

"Federation Corner" column  
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### **Planning Board attempts to rewrite Farm Road history** by Steve Kanstoroom

A kinship community of descendants of Freedmen continues to suffer staggering financial and emotional hardship due to the Planning Board's refusal to recognize the existence of Farm Road, the sole means of ingress and egress to their ancestral lands.

Farm Road is located adjacent to the Sandy Spring Slave Museum and has served this peaceful, taxpaying community for more than a century. Quakers purchased the farm, known as Dellabrooke, in the early 1800's, freed the slaves, and deeded numerous portions of it to them. Property owner Robert Awkard, now 90, was raised on the property since he was two years old. "My granddaddy used Farm Road to take me in his horse and buggy from our home to the farm and out to Goldmine Road, or we could turn left and go out to Brooke Road," Awkard said.

In the mid-1990's, high-end homes were planned to cover the remaining 202 acre farm. Somewhere in the development process, unbeknownst to the Farm Road community, their street addresses were deleted and Farm Road was wiped off the Maryland-National Capital Park and Planning Commission's map. Even a quarter-mile of the road that didn't traverse the development was erased. Next, Farm Road was wiped off the State's Property Tax map.

In 2006, 72-year-old William Rounds listed the Farm Road property he grew up on for sale, received a contract for \$439,000, and then learned he could not sell his property because M-NCPPC no longer recognized his access. High ranking M-NCPPC officials publically stated their agency doesn't maintain any records detailing their staffs' actions regarding address issuance or deletions. When asked in a federal court hearing about the rules for such activities, the agency's interim Director, Rose Krasnow, stated under oath, "There are no rules" and "They're not written, but I would argue that they're not just in my head."

Likewise, in a special Maryland legislative hearing held on June 26, 2013, the Maryland Department of Planning's Secretary, Richard Hall, testified that his agency doesn't have any records regarding why Farm Road was deleted from his agency's Tax Map.

Without the Planning Board's recognition of Farm Road, the properties are not saleable to anyone other than neighboring developers with public road access recognized by M-NCPPC. Consequently, because of M-NCPPC's erasures, the properties are not marketable or eligible for building permits. On July 18, 2013, after several months of media scrutiny, the Planning Board issued street addresses for the properties, and it seemed that the struggle was over.

Property owners like Rounds were led to believe that being granted addresses would permit him to move forward and market his property; however, that was not the case. County law exempts the Farm Road properties from M-NCPPC's subdivision process. However, just days ago planning officials wrote to a real estate agent representing Rounds and a neighboring property owner, Laurana McCants, that the

Montgomery County Planning Board and the MNCPPC "...specifically did not recognize the existence of Farm Road..." when the agency proposed issuing addresses. Instead, the Board is relying on the revocable permission of neighbors to cross private property--an unworkable solution that falls apart if any neighbor changes their mind, dies or sells. "Park and Planning issued addresses as a tactic to get the heat off and it worked until we understood it was smoke and mirrors," said Rounds.

Farm Road currently appears as "Historic Farm Road" on the county's maps used by fire and rescue and the Montgomery County Public School's Department of Transportation. It also appears on numerous US Geological Survey maps, County Atlases, State Tax Maps, surveys dating back to 1895 and M-NCPPC's address book. Nevertheless, the Planning Board's legal staff prevailed upon the Maryland Department of Planning to delete Farm Road from its records after they were corrected in 2006, and again after it issued addresses to the Farm Road property owners in July of this year.

WUSA TV reported in May 2013 that Attorney General Doug Gansler "shut down" an investigation into Farm Road for "partisan or other reasons not related to the credibility of the material" and "an investigator resigned in protest." M-NCPPC has blocked the community's legal efforts on technical grounds, claiming their complaints cannot be heard by Maryland courts. M-NCPPC has also refused to comply with the community's Public Information Act request for documents made on June 28, 2013. On July 22, 2013 County Executive Ike Leggett issued a statement pledging to help the Farm Road community move forward "in the next few weeks" but thus far the community has not heard from his office.

The community asked the Governor's Office for help but received an email stating this was a local matter. "I don't know how this can be a local matter when the Governor's Cabinet member [Secretary Hall] refuses to put Farm Road back on the State Tax map at the direction of Park and Planning's lawyers," said Judy Penny. Penny has been attempting to help her 87 year-old aunt and her neighbors resolve the matter.

An appeal on behalf of the Farm Road community was filed with Maryland's highest Court on October 24, 2013. When asked about next steps, Rounds said, "For starters, I want to hear why Gansler shut down the investigation, who he's protecting, and why. I've been wondering about that."

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**Steve Kanstoroom** learned of the Farm Road situation in 2006 while serving on Montgomery County's Department of Permitting Services Advisory Committee, reporting to the County Council and County Executive. He has been the Farm Road community's pro-bono subject matter expert since that time, and founded the website [www.SaveSandySpring.org](http://www.SaveSandySpring.org) in an effort to help the Farm Road community.

*The views expressed in this column do not necessarily reflect formal positions adopted by the Federation. To submit an 800-1000 word column for consideration, send as an email attachment to the [montgomerycivic@yahoo.com](mailto:montgomerycivic@yahoo.com)*