



## SILVER SPRING CITIZENS ADVISORY BOARD

Regularly Scheduled Monthly Meeting

Monday February 11, 2013 7pm

Silver Spring Civic Building

**LAST MEETING SUMMARY**



On January 14th, The Board attended a joint community dialogue session hosted by Montgomery County Councilmember Valerie Ervin and Washington, DC Councilmember Muriel Bowser. The event was held at Shepherd Park Elementary School in the District, and was well attended by members of both communities. Agenda items included cross-jurisdictional issues such as crime, the 16th street traffic circle, parking and development. Representatives of the two jurisdictions were in attendance to discuss these items; Maryland State Highway Administration officials attended for the 16th street traffic circle discussion.

Crime statistics suggest a decline in incidents - the jurisdictions coordinate frequently on border issues - though the community is encouraged to report suspicious activity to the police. The traffic circle resolution is slowly moving forward, though many in the community expressed a concern with both the pace and lack of implementation of interim solutions that could improve the circle's safety (i.e. landscaping improvements); both Councilmembers have written letters on the topic, and encourage constituents to speak up on the matter. Regarding parking and development, this remains an acknowledged issue, as Silver Spring has additional density anticipated in coming years. DC Residents can report illegally parked vehicles, and DC enforcement remains vigilant on the issue.



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COMMITTEE MTG SUMMARIES



### TRANSPORTATION, ENERGY, & ENVIRONMENT COMMITTEE

Submitted by Dan Morales

The Canopy Conservation Bill 35-12 - Meeting notes from January 29th -

The bill is intended to address the increasing loss of the tree canopy due to the rapid pace of redevelopment in the county because of:

- The canopy loss is changing the character of our neighborhoods
- The canopy loss results in property value declines
- The canopy loss is detrimental to our environment

The bill proposes charging a fee to anyone who removes more than 5,000 square feet of tree canopy from their property, to be enforced by aerial photographs undated every three years. These funds would go towards the planting of replacement trees at an off site location with-in the water shed of the affected property. The main cause of tree canopy loss is the redevelopment of smaller single family lots in the inner suburbs where smaller homes are being replaced with houses of larger footprints.

The following are some exemptions to this bill are as follows:

- It will not affect lots larger than 40,000 square feet.
- It will not affect agricultural functions.
- It will not affect tree trimming by Pepco.
- It will not affect park stream restoration efforts.

The three guidelines that the county strove to adhere to in writing this bill are as follows:

- That the bill be easily understood.
- That its implementation be straight forward.
- That the associated costs be minimal.

Following the presentation by county officials, a pair of home builders spoke about an important ramification should the bill be enacted as currently written. As one of the presenters mentioned, the 5,000 square foot threshold was derived from an existing sediment control law requiring any builder who disturbs more than 5,000 square feet of land to install sufficient underground storm water retention pits to hold all storm water on the site until it percolates back into the ground. Another method for retaining this water is to build a rain garden. The idea being that unretained storm water flushes the chemical fertilizers, nitrogen, and pesticides used for lawn maintenance into the sewers and on to the Chesapeake bay, further degrading the health of our ecosystem. The writers of this bill used the 5,000 square foot threshold because the elimination of this amount of tree canopy would be equivalent to disturbing the same amount of land, since the drip line/canopy is typically equal to a tree's critical root zone.

The problem these builders highlighted is both the storm water law and this proposed bill, while well intentioned, would be in conflict on the smaller down county lots experiencing the most of the redevelopment. One of the builders illustrated the issue with a site plan of a new house on an existing lot. It showed how the existing storm water regulation would trigger the proposed tree canopy regulation. The storm water retention pits and related excavation would require the excavation of a large portion of the remaining yard, forcing whatever trees remaining to be taken down. The resulting loss in property value would affect all parties involved.

It was also noted that if the loss of canopy was to be offset with trees planted off site, then the affected neighborhood wouldn't see any restoration of its own tree canopy. The builders said they would be happy to replant similar trees on site to offset the canopy loss, but that was countered with the fact that the newly planted trees would take too long to reach the size of the lost trees. Another issue with planting replacement trees off site is that the air cleaning and cooling function of keeping the trees on site would be lost right where they would be most needed, in compact residential neighborhoods located near polluting roads. After much spirited discussion, it was generally felt that the unintended consequences of this bill ought to be reviewed by the county with other branches of government to ensure unnecessary and detrimental outcomes. Unfortunately, the issues involved were cross jurisdictional and as such would require coordination by a third party to ensure the desired outcome for all agencies.

Chris called for a vote of hands on whether these issues and others should be considered before the final bill was put out for deliberation. The vote amongst the residents of Silver Spring present was 12 out of 13.

## **COMMERCIAL ECONOMIC DEVELOPMENT COMMITTEE & NEIGHBORHOOD COMMITTEE**

**Submitted by Jessica Fusillo**

Summary of CED meeting of January 28th

Agenda topics included a discussion with 1) Ernest Bland of the Silver Spring Urban District Advisory Committee and 2) an update on the Fenton Village "Taste the World" event scheduled for June 2nd.

Agenda item 1: Ernest discussed the role of the Urban District Advisory Committee and issues they are addressing. This included promoting Fenton Village businesses and addressing concerns with development projects and stimulating business growth. One interesting idea to promote FV businesses is for them to share the cost of having a single representative join the Silver Spring Chamber of Commerce since costs are too prohibitive for these small businesses to have individual memberships.

The following is a description of the Committee from their website.

"The Silver Spring Urban District Advisory Committee is comprised of 11 members appointed by the County Executive and confirmed by the County Council. Two members are persons nominated by the Silver Spring Chamber of Commerce, three members represent optional method developers, two business representatives that employ fewer than 25 employees, three residential community members from the Urban District, and one member who is on the Silver Spring Citizens Advisory Board.

The Committee advises the County government on all aspects of the program, management, and finances of the Urban District. It works closely with the Silver Spring Urban District on activities and issues associated with the downtown business area. Members serve three-year terms without compensation. The Silver Spring Urban District is funded through the Urban District Tax, Parking Lot District fees collected by the County, maintenance charges on optional method developments, transfers from the General Fund, and other miscellaneous revenue such as contributions and charges for services. Funds are used for the Urban District in which they are obtained."

Agenda item 2: Jessica Fusillo, CED Chair, reported that \$3,600 has been raised to fund the FV "Taste the World" event and Karen Roper reported that 23 restaurants have committed to the event. A planning meeting with about eight enthusiastic volunteers was also held on Monday, February 11th.