



Civic Federation News

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Serving the Public Interest since 1925

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December Program: County's Forest and Tree Laws By Caren Madsen, Environmental Committee Chairman

Trees and a lot of other flora and fauna may be going dormant right now, but this winter holds great potential for growth when it comes to improving county tree and forestry measures. Our December 10th general meeting program will offer a chance to hear about Montgomery and state trees and forestry from four professionals involved in various aspects of tree preservation.

We will hear from Laura Miller, Arborist and Forest Conservation Coordinator for the county's Department of Environmental Protection (DEP); Michael Galvin, Supervisor of Urban & Community Forestry for the Maryland Department of Natural Resources-Forest Service; Brett Linkletter, Program Manager of Tree Maintenance for the Montgomery County Department of Public Works and Transportation; and Mark Pfefferle, Forest Conservation Coordinator for the M-NCPPC Environmental Planning Division. The four will explain how our state and county tree laws intersect and what can be done to improve coordination within the various agencies involved in tree protection and reforestation.

M-NCPPC has been working on a revision of the Montgomery County Forest Conservation Law (FCL) since last summer. The Montgomery County Planning Board approved Park and Planning staff recommendations in September and forwarded the proposed revisions to the Council. The address for the website to view their proposal is at <http://www.mc-mncppc.org/board/agenda/> A separate proposal drafted by Councilmember Marc Elrich (at large) calls

December Community Hero Recognition for Sue Ghosh Stricklett and Harriet Lurensky Kuhn: Champions of Hillmead Neighborhood Park by Wayne Goldstein

This December, we recognize Sue Ghosh Stricklett and Harriet Lurensky Kuhn as Community Heroes. For two years, this dynamic, two-woman team worked relentlessly to improve and enlarge Hillmead Neighborhood Park in Bethesda. Sue first became

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for a lower threshold for triggering the FCL than that proposed by M-NCPPC plus revisions to the land use categories dealing with reforestation. The Council must introduce legislation, hold a public hearing, and hold work sessions on both these initiatives. To date, the Council has not scheduled a date for introducing an amendment to the FCL. Whatever form the legislation takes, the state must have oversight since the FCL is mandated by the state's Forest Conservation Act. The state act says that the county law must be at least as strong as – but not weaker -- than the state's version. Action on FCL revisions will take place over the winter. Separately, an urban tree ordinance will seek to fill gaps left by the FCL so that more individual trees and smaller stands of trees can be protected. Councilmembers Elrich and Roger Berliner (Dist. 1) are leading the effort to strengthen the county's tree laws by working with developers and members of the environmental and civic communities to identify priorities and criteria for revisions to our existing FCL, as well as models of effective tree ordinances.

Continued on page 3

interested in this local park when she served as chairwoman of Friends of Hillmead Park. Instead of waiting up to five years for the Parks Department to carry out a badly needed renovation, Friends of Hillmead Park raised \$23,000 from the neighborhood

to replace the badly worn playground equipment and renovated the playground in September 2005. At the time it was reported that Sue said "the park's success is testimony to what a community can achieve."

When, a few months later, Sue learned of the plans of a longtime neighbor to subdivide her 1 1/3 acre lot adjoining the park and sell it to a builder to construct at least four homes, she immediately began to speak out against this project. She insisted that there were several dozen significant trees on the site, that the slopes were too steep for building, that there was an unacknowledged stream on the property and that part of the property was in a flood plain. She was joined by Harriet, and the twosome, an "Odd Couple" brought together by this common interest, worked hard to oppose the develop plan. During most of that time their mission - to have M-NCPPC buy the parcel and add the land to the park - never seemed remotely possible, but Sue and Harriet, both of whom call themselves "Bethesda moms" and the "Hillmead Ladies" were undeterred. Sue, a corporate and government affairs attorney and Harriet, a school psychologist, have plenty of brains and determination. At the first hearing in May 2006, they made numerous allegations of improper behavior that led to the Chairman of the Planning Board ordering an investigation. While this investigation ultimately didn't find specific or deliberate wrongdoing, it did find that mistakes had been made by planning staff and by at least one person working for the owner. After the project received initial approval in November 2006, these Bethesda moms continued to challenge the basis of the decision, mastering several arcane parts of the development approval process.

MCCF was among those who supported Sue and Harriet's work, but I also suggested that purchase of the land for a park would never be an option, and that

the best that could be hoped for was that only three houses might ultimately be built, lessening negative environmental impacts. How glad I am that I was wrong, and I now happily eat those words of doubt. It turned out that the builder with the contract decided not to buy the property after the approval was finalized. It also turned out that the attention that Sue and Harriet had brought to the project also got the attention of the M-NCPPC employee who negotiates park land purchases. When the owner's representative approached the M-NCPPC employee, they were able to agree on a price, and the pending purchase was announced this fall. One of Harriet's sons was quick to exclaim that "the sledding hill had been saved" when he learned that the property would be added to the park.

I was surprised and pleased at this outcome and watched as the needed official approvals were made, ready to nominate Sue and Harriet as Community Heroes just as soon as the sale was finalized. Actually, they would have deserved to be recognized as Community Heroes even if they had not succeeded, because they had so persistently and effectively worked to shine a light on the less-than-satisfactory ways that the planning staff sometimes conducts business with some applicants. In fact, the Planning Board, followed by the County Council, has made changes to the Development Review Manual that reflect some of the lessons taught to them by these "Bethesda moms". Sue and Harriet have saved much more than one beautifully treed lot in their immediate neighborhood. I hope that these two women who wouldn't take "no" for an answer will continue to teach new and necessary lessons to all of us who are committed to preserving and enhancing our neighborhoods and making government work with us towards that end.

Membership Renewals

by Dan Wilhelm, Data Base Manager

The time is running out to renew your membership. If your association, or you as an individual member, has failed to renew your membership by the end of December, our by-laws require us to drop you from our rolls. We don't want to take that step! We want you to continue with us. Therefore, I urge you to renew your membership now. The following is the list of associations and individual members who have not renewed. If you believe your dues have been paid, please contact Luella Mast and/or myself to clarify the situation.

Kensington Heights Citizens Assn.
 Kenwood Park Citizens Association,
 Northwood-Four Corners C. A.
 Regency Estates Citizens Association
 Snowdens Mill Homeowners Assoc
 Sonoma Citizens Association
 Springbrook Forest Citizens Assn.
 Strathmore-Bel Pre Civic Association
 The Preserves @ Smalls Nursery

Town of Kensington
 Wheaton Citizens Coalition
 Woodside Park Civic Association Inc.
 Action Committee for Transit

Individuals
 Lewis Helm
 Kathryn Hopps
 Caren & Eric Madsen
 Brian McTigue
 Bette Petrides
 Stuart Rochester
 Jeanne Taylor

December Program *continued from p 1*

Within the next month, 15 public members of the newly established Forest Conservation Advisory Committee nominated by County Executive Leggett will be confirmed by the County Council. Letters were

issued to the nominees citing a November 20th date for confirmation, but the date has been delayed. The Committee was the subject of a fall 2006 bill approved by the Council as an amendment to the FCL.

Environmental Committee Report by Caren Madsen, Chair

New Environmental Leadership for the County

Another prospect for positive change in 2008 is the County Executive's designation of the new director of Montgomery County's Department of Environmental Protection (DEP). The County Executive announced Robert G. Hoyt -- former Assistant Secretary of the Maryland Department of the Environment -- as his choice to head the county's DEP with an anticipated Council confirmation date of November 27. Introducing Hoyt at a news conference in Rockville, Leggett said, "We have found a person whose broad-based experience with environmental and management issues will serve Montgomery County very well as we build on our record of achievement and tackle the challenges ahead."

From 1990 to 1995, Hoyt served with the Chesapeake Bay Foundation, two years as senior vice president, with responsibility for developing and overseeing implementation of their strategic plan. He also has 10 years of experience practicing and/or teaching environmental law at the University of Maryland School of Law and the Widener University School of Law in Harrisburg, PA. He is a former deputy attorney general for the New Jersey Division of Law in Trenton, providing legal advice and representation for the N.J. Department of Environmental Protection.

After leaving Maryland's Department of the Environment in 2001, Hoyt co-founded the EcoLogix Group, Inc. which serves agencies and organizations that impact water, air and land. The Annapolis-based firm provides clients with creative solutions that fulfill economic goals and create "environmental and social value" for local areas. Hoyt's clients there included the Chesapeake Bay Foundation, the City of Baltimore, the Maryland Coastal Bays Program, the Mid -Atlantic Renewable Energy Coalition, the National Oceanic and Atmospheric Administration (NOAA), the U.S. Environmental Protection Agency, and the World Wildlife Fund.

"Bob Hoyt is a good listener with strong leadership skills and a handle on how partnerships can be effective in the public sector," said environmental consultant Diane Cameron, who chairs the Montgomery County Stormwater Partners Coalition, of which MCCF is a member. "He was well-regarded by the environmental community prior to his nomination. We're looking forward to working with him."

Planning Board Delays Decision on Montgomery College of Arts and Design Site

At a Nov. 5th Planning Board hearing, residents adjacent to the Montgomery College of Arts and Design (MCAD) site – proposed for a townhouse development – told members of the Board that the land should be added to the county's Legacy Open Space (LOS) program and used for a park. Citizens from the Carroll Knolls, McKenney Hills and Plyers Mill Crossing communities told planners that the MCAD land has been used as a park for years and should remain as green space. They joined more than 30 others who testified about seven sites throughout the county being considered for the LOS program. The Planning Board deferred its decision and will revisit the recommendations after giving LOS staff a chance to modify recommendations based on the testimony from residents, but has not yet set a date for the vote. The board is accepting written public comments through Dec. 3. The link for the hearing is located at:

<http://www.mc-mncppc.org/board/agenda/2007/agenda20071115e.html>

Watershed Conference a Success

The late October watershed conference held by the Montgomery County Stormwater Partners Coalition was a successful event with more than 100 attendees and an impressive array of speakers and workshops. Coalition Chair Diane Cameron reports that the event may have fostered the formation of several new watershed organizations throughout the state and offered a chance for cross-state/cross-county sharing of innovative ideas for watershed protection.

Committee Still Needs Volunteers

The all-important 2008 Nominating Committee which will propose the slate of candidates for next year's elective positions still needs at least five delegates to serve. The Nominating Committee will be announced in the February Newsletter and elected at the February regular meeting. The committee's work must be completed by April 26, the deadline for getting the list of proposed candidates into the May newsletter, so its work is of short duration. Delegates interested in serving on this committee should contact President Wayne Goldstein at waynengoldstein@hotmail.com or 301-942-8079.

The 2008 Awards Committee has been named: Peggy Dennis, chairman; Arnie Gordon and Jim Humphrey. We have three awards to present at the May 9, 2008 Annual Awards Dinner:

Meeting Day to Remain Unchanged By Dan Wilhelm

Last month, we indicated that our regular monthly meetings would be changed from the second Monday of the month to the second Wednesday unless more people had conflicts with that proposal. I sent an email to every delegate and asked which days of the second week they had a conflict – Monday, Tuesday, and

Future Program Topics by Arnold Gordon, First Vice- President

For our January program we will be reviewing the state of hospital services in the county and the planned expansions of Holy Cross and Suburban Hospitals. We expect presentations by representatives of the two hospitals; and county agencies including the Board of Appeals, which have responsibility for insuring the necessity and propriety of these expansions and their impact on surrounding neighborhoods. Presentations will focus on methods of expansion, and the steps planned to mitigate the impact on the local neighborhoods. The program will be followed by our usual Q and A session.

For our February and March programs the Executive Committee has discussed a number of possible topics but we'd like your input and feedback on which of these might be most timely and important to you. The topics under consideration include:

- The readiness of our county emergency public safety agencies with special focus on emergency medical and ambulance services and the fire services;

The **Sentinel Award**, presented to an individual or group for a significant contribution to good government at the local level.

The **Gazette Award**, presented to an individual or group who performs exemplary volunteer service for the residents of the county.

The **Star Cup**, awarded to a MCCF delegate or committee for outstanding public service on behalf of Montgomery County.

So, please be thinking about individuals and/or groups you would like to see honored and communicate your preferences to Peggy Dennis at hotyakker@comcast.net or 301-983-9738.

Wednesday. Of the 37 responses I received, 8 had conflicts on Monday, 14 on Tuesday and 18 on Wednesday. Based upon this response, the Executive Committee has decided to continue holding our meetings on the second Monday.

- Our county judges and judicial system: How are judges picked or elected; the administration of the courts; the viewpoint of the prosecution and defense bars; and weaknesses and improvements needed;
- The state of the county's environment, particularly the quality of our air and water. Speakers would include representatives of the County's agencies with environmental responsibility; the Audubon Society, Storm Water Partners etc.;
- The county's budget (in March or April);
- Planning, zoning and land use issues;
- Any other topics you feel would be of interest.

Your opinions on this are important to us. Please let me know your thoughts at nmcaprexy@aol.com.

By-laws Committee Report

By Luella Mast, Chairman

As the county reaches "build out," more small residential communities are being built. The by-laws committee is discussing a proposal to add a new membership category for associations with less than 30 households. Those members would have one voting delegate.

Successful Treasurer's Workshop

By Luella Mast, MCCF Treasurer

Sue Schumacher representing the Citizens Coordinating Committee on Friendship Heights, Rob Hoggarth, the Greater Colesville Citizens Association, Richard Zierdt, the Randolph Civic Association, Dell Pillars/Kline, Rockville Civic Foundation, and Joan Browne from the Rock Creek Palisades Citizens Association attended the

Our next meeting will be on a yet to be determined Tuesday in early January. If you would like to join the committee or if you have suggestions or comments for us, please contact Luella Mast at luellam@comcast.net or by phone 301-384-4178.

Treasurer's Workshop on October 24. Topics included types of treasurer's reports, IRS requirements, and a general discussion about how our respective civic organizations function. All those attending felt the evening was worthwhile.

Minutes of November 12, 2007 Regular Meeting

by Jim Humphrey, Acting Recording Secretary

Call to order: President Wayne Goldstein called the meeting to order at 7:45 p.m. There were 32 present representing 21 organizations, not counting the guest speaker.

Announcements: Peggy Dennis announced the return of the long-lost ceremonial and functional gavels to the organization.

Agenda, Treasurer's Report, and Minutes: The agenda for the meeting was approved. A motion was made, seconded and approved to accept the minutes of the October 8 Regular Meeting as published in the newsletter. And the Treasurer's Report was accepted.

Program: Chuck Floyd, Chair of the Public Safety Committee, kicked off the program by demonstrating a new speaker horn with embedded camera and microphone being manufactured by American Technology Corporation. He then introduced the guest speaker, Thomas Manger, Chief of the Montgomery County Police Department.

Chief Manger stated that he often uses a PowerPoint presentation to inform groups as to what crime is going on in the county and where it is occurring, and offered to return at some future date with that presentation. He noted that Germantown has the fastest growing crime problem in the county, but problem areas extend from there through Gaithersburg, Aspen Hill, Wheaton, Silver Spring, Langley Park, and areas on the east side of Colesville Road.

On a personal note, the Chief explained that he grew up in the county and graduated from Blair High School. He served on the police force in Fairfax County Virginia for 27 years, the last 6 as Chief; then came to Montgomery County to replace the former Police Chief who left almost 4 years ago.



Manger stated that robberies have risen dramatically over the past 6 years in certain areas, and the most likely crime to impact county residents is car theft and theft of property from cars. The police also now deal with homeland security issues such as keeping informed of possible international terror activity in the region, and can now check names of criminal suspects against both the Homeland Security watch list and the

Immigration and Customs Enforcement (ICE) list of known illegal immigrants kept as an FBI database. Art Wallenstein, Corrections Department head, also sends a list of county jail inmates to all involved Federal agencies every couple of weeks.

The Chief noted that there are around 30 gangs operating in the county, both ethnic- and neighborhood-based, with most members being "homegrown" residents. He encouraged anyone who suspects that graffiti in their neighborhood is gang-oriented report it to the police non-emergency number (301-279-8000) or send a digital photo and the location of the graffiti to their local police station (email addresses available on the Police Dept. website accessible through the county's site).

In answer to questions, Manger stated that his department tries to direct homeless to appropriate services, encourages the reporting of suspicious persons or activity in neighborhoods, and is working to improve pedestrian safety. He mentioned that MCPD has a CompStat Program in place, similar to the CountiStat Program in the works for the Executive Branch, whereby District Captains and others meet every Tuesday to discuss countywide policing issues. The Chief noted that, while there may only be 5 or 6 officers on traffic duty at each station, he wants to keep units under local control. Although there are 24 educational facility officers currently in public schools, he would like to have an officer in every middle and high school; and, MCPD recently signed a Memorandum of Understanding with School Chief Weast as to what crimes in schools get reported and how. He ended by encouraging individuals to tour the Emergency Operations Center and go on a Ride-Along to experience police work first-hand.

Votes on Resolutions: The motion was made by Arnie Gordon and seconded that the MCCF "recommend the contract for Stage A of construction of the InterCounty Connector be extended to include the alignment through to Route 28." Motion passed 19 for, none against, and 5 abstentions. The resolution will be communicated to appropriate agencies.

Dan Wilhelm, MCCF Legislation Chairman, briefly discussed the issues before the Maryland General

Assembly during their current Special Session, and announced he would not be seeking MCCF approval of resolutions he discussed in the November newsletter. A motion was made by Richard Zierdt and seconded regarding the state sales tax; motion was tabled on a vote of 12 for, 7 against, and 1 abstention. Another motion by Chuck Lapinski regarding the General Assembly Special Session failed to get the required number of seconds.

Committee Reports: Jim Humphrey, Planning and Land Use Chair, announced a follow-up meeting on proposed changes to the master plan process, to take place at Park & Planning on November 27, from 7 to 9 p.m. There will also be a meeting at Park & Planning on December 1, from 8:30 a.m. to 3 p.m., to explain form-based zoning. Humphrey noted that the Council's Planning, Housing, and Economic Development (PHED) Committee at their November 6 meeting was set to consider the MCCF recommendation to change the MPDU sale unit offering process, but tabled discussion until the County Executive's Task Force on Affordable Housing makes its report to Council by year's end. He also noted that certain Planning Board members had flip-flopped on the issue of legislation to amend the zoning ordinance (referred to as Zoning Text Amendments) by stating one week that "ZTAs are not an appropriate way to do master planning" but the next week supporting Council approval of another ZTA that will change one area's master plan. Humphrey also explained certain of the straw votes the Council had taken on the growth policy on November 6 and noted the final vote would take place on November 13.

Old Business: Al Geske, delegate from Rock Creek Palisades Civic Association, reported that ZTA 07-15 has been introduced in Council to waive the sign permit fee for non-profits on the Planning Board's list of civic and homeowner associations wanting to erect community signs. He asked MCCF members to testify in support at the public hearing scheduled for December 4, or contact Council to urge approval.

New Business: There was no new business.

The meeting adjourned at 9:58 p.m.

Minutes of the November 14, 2007 Executive Committee Meeting By Acting Recording Secretary Peggy Dennis

Executive Committee met at the Julius West Middle School, 651 Great Falls Road, Rockville MD.

Call to Order. President Wayne Goldstein called the meeting to order at 7:52 PM. Present were, Arnold

Gordon, Peggy Dennis, Dan Wilhelm, Sandy Vogelgesang, Luella Mast, Jim Humphrey and William Shrader.

Minutes of the October 17 ExComm meeting were approved with the correction of page 9, left column, second line from Policy Chief to Police Chief.

Treasurer's Report: Luella noted that Caren Madsen and Alyce Ortuzar are delinquent in dues. The latter has not paid dues or been a delegate from a dues-paying organization for over a year, therefore it was agreed that she should be asked if she is willing to resign and free up the District 14 VP seat. Peggy to discuss with Alyce. Also, based on Dan's survey, we will continue to meet on the 2nd Monday of the month.

Environment: Caren Madsen is organizing the December program on trees - the forest conservation law and efforts to protect individual or smaller stands of trees. State DNR has responsibility for trees in public right-of-way, so we should have a DNR representative on the panel. Also, note made of Dan Snyder's effort to have his collapsing retaining wall rebuilt in a C & O Canal NHP conservation easement "no build" zone" and public forums concerning this.

Education: small uproar regarding the Steven Knolls School involving a memorial to 2 dozen students from the special ed. school who have died. Superintendent Weast is seeking to relocate SK students to another school, but Board of Ed. Has removed this proposal from Weast's list. Arnie described situation in Redland Middle School, built in 1971 as an "open school" and long slated for modernization. Funding has been decreased from \$22 million to 6 1/2 million. This will not be sufficient, especially in light of fact that Redland MS services the Shady Grove area with lots of growth approved, and school already packed.

Transportation: Peggy reported that Orphaned Roads Working Group has finally been activated by DPWT and is now under mandate to provide entire recommendations on new policy by early January in time to add money to CIP budget due out this spring. Dan noted that "open houses" are starting to be scheduled on the proposed Purple Line. He will provide information on dates and venues. Jim reported a BRAC meeting in October. Also, Arthur Homes has announced the Ride-On system is operating at capacity and has funds to buy only 2 more buses in next 6 years. Also county has no more capacity in bus maintenance areas and shortage of storage capacity for compressed LNG.

Planning & Land Use: Council approved new Growth Policy on Tuesday with assortment of

improvements and give-backs to developers. Council committee had recommended development impact tax (DIT) in areas near Metro stations be 75% of county rate, as these are the most profitable areas to build in. Council ended up approving a mere 50% DIT for these areas, and 85% of county rate for areas within 1/2 mile of MARC stations. Jim fears the new Growth Policy will do little to slow the pace of growth. More money raised through DITs will also not guarantee the provision of needed public facilities and infrastructure in a timely manner.

- ZTA 07-10. Jim will work to try and assure that developers cannot designate "by right" part of CBD zone buildings as "arts & entertainment facilities" while getting the density as a bonus. Such facilities end up with County picking up the tab for maintenance.
- MPDU program - our resolution on changes to the sale unit offering process will be taken up in January. Big problem with public being excluded from the Alternative Review Committee meetings which deal with the costs of development, and more concern with process.

Historical Preservation: Wayne discussed the case of the Falkland Apartments in Silver Spring: these are historic because they were the first hub of government-financed public housing designed with landscaping and preservation of mature trees which began the movement for "garden apartments". Apartments have been recommended for inclusion on National Registry of Historic Places, but not yet accepted or placed on the Historic Atlas. Owner wants to demolish buildings on the north parcel and rebuild with 1,070 new units.

Public Relations: Announcements of meetings & program topics should go into Gazette community papers in addition to the Washington Post.

Membership: a recent conference of Common Membership Organization had 100 in attendance. We should attend. We should also be calling new delegates to welcome them and make sure they are getting the Newsletter and know when meetings will be and that they should attend. Apparently, many member organizations appoint new delegates to MCCF and don't bother to tell them!

Newsletter assignments discussed

Meeting adjourned at 9:48.

Federation Meeting

Monday, December 10

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: Trees & Forest Conservation Law

9:20 Committee Reports

9:40 Member Issues

9:45 Old Business

9:55 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, Rockville, MD.

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, December 15**. 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, December 12, 7:45 p.m.

Julius West Middle School

651 Great Falls Road, Rockville



**Official Publication of the
Montgomery County Civic Federation**

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First Class Mail

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