreation centers would be useful. Mr. Cardona responded that they hope to maintain and possibly expand their programs. Their approach can be helpful, even though their prevention programs have been decimated. He pointed out that youth violence is not taking over the County: look at the low levels of

violence and homicide. We need safe spaces, but they should be intergenerational.

The next presentation was from **Jim Zepp, Public Safety Chair of the Montgomery County Civic Association.** He spoke to the question of whether a curfew should be imposed by proposing to expand the discussion to safety in Downtown Silver Spring (DTSS) and by saying that Montgomery County has not made the case that a curfew would be the primary solution.

Mr. Zepp finds curfews problematic for a number of reasons. Numerous studies of curfews over the last 20 years have not shown curfews to be effective in preventing juvenile crime or protecting youth from crime. Much of it happens after school rather than at night. Curfews can significantly tie up police resources—Dallas dedicates 30 officers to curfews, while Prince George's County police feel they have more important things to do—so some communities set up curfew centers, with counselors. The Montgomery County proposal does not include such centers. In Maryland, police do not have the power to demand ID, so a youth can simply say, "I'm 18."

Mr. Zepp recommends a more comprehensive approach, whether or not a curfew is adopted. A curfew program should include performance measures to assess its effectiveness. More broadly, the County has succeeded in creating a nighttime entertainment district in Silver Spring. It should take advantage of the experience other communities have gained; England has a set of Best Practices for such districts. Is there enough transportation available when movies or music shows end? In Vancouver, car thefts were significantly reduced by having buses run later, so people didn't need to boost a car to get home. Are there places available after the show for people to eat, drink, and/or find a toilet? Do the DTSS businesses even know how many local youth they employ? All the stakeholders should discuss these issues.

Meeting Minutes, continued

In answer to a question about how much of a youth crime problem we have in DTSS, Mr. Zepp answered that he hasn't seen any data, which is why he feels that the case for a curfew has not been made. The July 4 incident was between two specific gangs. There hasn't been a fight between them since. The curfew discussion is a distraction from the wider problem.

During the discussion, Mr. Cardona added that the County has not been strategic about planning for the effects of the Fillmore on DTSS. The only advocate for working through these issues has been Safe Silver Spring. Answering a question from Kathleen, he said that the County Executive, DTSS businesses, the Peterson Company, and Council members came together in reaction to an assault in DTSS. Mr. Zepp pointed out that a regional services center would be a natural place to be proactive rather than reactive.

SOECA Reports & Updates: Chelsea School rezoning application:

Anne Spielberg, chair of the Chelsea Task Force, reported on the events since our last residents meeting in May. The developer, EYA had applied for a land use zoning change from R-60 (single family homes) to RT-15 (highest-density townhouse zoning) at the site in order to build 76 townhouses. Despite community opposition, the Planning Board approved the application to rezone by a 4-1 vote in May. The next step, conducted over the summer, was in-depth hearings before the Hearing Examiner (HE), including community and developer testimony and a legal review of the application. After five days of hearings ending on August 5, the HE issued her decision in mid-September. In her 128-page recommendation to the District Council, she found that the density and massing are not compatible with the neighborhood and that the matter should be remanded (sent back) to her for consideration of a more compatible plan.

The HE had to consider four elements: compatibility with the North and East Silver Spring Master Plan; appropriateness for the zone; need for a transition from higher density nearby; and compatibility with the neighborhood. The SOECA position prevailed on all but the appropriateness issue. The HE found that the proposal was incompatible because of its density and massing. Another issue is the size of the "environmental setting" of the historic Riggs-Thompson house on the property: should it be 0.85 acres (the EYA position) as provided by the Special Exception granted to the Chelsea School, or should it revert to 1.4 acres (the SOECA position) because the School didn't satisfy the conditions of the Special Exception and is now leaving? The HE accepted the SOECA position but said that the question should be reconsidered and the Council's intentions clarified. Finally, the HE felt that the street layout in the proposed development was sufficiently important that it could not be left to the site development stage, but that the effects on the neighborhood—cut-through traffic that might use the new development's streets, and increased traffic generally—should be evaluated.

The next step is that the Council, sitting as the quasi-judicial District Council, will meet and consider the HE's recommendation. Oral argument can be requested by either party, and is usually granted. Note that we cannot lobby the Council on this matter, since it's a quasi-judicial process.

Q: Will EYA present any new plans to the Planning Department? A: We don't know, but the HE will probably ask for involvement from them.

Q: What will EYA do? Is their plan a shambles? A: The HE leaves the door open to have it come back to her. EYA has to protect the Riggs-Thompson setting. Note that under the current zoning, the number of units could be in the mid-30s, so the HE is suggests something between that and the 76 in EYA's proposal.

Q: Can EYA argue that there's an error on, for instance, the 1.4 acres, but not the other issues? A: Yes, because the Council can make their own decision.

[Editor's note: The Council heard oral arguments on Oct. 18. They decided to accept the HE's recommendation to remand, and added that some form of townhouse zoning is appropriate, which means that the zoning would not end up as R-60, the current single-family zoning. Townhouse zones are RT-6, RT-8, RT-10, RT-12.5, and RT-15, where the number indicates the number of units per acre.]

Zoning Rewrite: In partnership with Prezco (the loose association of local citizens' associations), there will be a zoning forum on Oct. 2 to discuss the County's current plans for revising the zoning code. This rewrite will have far-reaching consequences. The Master Plans may be de-emphasized, with zoning changes may be approved through sector plans. The White Flint rezoning plan is being revised in preparation for applying it to Takoma/Langley, Wheaton, and Kensington. Issues such as how far from "transit" can higher density development be approved, and does approval depend on whether the "transit" is actually in place, are also in play.

Announcements:

Charles Wolff has been keeping our membership lists organized, and would like to hand that task off to someone else. Jonathan Bernstein would like help with the SOECA web page. Tom Armstrong has not yet drafted a list serv netiquette recommendation.

Minutes Continued on the bottom of the Next Page.....

UPDATE: Chelsea School & EYA

On October 18, 2011 the County Council voted to 'remand' [the EYA development application] back to the Hearing Examiner. The application for a Local Map Amendment, which would have up-zoned the Chelsea School property to the highest density townhouse zoning RT-15, was denied.

This is a victory for the SOECA community. In a five-to-four vote the Council agreed with the Hearing Examiner that 76 townhouses were just too many for the site; the property should be less dense, have less massing and be more compatible with the character of the transition from the Central Business District to our single family neighborhood.

While SOECA argued before the Planning Board and the Hearing Examiner that the property should retain its current R-60 zoning, SOECA decided to accept the Hearing Examiner's recommendation as the best chance to preserve the integrity of our neighborhood with a less dense project that is compatible with the property's unique situation and crafted appropriately for the site and the neighborhood.

Read the Oct 19 Gazette Article
<http://www.gazette.net/article/20111019/NEWS/710199537/1081/1081/county-council-votes-to-downsize-plans-for-silver-spring-townhouses&template=gazette>

Watch the October 18, Oral Argument video of the hearing. (scroll down to 10:25 am District Council Session, No, 7 Oral Argument and Action and Analysts Packet)
http://montgomerycountymd.granicus.com/GeneratedAgendaViewer.php?view_id=6&clip_id=1947

Councilmember questions and discussions focused on compliance with the Master Plan, provision of affordable housing, and the size of the environmental setting around the historic, pre-Civil War Riggs Thompson house. These issues will be among those addressed on remand, and SOECA will continue to participate in this process so as to protect our community's interests when EYA submits a new development proposal.

SOECA & the Task Force appreciate the support of everyone who has contributed to our efforts in this battle so far and look forward to your continuing support as the next stages of this process unfold. SOECA's Chelsea School Task Force will be discussing next steps in the days ahead. If you wish to become more involved, please let us know. Residents must continue to watch the Chelsea School property case to see if the Council is indeed committed to upholding the Master Plan's intent to hold firm the boundaries between the Silver Spring CBD and surrounding neighborhoods by denying very high density development inside an R60 zone.)

Voting to "Remand" (recommendation of Hearing Examiner and what SOECA supported): Elrich, Ervin, Andrews, Leventhal, and Berliner; Voting to approve the LMA RT-15 Zone (in favor of EYA): Floreen, Riemeer, Rice, Navarro.

Note: EYA and the Chelsea School Board could have chosen to build about 30-35 townhouses on the land without Re-Zoning to any RT Zone, but instead applied to build townhouses at 15 per acre the highest density allowed. The R-60 Single-Family Home Zone allows "Cluster Housing" with extra density bonus' for moderately priced dwelling units which includes the ability to develop townhouses (5- 6 townhouses per acre).

CHELSEA SCHOOL FUND: The Council's decision was a rewarding moment for SOECA. The hard work and many hours your neighbors have devoted to the cause have paid off. Perseverance and a "can-do" attitude brought us this far - **against the odds!** The vital support of over 250 petition signers was widespread throughout the neighborhood. *What has been achieved is precedent-setting for the County.* The brakes were put on the presumption that developers can steamroll their way through established 'edge' communities and rezone land to excessive densities that are incompatible with the surrounding neighborhood.

Please express your appreciation for what your neighbors have done to preserve the environment and lifestyle we all enjoy. **Please consider making a donation to the Chelsea Fund to help meet expenses due, and support the next steps in advocating for a compatible development.**

Make your check payable to: SOECA, with "Chelsea Rezoning Opposition" written on the memo/note line. Send your contribution to the SOECA Treasurer: Bill Kaupert, 9222 Manchester Road, Silver Spring, MD, 20901 (not 20910)

SOECA Membership If you read or receive this newsletter, or are on our SOECA Yahoo listserv please consider joining, or rejoining today. Annual dues are only \$20 per household or \$10 for seniors. All 700 plus residents receive newsletters by virtue of living inside our borders, membership is voluntary. The membership form on the back page, can be mailed to Bill Kaupert. If you have a question about your membership status please call Bill Kaupert at 301-585-3385.

September Meeting Minutes continued:

Treasurer's report:

Checking balance as of Aug 31: \$6064.56
 Dues received Jan-Aug: \$1375
 Chelsea Fund balance Aug. 31: \$4689.56
 Chelsea contributions (2) in Sept.: \$250
 Chelsea Fund current balance: \$4939.56
 (Note that the Chelsea fund owes the general fund \$1250, so its net balance is \$3689.56.)
 Certificate of deposit: \$2224.81. Maturity Nov. 12, 2011; interest rate 0.03%.
 Gross assets are \$6064.56 + \$2224.81 + \$250 = \$8539.37.

Net assets after subtracting off the Chelsea net balance are \$4849.81, with \$2625.00 in checking and \$2224.81 in the CD. *[Editor's Note: Chelsea School legal funds have been raised independently of any SOECA dues by residents of SOECA The Association's operating funds are the net balance of assets in our checking account, \$2,625.]*

New members since May: David Christenson, 521 Ashford Rd.; Steven McMahan, 9103 Kingsbury Dr.; Dean & Karen Cooper, 416 Pershing Dr. Total households are 194. Responses to dues reminders are still slow.

The meeting was adjourned at 9:39.

Dale Drive Intersection Widening

(From 3 to 4 lanes, Curb to Curb)

Construction begins November 2011

Monday - Friday 7 am - 5 pm. Road/Lane closures: 9 am to 3 pm & occasional Saturdays, Duration: 6 months

Project Scope and Design

Montgomery County Department of Transportation (MCDOT) Division of Transportation Engineering (DTE) will soon commence construction activities for adding a third lane (on the Eastside of Dale/SOECA side), and closing Toll House Road (formerly a Public Street which was deeded ownership to Mrs. K's restaurant several years ago) at Dale Drive and Colesville Road (US 29). The project is in support of the Silver Spring Central Business District (CBD) Sector Plan and is part of the overall Silver Spring Redevelopment project to accommodate the flow of traffic related to development within the CBD. This project will also increase the flow of traffic in the vicinity by upgrading the existing traffic signal at the intersection of Dale Drive and Colesville Road (US 29). The Average Daily Traffic (ADT) on Dale Drive is approximately 8,000 vehicles per day. Throughout the construction process, a full-time County representative will be present on the job site during hours of construction to oversee the construction progress, monitor the work zone for pedestrian and traffic safety and to answer questions that you may have about the project. The project will cost \$ 1.2 million dollars, and the contractor is Ardent Company, LLC is located in McLean, VA.

The project includes: an additional lane on the east leg of Dale Drive, and an alignment "squaring off" of the intersection curb crossings with the West side. There will be 4 lanes total curb to curb, with three east side lanes (south to SS-CBD, west towards Georgia Ave, north to the Beltway), and one east lane going towards Wayne Ave. Additionally signal reconstruction (changing of signal timing/duration), construction of a retaining wall and concrete sidewalk adjacent to the Toll House Restaurant on the north side of Dale Drive and concrete sidewalks on both sides of the west leg of Dale Drive. The project will also incorporate modifications to the existing storm drain system. Tree Save Plan for this project will also be implemented to retain trees in place and protect them during construction.

Project Management Team

Construction Activities: Contact: Chabiram Deoraj, P.E. 240-773-3412; Traffic Control: Contact: Stella Igbinedion, 240-777-2190; Project Design: Contact: Rebecca Park, P.E., 240-777-7263; County Contact/General: Contact: Jackie Earp, OSC, 240-777-7210; Transportation Construction Section, Division of Transportation Engineering, 240-777-7238 (desk).

Intersection Widening Advocacy & History:

SOECA and three adjoining Civic Associations, over a 10 year period, dating to late 1990's, spoke out in favor of alternative low cost solutions rather than widening this intersection. This concerted effort led to the successful implementation of low cost signalization changes and cancellation of construction widening (an additional lane on the Westside, or Woodside/Woodside Forest side.) This effort reduced the project costs from under 4 million to fewer than 2 million. Of concern on the East side, was that a third lane was unnecessary because the State and County DOT Traffic Statisticians testified that the volume of cars turning south from Dale towards the SS-CBD were insignificant (less than 1% per daily use of total volume at the east side intersection.) The Civic Associations leadership therefore advocated for a combined lane going west and south. And, all agreed, a dedicated right-turn only lane from Dale north to Beltway was necessary. In lieu of adding a third left-only southbound lane, and a wider curb to curb pedestrian and senior crossing to the restaurant, Civics and the Planning Department transportation staff advocated for a **pedestrian island** between the eastbound and westbound lanes, and for the County and State DOT to first test alternative low cost signalization solutions before any expensive construction. In spring of 2010, through letters and lobbying by residents to help mitigate severe budget shortfalls due to the 2009 credit crunch, the County Council voted to postpone construction until 2011. The neighborhoods advocated successfully in the spring and summer of 2010 to have the DOT take away the 'right turn arrow' that was aggravating unsafe driver behavior (cars turning right/north to the Beltway from the left turn only lane, cutting in front of westbound cars sitting in the right lane at the light). The culmination of collective community efforts was the construction was postponed from 2010 to 2011.

PUBLIC NOTICES

Deer Population Management at Sligo Creek Golf Course

Beginning January 2012, specially trained and certified Park Police officers would lethally remove deer at night when the area is closed to the public. Public comment will be accepted preceding a decision of implementation.

Public Comments Deadline: November 10, 2011, 3 pm
Visit: ParksDeerManagement.org; Call 301-962-1342; Email: MCP-deermanagement@montgomeryparks.org

Purple Line MTA Open House

Monday, November 7
Civic Building, 5:30-8:30

Proposed Bus Rapid Transit System

150-mile system on Montgomery County Roads
Open House held on Monday, Oct 24
To learn more: <http://www.montgomeryplanning.org/transportation/highways/brt.shtm>

Energy Rebates. mcenergyfunding.com

Get a home energy audit, get \$\$ money back when meet guidelines.

Curfew Bill 25-11 is still undergoing amendments. It will be back before the County Council Public Safety Committee on Nov. 3 at 9:30 am and can be watched on County Cable Montgomery TV. You can also read up on its status at: <http://tinyurl.com/curfewstatus>

NEW Bill 35-11 to Prohibit "Loitering or Prowling"

On October 25, Councilmember Andrews introduced another measure: Bill 35-11 to prohibit "Loitering or Prowling". You can read the full bill and accompanying documents: <http://tinyurl.com/loiteringbill>

Seven Oaks Evanswood
Citizens Association
Silver Spring, Maryland
www.soeca.org

SOECA Officers

Kathleen Samiy, President
Mark Gabriele, Past-President
Vicky Warren, Vice-President
Carolyn Michell, Vice-President
Tom Armstrong, Secretary
Bill Kaupert, Treasurer

Resident Volunteers

Jean Cavanaugh, PrezCo Liaison
Jonathan Bernstein,
List Serve & Website Manager
Charles Wolff, SOECA Historian

Contact SOECA:
soeca.board@gmail.com

TWO WAYS TO JOIN SOECA'S LISTSERV:

(1) Via email

- A) Send an e-mail to: soeca-subscribe@yahoogroups.com with the word "subscribe" in the subject line.
- B) The ListServ moderator will email you asking for your name and address by response email, adding you after you respond.
- C) You will then receive a confirmation e-mail from "YahooGroups."

(2) Via Yahoo Groups at <http://groups.yahoo.com/>

(Use this method, if you already have a Yahoo account set up)

- A) Find SOECA and click "Join this Group."
- B) Fill in the form, including the email address you wish to use, adding a comment about yourself and why you would like to join the group. Click on "Join."
- C) The ListServ moderator will email you asking for your name and address by a personal response email adding you after you respond.
- D) You will then receive a confirmation e-mail from "YahooGroups."

Once you have joined...Post messages to the community by sending an e-mail to: soeca@egroups.com or soeca@yahoogroups.com

SOECA Membership 2011_ Renew Annual Dues

**Send this slip plus \$20 annual household dues (\$10 for senior citizens and single members) to:
Bill Kaupert, SOECA Treasurer, 9222 Manchester Road, Silver Spring, MD 20901 (not 20910) 301-585-3385**

Name: _____ Today's Date: _____

Address: _____

Telephone: Home) _____ Cell) _____ Work) _____

Would you like to receive the SOECA newsletter by: Email? Printed ? Both? (circle choices)

If by email, please print email address here: _____

Are you registered on the SOECA Yahoo Groups List Serve? Yes No (please circle one)

Would you like to receive SOECA Board e-communication? Yes No (please circle one)
If yes, please print email address here: _____

NOTE: Resident email addresses, street and phone numbers are held in strict confidence, they are not shared.

SOECA November 2011, Issue 2

Seven Oaks Evanswood
Citizen's Association
Silver Spring, MD 20910