

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

September Issue 2011

Seven Oaks Evanswood



CITIZENS' ASSOCIATION
SILVER SPRING, MARYLAND

For SOECA Residents
Monday, Sept. 26
Silver Spring LIBRARY
7:30 — 9 pm
Basement Meeting Room

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

FIRST FALL MEETING: MONDAY, September 26, 2011

TOPIC: Proposed Curfew Law & Alternative Approaches

Councilmember Ervin and the Silver Spring Police have reached out to SOECA leadership. They have requested our residents' feedback on the curfew law, proposed by County Executive Ike Leggett. The County Council needs your input now. The law was proposed in July, and the full Council will vote on the proposed law in mid-October. This meeting is an opportunity to hear why the law is being recommended and hear about alternative approaches. Teens and families are invited to attend. We have also invited our neighbors in the Park Hills Citizens' Association to join us.

The July 11, 2011 proposed law, Expedited Bill 25-11, Offenses-Curfew-Established can be found here: http://www.montgomerycountymd.gov/content/council/pdf/bill/2011/Packets/20110712_7-1.pdf

On Aug. 31, the County Executive offered additional amendments to the proposed bill, found here: http://montgomerycountymd.gov/content/pdf/CE-signed_transmittal_amendments.pdf

Send comments to: county.council@montgomerycountymd.gov

Presenters:

Luis Cardona Montgomery County MD, Department of Health & Human Services, Positive Youth Development & Street Outreach Network Coordinator will speak about prevention, intervention, youth services, and challenges.

Jim Zepp Jim is a resident of Northwood-Four Corners Civic Association, Public Safety Chair for the Montgomery County Civic Federation, Member of the County-Wide Recreation Advisory Board, and Member of Safe Silver Spring. Professionally, Jim is the Training and Technical Assistance Director for the Justice Research and Statistics Association, a national nonprofit which represents state government officials involved with criminal justice policy analysis and research. Jim will be speaking, as a private individual and not as a representative of the above organizations, about alternative approaches to juvenile justice.

AGENDA

7:30 Welcome & Greetings
7:35 Presentations/Speakers
Proposed Curfew Law & Alternative Approaches

Luis Cardona, MoCo DHHS
Jim Zepp, Justice Researcher
Rich Romer, Legislative Aide, to Councilmember Ervin will answer questions

8:30 Reports & Updates

- Chelsea School Update
- Ellsworth Park Playground Renovation
- Netiquette

8:55 Business Meeting:

- Membership Report
- Treasurers Report
- Approval of May 2011 Meeting Minutes
- New Business, see page 4

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.

SOECA May 11, 2011 Meeting Minutes

The meeting was called to order by President Kathleen Samiy at 7:36 pm at the Silver Spring Library.

Neighborhood Montgomery Presentation by Meredith Wellington

Meredith Wellington, is a former MNCPPC (Park & Planning) Commissioner. She is currently on the Zoning Advisory Panel (ZAP) and is a founder of Neighborhood Montgomery. She spoke on the ongoing rewrite of zoning code, which will be applied county-wide:

This is an unusual time for the County. A revised county-wide housing policy will soon be presented to the Council by County Executive Leggett. The Council recently rewrote the 'Housing Element' a section of the County-wide Master Plan; all Zoning Codes for the County are being rewritten; and, the new CR (commercial/residential) Zones (created for White Flint in March 2010) are being amended to apply density increases at various locations throughout our down-county (Kensington, Langley Park, Four Corners. (Council hearing scheduled for May 17). [Editors NOTE: amended CR Zones will add residential housing in current commercial zones, ie: housing will be allowed in shopping areas.]

This is a policy shift, in how development zoning procedures will be followed, and in how [and where] development will grow and increase. The County has relied on Master Plans, which show planned zoning almost block by block. There is now a shift away from them. The new plans are shorter and harder to read. Zones are becoming more important than Master Plans. The new procedures lean toward allowing zoning changes "as of right," i.e., without public input, without Planning Board review, even for some intense uses.

There is also a shift away from protection of single-family neighborhoods. We hear talk of "Smart Growth," such as increased development around Metro stations,

and we all support that. Such stations are all in Central Business District (CBD) zones. Then there are transition zones, such as townhouses and less commercial zones, between the CBDs and the single-family zones (R-60, R-90). Currently you can put other kinds of housing in R-60, such as group homes or cluster development, but they are still basically single-family neighborhoods.

Now, changes in the single-family zones are in play. A strong group wants to increase urbanization, particularly down-county. One of the first proposals was to allow "tandem" housing (putting another house in the back yard), townhouses, "courtyard" housing (four houses on two lots, with a courtyard between), and corner stores in R-60/R-90 zones "near" transit. These modified zones are a policy change. That proposal met a lot of resistance and was pulled for reconsideration, though not quashed.

A listserv was formed, by Ms. Wellington, Pat Baptiste, Julie Davis, and Jenny Sue Donner, when the White Flint CR zones were being considered. There was nothing about those zones in the Master Plan. Rezoning to CR was to be made much faster than before. We defeated that issue before the Council; however, the draft amendments to the CR zone left out the Master Plan reference we had managed to get reinstated. The CR zones are supposed to be for mixed use. There are places for mixed use, but our concern was that the CR buildings were too tall and too close to single-family neighborhoods.

With the new CR zone, developers will provide fewer amenities and public benefits (e.g., the Roundhouse Theatre) in return for greater density. A large development normally identifies school sites to serve population growth. But under the new zones, the developer doesn't have to specify the proportions of residential vs. commercial, so the County can't project future needs. The Planning Board will punt, leading to situations like the recent battle over the park in Lyttonsville: MCPS needed

school sites, so of the ten possibilities they identified, six were parks. The Wheaton plan provides very few benefits—it speaks, for example, only of a "possible school"—even with allowed heights up to 200 ft. The White Flint plan provides new restaurants and businesses, and a remake of Rockville Pike. But you have to deal with the basics: traffic, schools, libraries.

Q: What is the composition of the ZAP?

A: 26 members: five civic association representatives; an architect, a landscape architect, some attorneys who represent developers. ZAP has complained that the consultant doing the zoning rewrite hasn't listened to them. The idea originally was to trim the zoning code and make it easier to understand, but those doing the rewrite are taking the opportunity to consider serious changes.

Q: What power do we have to influence the changes? A: Contact the Council with the basic message to protect single family neighborhoods. Votes trump money. I can be contacted at mkwelington@comcast.net.

Q: Who is pushing for increased density and a shortened process? A: Royce Hanson [former Planning Board chair] favored the "urbanist" view, but it also comes from the Council. Leggett has been more reluctant and more practical. On the Council's PHED [Planning, Housing, and Economic Development] committee, Leventhal and Floreen tend that way; Elrich does not. The Council is in a panic about the downturn in tax revenue and think they'd be better off with many condo owners than with single-family neighborhoods.

Q: What is happening with consolidating parts of the Parks Dept. with the Recreation Dept.? A: Leggett has been trying to transfer Parks operations to the executive side of the government and to merge Parks with Recreation. The Council defeated a motion to re-study it, so the transfer won't happen.

Meeting Minutes, continued

Tom Hucker, District 20, Representative for areas of Silver Spring & Takoma Park in Montgomery County Maryland House of Delegates

Tom Hucker spoke briefly about the 2011 legislative session just ended. He and his wife live on Franklin, four blocks in from Colesville [just beyond the SOECA boundary]. The four top topics the legislature heard about:

Pepco: Its reliability has been in the bottom quartile nationally, which the legislators and Public Service Commission [PSC] didn't know about until last summer. The PSC has focused on rate increases and placing power lines rather than reliability. Rep. Hucker helped draft a bill telling the PSC to formulate and impose reliability standards (passed and signed). Pepco seems to have gotten the message.

Education: Schools are the backbone of our quality of life. Maryland has been ranked as having the best schools in the country for three years in a row; that's because we pay a lot in taxes and invest in the schools. Even if you don't have kids in school, you should be happy about that.

Budget: Maryland has to balance the budget every year. We did it this year without big tax increases. We did pass an alcohol tax, which is being put to good use: programs for the disabled, and schools.

Health care: The legislature passed two bills implementing the Federal affordable health care program. (Rep. Hucker was on the White House Task Force of State Legislators for Health Care Reform.) Rep. Hucker sponsored bills for screening babies for congenital heart disease (passed), for permitting wine being shipped to private homes (passed), for wind turbines (not passed), and for prohibiting arsenic supplements in chicken feed (not passed). He was appointed to the legislature's bi-county committee that oversees MNCPPC.

Q: Does Pepco still get benefits if the power goes out? What about

campaign finance reform? A: Pepco: My bill limiting "decoupling" didn't pass, but a Senate bill directed the PSC to study the unintended consequences passed. Campaign finance reform: the *Citizens' United* decision is terrible: money is not speech, and corporations aren't people. Our public financing bill passed the House, but failed by one vote in the Senate. [There were several other Pepco questions, comments and responses regarding trees, response times, and reliability.]

Q: O'Malley balanced the budget in part by selling bonds. When will the bill come due? A: We're still in this recession. The first year, Federal stimulus helped. Our legislature can cut the budget, but can't add to it. We did more bonding, but we still have our AAA rating, like seven other states, in part because we have a broader variety of taxes.

Q: The SOECA board has addressed behind-the-back dealings between EYA [proposed developer for the Chelsea School site] and MNCPPC. A: Parks and Planning have bills they want us to pass, so I have some leverage with them.

Other topics

The wine tasting was a success. A SOECA block party [was] planned for June 25. The Ellsworth Park playground equipment pictures look "like the plastic stuff we see everywhere." The lighting task force hopes to finalize the inventory of current lights this summer to accompany a request that has been drafted. The Planning Board hearing on the Chelsea school is scheduled for May 19. [See the Task Force report in this newsletter.]

Election of officers

Jean Cavanaugh, who chaired the Nominating Committee, presented the slate, which consisted of all the current officers. A motion to nominate and elect the slate was seconded and passed unanimously. Officers for 2011-12 are: President: Kathleen Samiy.

Vice-presidents: Vicki Warren and Carolyn Michell. Secretary: Tom Armstrong. Treasurer: Bill Kaupert.

Dues increase

A motion to increase SOECA dues to \$20 per household (\$10 for seniors and for single-person households) was seconded and passed unanimously.

Treasurer's report

Checking: \$9086.17 (gross, May 11); \$3623.17 (net after subtracting \$6713 in contributions designated for the Chelsea rezoning opposition and adding \$1250. that the Chelsea rezoning opposition owes the general SOECA fund). The checking account was last this low in 2002.

Certificate of deposit: \$2224.47 (Feb. 15). New maturity: May 16. Rate: 0.03%

Membership:

Jan. - April: 56 members renewed out of 142 whose memberships were up for renewal. We have 191 members in good standing, four of them new members. There was some discussion about how to increase membership.

Neighborhood watch:

David Hartman reported that Neighborhood Watch is still looking for block captains, and in some cases trying to figure out which blocks don't have captains.

The meeting adjourned at 9:38.

SAVE THESE DATES:

Thurs. September 15: The Fillmore Music Hall opens, for programs and times <http://fillmoresilverpring.com/event-calendar>

Wednesday, Oct. 12: Student Town Hall with County Council Members: County Council Building, 3rd floor Hearing Room, 100 Maryland Ave, Rockville, 20854 Reception begins at 6:30 second floor cafeteria; meeting begins at 7 pm .

RSVP 240-777-7931

Thurs. November 7:
Next SOECA residents meeting

Seven Oaks & Evanswood

Seven Oaks & Evanswood were originally subdivisions of farmland that became our suburban neighborhoods, full of homes. Many of you may have a deed to your house with these subdivision names listed, as they are also listed on the first subdivided plats of Silver Spring beginning in 1920's. As the neighborhoods blossomed and grew, single family and cluster homes were built in almost every decade since. Evanswood and Seven Oaks residents became active in the 1930's and during the 1940's and the post-war years, the neighborhoods merged into one active citizens' group.

This Association has been blessed by a stalwart group of volunteers, with unflagging continuity, leadership with a legacy of commitment, and bylaws that have stood the test of time for over 85/90 years! Over the years solid brick house styles such as Tudor, Colonial, Ranch, and Modern have been built within the original borders. We welcome any historian in our midst to interview and record the stories of our residents and further grow our community's history. We would like affirmation too, that the seven oaks still stand to this day, and the springs of Sligo Creek tributaries course under our land.

Although there are over 700 homes in our borders, at any one time only about 25-30% have paid dues to our Citizens' Association. Our dues are almost exclusively used to print newsletters, rent meeting rooms, and cover nominal costs for social events. All residents are welcome to be a full participant in our organization, whether household dues are paid or not. We try to keep abreast of current events that affect our residents within our borders as well as those nearby, including keeping a finger on the pulse of downtown Silver Spring activities.

SOECA Board members all volunteer. Annual dues barely cover operating costs. We welcome your support to keep our Association a vital and valuable asset to this community. If there is some issue, activity, or special presentation you would like us to consider, please email us at: soeca.board@gmail.com

To join the active community of the Seven Oaks-Evanswood Citizens' Association, please contribute annual dues of only \$20 per household, (or \$10 for single household, and seniors) We welcome your participation as vital to the pulse and personality of our community. Please mail the membership form on back of this newsletter directly to our treasurer, Bill Kaupert.

NEW Business on the Sept 26 Meeting Agenda:

Membership Manager: SOECA seeks a volunteer for about one hour per month to update our Microsoft Access software membership list and newsletter distribution lists. If you are detail oriented and want to help us be more proactive in communicating with members and residents, please volunteer. Email: soeca.board@gmail.com

Website & Blog Designer: SOECA seeks a volunteer with website design experience to help us set-up and freshen-up the look of our website, www.soeca.org. We would also like to add a blog for advocacy discussions of wider issues that impact our community. If you can help please email: soeca.board@gmail.com

Protect the Chesapeake Bay: Sligo Creek drains into the Anacostia River, which drains into the Bay. In big rainstorms, wastewater, sewage and pollution fill our streets and streams. The Storm Drain Marking Program in MCDOT's Keep Montgomery Beautiful Program is a great opportunity for a teen looking for community service hours—while temperatures are still above 60.

Call the Community Outreach Office at [240-777-7155](tel:240-777-7155) or go to www.montgomerycountymd.gov/content/dot/dir/comm_docs/stormdrainapp.pdf.

Street Lighting Survey: This project, which started in the spring, was intended to support a formal request to the County to ask for more lighting on streets with dark areas to make them safer for walking at night. We welcome someone to take it over and run with it. NOTE: If your street light is out or dim, call Pepco. Give them the number inscribed on the metal plate, which is mounted on the telephone pole. If you wish to get a new light on a telephone pole that has NO light, especially in a place that is a dark spot on your street, you can request Pepco add a light to the pole.

Services List: In order to help cover the cost of printing the newsletter (\$300/issue), SOECA is considering including advertisements listings (not display ads) from residents of the neighborhood. These ads could also help our community share resources and improve outreach from neighbor to neighbor. At the meeting, we will discuss whether and how to implement this idea, such as how much to charge and how often an ad would appear.

SOECA BLOCK PARTY — A GREAT SUCCESS on Saturday June 25 the block party was a special moment bringing together about 100 of our residents on a beautiful day. **Thanks to SOECA Residents Making A Difference!** We could not have had this event without the stalwart stewardship of our VP Carolyn Michell, who make the party possible. The Peterson Companies, "Downtown Silver Spring" and staff who attended our event, provided tents, music generators and speakers, popcorn and face painting. We are grateful they underwrite these kinds of community events. Their help, including support for two successful events this year, helps build a bridge between downtown's managers and our community and contributes to making our community a great place to live. A special thanks to the bands that entertained us, generating the spirit of SOECA: the Alpha Lemmings; and our own resident teens, Finbar, Noah, Brendan, and Lewis of the Flying Mighty Band.

Chelsea Task Force Report by Anne Spielberg

Update: EYA's Application to Rezone Chelsea School Site to Accommodate Seventy-Six (76) Townhouses

Since SOECA's last meeting in May, EYA's application to rezone the Chelsea School site from R-60, single family zoning, to RT-15, the highest density townhouse zoning, has been before the Montgomery County Planning Board and the Office of Hearing Examiner. Currently, we are awaiting the hearing examiner's recommendation as to whether the application should be approved, after which time the County Council will vote on the proposed zoning change.

Notable developments: The Planning Board voted 4-1 to recommend approval of the zoning change. The majority's decision rested on the proximity of the Chelsea property to the Silver Spring Central Business District ("CBD") and its location in a "transitional block." At the conclusion of the hearing, Planning Board Chair Carrier opined that the community would "love" the development in five years. The dissenting member (Amy Pressley, who helped uncover the Clarksburg development scandal) found that the plain language of our Master Plan makes clear that the current R-60 zoning and existing density should be upheld and that RT zoning is recommended only along Georgia Avenue. A live video of the planning board hearing (May 19, 2011) can be accessed at http://mncppc.granicus.com/ViewPublisher.php?view_id=2.

Five days of hearings were held before the hearing examiner. Testimony was heard from EYA's witnesses, and opposition testimony was heard from SOECA witnesses and many residents.

In response to EYA's arguments that its rezoning application is consistent with our North & West Silver Spring Master Plan and the purposes of the zoning ordinance and is compatible with the surrounding properties, opposition testimony emphasized that:

- the proposed zoning change violates the specific language and intent of our Master Plan and ignores planning policies and documents that provide that this type of dense development should be placed within the boundaries of the CBD, not in single family residential neighborhoods bordering the CBD;
- the appropriate density for the property is R-60, the same zoning in effect for all of the surrounding and abutting property;
- RT 15 zoning on the property cannot provide a transition between the CBD and the nearby R-60 single family homes, when the property sits behind an existing buffer provided by the single family homes on Cedar Street, less than half of which have special exceptions to operate as nonresidential offices;
- the development is not compatible with the surrounding properties in its density, massing, scale, and placement and will have numerous detrimental effects on the community; and
- the density of the development will have a cascading effect, destabilizing the neighborhood's edges and increasing the risk

of further up-zoning of other vulnerable nearby properties, including the Springvale Terrace Retirement Home property, the properties fronting on Cedar Street, and the corner block bordered by Wayne, Cedar, Pershing, and Springvale.

SOECA's urban planning and land use expert presented a possible alternative plan that, without changing the existing zoning, would result in a compatible development at less than half the density proposed (a total of 30 units comprised of single family attached homes along Springvale Road and duplex homes on the interior of the site).

Montgomery Preservation and SOECA's expert testified that the proposed development will severely intrude on the historic Riggs Thompson house, a rare Montgomery County pre-Civil War structure, and the proposed private internal townhouse road will cut through the historic environmental setting, threatening the long-term viability of the resource and making it a mere afterthought to the development.

SOECA's traffic expert and residents showed that the density of the development precludes an adequate means of limiting traffic access to the neighborhood, subjects surrounding residential streets to at least double the traffic that would result from an R-60 development, and decimates the existing traffic protections, in place for well over 20 years, that prevent cut-through traffic into the interior of the neighborhood.

Before the hearing examiner, EYA reneged on its promise to the community and representation to the Planning Board that there would be no vehicular access between the proposed development and Springvale Road. If EYA is precluded from building a road through the historic environmental setting of the Riggs Thompson house, EYA is proposing a plan which would channel traffic from the development, as well as cut-through traffic from the CBD, onto Springvale Road and dispersing through-out the narrow, sidewalk-less streets of the neighborhood.

Transcripts of testimony before the hearing examiner:

<http://www.montgomerycountymd.gov/cs/templ.asp?url=/content/council/zh/ZoningTranscripts.asp>.

SOECA Neighborhood Watch Program

Reminder: Always lock your car doors and remove any visible materials to prevent break-ins. Car and home break-ins escalated again with seven incidents in our area (G-2 sector) in August.

Crime Reporting:

Call 911 Emergency Number
 Call 301-279-8000 (Non-Emergency)
 Call 301-949-3010 (Park Dept. Police)
www.crimereports.com (enter your address to see recent activity)
 Call for Neighborhood Watch Block Captains.
 Contact David Hartmann, Task Force Chair: dchartmann@msn.com

OF SPECIAL NOTE: Alvin Golub, 83, of Bennington Drive passed away on June 26. He was full of charm and wit. As a long time resident he was an active participant in neighborhood affairs and rarely missed an SOECA meeting. He will be greatly missed by many. He is survived by his wife Maxine of 48 years and two daughters.

**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**

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 Sept 2011, Issue 1

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