

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

# Seven Oaks Evanswood



CITIZENS' ASSOCIATION  
SILVER SPRING, MARYLAND

Next meeting: MONDAY, SEPT. 26, 7:30 pm, SILVER SPRING INTERNATIONAL MIDDLE SCHOOL CAFETERIA

## A thank-you for our volunteers

Volunteers are the lifeblood of SOECA. Their dedication enables SOECA to continue its nearly 50 year tradition of making Seven Oaks-Evanswood a strong and vibrant community and a wonderful place to live. The SOECA Board offers its deep appreciation to the following people and the work they do on our behalf. We are fortunate to have such great neighbors. If we left out anyone, please know that your efforts also are deeply appreciated.

**Newsletter Distributors:** Raul Camino, Peter Perenyi, and Charles Wolfe ensure that SOECA members always receive their newsletters. Gentlemen, your hard work and dedication are greatly appreciated! – as are those of the block captains, too numerous to list here.

### Official Dog Park Opening!

Join Montgomery Parks at a grand opening celebration for the Ellsworth Dog Park on September 24, 11 a.m. - 2 p.m. Come out for the dog fashion show, pet adoptions, food and fun!

**Social Committee Members:** Thanks to our active and enthusiastic Social Committee, we have enjoyed numerous happy hours and, this summer, a wonderful block party. The Board offers a toast to Carolyn Michell, Leslie Hansley, Jamie Alvarado, Marciella DeGrace, Tina Guina, and Ann Leger!

**Traffic Task Force Members:** SOECA is committed to keeping our roads as quiet and safe as possible. Our traffic task force has inspected every road in our neighborhood, identified problems, brought them to the attention of

County officials, and produced tangible results such as new traffic signs. The Board thanks, among others, Beth Jewell, Tina Guina, and Bob Ernst.

September 2016 Issue

Next meeting:  
Monday, Sept. 26  
7:30 – 9:30 pm  
Silver Spring International  
Middle School Cafeteria

## AGENDA

### Business update

Thanks for service in past year

Creation of Safety Committee

The old library site: update

SOECA position on County short-term rental legislation

SOECA position on County cell-phone tower legislation

Discussion of need for further committees

### New business

The next Thursday evening Silver Spring contra dance is Oct 13, 7:00 – 10:00. Check [fsgw.org](http://fsgw.org) for location. Dances return to the Civic Building in January. All dances are taught; come early for the beginners' session. \$10 (FSGW members, \$8).

SOECA boundaries are: Colesville Road on the West, Cedar and Fenton Streets on the South, Bonifant and Wayne on the East, and Franklin and Caroline Avenues on the North.

**BRT Advisory Committee:** Many thanks to Lori Zeller, who continues to monitor the County's plans for a Bus Rapid Transit route on Colesville Rd.

**Old Library Task Force:** The fate of the old library is of vital interest to all of us. Steve Peck and Denise Perme have kept us informed of the twists and turns in this ongoing saga. The Board offers both of you its sincere thanks.

**Purple Line/Wayne Working Group Representatives:** We offer our sincere thanks to Beth Jewell and Kathleen Samiy, who represent SOECA at meetings of the Wayne Working Group and Purple Line MC CAT.

**Technology Committee:** One of the best things about SOECA is our list serve, and we would not enjoy any of it without the longtime efforts of Jonathan Bernstein, our technology wizard. Thank you, Jonathan!

**Nominating Committee:** Lastly, the Board wishes to thank Carolyn Michell for all she has done through the years to find volunteers willing to serve on the SOECA Board. Your friendly perseverance always pays off!

## Old Library site

At the last SOECA meeting, a summary of the previous old library stakeholder meeting was presented, and there was general agreement to continue with the original SOECA resolution supporting the Master Plan (see meeting minutes for details). While there were no additional stakeholder committee meetings held this summer, there are a few related updates.

The County Department of General Services (DGS) held a meeting on July 11th to discuss excess property in Silver Spring. The old library was discussed, and DGS stated that a multi-generational facility is not likely since one was going to be built at another Silver Spring location. The County Executive's priority remains building affordable senior housing. DGS plans to issue an RFP with very few constraints. A high-rise apartment building was discussed as a possible use. When questioned about whether the Master Plan would be considered in selecting a disposition, the answer was "no."

Over the summer, SOECA representatives have approached and received some support from County Council members, local nonprofits and businesses, and neighboring civic associations on a consensus for the Master Plan vision for reuse of the property as a park, open space and community facility. The group's next steps are to develop a vision statement and action plan to present to County Executive Leggett.

The Silver Spring Historical Society is also evaluating possible historic designation for the library building.

The County and Parks Department cite the Silver Spring CBD as severely lacking in green, recreational and open space to serve its growing population. We will continue to lobby for the Master Plan vision at the final stakeholder meeting, at which time we are expected to provide input for the future RFP objectives and evaluation criteria, along with any other supporting perspective/preferences. For those interested in more detailed updates or more importantly, willing to provide additional support, please contact Steve Peck ([stvpeck@msn.com](mailto:stvpeck@msn.com)).

## Short-term rental legislation:

A Zoning Text Amendment (ZTA 16-03) and a Bill 2-16 are being considered by the County Council to change zoning and regulatory standards for operating commercial short-term transient lodging facilities in residential neighborhoods, including AirBnB, HomeAway, VBRO, CraigsList, and others. Parks and Planning is running meetings to gather public input. One was held over the summer, and a second is being held on September 19, with more to be scheduled.

Current legislation already permits short-term lodging facilities as Bed and Breakfasts. They are permitted on R-60 lots of at least 9000 square feet, but they require both public notice and the review of a hearing examiner. The two pieces of legislation being considered would remove the public notice and review process, and also remove or modify requirements for minimum lot size, parking, inspections, number of guests, and the requirement that the owner occupy the house at the time or rental. The proposed ZTA also proposes to allow short term rentals in all residential zones unless an HOA forbids it, including townhouses.

The proposed ZTA loosens requirements, and says that the property can only be rented by the primary resident (resident 51% of the year) of the property, on-site parking must satisfy the zone but not the additional use, the property must be licensed via an internet-based self-certification process, guests are limited to up to 5 unrelated people, and guests may not stay for more than 30 days.

For Bill 2-16 (linked at [bit.ly/2c00i4o](http://bit.ly/2c00i4o)), which is related but separate, the relevant changes are to the Bed and Breakfast section, which would also apply to AirBnB, VRBO, etc. This section is new, since B&Bs in small lot residential zones such as SOECA's are currently controlled by a permit application that is reviewed by a Hearing Examiner. If ZTA 16-03 is passed,

there will no longer be neighbor notification, Hearing Examiner review, or onsite license review.

These bills will be discussed at the next SOECA meeting. The Board recommends approval of a letter to the Council with the following recommendations, or similar language as modified and voted on at the meeting. Feedback and comments prior to the meeting are appreciated, at [soeca.board@gmail.com](mailto:soeca.board@gmail.com).

"SOECA recognizes that there is already a regulatory process in place for operating short term rental businesses in R60 neighborhoods when certain requirements are met. SOECA opposes the proposed legislation, and would reconsider support for legislation only if the following modifications are addressed, many of which are present in existing legislation:

- Retaining public notice and participatory process requirements for short-term rental businesses;
- Onsite verification of safety and health related requirements;
- Homeowner agreement that County officials can enter and inspect property as they do for accessory apartments;
- Clear recourse to resolve violations and conflicts;
- Enforced penalties for operating without a license and for not paying lodging taxes on income;
- Required off-street parking; if it is not available, then make the business a conditional use and require a Hearing Examiner review and neighbor participation.

We suggest there are also other unanswered questions where additional language is needed if proposed bills move forward:

- Clarification on what other use can be allowed in the residence (accessory apartment, other rental, other business). We recommend that no other use but primary residential be allowed;
- Retaining the residential character of the neighborhood and protecting it from saturation by short term rental businesses;
- Preserving the stock of long term, often affordable, housing currently offered by people who rent rooms for longer than a month (currently permitted) or accessory apartments."

## Cell phone tower legislation

A bill (ZTA 16-05) was introduced over the summer that would allow new, smaller cell phone towers to be installed in a wide range of locations without a public hearing, which is currently required for all telecommunications towers.

A *Bethesda Magazine* story on this issue can be read at [bit.ly/2c9wGXd](http://bit.ly/2c9wGXd). The ZTA is at [bit.ly/2ctuERg](http://bit.ly/2ctuERg); the relevant section runs from lines 65 through 94. A public hearing was held in July in Rockville discussing this issue. See [bit.ly/2bS6z4Z](http://bit.ly/2bS6z4Z) for video, and [bit.ly/2bZrEt8](http://bit.ly/2bZrEt8) for an NBC news story.

The bill would allow cell phone companies to install towers up to 30 feet in height, 8" in diameter, with a 25 cubic foot maximum equipment box at the base (about the size of a refrigerator) on any public right of way (which each R-60 lot has between it and the street). Industry representatives at the public hearing supported the measure. All others opposed it, for reasons including aesthetic impact, safety from radiation, and lack of public review.

On Sept. 12, the Council's Planning, Housing, and Economic Development (PHED) Committee held a hearing at which County personnel and industry representatives spoke. The PHED Committee did not take a vote on the ZTA at this hearing. It will be taken up by the Council at a later date.

This ZTA will be discussed at the next SOECA meeting, including information from the PHED hearing. Feedback and comments prior to the meeting are appreciated, at [soeca.board@gmail.com](mailto:soeca.board@gmail.com).

## Bus Rapid Transit

The seventh Corridor Advisory Committee (CAC) meeting took place on July 14. Conceptual alternatives, including lane usage and restriction options, were the focus of the meeting. Information on this and earlier meetings, including presentations, can be found at [www.montgomerycountymd.gov/BRT](http://www.montgomerycountymd.gov/BRT). Email Lori Zeller, SOECA's representative, with questions or comments at

[ZellerTransit@gmail.com](mailto:ZellerTransit@gmail.com). Next meeting: 6:30 Sept. 26, Silver Spring Civic Center.

## SOECA committees

SOECA bylaws specify several standing committees and allow special committees. SOECA members also participate in several current non-SOECA groups.

**Standing committees** with chairs and Board liaisons:

*Membership:* David Hartmann, chair & liaison

*Land Use:* Jonathan Shurberg, chair & liaison.

*Legislation:* Jonathan Shurberg, chair & liaison.

*Education:* Open. The need to reconstitute the Education Committee will be discussed at the meeting.

*Nominating:* Carolyn Michell has served as chair for

several years and would like to share the responsibility. Liaison open.

**Special committees** with chairs and liaisons:

*Social:* Leslie Hansley, chair. Liaison open

*Technology:* Jonathan Bernstein, chair, David Hartmann, liaison.

*Traffic:* The committee will be asked to designate a chairperson. Tom Armstrong, liaison

*Safety:* Lynn Bailes, chair, Michael Gurwitz, liaison.

**SOECA representation in other groups:**

*Purple Line Community Advisory Team:* Beth Jewell, Kathleen Samiy (alternate)

*Wayne Ave. PL Working Group:* Jean Cavanaugh, Tom Armstrong (alternate)

*Library stakeholders:* Steve Peck, Denise Perme (alt.)

*Rte. 29 BRT:* Lori Zeller

## Traffic Committee

The Traffic Committee continues to gather information. Send concerns to

[soecatrafic@gmail.com](mailto:soecatrafic@gmail.com), or join the committee.

## Safety Committee and Summer Meeting

A meeting was held with police at the Civic Center on July 25 to discuss the assaults in and around the SOECA area early this summer. Over 35 residents signed in and many more arrived during the meeting. Six members of local law enforcement agencies informed and advised us. Note that police did increase their presence in the area when the assaults started, and there have not been any assaults reported late in the summer.

The major point from the meeting was: pay attention. "See something, say something." Many of us often use our cell phones when walking, to chart our course or just keep up with messages, news and entertainment. Those are moments are when we are vulnerable, when we are less aware of what is going on around us, of who may be watching and sizing us up as potential, distracted victims.

Once inside, many of us don't look outside or keep an eye on our yards and streets and cars and neighbors. Keep your ears and eyes open. We know when something doesn't look right, and we can inform police and neighbors, as necessary.

The SOECA Safety Committee, which was formed over the summer in response to the assaults and on the recommendation of County police, is looking for

volunteers to assist with safety and crime prevention issues. We will coordinate activities, keep the community informed, arrange home safety meetings with the police and review issues like overgrown bushes, burned out or missing street lights and street signs. We will discuss home and car safety.

Please forward any safety concerns, observations and tips to Lynn Bailes, chair of the Safety Committee, at [w1b3z@comcast.net](mailto:w1b3z@comcast.net).

## Water Watchdogs

The Friends of Sligo Creek **Water WatchDogs** (WWD) citizen pollution reporting system, headed by Anne Vorce, monitors Sligo Creek and its tributaries for runoff events from sites throughout the SOECA neighborhoods and downtown. Anyone can use WWD to report problems to the Dept. of Permitting Services (DPS). If you see a runoff problem or other pollution, email WWD at [ReportSligoPollution@fosc.org](mailto:ReportSligoPollution@fosc.org). It will be relayed directly to DPS. Water Watchdogs received this year's Wayne Goldstein Award from the Montgomery County Civic Federation for their work to monitor the Creek.

## Minutes of June 13 Meeting

Treasurer David Hartmann reported a balance of \$6527.69, confirmed the new system of having SOECA dues being due each October, and suggested a new-membership drive for October. Plans for the July 17 block party were discussed.

We discussed suggestions for new committees. No one spoke for the proposed Governance Committee. David Hartmann reported on issues before the proposed Technology Committee, including outreach, new ways of voting, web-based membership tools, and electronic newsletter distribution. Solutions would be brought to the membership for approval.

VP Tina Guina pointed out that the recently-appointed committees [Traffic, Social] provide a good model for creating new committees: they've worked together for several months on ideas shaped by the community members and their activities. She suggested that the Technology and Governance Committees start their activities, see how they go, and bring proposals to the Board. Committees would be open to any interested member.

Denise Perme reported on the meeting of stakeholders in the disposition of the old Silver Spring Library. Focus groups pointed out the need for a full service intergenerational recreation center, which has

been the concept for a number of years. Recently, County Executive Ike Leggett has suggested a competing concept centered on affordable senior housing. There was a lot of discussion on whether a facility could house both concepts and whether it would be a “tower,” an idea that many opposed. There was no clear response as to whether the community would support a combined facility. Much of the discussion focused on the need for green space. The County is thinking of a public-private partnership (P3) and reiterated that it is seeking input. Denise reported that 70 to 120 units would be needed to get developers interested, of which 20% would be for seniors. The split between affordable and market rate units is undecided.

Denise asked whether it is the consensus of the community that we do not want the senior housing facility. In the discussion, Jean Cavanaugh pointed out that for eight years SOECA has been asking that the large parking lot become green space, and that the County has said that that is in the [2001] Master Plan: recreation first, an intergenerational recreation center second. We have supported the Master Plan, but since it was formulated, the Council has said that all County facilities have to be considered for senior housing or day care. But in Bethesda, the Planning Board is considering a \$25/sq. ft. tax to support repurchasing park space. There are 7000 new apartments in the pipeline in Silver Spring. Jean advocates for continuing to support the Master Plan.

One member was concerned that that is a losing position. Another worries that property taxes will rise to pay for a recreation center, and would prefer a limited commercial and housing option to get a recreation center without a tax hike. It’s not clear how we satisfy the needs for green space and for recreation. VP Michael Gurwitz pointed out that the funding situation might be quite different three years from now, when the Friends of the Library book store will move out, and that our part of Silver Spring, without a recreation center, is the odd man out in the County.

The next step is another stakeholders’ meeting, probably in September, probably with Parks and Planning invited, and possibly with examples of urban recreation centers. Former president Kathleen Samiy suggested sticking to what the community favors, i.e., parks and open space, rather than to what it opposes, and pointed to the Leland Center in Chevy Chase as a model.

The meeting moved on to a discussion of the Traffic Task Force (TTF). Beth Jewell described the group: meetings started in December, chairing and recording

duties are rotated among the members, who come from all areas within SOECA. See [soeca.org/issues-advocacy/traffic/](http://soeca.org/issues-advocacy/traffic/) to find out more. Secretary Tom Armstrong, a TTF member, related some of the history of the traffic plan implemented at neighborhood request in the early 1990s. Bob Ernst described some recent activity: a survey of signage needing updating or replacement; a change to signal timing at Fenton & Colesville that reduces the incentive for southbound drivers to turn left at Dale and cut through the side streets; a solution to the backup clogging Dale Dr. near Dartmouth when schools are dismissed.

The TTF welcomes bringing new concerns to their attention. A Chelsea Heights resident questioned the benefits of the traffic plan since Pershing is still narrow and dangerous to walk on. VP Michael Gurwitz briefly summarized the traffic restrictions, now being ignored by some drivers, that SOECA negotiated during the rezoning process that allowed the Chelsea Heights townhouses to be built.

Secretary Tom Armstrong reported on the May 25 public Purple Line meeting with the Maryland Transit Administration (MTA) that had been requested by the Residential Wayne Avenue Working Group for Purple Line Design (RWAWGfPLD) as a forum for presenting local residents’ concerns about the impact of the Purple Line on the neighborhood. His summary was similar to that in the June 2016 SOECA newsletter.

## **Bill Kaupert Memorial**

Bill Kaupert was a valued member of our community and to many of us a person who went out of his way to make a neighbor feel welcome. Sadly he passed this summer. As a tribute to our beloved neighbor and tireless member and executive board member of SOECA, Rachel Bowers is raising funds to dedicate a park bench in Bill's name in remembrance of his kindness.

The fundraiser is to purchase a bench for Sligo Creek Park with a brass plaque in memory of Bill. The cost is \$2300. If the full amount cannot be raised, a plaque can be purchased to add to an existing bench for \$1000. If we are fortunate enough to exceed our goal, all extra funds will be dedicated to Bill's designated charity in his name. If you would like to contribute, please contact Rachel at [rjbowers11@yahoo.com](mailto:rjbowers11@yahoo.com).

Though this fundraiser honors Bill's contributions to SOECA, it is not being managed by SOECA. Rachel is doing this as an individual, but will be reporting progress to the SOECA Board.

**Seven Oaks Evanswood  
Citizens Association  
Silver Spring, Maryland  
[www.soeca.org](http://www.soeca.org)**

### **SOECA officers**

Michael Bufalini,  
President  
Michael Gurwitz, Vice  
President

Tom Armstrong, Secretary

David Hartmann, Treasurer

Jonathan Shurberg, Past President

### **Resident volunteers**

Jonathan Bernstein, Listserv &  
web site manager, SSCAB rep

Lori Zeller, BRT Committee rep

Beth Jewell and Kathleen Samiy,  
Wayne Working Group & Purple  
Line CAT

### **Contact SOECA:**

[soeca.board@gmail.com](mailto:soeca.board@gmail.com)

## **Two ways to join SOECA's listserv:**

1) Via email:

- Send an email to [soeca-subscribe@yahoogroups.com](mailto:soeca-subscribe@yahoogroups.com) with the word "subscribe" in the subject line.
- The listserv moderator will email you asking for your name and address and will add you after you respond.
- You will receive a confirmation email from "YahooGroups."

2) If you have a Yahoo Groups account:

- Go to <http://groups.yahoo.com>, find SOECA, and click "Join this group."
- Fill in the form, including the email address you wish to use, adding a comment about yourself and why you would like to join, and click on "Join."
- The listserv moderator will email you asking for your name and address and will add you after you respond.
- You will receive a confirmation email from Yahoo.

Once you have joined, post messages by sending email to [soeca@egroups.com](mailto:soeca@egroups.com) or [soeca@yahoogroups.com](mailto:soeca@yahoogroups.com).

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## **SOECA Membership Form**

Send this slip plus \$20 annual dues per household (\$10 for seniors and single members) made payable to SOECA to:

David Hartmann, SOECA Treasurer, 407 Ellsworth Drive, Silver Spring, MD 20910

Name: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

*Note: Resident email addresses, street addresses, and phone numbers are not shared.*