

theOlneyCoalition

preserving the quality of life in Olney

February 23, 2004

Steve Silverman, President
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Dear President Silverman:

As the County Council nears its final vote on Upper Rock Creek, we would like to take this opportunity to comment on key elements of this master plan.

We applaud the Council for the consideration given the community's concerns and we are encouraged by the straw votes taken on January 20. We urge the Council to uphold them on February 24.

In particular, we ask that you pay close attention to the following.

Water Quality. We are pleased the Council recognizes the importance of protecting the high quality headwaters of the Upper Rock Creek. Low-density residential zoning together with well and septic have effectively prevented over-development for more than 40 years. Continued reliance on septic is preferred since it results in a density that the land can support, i.e., the results of perc tests determine what the density can be. In addition, we believe it is necessary to establish the area north of Muncaster Mill Road as a Special Protection Area and to apply an environmental overlay zone with an impervious cap of 8% to all properties within this area.

We understand that the Fraley and Hendry families are concerned about the effects of the proposed 8% cap. We have listened to their concerns and reviewed the amendments proposed to alleviate any unintended hardships. If the Council believes that an amendment is truly necessary, we feel that Councilmember Praisner's proposal to cap imperviousness at 8% for the more sensitive North Branch and 10% for the Mainstem is the best way to ensure equitable treatment for the property owners and adequate protection for water quality.

Density. In order to maintain compatibility with the existing low-density residential neighborhoods in Upper Rock Creek, we urge you to accept the densities recommended in the Planning Board Draft, specifically .2 units/acre on septic or .33 units/acre on sewer. Density in Upper Rock Creek is of great concern to the citizens of Olney who are currently under a moratorium due to inadequate public facilities. Increased development in Upper Rock Creek impacts our schools (some Olney area students attend the Magruder cluster), our traffic (Olney is one of the closest commercial centers to Upper Rock Creek), and the responsiveness of shared fire, rescue and emergency services.

Clustering. We appreciate that RNC zoning can be used to preserve open space and prevent forest fragmentation. We are also keenly aware that RNC developments to date have not preserved the rural character of adjacent communities nor have they produced the diversity of lot/house size that was intended to encourage a range of housing opportunities. The requirement that rural open space must be one contiguous area has also produced less than satisfactory results.

Clearly the RNC zone needs work before any new RNC developments are allowed to proceed. In order to ensure that those who live with the results of RNC development have a voice, we believe a volunteer citizen task force needs to be created to work with Council staff, Park and Planning staff, and the development community to review the RNC zone and recommend needed improvements. This review needs to be completed in a timely manner to coincide with the SPA environmental overlay zone and the Sectional Map Amendment process. The Olney Coalition expects to be included in this review and in all opportunities for public comment regarding amendments to the RNC zone.

Open Space. While the preservation of rural open space is not part of the master plan process, the issue has been raised in discussions about how RNC will impact the Upper Rock Creek community. Therefore we wish to express our view that the most secure option is to create a new category of permanent Parkland similar to Legacy Open Space. The County would own the land and the deed would stipulate that land set aside in this manner cannot be developed, traded with another agency of government, or used for any purpose other than rural open space in perpetuity. Further, the process needs to ensure that all parties with a stake in the open space uses, maintenance and enforcement have a voice in negotiating these details and drawing up a conservation easement to be held by a national or regional land trust organization.

In conclusion, the decisions you make now will have long-lasting and irreversible consequences for the quality of life we enjoy in Olney. Please consider the impact of your decisions carefully.

Thank you for taking the time to understand our position.

Respectfully,

Nancy Wendt, President
On Behalf of The Olney Coalition

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