



Civic Federation News

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May Program: What is Wrong with the Chesapeake Bay and What Can Be Done About It? By Peggy Dennis, First Vice President

In May, our program will be an informal lecture presented by Bill Matuszeski, Director of the EPA's Chesapeake Bay Program from 1991 to 2001. Under Mr. Matuszeski, the Chesapeake Bay Program became the premier watershed program in the United States. It is recognized worldwide for its clear goals, measureable achievements, comprehensive approach to air pollution deposition, land use change, use of computer models to test management options and other complex relationships. Mr. Matuszeski's presentation will focus on what more can be done to restore the bay and the most cost effective measures needed to bring about further improvement and will be followed with questions and answers from the audience. We understand from members who have already experienced this presentation that this is a topic and presenter you will not want to miss!

2009 MCCF Awards Recipients by Jim Humphrey, MCCF Awards Committee

The following award recipients will be feted at the MCCF Awards Banquet, to be held the evening of May 15.

Luella Mast will receive the Star Cup from First Vice President Peggy Dennis. This award is given annually to a Federation delegate or committee for outstanding public service. For over 40 years, Luella has balanced her life between her profession as an architect, her family life and intense civic activism. Ms. Mast's involvement in the civic community began with her local PTAs, which grew into her membership on the board of MCCPTA where she served for two years as its president. She has also worked with a number of education-related organizations, and has stood twice as a candidate for the Montgomery County Board of Education. A long-time and very active member of the League of Women Voters of Montgomery County, she held a variety of positions with the League during the last 33 years. She also served for 6 years on the Montgomery County Fire & Rescue Commission, and has sat on the board of the Washington D.C. Saint Patrick's Day Parade Committee since 1991.

Ms. Mast has been a member of the Executive Board of the Greater Colesville Civic Association, her local civic, for 18 years and has served as one of that group's delegates to the MCCF for the last 8 years. During this time, she has worked for the Civic Federation in many capacities including Treasurer (2003 -2008), Recording Secretary (2008-2009), chair of the By-laws Committee, co-chair of the Nominating Committee and co-chair of the Annual Awards Committee. And Luella has extended her hospitality by hosting home dinners for the MCCF Executive Committee, which helped to informally facilitate brainstorming and enhance communication and friendship between members. It would be hard to find a civic activist with a longer and more diversified portfolio of service to the Montgomery County community than Luella Mast.

The Parents' Coalition of Montgomery County will receive this year's Gazette Award from current cupholder and Chair of the MCCF Education Committee, Wayne Goldstein. It is given to an individual or group for outstanding public service. Founded in 2004, the Parents' Coalition is a group of parents and education advocates dedicated to enhancing the responsiveness and performance of the Montgomery County Public Schools. The Parents' Coalition advocates coherent, content-rich curriculum standards; high expectations combined

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with timely remediation and acceleration; a wider range of educational options for parents and children; greater transparency and accountability; and

meaningful community input. A primary focus of the group is the sharing of information between members and with the public, which is aimed at improving the county's public schools.

The 2009 Sentinel Award, which recognizes outstanding contributions to good government on a local level, will be bestowed on the Montgomery County Stormwater Partners Network by Bob Hoyt, Director of the county's Department of Environmental Protection.

Formed in November 2005, the Montgomery County Stormwater Partners Network is composed of 22 local, regional and national organizations that originally came together to endorse a stronger stormwater permit for Montgomery County. Required under the Federal Clean Water Act, the

Wayne Goldstein presents our April Community Hero award to Beverly Sobel of Plyers Mill Estates (left) and Chris Ollo of McKenney Hills (right)

permit is issued every 5 years or so by the Maryland Department of the Environment.

After 3 years of advocacy by MCSPN, the new permit was issued to the County in March 2009 with provisions for the cleanup of polluted waters and use of Environmental Site Design. The group's website, www.stormwaterpartners.org, provides information on such issues as local stream restoration projects and use of rain gardens, green roofs, and rain barrels for the collection and reuse of stormwater. Other activities include promoting use of low-impact development, encouraging formation of new watershed protection groups, advocating for "Green Streets" elements in the County's Road Code and a strengthening of our county's Forest Conservation Laws.

Current members of the coalition are: Anacostia Watershed Citizens Advisory Committee; Anacostia Watershed Society; Audubon Naturalist Society;

Clean Water Action; Chesapeake Bay Foundation; Citizens to Save South Valley Park and Whetstone Run; Eyes of Paint Branch; Friends of Cabin John Creek Watershed; Friends of the Earth; Friends of Hillmead; Friends of Rock Creek's Environment; Friends of Sligo Creek; Greater Goshen Citizens Association; Little Falls Watershed Association; Montgomery County Civic Federation; Natural Resources Defense Council; Neighbors of the Northwest Branch; Northwood-Four Corners Citizens Association; Patuxent Riverkeeper; Potomac Conservancy; Sierra Club; and, the West Montgomery County Citizens Association.

President's Message by Arnie Gordon

The recent Special Primary Election results in the District 4 Council election brings us new challenges. It is a foregone conclusion that the Democratic nominee in District 4 will succeed to the seat of the Praisners, Marilyn and Don, after the Special General Election on May 19th. Based on the campaign finance reports already filed, more than 88% of Ms. Navarro's funds came from a combination of public employee unions (about 22%) and the developer community (about 66%), and this does not include "soft money" in the form of the separate campaigns waged outside of the candidate's own organization and funding, including organizational mailings and PACs. It is also apparent that Ms. Navarro violated the campaign reporting laws and paid a small fine per day to keep her financing concealed from the public as long as possible. It is now assumed that this new councilwoman may favor the interests of the developer community and may be beholden as well to the unreasonable demands being made this year and into the future by some (not all) of the public employee unions. Our campaign for managed growth, as opposed to the "develop and supporting infrastructure be damned" school of planning, may now be doubly challenged, especially as 5 new master plans are now, or shortly will be, under consideration, as is the Annual Growth Policy. (We are, as usual, indebted to Drew Powell for his research and analysis of the finance reports.)

Our ability to seek a rational approach to the tax and budget processes may likewise be hampered by the IOUs this candidate has probably given to these unions, further challenging like Leggett's mission to hold the line on budget increases.

Nonetheless we do not assume that nothing can be salvaged. We will be extending our hand to the new councilmember and will be asking him or her (probably her) to show that campaign donations will

not influence development outcomes. We will, as usual assume the best until we are proven wrong, and will provide every member of the Council the best advice and technical inputs we can offer in the deliberative processes which are to take place.

But several things stand out clearly from all of this - that the campaign contributions from public employee unions and developers, the poor turnout in primary elections, and the illogical timing of campaign finance reports, operate to frustrate the public will in this County. If the voters had had a chance to see and examine an analysis of the campaign finance reports BEFORE the election, the results might have been different.

What lessons will we draw from this? You wouldn't believe that this occurs in a county with probably the most politically savvy and informed electorate in the nation. It seems that the political savants are more interested in what is taking place in Pakistan and China than what is happening in their own backyard. Maybe it's even time to reconsider the one party system which has come about in this county. We will lose the way of life we treasure in Montgomery County, not with a bang but with a whimper, unless the people and the civic community wake up!

On another and lighter note, I hope to see you all at the Federation's Annual Awards Banquet on Friday evening, May 15th for what promises to be a great affair with good food, good conversation, and a recognition of some worthy heroes in our community. Please sign up now using the form provided in the back of this newsletter.

Bylaw Changes

The Nominating Committee has had discussions over several months about the eight elected District Vice President positions. The primary work of the District VPs is to participate in membership drives. Overall the ability of anyone on the Executive Committee to recruit new members has had limited success for years unless a personal relationship had first been developed, which can only be done over time. As a result, the District VPs expended a lot of effort with little to show for it. Consequently, most of the District VP positions have remained vacant for the last several years.

After trying different ways of addressing this problem, the Executive Committee decided to accept the reality of the situation and eliminate the District VP slots. As it turns out, most of the administrative

work of dealing with existing members has been done by the Treasurer and Database Manager. That will not change. We decided to keep the Second VP position whose primary responsibility has been to lead the membership effort. As reported elsewhere in the newsletter, there is no one nominated for this position, unless someone comes forward. We also decided that everyone should have the responsibility to recruit new members – not only those on the Executive Committee but all members.

The Nominating Committee and Executive Committee also held discussions about how to get more people involved in the organization. Since the Executive Committee is responsible for the majority of MCCF activity, we realized that having people involved with the committee is the best method of recruiting. We decided to create up to five Member-At-Large positions on the Executive Committee whose function would not be defined in the Bylaws. Rather, people could come and participate in our decision process and get involved in something of interest to them – either request something or wait for a topic to come up. We also decided that Members-At-Large can be either individual members or delegates from a civic group so, other than MCCF membership, there is no restriction on who can participate

To make the above changes official, the Bylaws must be amended. Accordingly, the changes that follow are put forward to the membership to approve. The Nominating Committee report assumes these changes will be approved. The changes will be discussed in May and voted on in June.

Additions are underlined and bold. Deletions are in brackets and with a strikethrough.

Article II Membership: Section 3: Individual Member; subsection A: Associate:

- (2) Duties and Privileges. An associate will receive the newsletter, may attend Federation functions and participate in discussions at meetings and serve on committees or be a Member-At-Large, but he may not make motions or vote. If appointed to chair a committee or as a Member-At-Large, he shall be a voting member of the Executive

Article IV Officials and Organization

2. *Elected Officers.* Elected officers shall be a President, First Vice President, Second Vice President, [~~eight District Vice Presidents, one~~

~~from each state legislative district~~], a Recording Secretary, and a Treasurer.

3. *Executive Committee.* There shall be an Executive Committee comprised of the elected officers, committee chairs, **Members-At-Large**, appointed officials, and the immediate past president. Any past president may participate in a meeting of the Executive Committee, and shall have all rights of a member during such attendance. Attendance of a past president shall not be considered in determining quorum or majority requirements of the Executive Committee.

4. *Appointed Officials.* There shall be the appointed offices of **up to five Members-At-Large**, Historian, Newsletter Editor, Database Manager, and Public Relations Officer who shall be nominated by the President and confirmed by the membership.

Article VII Duties of Elected Officers,

[~~4. District Vice President. The eight District Vice Presidents shall represent the Federation within their respective state legislative districts. District Vice Presidents need not reside in their district if no other candidate from that district is nominated. They shall serve on the membership committee, participate in membership drives, publicize the Federation and its activities and events, and encourage attendance at meetings and events~~]

Renumber old sections 4 and 5 in this article

Article VIII Duties of Appointed Officers:

I. Member-At-Large. Each Member-At-Large shall not have defined dues but shall undertake responsibilities and duties as determined by the President with approval of the Executive Committee

Renumber other sections (old 1-7) in this article

Slate of MCCF Officers Nominated for 2009-2010 By Sandy Vogelgesang and Luella Mast, Nominating Committee Co-chairs

This is your last chance to nominate new leadership for the coming year, and we still have a few vacant seats. Interested in playing a more active role in your

community? If so, sign up or propose volunteers for the elected offices in the Civic Federation for next year either before or at our regular meeting on May 11. The Federation is looking particularly for those interested in serving as Recording Secretary and Second Vice President. We would also welcome hearing from those who would like to serve in the newly-created elected positions of Members-at-large on the Executive Committee.

The Federation's Nominating Committee is planning to present the following slate of nominees for elected positions:

- President – Peggy Dennis
- First Vice President – Dan Wilhelm
- Second Vice President – Open
- Treasurer – William Schrader
- Recording Secretary – Open
- Members-at-large on the Executive Committee (up to five members)
 - Virginia Sheard
 - Marilyn Piety

If you want to volunteer or suggest additional nominees who might be proposed at the May meeting or if you have any questions, please contact any member of the Nominating Committee noted below:

Luella Mast – Co-chair Nominating Committee (301-384-4178)

luellam@comcast.net

Sandy Vogelgesang - Co-chair Nominating Committee (301-365-2347)

everest.associates@erols.com)

Chuck Lapinski (301-384-0392)

charlesslapinski@gmail.com

Virginia Sheard (301-949-3372) boots3303@aol.com

Dan Wilhelm (301-384-2698) djwilhelm@verizon.net

Every MCCF Delegate has the right to nominate a candidate from the floor at the May meeting. All you need to do is present information about the proposed nominee and arrange for seconds by Delegates from three different Member associations. Officers will be elected at the Annual Meeting in June and assume office at the close of that meeting.

The Federation also welcomes volunteers who would like to chair or serve on the Federation's standing committees. MCCF is looking particularly for those to chair the Environment and Public Safety Committees.

**Plant Stewardship Index
by Carole Ann Barth, Parks Committee
Chair**

It's spring, glorious spring! Out we go to the parks, pulling invasive garlic mustard and marveling at the native woodland wildflowers. We see the impossibly delicate native saxifrage growing from a lichen-encrusted boulder, listen to the songs of returning birds, and feel a sense of renewal and hope. Turning around, we behold a sea of invasive lesser celandine where native trout lilies, blood root, and spring beauties once held sway; and we fear the battle is already lost.

How do we tell how healthy a forest is? How do we know if we're winning the battle against invasives? We can easily tell a heavily-impacted forest from an almost pristine one. The heavily-impacted forest lacks species diversity and habitat structure. It is choked and carpeted with invasives. Leaf litter is reduced or missing. Soils are eroding and there are no young trees. We can also see signs of direct human damage such as trash, dog poop, and tire tracks.

But how do we judge the relative health of two degraded forests? How can we gauge which forests are likely to respond to positive human intervention? How do we tell if our management efforts are having a real impact?

Human perception can be tricky. We respond unconsciously to color and pattern, which often fools the eye. To demonstrate this, I always assign my BayScapes students a weed transect exercise. This is a way to objectively estimate how weedy a lawn is.

For example, you might think a lawn is full of weeds because it seems to be chock-full of dandelions. Objectively measured, however, the lawn may be more than 90% turf and less than 10% weeds. It seems more weedy because the bright yellow color both attracts the eye and appears to be closer than it truly is. Conversely, a lawn that is uniformly green and low may appear to be weed-free while actually containing 60 or even 80% weeds.

Of course even a degraded forest is vastly more complex than a lawn and requires a more sophisticated analysis. What do the plants in a forest tell us about how we are caring for, restoring or degrading that forest? What can they tell us in aggregate, not just as a single species of endangered or threatened plant, about what is changing in the landscape? The Plant Stewardship Index (PSI) is a tool for conducting an ecological assessment of a forest or other plant community. (The following description of the index comes from the Bowman's Hill Wildflower Preserve website, <http://www.bhwp.org/psi/>)

The Index is designed to assist in answering two questions: What is the naturalness of any site? How

have land management practices (or their absence) affected that naturalness over time?

The Index is based on the observation that plants may act as "generalists," which are not particular about where they grow and might grow very well on roadside ditches or in dooryards, as opposed to "conservative" species, which may grow only in specialized habitats, such as serpentine barrens or the pine barrens of New Jersey. The PSI methodology was created in the 1970's in the Chicago region by Floyd Swink and Dr. Gerould Wilhelm and has been developed in many other states as the Floristic Quality Assessment Index (FQAI).

Now, for all of New Jersey and the Piedmont region of Pennsylvania, over 2000 plants have been catalogued and assigned a number from zero to ten by local experts and botanists. Zero represents the most generalist species, tolerant of disturbance and includes invasive or introduced nonnative species such as multiflora rose. Ten represents the most conservative species and includes many rare and endangered state-listed native plants that require special habitats and do not regrow after disturbance.

Of course, this ranking has not yet been done in Maryland. However, we share much of the same flora with Pennsylvania and New Jersey, so a Maryland ranking would no doubt be similar. Even if the actual assigned number might differ, specialist species would still score high and generalists would still score low. So in the meantime, the PSI could still provide much useful information using the PA or NJ numbers.

The Parks Department is already working on tracking invasives in the parks with a Geographic Information System. This would be a much more powerful tool coupled with data from the PSI.

In addition, the Index could introduce shades of grey into the black and white world of park planning. Currently, the Parks Department recognizes two types of "unimproved" parkland: (1) land that has been set aside for conservation and (2) land they have not yet developed. (This is not to say, however, that any forest with a low PSI is not worth saving. Even highly degraded forests have value to humans as oases from the built environment. They can also provide environmental benefits as bridge habitats or corridors and refuges within the urban landscape.)

In these times of budget crises, you might expect that something as massively useful as the PSI would be unattainable. Not so. Bowman's Hill maintains a website where researchers can upload, process, and store data for free. Moreover, the bloated park planning staff could be reduced to allow the hiring of

more ecologists and botanists. Expert volunteers from the Maryland Native Plant Society (and other groups) as well as student interns could also help generate data.

In fact, it would not take many resources to initiate and facilitate the process of creating a Maryland-specific index. All that would be required is to assemble the appropriate experts for a series of working sessions and to facilitate ongoing discussion until consensus is reached. Such an effort could even be grant-funded. Indeed, we could have a Maryland PSI for a fraction of the cost of the new soccer field Park and Planning wants to build in North Four Corners Park.

For more information about the Plant Stewardship Index, contact Bowman Hill's PSI Coordinator at (215) 862-2924 or email psi@bhwp.org. You can even sign up for the "Introduction to the Plant Stewardship Index class" or request a customized group presentation.

Minutes of the April 6 Regular Monthly Meeting by Jim Humphrey, Acting Recording Secretary

Meeting called to order at 7:45 p.m. by President Arnie Gordon with members and guests introducing themselves.

MCCF Community Heroes: Award certificates were presented by Wayne Goldstein to representatives of the McKenney Hills Carroll Knolls Civic Association, Plyers Mill Estates, and Plyers Mill Crossing HOA for defending their community from inappropriate development and advocating for the creation of needed public parkland.

Agenda was approved with addition of resolution on County FY2010 Budget (resolution was mentioned in the April newsletter, but the item was inadvertently omitted from the published agenda).

Minutes of the March 2009 meeting were approved, and Treasurer's Report presented.

Program: Marvin Weinman, Chairman of the MCCF Finance Committee, served as moderator for the program on the County's Fiscal Year 2010 Budget. Panelists included: Joseph Beach, Director of the Office of Management and Budget; Jennifer Barrett, Director of the Finance Department; Council member Duchy Trachtenberg, Chair of the Management and Fiscal Policy Committee; and, Dr.

Marshall Spatz, Director of Management and Planning for MCPS.

Committee Reports

Planning & Land Use: Jim Humphrey reported that on March 17 the committee testified before Council on SRA 09-1, legislation to extend the minimum validity period for a finding of Adequate Public Facilities (needed for all development approvals) from 5 to 7 years. PLU recommended the extension be approved for all previously approved projects, which may have had funding delayed or withdrawn due to the economic downturn, but not require it for all future approvals since the Planning Board already has the authority to grant longer than 5 years APF validity periods. Council staff supported the MCCF recommendation, but Council approved the version of the SRA drafted by the Planning Board and development industry which grants the extension to all projects approved over the next 2 years.

Humphrey also mentioned 2 items from the M-NCPPC Spring Semi-Annual Report--proposal for current Council to consider revisions of 5 more master plans (Germantown, Gaithersburg West, White Flint, Kensington, and Takoma Langley Crossroads) in addition to Twinbrook plan approved last December, and Planning Dept. staff is dealing with a backlog of violations of Preliminary, Site and Forest Conservation Plans.

Jim also mentioned that the Zoning Code Rewrite Advisory Panel has begun meeting, with residential representatives named by the Planning Department outnumbered 2-to-1 by development industry representatives and planners. And he reminded delegates that the Planning Board 2009 Growth Policy hearing will be held on June 25, with the Council hearing to take place this fall.

Historic Preservation: Wayne Goldstein reported that on March 31 the County Council approved inclusion of the Grosvenor estate "Wild Acres" in the Master Plan for Historic Preservation (MPHP) with an increase in acreage above the Planning Board recommendation to assure protection of the setting. Then, one hour later, having spent 1/2 hour discussing, Council members voted not to designate the north parcel of The Falklands in the MPHP while admitting that all 3 parcels met standards to be qualified. Council held a hearing that same evening on HPA 09-1, amendments to the Historic Preservation laws proposed by Council member Knapp, with witnesses testifying that parts of the legislation violate state law and the U.S. Constitution.

Parks: Carole Ann Barth reported that the County Council PHED Committee is continuing to discuss shifting and consolidating programs and facilities into the M-NCPPC Parks Department or the Executive Branch's Recreation Department.

Public Utilities: Chuck Lapinski stated that the level of Federal stimulus funding to go to WSSC is undecided (\$14 to \$16m?), but that it doesn't match what is needed for pipe replacement. He also reported that state legislation is being considered to provide additional powers to the Public Service Commission.

Old Business (none)

New Business

Library funding: David Chiles, member of the Library Advisory Committee, asked for and was granted permission to address delegates to recommend MCCF advocate for library funding in the County FY2010 Budget.

Resolution on County FY2010 Budget: President Gordon temporarily relinquished the Chair to First Vice President Peggy Dennis, in order to move the adoption of the following resolution: "The MCCF supports the Montgomery County Operating Budget for Fiscal Year 2010 proposed by County Executive Ike Leggett with the exception of \$14 million in revenue from an Emergency Medical Transport fee, a fee which the Federation is on record as opposing." The motion was approved (13-1-1).

Mr. Gordon reassumed the Chair and, there being no other new business, the meeting adjourned at 9:50 p.m.

Minutes of the April 22 Executive Committee Meeting By Luella Mast, Recording Secretary

Attendance President Arnie Gordon, Peggy Dennis, Carole Ann Barth, Wayne Goldstein, Jim Humphrey, Chuck Lapinski, Luella Mast, Bill Schrader, Virginia Sheard, Lee Shipman, Sandy Vogelgesang, Marvin Weinman, Dan Wilhelm, Charles Wolff. Guest and coffee maker extraordinary: Geoff Wolfe.

Call to Order, Secretary and Treasurer's Reports

Mr. Gordon called the meeting to order at 7:45 PM at Ms. Vogelgesang's home. The March 18 meeting minutes were approved with spelling corrections. Mr. Schrader presented the Treasurer's Report. April 22 balance: \$10,274.87. Ms. Dennis will work with Mr. Wilhelm to send an electronic Awards Dinner

reminder to his list. Ms. Mast will contact Mr. Jerry Garson re an audit of the past treasurer's accounts.

President's Report, Mr. Gordon

Mr. Gordon testified as an individual and as the President of Norbeck Meadows Civic Association in support of ZTA 09-01 which would limit the zones where self-storage units could be located in the Sandy Spring/Ashton Overlay Zone. MCCF should plan to hold an informal meeting with the new District 4 Councilmember following the special general election on May 19.

Awards Dinner Preparations for the dinner are continuing on schedule. The Executive Committee discussed whether the Gazette and Sentinel awards should reflect the wishes of the sponsoring newspapers, especially with regard to the Gazette. It was suggested that the 2009-10 Executive Committee might take this question under advisement.

First Vice President (Program), Ms. Dennis

May and June Regular Meetings May: Ms Dennis and Mr. Kauffunger are coordinating Mr. Bill Matuszeski's program on the Chesapeake Bay. June: Mr. Humphrey will prepare a program on growth and the Annual Growth Policy.

July Brainstorming Pot Luck Dinner Ms. Dennis would like suggestions for the July Pot Luck dinner. It could be a more social occasion, with a community activist themed movie.

Second Vice President (Membership), Ms. Vogelgesang

We have 54 association and 17 individual members.

Committee /Officer Reports

Bylaws and Nominating Committees Ms. Mast reported on the Bylaws Committee meeting held before the Executive Committee meeting. The committee approved, with some modifications, Mr. Wilhelm's recommendations for bylaws changes. The Executive Committee agreed with the Committee's recommendations. Mr. Wilhelm will report the proposed changes in the May newsletter with a final vote by the members at the June regular meeting. Ms. Vogelgesang will see that the nominating committee report is printed in the May newsletter with voting also to take place at the June meeting.

Planning and Land Use Committee : Mr. Humphrey

Growth Policy The Planning Board hearing on proposed changes in the Annual Growth Policy is June 25. The Council's hearing could be in September or

October. It would be helpful if MCCF could review the Park and Planning staff recommended changes prior to the June 25 hearing.

Bethesda properties We have an interesting situation in Bethesda in which the developer of two non-adjacent properties has submitted a single development proposal for both. The properties are zoned in different zone categories and are proposed for different uses, one for an office building and the other for a mixed use building with first floor retail and residential above. PLU was aware that the 2006 Woodmont Triangle Amendment to the Bethesda Sector Plan allowed density transfer between properties in the planning area, but was not aware that plans for development of both sites would be allowed to be treated as a single application. Submitting as a single project means the developer will pay one set of fees, although the Planning staff will have the same work load as if two separate projects were submitted. Revenue from application fees is used to support the M-NCPPC budget, so concern was voiced over what precedent this might set for a developer or developers bundling projects in other areas of the county to secure cost savings, while increasing the burden on Planning staff. .

Amendment to Chapter 33A, Planning Procedures: Master Plan Public Hearing - Timing Period Councilmember Leventhal has introduced an amendment to Chapter 33A to revise the time period in which the Council must establish a public hearing on a master plan or master plan amendment. Currently the Council may establish a public hearing on a master plan as soon as the Council receives a fiscal impact report from the County Executive, or 105 days from the day the Planning Board sent the report to the Council. The Executive has 60 days in which to draft a fiscal impact statement. The proposed ordinance would allow the Council to establish a public hearing 30 days after the Council receives the amendment from the Planning Board. The Council could set the hearing earlier if it receives the Executive's fiscal impact statement earlier. Article 28 of the Maryland Code requires a 30 day period between the advisement for a public hearing and holding the public hearing. If the Executive uses 60 days to complete a fiscal impact statement, the draft ordinance would allow a public hearing immediately after the Executive produces his report. In a worst case scenario, Mr. Leventhal's amendment would allow only five days between receipt of the County Executive's fiscal impact statement and the Council's public hearing. The amendment would facilitate the desire on the part of some Council members to review and act on five master plan revisions over the

next eighteen months. Since 2010 is an election year, the Council is prevented by law from acting on land use matters after October 31. Certainly one issue with all five master plans will be the right of the residents in the county to set the density in the county.

Suburban Hospital Special Exception Mr. Goldstein continues to research, prepare and give testimony before the Board of Appeals on behalf of the Huntington Terrace neighborhood. What Suburban wants to do is not allowed under the Special Exception process. Mr. Goldstein has been researching challenges to the medical testimony. The Council will not act on the requested street closure until the Board of Appeals has made a decision on the special exception. The hospital is seeking the expansion to (1) change all semi-private rooms to private rooms while keeping the same number of patient beds and (2) enlarge the existing operating suites by 50%, while again keeping the number of operating suites the same.

Education Committee, Mr. Goldstein

Mr. Goldstein continues to follow the Parents Coalition daily web postings.

Historic Preservation Committee, Mr. Goldstein *HPA 09-1 (Historic Preservation Amendment 09-1)* Several organizations including the National Trust for Historic Preservation have presented testimony in opposition to the Councilmember Knapp's proposed amendments which would enshrine owner objections to having a property placed on a list of historic properties into the historic preservation law. Council and Planning Board hearings on the amendment have been held. The record for public comments will remain open until May 22.

Public Finance, Mr. Weinman Mr. Weinman passed out an analysis of the FY 2010 major department total employee benefit projected costs. COLAs have not been cut but simply deferred to FY 2010. Early retirement will be offered to county employees, 90% of whose positions will then be refilled, resulting in the county paying retirement and current employee benefits for the same position. The Council's Office of Legislative Oversight disagrees with the savings that the County Executive anticipates through this early retirement proposal. The Executive has increased the "take home" car benefit for county Department of Police employees. Employees can now take cars up to 15 miles beyond the Montgomery County line and may drive them for personal use as well as back and forth to work. The firefighters union has not given up any salary increases

or benefits. Employee costs have simply been postponed until FY 2010. The Council has passed a bill deferring building permit fees. It has not yet acted to defer development impact taxes.

The current issue is who controls the employee bargaining agreements, the County Executive who negotiates with the unions or the Council which funds the contracts. The County Code provides no real guidance. If the Executive signs a contract and the Council refuses to fund it, can the contract be voided? In either case, there are no benefits to the taxpayers. We can expect property taxes to increase by 8% next year.

Environment Committee, Mr. Gordon. Mr. Gordon reported that ICC construction has resulted in the silting up of a local stream. It is important that the EPA be notified as they have fined developers in similar situations.

Parks Committee, Ms. Barth. Ms. Barth continues to follow several issues.

Maryland College of Art and Design site Mr. Goldstein is following conversion of the site to a park.

Gardens vs Playgrounds in Takoma Park At the behest of Councilmember Ervin, Parks Director Bradford acted to turn popular playing fields at a park site in Takoma Park into land to be used for individual community gardens by residents of East Silver Spring. After extensive negative community input, the decision was rescinded.

Sentinel Column Mr. Goldstein and Mr. Humphrey continue to be the only columnists. Column length is 800 to 1000 words. All committee chairs are strongly encouraged to submit material.

Public Utilities, Mr. Lapinski Two key pieces of legislation failed in the past legislative session. One would have required that public utilities invest in power plants. The other, which passed the House but not the Senate, would have given the Maryland Public Service Commission greater regulatory authority.

Public Relations Committee. Mr. Wilhelm asked about the status of our search for a web master. Mr. Gordon has contacted an individual who agrees our web site needs work. He would charge \$600 to \$700 to set up the site and \$100/month to keep it current. Total costs: about \$1000/year. Mr. Humphrey will contact another web developer who may be interested in working with MCCF. The MCCF domain name is owned by an individual not associated with MCCF. It would be preferable if we were able to establish ownership of our own domain name. Mr.

Gordon will not contact the initial candidate until he hears from Mr. Humphrey's possible candidate.

Legislation and Committee for Montgomery (CfM), Mr. Wilhelm

The guest at the May 2 CfM meeting will be the Baltimore County Executive. The Greater Colesville and Hillandale citizens associations as well as MCCF will try again in the 2010 legislative session to pass legislation regulating roadside solicitation. The organizations will try to get the Council on board before any proposed legislation goes to the delegation. Delegate Al Carr (District 18) supported legislation helpful to civic organizations in this legislative session. Mr. Lapinski reminded members that in the past MCCF has invited representatives of county-wide civic organizations in Baltimore and Carroll counties to make presentations at our regular meetings. We might look at this outreach as part of next year's programs. The Arlington County umbrella civic federation is an integral player in the county government. Mr. Gordon reported that Senator Brian Frosh's (District 16) tree legislation bill (SB 581: Natural Resources - Roadside Trees - Protection and Enforcement) passed.

Newsletter assignments Ms. Dennis reviewed assignments for the May newsletter.

Old and New Business

Community Hero Award Several outstanding individuals and organizations were proposed for consideration for the May award. The Executive Committee decided to schedule a more in-depth discussion of the criteria for the award at a future time and not make a nomination in May.

Planning Board Vacancy The deadline for applications for the opening on the Planning Board has passed. The Executive Committee agreed that MCCF should interview the candidates and provide our recommendation(s) to the Council. Mr. Lapinski will chair the interview committee, assisted by Mr. Gordon. Mr. Wilhelm and Mr. Humphrey will serve on the committee.

Adjournment. The meeting adjourned at 10:00 pm. The May Executive Committee meeting will be at Mr. Wilhelm's; June at Mr. Gordon's.

MCCF OFFICERS & COMMITTEE CHAIRS

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District 15 VP	Vacant
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Committees

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Transportation	Vacant
Parks and Recreation	Carole Ann Barth cbarth@mindspring.com
Historical Preservation	Wayne Goldstein waynemgoldstein@hotmail.com

Reserve Your Tickets Now For The
Montgomery County Civic Federation's
2009 ANNUAL AWARDS BANQUET

Friday, May 15

Cocktail Reception 6:00 to 7:00 p.m.

Banquet Dinner & Awards 7:00 to 9:30 p.m.

New Fortune Restaurant

16515 S. Frederick Avenue, Gaithersburg

\$30 per person or \$50 per couple if reserved by Wednesday, May 13

\$35 per person or \$60 per couple after May 13 or at the door

\$10 per person for reception only, 6:00 to 7:00 p.m.

“Tabitha Table” (a separate, non-banquet table named for State Senator Jamie Raskin’s daughter) will be available for children (not infants and toddlers) who are accompanying paying parents but who will order and pay from the a la carte menu. Please advise us if you plan to bring children to sit at this table.

Price includes wine and sodas at the reception. Cash bar available for beer & mixed drinks

Dinner Menu: Dumpling Appetizer, Soy Sauce Chicken, Beef Chow Foon, Chinese Broccoli with Oyster Sauce, Fried Tofu with Vegetables, Twice-cooked Pork, Singapore Noodles, Boiled Rice, Cantonese-style Steamed Fish, Orange Wedges

Directions: New Fortune is in the Walnut Hill Shopping Center on Route 355, one block west of Shady Grove Road, on the northern side of Route 355.

Please cut off and fill in this stub. Mail with a **check** payable to the **Montgomery County Civic Federation** to:

Mr. William Schrader, MCCF Treasurer, 12824 Middlevale Lane, Silver Spring, MD 20906

I/We will attend the banquet_____

(Please print name(s) as you wish them to be on your name badge at the banquet)

Association or Organization (if applicable)_____

Contact information_____

(Telephone)

(Email)

You may reserve a table for ten. Please list those sitting at your table if you wish to do this.

Federation Meeting

Monday, May 11, 2009
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Avenue
Rockville, MD

Agenda:

- 7:45 Call to Order
- 7:46 Introductions and Announcements
- 7:50 Adoption of Meeting Agenda
- 7:55 Treasurer's Report
- 7:58 Approval of April 6 Minutes
- 8:00 Program on the Chesapeake Bay
- 9:15 Amendments to Bylaws introduced
- 9:25 Slate of Nominees for Elective Office
- 9:30 Committee Reports
- 9:45 Old Business
- 9:55 New Business
- 10:00 Adjournment

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, May 23**. Prepare submission as an MS Word, Word Perfect or text-only document, **attach** it to an 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, May 20, 7:45 p.m.

At the home of Dan Wilhelm

904 Cannon Road

Silver Spring 20904



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

Dan Wilhelm, Database Manager

904 Cannon Road

Silver Spring, MD 20904

[DJWILHELM@VERIZON.NET](mailto:djwilhelm@verizon.net)

First Class Mail

Address service requested