

## **Rock Creek Hills Citizens Association Spring Meeting Minutes – March 3, 2015**

RCHCA President Jim Pekar opened the spring RCHCA meeting, announcing that the Intergenerational Village Program would not be presented at the meeting as scheduled. The minutes of the May 29, 2014, RCHCA meeting were voted on and accepted.

### **Treasurer's Report:**

RCHCA Treasurer Maria Marzullo reported that the Association treasury's checking account balance was \$5,000 and the savings account balance was \$8,500. The Association had \$1,300 in expenses, including costs for the meeting announcement mailing and for printing neighborhood directories. (The cost of the directories was cut in half as a result of advertising sales). As of March 13, 2015, RCHCA received \$1,160 in dues, representing 29 households. In 2014, 230 households joined the Association. The litigation fund balance is \$7,100, short \$1,900 of the \$9,000 owed to the attorney.

### **Officer Elections**

RCHCA officers serve on the RCHCA and RCH Covenants, Inc. boards. To preserve continuity in these trying times, all members of the current board agreed to stay on. John Robinson moved that the nominations be closed and the current slate of officers was re-elected: President: Jim Pekar; Vice President: Hill Carter; Treasurer: Maria Marzullo; Secretary: Jill Gallagher.

### **Conversion of Rock Creek Hills Local Park**

This year, the park will close. MCPS plans were to be reviewed on March 26 by the Montgomery County Planning Board. The review is advisory only. The Planning Board staff reviews the plans and makes a recommendation, but their decision is not binding, with the exception of the Forest Conservation Plan. That Plan must be found to be in compliance with the Forest Conservation Law. If it is not in compliance, MCPS will have to come back with another plan.

A group of RCHCA neighbors produced a color-coded version of the plan to highlight driveways and buildings and show how the building will sit as compared to current conditions. At the school entrance, the building will be 101 feet above street level. The forest stand that the County Council resolved would be preserved, and that the Planning Board advised should be preserved, will not be preserved.

RCHCA has communicated the following concerns about MCPS' plans:

1. Number and size of unsightly retaining walls, with some as high as 22 feet with chain link fencing on top.
2. Poor circulation of vehicular traffic. The steep slopes: 30-foot elevation change and 5 percent grades.
3. Excessive removal of vegetation, including specimen trees, and stormwater runoff into Silver Creek – 3-foot diameter drain directly into creek.
4. Dust and noise will endanger Alzheimer's patients at Kensington Park.

### **Litigation Expenses**

The neighborhood thanked the three members of the RCHCA legal team, who put forth so much of their personal time and effort to work on the case: John Robinson, Tom Sisti, and Sandra Van Bochove. As Jim Pekar explained, RCHCA attempted to ask the courts to enforce the law and stop the school because of the belief that the "reclaim" paragraph that gave the schools the right to take back this land was

unlawful. Without evaluating the merits of the case, the case was thrown out of court for “standing.” The court deemed that the litigants lacked standing because they don’t live near the “replacement park” that doesn’t exist. Program Open Space requires that any conversion of a park developed with Open Space funds must be replaced with a similar park in area; however, there is and will be no replacement of Rock Creek Hills Local Park.

Though more than \$138,000 dollars has been raised toward this legal battle, the litigation fund fell short \$1,900. Over the years, this Association has voted four (4) times to pursue this case, and yet no general membership dues have been spent on this litigation to date. Pekar respectfully asked the Association to consider making this final payment of \$1,900 from the RCHCA general funds.

The Association’s counsel on the case, Bil Chen, has cut his bill in half – from \$20,000 to \$10,000. An argument was made that a payment of this amount will not hurt the Association. After it was determined that there was a quorum present, attendees voted to use the general funds to pay the balance owed to Chen.

### **Forest Conservation Plan/Middle School Impacts**

RCHCA neighbor Jayson Sonnier explained the Forest Conservation Plan, including MCPS’s plan to save five (5) trees from the “very healthy forest stand” that is currently on the site. All of the large pine trees that you see as you drive into the park will be cut down. As of this meeting, the huge sawtooth oak was to be removed as well to accommodate handicapped parking. Most of the trees on the park are being removed for parking, Sonnier said.

The park entrance at Haverhill will be widened and moved up. The area will be regraded and a 10-foot retaining wall will line the entrance. The new school will be four stories, on top of the retaining walls. The school will rise above the current tree line of even the tallest trees, as seen from Connecticut Avenue. The view from Kensington Parkway is going to change as well.

Because of what MCPS has to do to retain water and runoff, there will be sunken areas for collection and filtration. When these areas are filled to capacity, they will trickle down to the end of the property on Saul Road. To facilitate the pressure of the water, MCPS has increased the size of the pipe needed to a three (3)-foot wide pipe that will enter the stream at the bridge on Saul Road. Someone asked if this could contribute to flooding south of the site? Yes, definitely, Sonnier said, as there will be a more concentrated volume of water than what there is currently because of the many impermeable surfaces.

If the County Planning Board declines the Forest Conservation Plan, MCPS would have to find a new place to build the school. Neighbors were urged to send letters to the Planning Board if they felt passionately about the issue.

Other impacts may include sidewalks on Old Spring and changes in traffic patterns. The group discussed parking restrictions on Haverhill and other affected streets, and restrictions on traffic patterns.

Redevelopment -- in Kensington, Chevy Chase Lake – will also affect the neighborhood. In addition, the cluster of five houses that sits just outside the beltway on Kensington Parkway are going to be torn down and turned into townhouses. The Association believes this is a crucial time to be vigilant and to actively participate in the Association.

### **Silver Creek**

Neighbor Laura Dennis has signed up as a Steward of Silver Creek through the Rock Creek Conservancy, to ensure the creek is clean through regular cleanups and monitoring. April 18 is the first creek cleanup day.

### **Ornamental Rock**

There is a fund that RCH uses to maintain the traffic triangles throughout the neighborhood. Through the years, however, Will and Fifi Chase have maintained the triangle at Elrod and Old Spring out of their own pockets. They have asked that the funds that would have been used for this triangle's maintenance go toward a large ornamental rock to be placed below the bench currently in the triangle. They requested \$500 for the rock. The motion was approved.

### **Street Parking**

Concern was raised about all of the cars parked on the neighborhood's streets. John Robinson said that any concerns neighbors have should first be raised with their neighbors. Pekar explained that the Association has very little to say about this issue as this is a voluntary Association. The state polices these issues. However, if the neighborhood were to become a third class municipality, RCH would have mandatory assessment authority. RCH's population would equal the Town of Kensington.

Are these and other concerns (attempts to get our concerns heard about the school's poor design, forest destruction and safety concerns) ample enough to consider incorporation of RCH?

The meeting was adjourned.