

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

Oct/Nov Issue 2010

# Seven Oaks Evanswood



CITIZENS' ASSOCIATION  
SILVER SPRING, MARYLAND

A charrette (pronounced [shuh-ret], often Anglicized to charette and sometimes called a design charrette) consists of an intense period of design activity.

The word charrette may refer to any collaborative session in which a group of designers drafts a solution to a design problem. While the structure of a charrette varies, depending on the design problem and the individuals in the group, charrettes often take place in multiple sessions in which the group divides into sub-groups. Each sub-group then presents its work to the full group as material for future dialogue. Such charrettes serve as a way of quickly generating a design solution while integrating the interests of a diverse group of people.

Charrettes take place in many disciplines, including urban planning. In urban planning, the charrette has become a technique for consulting with all stakeholders.

A successful charrette promotes joint ownership of solutions and attempts to defuse typical confrontational attitudes between residents and developers. Charrettes tend to involve small groups, however the residents participating may not represent all the residents nor have the moral authority to represent them. Residents who do participate get early input into the planning process. For municipal officials charrettes achieve community involvement, may satisfy consultation criteria, with the objective of avoiding costly legal battles.

In fields of design such as architecture, landscape architecture, industrial design, interior design, or graphic design, the term charrette may refer to an intense period of work by one person or a group of people prior to a deadline. The period of a charrette typically involves both focused and sustained effort. [Wikipedia]

## NOVEMBER Meeting

For SOECA Residents  
Thursday, November 4  
New Civic Building, 7–9 pm  
Ellsworth Room

## AGENDA

Welcome & Greetings 7 pm

### “SOECA Charrette”

Join Us and Play Planner,  
lead by John Carter,  
Urban Designer with the  
Montgomery County  
Planning Department

#### Business Meeting:

- Membership Report
- Treasurers Report
- Old Business
- New Business
- Approval of May Minutes

Adjourn 9:00 pm sharp

#### December Meeting Agenda, Reports & Updates...

[Date & Location TBD]

- Conservation Montgomery
- Chelsea School
- Dale Lane Widening
- Library Park
- Purple Line
- Police Speeding on Dale
- Crime Watch

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.

## Dale Drive CIP (Lane Widening at Rt 29) Sept. 29 Meeting Minutes

Several SOECA members, plus leaders on this project from Woodside Park (WP) and Woodside Forest (WF) Citizens' Associations' met on Sept. 29 with State (SHA) and County (MDOT) highway officials, and the Planning Departments Transportation Planners & Consultants.

The meeting was called to discuss the merits of proceeding to construct an additional west-bound lane (construction funds were postponed from FY2010, to FY2011 during the Council budget crisis/reconciliation) or, to explore low cost alternatives (on the SOECA side of the intersection.) Low cost options included re-signalization, and a dual lane-going left and straight (south to dtss and west to Georgia Ave) and a dedicated right-turn only lane (to the Beltway) rather than fund \$2.4 for another "statistically unnecessary" dedicated left-lane on Dale Drive (on the east side of Colesville Road at Mrs. K's restaurant.)

The DOT representative, Emil Wolanin, recapped the over 10-year background of the project, including re-signalization on the West-side of Dale at Colesville Road. (This change solved the back up and safety problems on the WP and WF side of Dale Drive.)

Although 2007 State statistics indicate that a dedicated left-turn lane to DTSS carries too low a volume of cars to be needed at all, Mr. Wolanin insisted widening on the east side is still necessary to create a true alignment of center lanes. He cited his "legal liability" and safety issues (many accidents at this intersection), concern for turning cars cutting corners - from Colesville to Dale Drive, and cars cutting through to Colesville Road via Toll House Road. He also reported that there have been 70 accidents at the intersection reported to police, 25% of which were due to westbound vehicles on Dale. In answer to a question, he did not know whether this is a high rate of accidents, or what proportion were due to the illegal right turns. The Transit Planning representative, Dan Hardy, cited the need to improve the flow on Colesville Road through the intersection, that it was necessary to allow more "green light time to traffic on Colesville Road, and less time to cars on Dale Drive." (Although it was not clear if adding another lane will accomplish either.) The intersection is rated F, (a 'failing intersection') and the intersection will only get worse in the next 20 to 30 years.

A lively discussion of various alternatives suggested by the citizens ensued. The common theme was that DOT should try low-cost solutions like the one that worked on the other side of the intersection. Some suggested

making the right lane a right-turn-only lane and the current left-turn lane a left- and through-traffic lane. This lane would then directly face the eastbound left-turn lane (an "opposing lane" alignment), so traffic would have to zig-zag to the right to go through the intersection. Others suggested shortening the light timing for westbound traffic to address the flow problem on Colesville Road. As part of the discussion, it became clear that very little traffic on Dale Drive, either eastbound or westbound, turns toward downtown. For westbound traffic, a traffic count in 2007 showed the following numbers, in cars per hour: In the morning: left = 23, straight = 367, right = 139. In the evening: left = 6, straight = 129, right = 409.

The DOT representative felt that the citizens were focusing only on the here-and-now rather than looking to the future. The Park & Planning representative said that the goal is to increase development, and DOT confirmed that the vast majority of the traffic flow problem is on Colesville Road.

However, when the suggestion was raised to lengthen the green light time on Colesville to address the flow problem, it became clear that crux of the matter for the DOT representative is that opposing lanes are unsafe. He feels that it is necessary to have a right-turn-only lane, which would result in opposing lanes if the widening is not done. He recognizes that there are other opposing-lanes at intersections in the county, even in our area of downtown Silver Spring (Georgia Avenue at Seminary Road) but MDOT does not want to create another like this. The bottom line is that MDOT does not want opposing E-W lanes to 'overlap.'

At that point, it was clear that the DOT position was firmly in favor of proceeding with the lane widening in spite of the community objections. Other suggestions, such as restriping the current width for more lanes or signage to direct traffic through the opposing-lane alignment, were made, but rejected.

As the discussion continued, several other points were raised. As to traffic flow. Colesville Road looks like a highway, so people speed. A median should be installed to slow the traffic down. Increasing the flow along Dale Drive through the intersection will just move the traffic problem to neighboring intersections, such as Columbia (the extension of Dale) and Georgia. As to safety issues, the tiny piece of sidewalk that is part of this project is only a small part of the need for sidewalks from Piney Branch to Georgia. {cont. pg. 3}

(from page 2) The Park & Planning representative, Dan Hardy, helped clarify the community's worries about the widening. He did not understand initially why we would not want to improve flow through the intersection. Two concerns became clear. One is that widening Dale will make it more attractive to drivers and result in increased traffic and increased speed. The other is that even with the current width (three lanes), there is not enough time for elderly pedestrians to cross Dale. Four lanes will be worse. These concerns did not change the views of the DOT representative, who was becoming a little testy—as were some of the citizens, who wondered why we had had this meeting if the DOT's position coming in was firmly in favor of the widening.

Kathleen Samiy then redirected the discussion toward alleviating the effects of the widening. One of her requests was to have a striped crosswalk at Kingsbury, one block east of Dale & Colesville. This idea was favorably received by DOT. A second suggestion was to convert the left-turn lane into a green-median; the widened street would then consist of a new right-turn only lane, a left-and-through lane where the current right-turn lane is now, a median (the former left-turn lane) that would serve as a halfway point for pedestrians, and finally the eastbound lane. The new left-and-through lane (the former right-turn lane) would then be properly aligned with the lane on the other side of Colesville. Officer "Tom Harmon, 'Tom Traffic'" (traffic expert in DTSS region) liked this idea because it would force cars turning left from southbound Colesville onto Dale to make the turn more slowly, and provide the elderly and patrons of Mrs. K's a ped-safe haven, as well a visible green island entrance to our community—indicating to Dale drivers to slow down. The meeting closed with Kathleen's summary: we recognize our disagreements; the citizens are disappointed; and, the look and feel of the Dale Drive entrance to the SOECA community are important to residents. The DOT representative replied that our voices have been heard.

[SOECA President followed up October 5, with a thank you to all officials who attended. SOECA intends to continue to collaborate with the county to mitigate safety at this intersection including: a 'green median' on Dale @ RT 29, and crosswalks at Dale/Kingsbury.]

## Chelsea School Task Force Report

At the September 30<sup>th</sup> meeting, SOECA's membership voted by a large majority to preserve the existing R-60, single family residential, zoning of the Chelsea School site and to oppose any rezoning of that property, including to RT-15, the highest density townhome zoning. EYA has informed SOECA that it is planning to file its development application for rezoning of the Chelsea School property so as to build 76 townhomes on the site in the October/November timeframe.

Once EYA files its rezoning application, it will be referred to the Planning Board for review. The Montgomery County Park and Planning staff prepares a technical report analyzing zoning standards and neighborhood impacts and making a recommendation for approval or denial. The Planning Board considers the application and the staff report at a public hearing at which EYA and the community will be allowed to testify. The Planning Board then forwards a written recommendation for approval or denial to a Hearing Examiner from the Office of Zoning and Administrative Hearings. The Hearing Examiner reviews the application, as well as the Planning Board's and its staff's recommendations, and holds a public hearing at which EYA and the community can present testimony. After this hearing, the Hearing Examiner issues a report, analyzing the evidence and testimony and making his/her recommendation on the rezoning application. That report, along with the Planning Board's and its staff's recommendations, are forwarded to the County Council. At a public meeting and based on the record evidence, including the recommendations of the Hearing Examiner, Planning Board, and Park and Planning staff, the County Council may approve, deny, remand for further information, or dismiss the application or allow it to be withdrawn.

For further information about EYA's proposed rezoning of the Chelsea School site or if you want to become involved in the process, contact Anne Spielberg, Chair of the SOECA Chelsea School Task Force, [aspiegelberg@harmoncurran.com](mailto:aspiegelberg@harmoncurran.com).

## SOECA September 30, 2010 Meeting Minutes

The meeting called to order by President Kathleen Samiy at 7:07 pm in the Ellsworth Room of the new Civic Building.

**Opening topics.** Residents were invited to become 'members in good standing' by paying dues. The sign-up form includes an opportunity to sign up to receive SOECA board communications in the future. The idea of a Good Neighbor award was announced, which will be awarded in the future to Bruce Altevogt for his leadership on the Dale Drive Traffic Calming Project in partnership with MDOT.

**Interages presentation.** Trisha Wilson described Interages, an organization based in Wheaton that operates several programs in which older adults can volunteer to tutor and mentor recent immigrant children, provide academic and personal support to high school students, and support middle school youth who are adopted or in foster care. Those interested in volunteering should visit [www.interagesmd.org](http://www.interagesmd.org).

### Dale Drive crosswalks and bump-outs.

The project to calm traffic on Dale Drive by installing crosswalks and bump-outs (which narrow the street) was started this summer, and is now considered finished. Kathleen sent a thank-you note to the MDOT engineers. There was some discussion of improvements that could be made, such as shortening the posts. People felt that the project has reduced speeding, as intended. A letter was read regarding speeding and tailgating by police cars that were not in pursuit, and the writer asked that it be sent to the Chief of Police by SOECA. A motion was proposed, seconded, and passed.

**Fillmore report.** Tabled until next meeting.

### Chelsea School Possible Rezoning

The main topic of the evening was the discussion of SOECA's position on the possible rezoning of the Chelsea School property. The development firm EYA is planning to request a rezone of this land from the current R-60 (single-family residential zoning) to RT-15 (the highest-density allowable for townhouse zoning).

Kathleen gave some background, including the April and May meetings at which EYA presented their plans and the formation of the Task Force at the May meeting. After its summer investigation, the Task Force recommended that the rezoning should be opposed. The Executive Committee concurred, and informed EYA July 22, of the SOECA & Task Force & residents opposition (before the end of EYA's

feasibility period on July 28.) EYA did not respond to that letter until the evening before tonight's meeting, Sept 29, when they asked to make a presentation on Sept 30. [Kathleen read a one-page EYA letter presented in lieu of a presentation.]

Anne Spielberg, (Task Force Chair) reported on the Task Force's work and the conclusions they reached. The major points of her presentation were: The Task Force (ten people who volunteered at the May meeting) met over the summer, gathered information, spoke with Park and Planning staff and others, met with EYA (one member also met with the head of the School), evaluated the proposed development, and recommendation to the Executive Board that SOECA should oppose any rezoning application.

The outlines of the proposal are: 76 multi-story townhouses 35 feet high to be built on the site's 4.88 acres, slightly less than one acre of which is occupied by the historic Riggs-Thompson house, which must be preserved. Ingress/egress would be onto Pershing and Ellsworth, and likely onto Springvale Road as well. The project will, and legally must provide "open or green space." EYA has clustered this space on Pershing and Ellsworth sides of the site. (Note: 'open' or 'green' is without a physical structure.)

Anne went on to explain that the existing zoning would permit either another school or the construction of about 25 single-family houses. The houses would either have minimum lot sizes of 6000 square feet or be built as a cluster development, similar to the houses built a few years ago on Woodside Parkway. The head of the School, Tony Messina, told the Task Force that a national home builder had expressed interest in the property.

Another school could replace the Chelsea School. A secular school could have as many as 200 students, but would have to satisfy the conditions of the current zoning special exception, including improving traffic management. The Task Force considers it unlikely that a new school would come in, based on the need for extensive improvements and on the statement from Tony Messina that the school is not viable at a size of 200 students.

A religious school could also come in, with up to 423 students, and without having to comply with the special exception. Rehabilitation and renovation

would still be necessary. No interested religious schools have been identified, despite inquiries.

Anne then outlined the Task Force's two major concerns. The first is the importance of maintaining the current zoning as one of the neighborhood's most important protections. The current R-60 zoning allows some development, but keeps the denser development in the Central Business District from impinging on our neighborhood. The proposed rezoning would be interior to the neighborhood, bringing denser development past the houses along Cedar Street that according to the North and East Silver Spring Master Plan form the buffer between the neighborhood and the CBD. The Master Plan contemplates townhouses only along Georgia Avenue, with an explicit proviso not to allow encroachment into the interiors of those neighborhoods.

Changing the zoning would create a precedent for denser development elsewhere in the neighborhood. The retirement home, the houses on Wayne Avenue that will lose parts of their lawns to the Purple Line, and the houses along Cedar Street could easily become targets.

The second concern is the increased density, three times what is currently allowed. The development, which could bring 150 additional cars into the neighborhood, would produce more traffic, noise, and environmental impact, such as increased runoff from the increase in paved surface.

The Task Force expects EYA to file a rezoning application in the very near future. It will be referred to Park and Planning, then go to a public hearing before a hearing examiner, who will render a decision that will be submitted to the County Council. The Council will hold a public meeting and then vote to approve or deny the application.

Anne's presentation was followed by some discussion. Several speakers make the point that the developments on Ellsworth Court and Woodside Parkway were originally proposed for higher-density use, but as a result of the neighborhood's opposition, single family houses were built, and some of the property near Ellsworth Court became the park next to the library. Kathleen pointed out that Master Plans have considerable staying power. In response to a question, Mark Gabriele, immediate past President, related how he

passed on to SOECA the information that the School site would be sold, and then that a developer (EYA) had been found. Other speakers suggested a building moratorium until Pepco can show that their grid is adequate, and pointed out that a few years ago, the Chelsea School was planning to stay and to expand.

Questions to the Task Force included who and what will EYA bring to testify at the hearings (a traffic expert, other experts, their plans, various studies), when the Springvale Road access will be decided on (later, in negotiations with the County), and whether there could be ingress/egress directly to Cedar Street (no; EYA has said it is not economically feasible).

Mark Posner, the sole Task Force member to dissent from its report, presented arguments as to why SOECA should not oppose the expected rezoning request.

He pointed out that there will be change, since the School has realized it must sell, and that they have a right to make a profit on the sale, as a nest egg for future programs. The decision was made to fit 76 townhouses on the site. EYA is a well respected developer that is anxious to work with us. They have suggested "binding elements" that can obligate them to various negotiated changes. They have worked to place green space opposite the Springvale retirement home and opposite Ellsworth Park.

Mark thinks that another school coming in is very unlikely, because of the expense of tearing down and replacing the existing buildings. The alternative is private development. Besides the townhouses, the other possibility is to build 20 to 25 detached houses; but these would need to sell at millions apiece to generate the same revenue, and there would be no obligation to put in green space.

Mark feels that there is an element of "Smart Growth" involved. As traffic increases, there is a need to build closer to Metro—not willy-nilly, but in this neighborhood, the only other large property that could be rezoned is the library. By building this development, we can do Smart Growth in a reasonable manner.

The density of 76 townhouses is not small, but it is segregated and compact, and on the edge of the neighborhood. The rest of the neighborhood would not be visually impacted. Traffic is a big issue, and properly so, but there is no indication of any change in the current traffic plan. Ingress on Ellsworth will be east of the choke point by the library, and the exit on Pershing will be

close to Cedar. One could also modify the intersection of Pershing and Springvale to help maintain the plan. There will be more cars in the neighborhood, but it will be a minor impact.

The last question is the boundary line of Cedar and the question of precedent. It is speculative to see this zoning change as a precedent: a precedent applies to similar facts, and there is no other similar situation here. In fact, we could use the fact that this development has crossed Cedar as a "last straw" argument against further rezoning. Would the Springvale retirement home be rezoned? That is speculative as well: it is too expensive to tear it down. It is also speculative to think that the properties near Wayne and Cedar would be assembled for rezoning.

After Mark's presentation, the discussion continued. In response to a question, Mark explained that a "binding element" is a legal restriction placed on the property. Another question was whether EYA could build a less-dense development; but it was explained EYA made it clear in the May meeting and in a meeting with the Task Force that 76 townhouses is their minimum. Two speakers, residents of Springvale Road across from the retirement home, pointed out that their street would be a primary entrance into the neighborhood for residents of the townhouses and would experience heavy traffic. Another speaker said that the wishes of those opposite the Chelsea site should be given great weight. Another member of the Task Force, Michael Gurwitz, reiterated the impact of the large increase in neighborhood traffic that the townhouses would bring, noted that this could be the first of several encroachments on the current zoning, and asked that the green suburban quality of the neighborhood be preserved. Another speaker resented applying the "Smart Growth" label to this project, explaining that one of the tenets of Smart Growth is care for the infrastructure. She pointed out that this project would stress the utility grid and create more storm water runoff, among other problems. Mark Gabriele gave an impassioned defense of the Chelsea School, the great deal of good their program has done for struggling high school students, and how the School is struggling in the difficult economic situation that they, as well as many other non-profit organizations, are in. We don't have to love it, he said, but it's a good situation.

With the deadline for leaving the meeting space approaching, the following resolution was offered, seconded, and passed by a 4-1-14 vote:

#### RESOLVED

1. That the community votes to preserve the existing R-60 zoning of the Chelsea School site and to oppose any rezoning of that property, including to RT-15.
2. That the Chelsea School Task Force shall continue to stay abreast of developments involving the Chelsea School site and the rezoning process and any application filed, and to make reports and recommendations and to provide assistance to the membership and Executive Committee on this matter.
3. That the Executive Committee is authorized to take all appropriate actions in furtherance of the intent and substance of this resolution, including advocating on behalf of SOECA before any governmental offices and bodies and at any hearings.

**Membership Report.** Three new households have joined SOECA: Thomas Barefoot & Victoria Raskin, Rocco & Heidi Armonda, and Clifford & Krista Lutz. Kathleen is trying to get a list of members interested in advocacy issues. She thanked Jonathan Bernstein for maintaining the listserv and for determining how many subscribers are non-residents (about 1%).

**Treasurer's report.** There are 225 member households (170 paid up to date and 55 less than a year in arrears). Checking balance = \$4,263.52 (Sept. 30). CD account = \$2,223.76 (Aug. 26) (0.10% interest rate), with a new maturity date of Nov. 17, 2010.

**Old business.** *Library property:* There was a lot to relate on this topic, but not enough time to go into it. A suggestion was made to send the library letter that was drafted in the spring to County Executive Ike Leggett and Councilmember Nancy Floreen. *Charrette:* Kathleen is arranging for a charrette at the next SOECA meeting (Nov. 4) to focus on possible future uses of the Library and parking lot. *Other matters:* A suggestion was made to invite someone to speak on emergency preparedness. There apparently is a (non-SOECA) meeting planned for October on this topic. Another speaker favored traffic calming but pointed out that on Dale Drive it has resulted in sign pollution and in making it dangerous to bike past the bump-outs.

**New business.** None was raised, due to lack of time.

**Meeting adjourned at 9:08 pm.**

**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  
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@yahoogleroups.com](mailto:soeca-subscribe@yahoogleroups.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](mailto:soeca@egroups.com) or [soeca@yahoogleroups.com](mailto:soeca@yahoogleroups.com)

**SOECA Membership 2010/2011 Renew Annual Dues**

**Send this slip plus \$10 annual household dues (\$5 for senior citizens and single members) to:  
Bill Kaupert, SOECA Treasurer, 9222 Manchester Road, Silver Spring, MD 20901**

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 Oct/Nov. 2010 Issue 2.**

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