



Civic Federation News

*Official Publication of the Montgomery County Civic Federation
Serving the Public Interest Since 1925*

Peggy Dennis, Editor - Phone: 301-983-9738 - Email: hotyakker@comcast.net

SESSION 781

WWW.MONTGOMERYCIVIC.ORG

NOVEMBER 2006



Environment Committee member Steve Kanstoroom received the Civic Federations's "Community Hero" award at the October meeting from President Wayne Goldstein. Mr. Kanstoroom was recognized for his local work to help write a Zoning Text Amendment to place limits on the size of accessory buildings and for his contributions to the champion tree bill. He has also spearheaded a statewide movement to correct problems in the homeowners insurance industry.

November Program: Our Schools, Our Teachers and the Montgomery County Education Association

by Arnold Gordon, First Vice President

Our program for the November meeting features Ms. Bonnie Cullison, President of the Montgomery County Education Association (MCEA), and MCEA's Director of Community Outreach, Mr. Jon Gerson. Since the Federation is concerned primarily with good governance in our county, and the county's school system (MCPS) is the county's largest budget expenditure, a number of our members have voiced an interest in the work of the MCEA in support of MCPS' teachers, and the role of teachers generally and the MCEA, in particular, as a social and political force in the community. The discussion will also

focus on the conditions and benefits under which the MCPS' teachers practice their profession; the functions of the MCEA on behalf of teachers; and, how those compliment or burden the community as a whole. Specific issues will include:

- Teachers' present and future benefits and working conditions as at present, and the MCEA's plans for future improvements to same;
- What improvements to the school system can be made which will benefit our students;
- The purposes and role of the MCEA in the political processes of the county especially as it relates to the County Executive and County Council positions, including the methodology and reasoning behind MCEA's endorsement process;
- Where the MCEA's plans and activities might complement or conflict with the work of civic associations anxious to protect and improve the quality of life in, and the environment of, our neighborhoods, and the responsiveness of government to those concerns;
- How MCEA perceives the budgetary and tax impacts of its advocacy of improvements for teachers and our school system;
- MCEA's relationship with MCPS' administrators, the Superintendent, and the Board of Education.

Ms. Cullison and Mr. Gerson's presentations will be followed by a Q & A session with plenty of opportunity for a vigorous discussion of all the issues.

Inside

President's Message	2
Environment Committee Report	3
Following Up on October's Transportation Program	3
Our Member Organizations	4
Minutes of the October 9 Regular Meeting	5
Minutes of the October 18 Executive Committee Meeting ...	6
Membership Renewal Form	7

President's Message

by Wayne Goldstein

This is a challenging message to write because the other shoe has not yet dropped. As I write, the general election is still a week off. But no matter what the outcome of the election, we will have a new county executive, at least three new members on the County Council and at least two new members on the Board of Education. We will also have a full agenda of proposed changes to laws and regulations that many hope to see accomplished, no matter who is elected. One of the most important changes will be to restore and strengthen our Annual Growth Policy (AGP) to once again stage and manage growth. Previous councils had riddled the AGP with exceptions. The current council then decided to kill the AGP rather than heal it.

They replaced it in late 2003 with development impact taxes, but the effective date for these taxes was delayed long enough that many builders were able to apply for their permits before that date, thus depriving the county of more than \$13 million. County residents will have to pay for a substantial additional amount of the infrastructure needed to serve these new developments, due to the tax avoidance and to the fact that the impact taxes were set so low that they do not cover most of the infrastructure costs.

A combination of a revitalized AGP and impact taxes that are based on actual infrastructure costs would ensure that those who create the additional capital costs would pay for them. All county taxpayers will still bear the additional burden of the permanent operating costs and future maintenance for the new infrastructure, but this county has believed in this approach to new growth for more than 30 years. It is interesting to note that some developers in Clarksburg are creating residential development districts that require residents to pay extra for infrastructure and maintenance, as if they were living in a municipality, but without pointing out this extra annual cost to those looking to buy in these developments.

There continues to be so much concern and anger about how M-NCPPC administers and implements the county's Forest Conservation Law (FCL), that there is a growing demand to change this law so that it preserves and increases forest cover, rather than merely negotiating how fast we will continue to lose our forests. It appears that the

average annual rate of forest loss may have increased since 2000 from 2/3 of 1% to 1% per year, an increase in the rate of loss by 50%. This demand for meaningful change of the FCL is only exceeded by the demand to create an urban tree ordinance that will stop the great loss of tree canopy in established communities, whether from infill development or from the failure to plant, maintain and replace street trees. MCCF has commented to or corresponded with county officials on this issue with increasing frequency in recent months.

Strengthening laws and regulations that protect communities and the environment from damage caused by storm water runoff is also a top priority, whether from the impact of infill development or the inadequacy of conventional storm water controls in older communities. This is why MCCF has joined with numerous other groups to advocate for a stronger state "Clean Water" permit that will require the county to implement the best new storm water management approaches. MCCF will be working to see that these new laws are passed and regulations enforced.

You'll soon be hearing about a proposed law to allow communities to voluntarily create what is known as a Neighborhood Conservation District. This approach to negotiating with builders doing new construction in established neighborhoods, in order to minimize negative impacts, has been successfully used in the Eastport area of Annapolis since 1990 and is on the verge of being approved for the Lincoln Park neighborhood in the City of Rockville.

MCCF can expect to get even busier after December 5 when our new elected officials have taken office. We will not just be opposing proposals that benefit special interests to the detriment of others, but will be advocating for changes that will benefit the broader community. We have seen small changes to environmental laws sail through this council, and we hope to make more substantial changes to these and other laws with the new council.

Environment Committee Report by Caren Madsen, Environment Committee Chair

The Environment Committee has been involved in several key countywide issues over the past month -- forest conservation and stormwater management. Wayne Goldstein and I both testified at Council hearings on two separate forest conservation bills which were both subsequently approved unanimously by the Council. One bill, sponsored by Councilmembers Leventhal, Denis, Praisner and Perez, will establish a Forest Conservation Advisory Committee. This committee was intended to be part of the original Forest Conservation Law (FCL) passed in 1992, but it had been stripped out of the legislation when the development community and local chambers of commerce lobbied against it. A second bill, sponsored by Councilmembers Praisner and Denis, was introduced as emergency legislation to protect a champion weeping cherry tree in Bethesda. While it was intended to protect all champion trees regardless of their location in the county, the Department of Environmental Protection and the Department of Permitting Services have raised concerns that the legislation falls short of full protection. The two departments submitted comments for the record pointing out that the legislation does not prevent a property owner who wants to disturb land measuring less than 5,000 square feet from destroying a champion or other large tree since no permit is required for this scale of disturbance. There is also concern that a landowner could trim a tree and reduce its size, thus causing it to lose the protections of its champion tree status. Subsequent amendments may be made through recommendations by the Forest Conservation Advisory Committee to fine tune the legislation which was adopted in a three-week time frame. Those who testified on both bills, including the Montgomery County chapter of the Sierra Club, advocated for a more comprehensive urban tree ordinance which could address many of the gaps and weaknesses in our existing Forest Conservation Law.

MCCF continues to support Environment Committee member Steve Kanstoroom in his battle to protect his Ashton property from additional tree loss and in pointing out inconsistencies in the way that Park and Planning administers and enforces the FCL. Park and Planning has failed to enforce on a violation outlined by Kanstoroom at our October meeting. Although Kanstoroom has provided

outstanding documentation of the violations, Park and Planning issued a weak Order for Corrective Action in early October citing a "lack of evidence" as a reason for the weakness of the order. A meeting between MCCF and Planning Board Chairman Royce Hanson is now set for October 31. MCCF is asking that Park and Planning set aside the weak corrective action written by Acting Planning Department Director Farol Hamer and place a hold on additional exemptions in the FCL process until administrative problems are corrected within the department. Our organization has now sent two letters to M-NCPPC asking for a halt on the granting of exemptions. A county Forest Conservation Task Force established by M-NCPPC last June meets once a month with the objective of producing a set of recommendations for improving operational flaws in the implementation of the FCL by the end of the year. I will be representing the MCCF on that task force.

MCCF also joined a massive letter-writing campaign organized by the Stormwater Partners Coalition, a 22-organization group led by Diane Cameron who addressed MCCF some months ago. The coalition's objective is to persuade the State Department of the Environment to write a stronger stormwater management permit for Montgomery County. The county's permit, which is issued every six years by the State, expired this past July. The coalition made progress recently when the County Council passed a resolution supporting a stronger permit and put \$1.3 million into the FY07 budget to promote low impact stormwater management development practices. MCCF has been a member of the coalition for a year and submitted one of the 200 letters sent to the Maryland Department of the Environment in recent weeks.

Following Up on October's Transportation Program by Peggy Dennis, Newsletter Editor

Last month's program on Transportation was a wee bit disappointing. Too many topics were dismissed with the non-answer, "Well, the devil's in the details", with the suggestion that the questioner call the presenter for a detailed response or with an admonishment to "check the website". Some of us came away with the feeling that our

expert presenters simply didn't have the answers.

My question about how to file complaints and suggestions about the Ride On bus service led me to "check the website" and the adventure was informative. I typed in www.montgomerycountymd.gov then clicked on "DPWT". Next I clicked on "Ride On Service Improvement" which took me to the Ride On website. I was about to give up when I discovered that by scrolling all the way to the bottom of Alice's rabbit hole, I could find "Contact Us". This provided a "Feedback Form" on which to make electronic comments and suggestions. For those who have internet phobias or just plain internet incompetence, you may call 240-777-7433 to register your complaints/suggestions. Or you may write to: Montgomery County Department of Public Works and Transportation, Division of Transit Services, 101 Monroe Street, 5th Floor, Rockville, MD 20850. I must confess though, my complaint and suggestions did NOT get a response. Not even an acknowledgment of receipt. So whether anyone at DPWT is even checking the electronic mailbox or considering citizen comments is yet to be determined.

I do encourage those with computers (if you don't have a computer, ask a media specialist in your local library to help you use one of our public computers) to explore the county government's website. It holds a wealth of information and will only get better if we can add our own suggestions and information. The DPWT website, for instance, has great resources listed under Solid Waste on how to get rid of everything you don't want to keep. You don't have to toss stuff in the trash! Find second hand and thrift shops where you can sell or donate your outgrown or outdated clothing, furniture, household appliances, books, games, videos, records and even those environmentally suspect computers. Get free composting bins and turn your yard and kitchen waste into "black gold" for your garden. This site has everything an environmentally conscientious citizen to could wish for! Just invest the time to exploring this resource.

Our Member Organizations

The following member organizations have paid dues for 2006-2007. If your organization is not listed, please fill in the Membership Application Form (in this newsletter or downloadable from our web site) and get it to your treasurer as soon as possible.

Good Hope Estates Civic Association, Inc
Norbeck Meadows Civic Association, Inc.
Layhill South Citizens Association
Boys Civic Association
Deerfield Weathered Oak Citizens Association
Kenwood Park Citizens Association, Inc.
Randolph Civic Association
South Tuckerman Inverness Citizens Association
Maplewood Citizens Association
Allanwood-Gayfields-Wilson Hills-Gaywood Estates
Brook Manor Estates Homeowner Association
Montgomery County Taxpayers League
Riverhill HOA, Inc.
Strathmore BelPre Civic Association
Potomac Towne Homeowners Association
West Montgomery County Citizens Association West
Bradley Citizens Association
Congressional Forest Community Association
Sonoma Citizens Association
Grosvenor Park Condominium Citizens Association
Tulip Hill Citizens Association
Manor Lake Civic Association
Preserve at Small's Nursery
Wheaton Regional Park Neighborhood Association
Wildwood Manor Citizens Association
Greater Colesville Citizens Association
North Hills of Sligo Creek Civic Association
Forest Estates Community Association
Indian Spring Citizens Association
Springbrook Forest Citizens Association
Carderock Springs Citizens Association
Stonegate Citizens Association
Regency Estates Citizens Association
Greater Goshen Civic Association
Seven Oaks Evanswood Citizens Association
Greater Olney Civic Association
Action Committee for Transit
Kensington Heights Citizens Association
Bradley Boulevard Citizens Association
The Greater Shady Grove Civic Alliance

Volunteers Needed

Colesville Meals on Wheels serves the needs of the homebound in the Woodmoor, Four Corners, Burnt Mills, White Oak, Colesville, Calverton and surrounding areas. We deliver meals 5 days a week from 10:30 a.m. to 12:30p.m. We do not deliver when schools are closed due to snow or on major holidays. Your commitment will only be 2 hours a week. For more information call Sarah Day at 301-384-5735.

Minutes of the October 9 Regular Meeting

by Richard Zierdt, Recording Secretary

MCCF President Wayne Goldstein calls the meeting to order; introductions; 45 are present at 7:47 PM; 54 have signed the attendance roster by meeting's end.

Announcements. (1) This Thursday, public debate for County Executive at Montgomery College. (2) Film about Ralph Nader at AFI Theatre, 7:20 PM, Tuesday. (3) Read the MCCF article in the Sentinel about water quality.

Agenda is approved as amended. Wayne adds flood insurance reform to new business.

Community Hero Award: Wayne Goldstein presents our Community Hero Award to Mr. Steven Kanstoroom for a) his work to protect forests and to demand that county agencies enforce existing laws to protect the environment and; b) his work on the national level with regard to investigating problems related to FEMA's flood insurance. Hurricane Isabel severely affected some Marylanders, one of whom is present this evening. She describes her unacceptable experience in a flood insurance claim. Mr. Kanstoroom has spoken to Governor Ehrlich about the issue of insurance fraud on two fronts; where insurance companies collect premiums but assume essentially no risk because of federal government guarantees, and denying payment on obviously legitimate claims. [Governor Ehrlich also recognized Mr. Kanstoroom]. . The committee voted unanimously to send a letter to Governor Ehrlich calling upon the Governor to support Mr. Kanstoroom's efforts.

See also www.femainfo.us, a resource and support site about this issue.

Program on Transportation: Byron Bloch, Transportation Committee chair presides. Distributes handout. Introduces Edgar Gonzalez, Deputy Director for Transportation Policy in the Department of Public Works and Transportation (DPWT) for Montgomery County; Councilmember Nancy Floreen, chair of the Council's Transportation Committee; and Arthur Holmes, Director of DPWT. Topic: The 10-year Transportation Plan for Montgomery County. Ms. Floreen: Transportation has always been about the money. Developers have funded public projects. Distributes a six-page document: "Montgomery County's 10-year Transportation Plan" published by the County Council. We are playing infrastructure catch-up (with development). Council doubled the development impact taxes, and added an education infrastructure tax. These fees are the highest in the area. Mr. Holmes: the "Go Montgomery" program did not receive the State funding it expected. Planned was an "Outer Purple" line to Tyson's Corner. Master Plans are the guiding factors. Master Plans are supposed to be "balanced," but the Potomac Master Plan was not. The issues listed (on MCCF's handout) are State issues. We're trying to engage the State. You can impact this by attending meetings of the Planning Board. Mr. Gonzalez speaks: He provides a handout of projects funded or planned. By the fall of 2007, his agency must prepare a CIP to be presented to the Executive and Council. May 2008 is projected completion date for Montrose Parkway (east).

Q&A. Will the panel come clean about funding for the ICC? Ms. Floreen: ICC is a state project and it's in the Master Plan. Q: Light rail to Frederick? A: Corridors City Master Plan to Clarksburg (but not to Frederick). This includes express toll lanes and express buses.

Committee Reports.
Planning and Land Use. Office of Legislative Oversight (OLO) wants examples of possible Department of Permitting Services (DPS) improper inspections. Contact Greg Howard 240-777-7985 or Kirsten Lathem x7991. Jim Humphrey provides a list of 107 commercial centers in Montgomery County, 55 of which are "mature."

Minutes. Minutes from the September 11, 2006 meeting are accepted as published in the Newsletter.

Treasurer's Report. Luella Mast. Treasurer's report shows MCCF started this year with \$8,392 in the bank.

New Business. Discussion about flood insurance fraud. Moved: that the MCCF write a letter to Governor Robert Ehrlich and the Democratic candidate for governor, Martin O'Malley, asking that each of them send a letter to President Bush urging him to investigate insurance fraud at FEMA. Seconded. Passes.

Adjournment at 9:55 pm.

Minutes of the October 18 Executive Committee Meeting

by Richard Zierdt, Recording Secretary

Meeting begins at 7:53 PM; 8 are present : Wayne Goldstein, Bill Schrader, Peggy Dennis, Mark Adelman, Charles Wolff, Jim Humphrey, Richard Zierdt, Sandy Vogelgesang

Minutes of ExComm meeting of 2006-09-21 are approved (thank you, Peggy!).
Treasurer's Report was e-mailed earlier by Luella Mast.

Environment Committee. Two cases of illegal tree (forest) clearing are discussed. By administrative decision, one case received a \$500 fine and order to replant 25 trees. The other case was fined \$26,250 (83,000 sq.ft. @ \$.75 per sq.ft.) plus re-forestation. The discrepancy is well noticed. Wayne will write a letter to Royce Hanson, Chairman of the Planning Board.

Application was made to resubdivide a 1 + 1/3 acre lot in Bethesda into four lots. The land apparently qualifies for less or no resubdivision, and in fact may be in a flood zone. Jim and Wayne continue to investigate.

WSSC is planning a new water intake in the Potomac River. The issue is whether or not reducing or preventing particulate matter from running into tributaries that flow into the Potomac would be as effective as building a mid-river water intake in the Potomac. No action by the ExComm was taken at this time.

Sidewalks. A new "green" sidewalk material was discussed

where grass grows "through" small holes in the sidewalk.

Education. Mark Adelman. Mark attended and testified at an October 12 public hearing by MCPS. Three board members, and the student member, were present.

Planning and Land Use. Jim Humphrey. 55 mature commercial properties exist in the County (study by the Urban Land Institute). M-NCPPC held three public Planning forums during 2006, the last one was on September 27, on redevelopment of MD Route 355 (Rockville Pike, et.al.). through Montgomery County

ZTA 06-24: Prohibition of furniture sales in residential areas, introduced by Councilmember Howard Denis. Jim reports that at least one house on Wisconsin Avenue is selling furniture out of the home. Richard Zierdt moves that MCCF ExComm support ZTA 06-24. Seconded. Passes unanimously.

Program. November delegates meeting. Discussion evolves around the program of MCEA (Montgomery County Education Association) at this meeting. Some felt that the invitation of only Bonnie Cuillison was insufficient to understand the positions of MCEA, and that at least one other representative of MCEA should also attend if possible. The program on MCEA is the first one on this topic that the MCCF has held. John Gurson from MCEA is suggested. Richard Zierdt moves that the MCCF ExComm support having more than one representative from MCEA participate in the program at the November 13 Delegates meeting. Seconded. Some feel more participation by MCEA will better offer chances for both organizations to get to know one another. Another thought is that MCEA is too political for significant dialogue. Motion passes 5-2.

Membership. Peggy Dennis. Peggy bought the complete, 62-page list of civic and homeowners associations from Park and Planning, and then marked up a district map of Montgomery County to see where each association exists. Accolades are voiced about Peggy's work.

Public Relations. Mark Adelman asks about the current status of the MCCF website. Also, a status on the ownership of the URL montgomerycivic.org is requested.

Meeting adjourned 9:32 pm.

MONTGOMERY COUNTY CIVIC FEDERATION

Serving the County since 1925

MEMBERSHIP APPLICATION OR RENEWAL

July 1, 2006 through June 30, 2007

Mail to: Luella Mast, MCCF Treasurer
809 Hobbs Drive, Colesville, MD 20904

Inquiries: Peggy Dennis, Membership
301-983-9738
hotyakker@comcast.net

Name of Organization/Individual _____ Date _____

Number of Households (Approx) _____ Annual Dues (see below) \$ _____
(Make checks payable to **Montgomery County Civic Federation**)

Membership Type	Number of Households	PLEASE CHECK	DUES	Max Number of Members	Voting Privileges
Local Association (civic, community, homeowner or municipality. Must represent at least 30 households - not paid members. Can not be a single local issue group.)	30 to 300		\$45*	2	Yes
	301 to 600		\$65*	3	
	601+		\$85*	4	
Umbrella Association (Two or more local associations. Cannot be single local issue group.)	60 to 500		\$45*	2	Yes
	501 to 1000		\$65*	3	
	1001+		\$85*	4	
Regional or County-Wide Organization (environmental, transportation, or other civic/community).	50+ memberships, not households		\$45*	2	Yes
Individual Associate	(not applicable)		\$20*	1	No
Associate Group (Gov't agency, business, or other organization)	(not applicable)		\$85*	2	No

Can select less than the allowed number of members and pay according to that number. List your members below. Each member will receive our newsletter unless he/she elects to receive an email notice that the newsletter is available at www.montgomerycivic.org for downloading. Please check the email box below for those who will receive the email notice. ***You may also take a \$5 discount off the dues for each person who elects to receive the newsletter email notice.** Please provide the email address whether or not newsletter email notification is selected. We are planning to produce a membership directory. Please identify whether you want your email address included.

1.	Name (President+)	Phone (H/W)	
	Street	E-mail Address	<input type="checkbox"/>
	City, State, Zip	Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	
2.	Name	Phone (H/W)	
	Street	E-mail Address	<input type="checkbox"/>
	City, State, Zip	Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	
3.	Name	Phone (H/W)	
	Street	E-mail Address	<input type="checkbox"/>
	City, State, Zip	Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	
4.	Name	Phone (H/W)	
	Street	E-mail Address	<input type="checkbox"/>
	City, State, Zip	Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	

+President of applying organization or permanent substitute designated by the president.

Federation Meeting

Monday, November 13
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Ave.
Rockville, MD

Agenda:

7:45 Call to Order
7:46 Introduction and Announcements
7:55 Adoption of Meeting Agenda
7:56 Approval of Minutes and Treasurer's Report
8:00 Program
9:10 Committee Reports
9:30 Member Issues
9:40 Old Business
9:50 New Business
10:00 Adjourn

The **Montgomery County Civic Federation** is a county-wide nonprofit educational and advocacy organization. It was founded in 1925 to serve the public interest. Its monthly Federation meetings are open to the public and are held on the second Monday of each month September through June at 7:45 p.m. in the First Floor Auditorium, County Office Building, 100 Maryland Avenue, Rockville.

The **Civic Federation News** is published monthly. It is mailed to Delegates; associate members; news media, and local, state, and federal officials. Permission is granted to reprint any article provided proper credit is given to the "**Civic Federation News of the Montgomery County Civic Federation.**"

Submit contributions for the next issue by: **Midnight, Saturday November 18.** Prepare submission as an MS Word, Word Perfect or text-only document, **attach** it to e-mail, and send it to hotyakker@comcast.net Please send all address corrections to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or djwilhelm@verizon.net.

NEXT EXECUTIVE COMMITTEE MEETING

Wednesday, November 15, 7:45 p.m.

Julius West Middle School
651 Great Falls Road, Rockville

MONTGOMERY COUNTY CIVIC FEDERATION

DAN WILHELM, DATABASE MANAGER
904 CANNON ROAD
SILVER SPRING, MD 20904
[DJWILHELM@VERIZON.NET](mailto:djwilhelm@verizon.net)

Address Service Requested

First Class Mail

Printed by **Kinko's**