

Citizens Coordinating Committee on Friendship Heights

Minutes of the Meeting of November 16, 2016: Next Meeting: January 11 or 18, 2017

ATTENDEES:

Brookdale	Bob Cope
Chevy Chase West	Lloyd Guerci
Chevy Chase Village	
Drummond	
Glen Echo Heights	Harry Pfohl
Green Acres-Glen Cove	Danuta Wilson, Dan Dozier (LFWA)
Kenwood (the subdivision)	Jenny Sue Dunner, Pat Johnson
Kenwood House Coop	Judy Throckmorton
Kenwood Condominium	Sue Schumacher
Kenwood Place Condo	
Mohican Hills Comm. Ass.	
Somerset	Marnie Shaul, Barbara Zeughauser
Springfield	Pete Salinger
Sumner	Sid Clemans
Sumner Village Condo	
Westmoreland Hills	
Westbard Mews	Lynne Battle
Westwood Mews	Frank Anderson
Wood Acres	June Gardner, John McLoughlin
Individual Members	Norman Knopf

Guests: Melanie White (Friendship Hgts), Dan Dozier (LFWA)
Mike Dorsey (Friendship Hgts.), Michelle Rosenfeld
(Save Westbard Attorney)

Mr. Guerci called the meeting to order at 8:00 pm. The Agenda for the Meeting was approved with the addition of Washington Episcopal School and Sumner's presentation on the Save Westbard lawsuit. The Minutes of the Meeting of October 19, 2016 were approved.

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WESTBARD: Mr. Guerci

Equity One will hold a public meeting on its Preliminary Plan at the Ballroom at 5521 Landy Lane on Tuesday, November 29 at 7:00 pm. Heavy attendance should be encouraged and attendees should speak on all the objections they have to the current Equity One Sketch Plan so those objections are noted for the Planning Board. Those attendees should contact Linda-Jo Block at Maier & Warner at 301-424-4141 or by email to linda@maierwarnerpr.com.

On November 8, the County Councilmembers (in a District Council session) approved the Sectional Map Amendments with only one amendment reducing the height set for Site 6b (Park Bethesda, now the Residences on the Capital Crescent Trail) to 100 feet (rather than 110 feet) so that any additional height resulting from affordable housing in excess of 12.5% would not cause the building to exceed 110 feet.

The Equity One Sketch Plan is currently expected to go to the Planning Board on January 19, 2017, with the staff report aiming for Friday, 1/6 and due by Monday, 1/9. Comments should be submitted by Monday, 1/16/17. The planning staff is still discussing issues with Equity One, particularly the buffer next to the Willett Branch. The next meeting of the Willett Branch coordinating group will be on 12/7/16 from 10:00-12:00 am in the conference room. In the next month or so, we should glean information on the developing program to naturalize the Willett Branch and define a buffer. That should be crystalized by the staff report. It was decided that CCCFH should coordinate with the Little Falls Watershed Alliance (LFWA) to create a sample letter to be sent to the Planning Board urging appropriate improvements and a buffer for the Willett Branch. Mr. Guerci and Mr. Dozier will arrange a meeting to prepare a sample letter and ask that letters be sent to the Planning Board in a sufficient time before the Planning Board meeting on Equity One's sketch plan.

BETHESDA DOWNTOWN PLAN: Mr. Guerci

The County Councilmembers sitting as a District Council held a public hearing on the Bethesda Downtown Plan and CCCFH submitted detailed comments. The Planning, Housing and Economic Development (PHED)

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Committee may take it up in January, 2017. Coalition of Bethesda Area Residents (CBAR) will hold a meeting on Monday, 11/21 which Mr. Guerci will try to attend.

WILLARD AVENUE PARK: Mr. Knopf

Efforts are underway to have the County Parks Department create a park on the 1 acre land purchased to be a park some 20 years ago in Friendship Heights. To date, the land with a house has been leased. A meeting is scheduled for 12/13/16 for the Parks Department staff and neighboring associations to hopefully move this forward.

WASHINGTON EPISCOPAL SCHOOL (WES): Mr. Knopf

After successfully getting the Planning Board to order the WES gate at Landy Lane to be open for 4 hours a day at the 9/29 hearing, WES has filed a Motion for Reconsideration which is on the agenda for the Thursday, 11/17 meeting.

SUBDIVISION STAGING POLICY: Mr. Guerci

There are 3 components to the Subdivision Staging Policy: schools, transit, and fees. The County Council adopted a new Subdivision Staging Policy which will be in effect for the next 4 years. It left schools at 120% of capacity before a moratorium would be imposed. The fees remain “chump change” in view of the needs.

ROOFTOP TERRACES: Mr. Pfohl, Mr. Knopf

The pros and cons of including rooftop terraces within overall height requirements were discussed.

FAA FLIGHT PATHS: Ms. Wilson

Efforts continue to persuade the FAA: not to move the flight paths across the Potomac River into Montgomery County; to establish altitude limits; and

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to disperse planes so that no single neighborhood must endure all the additional noise.

SUMNER PRESENTATION ON SAVE WESTBARD LAWSUIT: Michelle Rosenfeld

The Save Westbard lawsuit includes 3 claims:

1. County law requires the Planning Board to assess vehicle emissions, miles traveled and carbon footprint for any proposed plan. The Westbard Plan does not do so and is thus legally deficient and it should be remanded to the Planning Board to address these issues.

2. County law only authorizes the District Council (the same members as the County Council) to pass zoning laws. A public hearing is required any time the District Council is changing the Plan which was proposed by the Planning Board. Many changes were made to the Plan without the District Council holding the necessary public hearing so the Plan should be remanded to the District Council for appropriate hearings.

3. The Plan was the product of illegal contract zoning for the Park Bethesda property as well as one property owned by Equity One because an agreement was made allowing the developers to obtain additional heights in exchange for including affordable housing in excess of the 12.5% required by law.

The first 2 claims are procedural and Save Westbard intends to file a Motion for Summary Judgment, perhaps by the end of 2016. The third claim will likely require a trial and discovery will begin shortly with a trial possible by late spring, 2017. Equity One has intervened in the case.

CCCFH MEETING 12/21/16? Mr. Guerci

It was decided that, as matters now stand, there would be no meeting on 12/21/16. The January meeting, usually scheduled for 1/18/17 may be held

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on 1/11/17 if the Westbard schedule remains on course. Both dates should be held tentatively.

TREASURER'S REPORT: Ms. Schumacher

The report was received. The only member whose dues have not been received is Mohican Hills.

MCCF REPORT: Ms. Schumacher

The county environment, problems and solutions were discussed.

The meeting was adjourned at 9:30 pm.