

Dear Council Members,

As a resident, taxpayer, and homeowner in Montgomery County, I write in opposition to both measures referenced above for a number of common-sense reasons. I am also writing to share my personal experience of living on a street where a homeowner has rented out the pool to groups from Spring to late Fall every year 2020.

First, let me say that the rental of a property or piece of a property – or the charging for the use of a piece of property on a daily/hourly basis - is a for-profit scheme. In this case, a scheme operating without a license in which one individual household benefits while the neighbors collectively pay the cost as their commons is aggressed, - as the safety, peace and tranquility of a residential neighborhood is compromised. Traffic congestion, litter, noise levels, safety for old and young who walk or bike in the neighborhood and the ability to have family or guests park in front of homes when they visit are all adversely affected.

I speak from personal experience. I live near the house of a family that has been renting their pool since 2020 (even though this is currently illegal). During pool season, there are cars morning, noon and night. Cars line the street for several houses in all directions, parked so as to make exiting driveways a challenge. Traffic clogs the street – vying for space with neighbors who walk their dogs or children in strollers. There are groups of individuals in bathing suits, carrying bags and equipment late into the evening - while others sit parked along the block waiting their turn in front of houses.

It is, for all intents and purposes, like having a pool club on the street. Only this pool club does not have a license, a lifeguard, a guard to direct traffic, police security or a designated set of hours of operations and parking facility approved by the community or the zoning board. In fact, this operation is not safe for the neighbors, nor even for the paying guests who have no lifeguard nor assurance of a clean pool and who treat the street as if it is all a sidewalk to dart into as they run toward a car or let their young kids wander on their own.

The noise is annoying to say the least and sleep-preventing at worst. It is like a loud party when a group arrives and departs. This is not like the noise that a single family and resident might produce from time to time, who have a right to enjoy their homes. This is a constantly renewed stream of paying “guests” seeking to extract the maximum enjoyment from their poolside time with no concern or consideration for the neighbors – and, frankly, no obligation to do so.

I realize I am fortunate to live in a residential zone. Respect for zoning is a hallmark of Montgomery County. The peace and quiet – and safety – of this community is one of the reasons I moved here. Is the Council going to approve a measure that would impact the entire county’s peace so that a few individuals can benefit by operating a commercial enterprise of renting out their pools in the middle of residential neighborhoods? And, I note – a commercial enterprise with no obligation to follow the thirty-five pages of Code of Maryland Regulations governing a public pool - a business with no safety and sanitation regulations being ensured and enforced – and with no environmental impact study ever being done to assess the impact on the community. It is a business that also brings with it crowds of people that no one knows to a small neighborhood where children play ball and ride bikes and skateboards – and elderly neighbors take an afternoon or evening walk – all without a sidewalk, traffic bumps, police or any way to ensure their safety as strangers arrive and depart in large groups.

Not everyone who will be impacted by this proposed legalization of “Swimply” is probably aware of this proposed change. If it passes, they will wake up one day, like we have, to an ongoing

hazard and disturbance that never seems to stop. The question is - who is gaining from this? Not the neighbors. Not the County tax collectors. Not the health authorities nor the police. In fact, the only person who gains is the one who operates a business of having paying customers use their pool. In addition, it will be impossible for the County to enforce violations of the regulation that is Bill 6-23 if they have yet to be able to enforce the current prohibition on such a practice. Approving Bill 6-23 is, in fact, an admission of the failure of the County to be able to stop this practice as it exists now.

I urge you to vote down Bill 6-23. Put yourself in the shoes of those who live in this neighborhood. Ask yourself if you want to live next to loud pool parties at all time of day and night with streams of strangers, no regulation, no security and nowhere for your own visitors to park or your kids to ride bikes and walk in safety.

Thank you.
Pat Kabra
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