



# Green Space Advisor

Volume 10 No. 1

January, 2008

## Message From The President: Bobby Berg

**Question:** Just what was Greater Sandy Spring Green Space doing in 2007?

**Answer:** Scheming, schmoozing, and shoveling. (Otherwise known as plans, outreach, and maintenance.)

*Scheming:* We pursued new conservation easements in eastern Montgomery County. Our tactics included sitting down with Royce Hanson, the chairman of the Montgomery County Planning Board, attending or testifying at meetings of the planning board and the county council PHED committee, and attending neighborhood presentations by developers. The proposed residential developments that got our most attention this year included “Batchellors Forest” (the old Benson farm across from Farquhar Middle School), “Stanmore” (the Hyde property on Batchellors Forest Road across from Good Counsel High School), “The Reserve at Fairhill”, and “The Preserve at Rock Creek”. The last two properties are located west of Olney near the northeast branch of Rock Creek. Each has more than 100 acres, most of which will be dedicated by the developers to the county as parkland. Although that new parkland will be protected by county covenants instead of third-party conservation easements, we are attempting to have those covenants name Green Space as having standing to pursue violations of the covenant terms.

*Schmoozing:* We attended events at Ross Boddy Community Center and Sandy Spring Friends School -- please inform the board of other outreach

opportunities. Green Space was represented at the Maryland Land Conservation Conference in May, and we worked toward a joint meeting with like-minded organizations such as the Sugarloaf Conservancy, the Montgomery Countryside Alliance, and the Maryland Alliance for Greenway Improvement and Conservation. Even this newsletter counts as a shmooze!

*Shoveling:* Monitoring our conservation easements, along with maintaining good relations (schmoozing?) with the property owners is a must. We inspected almost all of our conservation easement properties in the Bancroft and Ashton Preserve neighborhoods, and we reviewed proposals for a barn and apple orchard on one of the 10-acre conservation lots. Another must is maintaining the health of Greater Sandy Spring Green Space, Inc.

At present the board meets monthly in a room loaned to us by the Derrick brothers at the northeast corner of Route 108 and New Hampshire Avenue, but the pending development of that corner has set us on a search for a new place to meet. The organization's health also requires support from our members, so please consider an additional gift when you join or renew your membership.

## **Executive Director's Report 2007: Joli A. McCathran**

As you will see by reading this edition of Greater Sandy Spring Green Space's *Advisor*, we are so much more than a land trust organization. While our main mission is to hold easements on open space and to maintain open space in the Sandy Spring area, the Board works diligently to oversee development projects, stay on top of the Maryland National Capitol Park and Planning Commission's activities and work with them to ensure the Sandy Spring area master plan remains intact. Additionally we reach out to other land trust and other organizations with common goals toward the betterment for the public good.

I invite you to become a member of Greater Sandy Spring Green Space. Enclosed is a remittance envelope for your convenience. Donations may be sent to GSSGS, PO Box 92, Sandy Spring, MD

20860. Your donation is tax deductible. We welcome your support.

Also, if you are not interested in receiving these newsletters, kindly let us know and we will remove your name from our mailing list. You may e-mail at [kmccathran@verizon.net](mailto:kmccathran@verizon.net) or call 301-869-5358 to make this request. Please note we never sell our contact list to anyone or organization.

The Board meets on the last Tuesday of each month and you are also welcome to attend. Please contact me for more information. Also, please visit our web site, [www.sandyspringgreenspace.org](http://www.sandyspringgreenspace.org). We continue to add information to the website which can assist in further understanding our goals and mission. Happy New Year to all.

*Joli McCathran*

### **Land Trust Coordination Meeting**

GSSGS was established as your local land trust in 1998. As you can tell from our President's Message, we continue to work hard on our mission: Keeping Green Space a Reality. But we're not the only land trust in Montgomery County working to balance nature and development.

We'd like to invite you, our members, to join with other like-minded people at a gathering of local land trusts to explore ways that we can all be useful and effective in preserving open space.

The tentative date is April 22, 2007, at the Sandy Spring Museum. Please hold the date open and plan to attend. An RSVP to Green Space at [kmccathran@verizon.net](mailto:kmccathran@verizon.net) or at 301-869-5358 will be welcomed. As with all great ideas, it takes a lot of people to make it work! Together, we will look at where we've been, where we are, where we want to go, and how to get there!

# Montgomery County's New Growth Policy

Montgomery now has a Growth Policy. Adopted on November 13 by a vote of 7 to 1 (with Councilmember Leventhal absent due to injuries from a car accident). The one dissenting vote was from Council Member Floreen. The Council along with input from the Planning Board, and County Executive Isiah Leggett, had deliberated for almost a year.

The county has been operating under an old Growth Policy since the one proposed two years ago was defeated by the council.

An abbreviated summary of Actions in the new growth policy follows.

## Transportation adequacy test

- Establishes a new area-wide transportation test: Policy Area Mobility Review (PAMR), which evaluates transit and roadway mobility. This will require new development in two areas to mitigate 100% of the traffic generated by the development, and new development in 21 other areas to mitigate up to 45% of the added traffic.
- Tightens the congestion standards in the intersection congestion test (Local Area Transportation Review) in 14 areas, expands the scope for larger developments and requires greater mitigation for failing intersections.

## School adequacy test Tightens the existing test:

- Uses Montgomery County Public Schools (MCPS) program capacity as the definition, rather than a higher number used previously
- Eliminates "borrowing" of excess capacity from adjacent school clusters

- Sets 105% of program capacity in a school cluster as the threshold for requiring a School Facilities Payment; developers will have to pay significant fees when they build homes where schools are projected to be at 105% or more of capacity
- Sets 120% of program capacity as the threshold for a residential moratorium, meaning if a proposed housing development is located in a school cluster projected to be at or above 120% of capacity, the development could not be approved
- NOTE: As a result, residential development in nine clusters currently would require a School Facilities Payment. Residential development currently would be in moratorium in three clusters (Einstein, Kennedy and Clarksburg) until at least next July.
- Exempts subdivisions of three units or fewer, from the test.
- Increases the School Facilities Payment from \$12,500 per student (any level) to \$19,514 per elementary school student that would be added by new residential development; \$25,411 per middle school student; and \$28,501 per high school student.
- Does not require a School Facilities Payment in an enterprise zone (Wheaton Central Business District and Long Branch) or former enterprise zone (Silver Spring Central Business District).

## Transportation Impact Tax

- Increases the current tax rates by 70%, generating about \$12-14 million more funds annually for County capacity-adding projects.

- Sets rates around MARC commuter rail stations at 85% of the County-wide rates. Rates around Metro Stations are already at 50%.

School Impact Tax

- Increases the current tax rates by about 125%, generating about \$15-17 million more funds annually for new schools and additions.
- Increases the large-house surtax from \$1 to \$2 per square foot.
- Applies the large-house surtax to single-family dwelling units larger than 3,500 square feet (rather than 4,500) up to 8,500 square feet.
- In residential developments with at least 30% affordable housing units (MPDUs and units for lower income households), market rate units pay at 50% of the applicable rate.

Recordation Tax

- For a property sold for more than \$500,000, increases the rate by \$3.10 per every \$1,000 of the sale price (0.31%) above \$500,000. This is estimated to generate about \$10 million more annually.
- The additional revenue would be divided, with half going for rental assistance programs for low- and moderate-income tenants and half for County government capital projects.

Issues to be addressed in the Future (an abbreviated summary)

Scheduling of items by the Planning Board under this Section may be reviewed and modified at the

Board's regular work program meetings with the County Council.

*For delivery to the Council on or before February 1, 2008:*

**F1 Enhanced Intersection Data Collection:** The Planning Board must include in its recommended FY2009 budget a request for additional funds to expand its database of current traffic counts to allow a more comprehensive analysis of congestion conditions and verify developer-provided traffic counts.

*For delivery to the Council on or before July 1, 2008:*

**F2 Impact tax implementing regulations** The Executive must submit revised implementing regulations for the transportation and school impact taxes to the Council under Method (2).

*For delivery to the Council on or before August 1, 2008:*

**F3 Alternatives to PAMR:** The Planning Board, with the aid of the Executive, must evaluate alternatives to Policy Area Mobility Review (PAMR) as a policy area level transportation test..

**F4: Guidelines for Non-Auto Facilities:** The Planning Board, with the aid of the Executive, must evaluate its guidelines for trip credits for non-automobile facilities,

**F5 Development Activity Status Report:** The Planning Board must prepare a status report of development activity that has occurred since this Growth Policy took effect.

**F6 Design of Public Facilities:** The Planning Board, with the aid of the Executive, must convene a “design summit” of public agencies involved in the design and development of public facilities and the review of private land development to develop a consensus and commitment to design excellence as a core value in all public and private projects and focus on how to improve design of public facilities and private development through various means, including better coordination among agencies.

**F7 Transportation-Housing Affordability Index:**

The Planning Board must conduct the necessary research and analysis to develop a transportation-housing affordability index for the County.

**F8 Public agency signoff:** The Planning Board, after consulting Executive staff, must evaluate and submit a recommendation to the Council for any necessary changes to current law or policy regarding the point or points in the development process when an agreement between an applicant and a public agency is required for an additional facility or program which would be a condition of development approval.

*For delivery to the Council on or before October 1, 2008:*

**F9 Impact Tax Issues:** The County Executive, with the aid of the Planning Board and the Board of Education, must address impact tax issues noted in the long-term infrastructure financing recommendations in the Planning Board’s 2007-2009 Growth Policy.

**F10 Sustainability Quality of Life Indicators Program:** The Planning Board, with the aid of the Executive and with broad public participation, must develop a set of sustainable quality of life indicators, addressing issues of environment, social equity, and economy.

*To be included in the 2009-2011 Growth Policy:*

**F11 Biennial Growth Policy Report:** In accordance with County Code §33A-15, the Planning Board must submit its recommended Growth Policy to the County Council by June 1 of each odd-numbered year. Beginning in 2009, this biennial growth policy must include: an analysis of current

and future pace and pattern of growth in the County and the factors affecting demand for public facilities in established communities; an update on the County's success in meeting a set of indicators as developed under F10; an implementation status report for each master plan and sector plan, including a review of how planned development is proceeding and whether the public actions/facilities in the plan are occurring in a timely way; the contents of the biennial Highway Mobility Report; and a comprehensive list of priority facilities that are recommended for addition to the Capital Improvements Program.

**F12 Special Studies:** The Planning Board must prepare the following studies to be included in the 2009-2011 Growth Policy:

**F12a:** With the aid of the Executive, a comprehensive parking management study, which must include recommendations to improve the use of parking as a travel demand management tool, particularly in Metro station policy areas.

**F12b:** With the aid of the Executive, a study of options to revise the local area transportation tests.

**F12c:** A study of options to increase efficiency in allocating development capacity, including trading capacity among private developers.

**F12d:** A study of the County’s job-housing balance, including implications for housing affordability and traffic congestion.

*Aleen Starkweather*

## **Friends of the Sandy Spring Tributary (FSST)**

Sandy Spring Friends Meeting (SSFM) in Unity with Nature, First Day School, and others in the SSFM community will be conducting stream monitoring and maintenance of the Sandy Spring Tributary, the northern-most waters of what becomes the Northwest branch (NWB) of the Anacostia River.

Data on this tributary will be important to compare stream quality farther south as the NWB continues through more developed and urbanized areas. The data will be used by both County and Environmental groups. This activity partners with the Roots and Shoots children’s program of the Jane Goodall In-

stitute, as well. FSST is a community group which we hope will engage many others from the Sandy

Spring area and nearby schools and neighborhoods.

## **Sharing Our Challenges and Harvests: Sandy Spring and Community Supported Agriculture**

While not always obvious to many of us, the food we eat affects, not only our health, but the quality of our lives and well-being of our world. Increasingly aware of this, a growing number of Sandy Spring Greater Green Space (SSGGS) members and their neighbors are uniting with others nationwide in supporting community supported agriculture (CSA) to reconnect with food that truly nurtures us and preserves our remaining farmland, world and way of life.

CSA's can offer a healthy alternative. In a CSA, members and farmers form a partnership and mutual commitment. Members support the farm, providing upfront capital, and share in the bounty and risks of farming (pests, disease, flood, drought, hail, frost). Their payment covers salaries, seed, equipment and delivery. Farmers have committed buy-

ers, no left-over produce as in farmers markets, and they are freed from packaging and processing requirements stores require (a large independent organic farm can spend \$100,000 each year just for packaging in order for their produce to be sold at retailers cross-country).

A goal for Sandy Spring CSA is to convert nearby available acreage into working farmland. Neighbors with 25 acres near Sandy Spring are discussing growing produce for the CSA. Meanwhile, the CSA's January 15 deadline for 2008 applications has been extended to March 1st as they seek new members and collection sites. Interested SSGGS members can get further information, including a harvest schedule and application, at [www.sandyspringcsa.com](http://www.sandyspringcsa.com).

## **RURAL ATMOSPHERE**

### **Do we have it?**

Scores of residents participated in public meetings in the Fall of 1993 and Spring 1994 to give their input for amendment of the first Sandy Spring Ashton Master Plan, adopted in 1980. Sponsored by the newly selected Citizens Advisory Committee (CAC) and the Maryland National Capital Park and Planning Commission, the meetings were held in the Sherwood High school auditorium. Summarizing verbal statements and responses to written questionnaires, the chief concern of residents was to retain the *rural atmosphere* of the area.

The focus on this aspect of the community was the intense desire to reinforce the same concerns addressed in the 1980 Plan. The density of residential subdivisions

Constructed in the intervening years in the abutting Olney Planning District was perceived as an immediate threat to what the residents wanted to protect.

*Rural atmosphere* is difficult to define, simply because it contains many elements. Interpreting these somewhat subjective views into a workable land use plan and then into a legally acceptable document which would apply throughout the county proved to be a difficult job, which took about four years from beginning to end.

Many specialists of the MNCPPC staff made field studies, mapped, researched, collated and analyzed data that was presented to the CAC. The CAC studied, made their own analyses, and debated numer-

ous issues and details in many meetings, which consumed a total of about two hundred hours. Members of the CAC were responsible to make ongoing reports for reactions from the constituent local organizations (which included the Suburban Homebuilders Association) that had sent them.

The most important issue of residential distribution and density was resolved in principle in early 1997, which was acceptable to stakeholders and residents. The elements eventually assembled into a legally acceptable format as a zoning ordinance titled RURAL NEIGHBORHOOD CLUSTER (RNC). The two principle elements of this ordinance, (approved by the Montgomery County Council in 1998) are applicable to a vacant tract of 25 acres or more as designated on the land use map in the Master Plan are:

- Public sewer and water service must be available
- 60%- 70% of the parent tract must remain in contiguous open space
- Protected under conservation easement
- Entrances to subdivisions from existing roads must be fronted by lots of at least 10 acres with small home sites at the rear of the lot and the balance of the site under conservation easement.

Two large subdivisions in the heart of Sandy Spring, totaling about 300 acres have been completed as of 2007 at an average density of approximately one unit per 2.2 acres of land.

QUESTION: Has the RNC ordinance been successful in maintaining a semblance of RURAL ATMOSPHERE?

*Don Mc Candless*



## Origin of the Sandy Spring Arch

In the August, 2007 *Green Space Advisor*, Volume 9 No. 9, Board Member Don McCandless published an article titled, The Sandy Spring—More Than An Historic Site.” In that article Don stated,

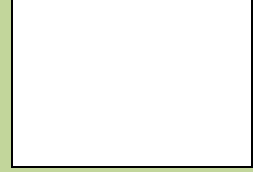
“At the Sandy Spring itself, including a little concrete grotto which protects it, there is an arch inscribed with the date 1745. By whom and how long ago this work was done, as well as the tiny steps leading down to the spring, is unknown to me. It might have been the local Lions Club which has cared for the spring for years.”

Thanks to information sent to us by Margaret Wint, of The Sandy Spring Museum we now know who constructed the arch. According to the *Part II An*

*nals [Volume IV] of Sandy Spring*, written by Annie B. Kirk in 1914, it states:

“Asa M. Stabler, in accordance with a suggestion of the late Henry H. Miller, decided to care for and improve the long neglected old spring called Sandy Spring. This ancestral source from which our neighborhood is said to have sprung, this fountain guiltless now of the sand, that tradition says, once did bubble up in its otherwise limpid water, is upon a farm owned by Herbert O. Stabler, and his father, with characteristic energy, built a concrete arch over the spring, and otherwise improved the place.”

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