

WEST END CITIZEN'S ASSOCIATION

Rockville, Maryland



VOLUME XLVII, NUMBER I

MAY 2019

YOU ARE INVITED!

To the West End Citizen's Association
GENERAL MEMBERSHIP MEETING

Annual election of WECA Officers
(See inside for slate of candidates)

Guest speakers from the **Rockville Environment Commission** will update us on initiatives related to solar, residential composting, and development of a Climate Action Plan for the City.



We also welcome **Pour Vino n' Hops**, one of Town Center's newest businesses.

Pour Vino and representatives from local craft breweries will be providing a wine and beer tasting.

Join us to learn what's going on in your community and raise a glass with neighbors. We hope to see you there!

Thursday, May 9, 2019

7:00 p.m.

Rockville Presbyterian Church
215 West Montgomery Avenue
(Parking available behind church off Harrison Street)

Any resident of the West End who is over 18 years of age is a member of the West End Citizens Association (WECA). If this newsletter was delivered to your door, YOU ARE A MEMBER OF WECA.

This newsletter was delivered by _____, your WECA Block Captain.

PRESIDENT'S NOTE



By Noreen Bryan

As the newsletter has been reporting for several editions, a committee of neighbors is engaged in working on the vision for the future of our neighborhood. The City of Rockville is currently updating its Master Plan, a project called “Rockville 2040.” Planning Area 4, made up of the West End, with more than 1600 households, and Woodley Gardens East/West, with 225 households, is working to preserve and enhance the future of our neighborhood. Starting with the survey in 2016, we found that those who live here place great value on the residential character of the neighborhood and want to see it preserved much as it is today. Nearly all residents (97%) said that they would recommend our neighborhood to someone moving to Rockville. A full report on the status of the Neighborhood Plan starts on Page 3 of this edition of the newsletter.

Working on the neighborhood plan has brought me new knowledge of the West End. My husband and I have walked each street and alley in the neighborhood. Wherever we travel, we meet neighbors walking their dogs or heading to Town Center or stretching their legs. It is clear that walking in the West End is a big part of our lives.

One neighborhood is full of idiosyncrasies and hidden treasures. Unlike neighborhoods created after the 1960s that were fully planned before the first shovel of dirt was moved, the West End evolved over more than a century. That means there are many unexpected lanes and byways. Did you know that there are the remnants of two black communities that were created by free men and women before the Civil War? Interestingly portions

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of both of these originally black communities, Haiti and the Great Falls Kinship community, can only be reached through alleys that are easily missed or mistaken for driveways. Neither is marked.

West Montgomery Avenue was planned as the grand entrance to the City of Rockville. The original planners envisioned that this would be a major thoroughfare and created an alley behind the houses for deliveries and access to the carriage houses for horses. Today, that alley is still in use by residents, many of whom can only access their property from the rear. Part of the alley is paved and part is encroached with wild vegetation. WECA is hoping to make this alley a walkway and bikeway that connects Nelson Street to Forest Avenue. If you live near I-270, this would be an excellent, quiet, and safe way to walk to Town Center.

There are so many gems in the neighborhood. Have you ever visited the Beall-Dawson House, owned by Rockville but operated by Montgomery History, the Montgomery County Historical Society? New efforts are underway to enhance the landscaping to make it more welcoming and highlight the interesting history of the property and its owners. Montgomery History held an information session in March to present the new plans to neighborhood. In April, the boxwood rows on the front lawn were trimmed by expert professional pruners to make the historic home more visible to passersby. We'll share additional updates on this project through our email newsletter (if you aren't on our email list, see Page 8 to learn how to sign up.)

Spring is here. Hope to see you out and about walking along the lovely streets, chatting with neighbors, and enjoying all that our neighborhood has to offer.

Our May General Membership Meeting will include the

Annual Election of Officers

Candidates:
President: Brian Shipley
Vice President: Noreen Bryan
Second Vice President: Donna Sprague
Treasurer: Dennis Cain
Corresponding Secretary: Jane Pontius
Recording Secretary: Jen Timmick

Topics of Interest to the Community

Master Plan Update for Planning Area 4

Issue: Approximately every ten years, the city reviews and revises Rockville's Comprehensive Master Plan, which lays out the framework for the future of the City- land use, housing, transportation, etc. Included in the Master Plan are sections devoted to individual neighborhoods whose boundaries are defined by Planning Areas. The West End and Woodley Gardens East/West make up Planning Area 4. The neighborhood plan for Planning Area 4 has not been updated since it was created in 1989.

WECA Involvement: As reported in previous editions of this newsletter, WECA representatives have drafted a new Neighborhood Plan, which was submitted to the city in December 2017. The Draft is based on the results of the May 2016 survey that was sent to all 1800+ households in the neighborhood. The overwhelming view expressed by respondents to the survey was the goal to preserve the residential character of the neighborhood in the face of increased development pressure. Specifically, neighbors do not want to see commercial, institutional, or office uses expanding in the neighborhood. Currently, the WECA committee is working closely with City staff; preserving the residential character of our neighborhood is at the forefront of these discussions.

Status: The discussions between neighborhood representatives and staff will result in a joint neighborhood plan. Thereafter, it will be presented to the Planning Commission for their review, followed by referral to the Mayor and Council for their approval. In some small instances, where neighborhood representatives and staff have different views, both will be presented to the decision makers. Here are some highlights:

- The **boundaries of Planning Area 4** along its border with Town Center have been clarified. In previous Master Plans, the City has identified a transition zone between the higher density of Town Center and the West End. This created more confusion, suggesting that this area is open to expansion of Town Center. Elimination of the



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transition zone is being recommended by both the neighborhood and staff, which will make a clear boundary between Town Center and the West End neighborhood. That boundary line will be nearly identical to the boundary that was established in the 1989 Neighborhood Plan for Planning Area 4.

- **Planning Area 4 is proposed to remain as a residential neighborhood. Land use will change little from the 1989 Plan.** Land use Maps lay out the locations for residences, commercial businesses, institutions, offices, and other uses in Planning Area 4. In the past and today, the land use in Planning Area 4 is predominantly residential. Of particular concern to neighbors has been expansion of commercial and institutional uses along the border with Town Center and near I-270. In the survey conducted in 2016, neighbors were overwhelmingly opposed to increasing the presence of commercial businesses, institutions, and offices in the neighborhood. Most of the

Town Center border is made up of historic houses, which are primarily used today as offices for lawyers and other professionals. In discussions with staff, it has been agreed that the viability of these historic houses can be best achieved by continuing to use them for residences or offices. Further, commercial businesses will not be allowed in the historic houses or other buildings along the border with Town Center or near I-270.

When the Plan update process began, neighbors were surprised and dismayed to learn that a zoning text amendment had been enacted that allows commercial businesses in these properties. This was done without leadership in the neighborhood being made aware of the proposed change. Therefore, if the land uses proposed by staff and neighbors are approved, zoning amendments will need to be enacted to remove those commercial uses.

- **Houses of Worship:** WECA greatly values the many houses of worship located in Planning Area 4. They provide worship space as well as many charitable functions, such as housing for the homeless, day care centers, senior housing, etc. Under federal law, houses of worship are permitted uses on residential lots. This means that houses of worship are allowed to locate in a residential neighborhood if they meet zoning regulations that include, for example, parking and traffic regulations. If the house of worship is sold, then the land reverts to residential use. The new buyer may use it for a residence or another house of worship by right. Initially, staff recommended that houses of worship be identified as institutional uses. WECA reps opposed this designation because it would have made it possible for churches to be purchased and converted to other institutional uses, such as private schools, nursing homes, etc. As long as the land use and zoning remain residential, then introduction of a new institution into the neighborhood can only be done through special review in accordance with the requirements specified in the Zoning Ordinance. Keeping land use and zoning for churches as residential is essential for the preservation of the residential character of the neighborhood and prevention of

the West End from becoming a location for institutional expansion.

- **There are many of other issues that are being addressed and will be reported when a resolution is reached.** These include home-based businesses, solar protections, subdivisions of residential lots, public alleys, and rights-of-way.

Amendment to the Adequate Public Facilities Standards (APFS)

Issue: At the end of 2018, Councilmember Pierzchala proposed an amendment to the APFS that would allow maximum school enrollment to increase from 120% to 150% of design capacity for the areas near the Twinbrook Metro and Town Center. The existing Rockville APFS and the County set maximum school enrollment at 120%. The issue that spurred the amendment was the imminent increase of school enrollment which would have triggered a moratorium on the B. F. Saul project known as Twinbrook Quarter, near Twinbrook Metro.

WECA Involvement: School overcrowding has been a continuous problem for more than a decade. The APFS was enacted in 2005 to set maximum allowable enrollment, thereby preventing excessive school overcrowding. Further, it is there to motivate City and County officials to increase school capacity at a pace that will allow economic development and new projects to be built. However, when school capacity has failed to keep up with demands for more development projects, WECA has consistently taken the view that our children and their education should come first. They are our future.

In the face of inadequate school capacity, the City has relied on crisis management to solve the problem in 2015 and again in 2019. In both cases, some elected leaders have pushed to abandon our standards to allow increased school overcrowding so that development projects could go forward. Prior to 2015, the City's APFS prevented school enrollment from exceeding 110% of design capacity. In spite of overwhelming public opposition, the Mayor and Council amended the APFS at that time to allow maximum enrollment to

reach 120%. This decision came with assurances that this would solve the problem. It didn't. Four years later, the proposal to increase maximum enrollment to 150% was put forward. As in 2015, WECA, after community deliberation, voted to oppose amending the APFS and increasing maximum enrollment in our schools. In the Public Hearing in 2019, as in 2015, Rockville residents testified overwhelmingly in opposition to increasing the APFS maximum enrollment from 120% to 150%.

Status: The Mayor and Council considered alternative options, including waivers and exemptions, rather than increasing maximum enrollment above 120%. The goal was to find a way to allow the B. F. Saul project to go forward. On 4 February 2019, the Mayor and Council voted to retain the APFS standard of 120%, but they also voted to exempt Champion Projects from this standard. Currently, the B. F. Saul project is the sole Champion Project in the City. If this Champion Project proposes to increase the number of residential units in the future, then it will be subject to the 120% maximum enrollment standard.

Luckett House – Preserving a West End Historic Residence- A Precedent for the Future of Historic Properties

Issue: Early in 2018, the owner of the Luckett House, located at 107 West Jefferson Street across from the Rockville Academy, proposed to build a four-bay garage behind the historic house. In 1974 the West Montgomery Avenue Historic District was created to preserve the history and residential character of one of the oldest portions of the West End along West Montgomery Avenue and abutting side streets. The Luckett House is within this district. The proposed garage would be **triple** the size of garages allowed on residential lots in the neighborhood. The purpose of the garage was to serve the owner's property management business that will manage a fleet of trucks and cars from the site. The situation is particularly concerning because the Luckett House is a visible landmark on West Jefferson Street.

WECA Involvement: In the face of an expanded commercial presence on the property, WECA was

concerned to preserve the residential, historic character of the property and not change the historic district to commercial use when the historic district was specifically created to preserve the residential character of the area. In spite of concerns raised by WECA based on inconsistency with the Master Plan and violations of the Zoning Ordinance, the Planning Commission and the Historic District Commission approved the application. Further, they denied WECA's request for reconsideration. Because of the precedent set by the decision, which could lead to degradation of other historic properties, WECA filed a lawsuit believing that mistakes of fact and law were made.

Status: After community deliberation, WECA withdrew its suit. The organization's goal is to improve the processes used to review and approve development decisions. WECA believes that this is more likely to be achieved by working collaboratively with the City rather than bringing expensive lawsuits, which, by their nature, are adversarial. While they may correct errors made in approving one project, WECA's experience indicates that lawsuits rarely lead to the more important need to change the way that the city does business. Now that the lawsuit has been cancelled, it is expected that the owner will proceed with constructing the garage. WECA will continue to press the City to review the many errors in the approval process and improve the way it approves future applications for uses on historic properties.

Christ Episcopal Church – Planning a New School Building

Issue: Currently most of the Christ Episcopal School (CES) is housed in the brick office building at 22 West Jefferson Street. Christ Episcopal is selling this building and proposing to build a new school building on the vacant lot just south of the church on South Washington Street. The Church and the Parsonage, which houses the church offices, are historic structures. The architectural design, the size of the proposed building, parking, and other issues are of concern to the West End because of the school's location in our residential neighborhood.

WECA Involvement: The Head Mistress of Christ Episcopal School reached out to WECA in the fall

of 2017 with the goal of making this project a win for the school and a win for the neighborhood. Schools can be built on residential property through a Special Exception. WECA is working closely with CES and City staff to encourage a well-reasoned review process and an outcome that is mutually beneficial to all.

Status: As of the time that this newsletter went to press, the final details of the application for the school were being finalized with the goal of reaching the Planning Commission at the end of April or early May.

Small Cell Antennas for 5G Service

Issue: As reported previously, telecommunication companies continue to press to allow equipment for the next generation, 5G, to be located everywhere including residential neighborhoods. Federal regulations prohibit opposition based on health concerns and allow little local participation from local governments. In September 2018, the Federal Communications Commission (FCC) adopted an order that went into effect on January 14th, 2019. In a nutshell, the order will allow 5G antennas and equipment anywhere including residential neighborhoods. The City's ability to regulate small wireless facilities will be limited to adopting aesthetic requirements that are (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; and (3) objective and published in advance.

WECA Involvement: WECA has consistently opposed placement of small cell antennas and equipment in neighborhoods. However, the new FCC order precludes any further public opposition and discussion.

Status: The FCC Order is being challenged in the courts by numerous local governments from across the United States. The City has joined the coalition of local governments that has filed an appeal to the FCC Order. As of the writing of this newsletter, a stay in the proceedings has not been granted nor has the schedule for the appeal been set.



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How You Can Help the West End!

Like any great place to live, Rockville's West End is thriving due in no small measure to the efforts of many members of our community. WECA works to promote, protect, and foster the interests, character, and appearance of our community, and every resident of the West End can help to further our goals. It truly does take a village! Here are a few current needs and ways you can help.

Block Captains: Block Captains are members of WECA's Executive Board. They deliver WECA's twice-annual newsletters and serve as liaison between your "block" (2-3 streets) and the Board. It's a great way to get to know your neighbors and to make WECA (and by extension, the City) aware of concerns right where you live. We currently need Block Captains for:

- Block 1A - Mannakee and Wilson (31 houses)
- Block 14B - Rose Hill - Summer Garden and Autumn Wind Way (43 houses)

If you live on/near any of these blocks and would consider serving your neighbors as Block Captain,

please contact Jen Timmick at jentimmick@gmail.com.

Communications: How do your neighbors get time-sensitive information about issues impacting our schools, roads, Town Center, Mayor & Council actions, and other important issues and neighborhood events? From WECA! You can be in the know, too:

- *Join WECA's Email list:* Go to: <http://eepurl.com/b6oWgX> and fill in the simple sign-up form. Your email will be used **only** to send you occasional emails about issues of concern or interest to West End residents.
- *Join WECA's Facebook page:* Go to <https://www.facebook.com/WECARockville/> or search WECARockville while on Facebook. Once on the WECA page, click on "Like" and "Follow" (must have a Facebook account).

If you have an issue or concern that you would like to share with the Association's Board, inform your WECA Block Captain, whose name appears on the front of your newsletter.

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Additionally, if you have content that you think may be useful to share with the West End community, please contact Donna Sprague (donna.sprague16@gmail.com).

Historic Preservation: WECA has established a standing committee, headed by Andrew Sellman, to focus on historic preservation issues in the West End. If you have an interest in historic preservation and would like to join this committee, please contact Andrew at sellmana@verizon.net.

Safety: Please protect your neighbors by driving carefully through our neighborhoods. Keep sidewalks clear and safe by trimming trees and bushes and removing your trash and recycling bins promptly. You can also report burnt out or malfunctioning street lights: lights on wooden poles are typically Pepco (<https://pepco.streetlightoutages.com>) – note the number on the pole if possible; for City-owned metal poles, file a report at www.rockvillemd.gov/reportaconcern.

Engage in your community: Throughout the year,

need help sharing important information, signing a petition, giving testimony at a hearing, and the like. Elsewhere in this newsletter, you will find updates on current issues of concern to WECA. Please help in whatever way you can to support our efforts to keep the West End a wonderful, welcoming place to live.

Getting to Know Your Neighbors

Homeowner History: A tale of new and old on South Van Buren Street

The West End has a rich history of diversity in many important ways, including the presence of long-term residents living side-by-side with new arrivals. In this “Getting to Know Your Neighbors” article, the focus is on two West End families living on South Van Buren Street – one for five years, the other for 50.

Jacques (Jack) and Margaret (Maggie) Gelin bought their Queen Anne Victorian style home in 1968.

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Meet some of our local vendors and learn about their products, all produced within 100 miles. Sample local dairy, wines, baked goods, health and beauty care products, and MORE.

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Jack had recently joined the U.S. Department of Justice as an Attorney, and he and Maggie were relocating from Larchmont, NY. They had looked at homes in the Bethesda-Chevy Chase neighborhood, but all were either too small or very expensive. The Gelins had not heard of Rockville until a colleague introduced them to the wife of a retired U.S. Navy Captain who had both a real estate license and “smarts.”

The realtor first showed the Gelins the Prettyman House on the corner of West Jefferson Street and South Van Buren, which was not a fit for their needs. However, right across the street was a house for sale in move-in condition, with an historical tie to the Prettyman House: it was originally built as a wedding present from Mr. Prettyman to his daughter in 1889. The house had other interesting history as well. It was previously owned by Dr. Luther L. Terry and his wife Janet. Dr. Terry received national attention as the first U.S. Surgeon General to print the WARNING about the hazards of smoking on cigarette packs. The five-bedroom house was just right for the Gelins, who moved into the home with their children in 1968, the same year that the Rockville Swim Center was constructed. Forty-five years later, Justus and Sarah Getty also made the move to South Van Buren Street. They had moved to Rockville while Justus was in the Navy; the town was convenient to work and close to relatives in Carroll County. They fell in love with Rockville, and instead of moving on as planned when Justus’ tour with the Pentagon was complete, they decided the West End was where they wanted to raise their family. They settled on a contemporary, custom-built, 1950s-style brick split-level home built by Sid Fishman, located just down the street from the Gelins. The home was originally owned by the Orsinger family, followed by the Hartmans, who bought the home in the late 1950s and remained for over 30 years on what Herman Hartman dubbed, “the most beautiful street in Rockville.” The house then passed to the Novak and Ferguson families before it was purchased by the Gettys in 2013.

“As new parents, we were looking for a place where our kids would have access to quality education, a safe neighborhood with outdoor space, and exposure to a wide range of backgrounds and



The original owner of the Almoney (now Gelin) home, Miriam Almoney (left) with her youngest child Lydia F. and her brother-in-law Frank Almoney (c. 1910) Source: Maryland Historical Trust

cultures,” said Justus. “We were also looking for an older home that we could restore together.”

Like the Gettys, the Gelins also valued the local public schools, where they enrolled their five children and each excelled – including daughter Deborah, who was the first female Page in the U.S. Supreme Court. As they look back over fifty years in the West End, the Gelins recall both the failed urban renewal project and the birth of Peerless Rockville, created to stop the destruction of the City’s historic heart. They have seen Rockville double in size and seen many upgrades to the City. The arrival of the Rockville Town Center with the new Rockville Library as its centerpiece remains a highlight of the Gelin family’s memories.

The Gettys are making their own Rockville memories, taking advantage the walkability of the neighborhood and the local transportation options. They enjoy the South Van Buren Street and South Adams Street block parties as well as the City’s Octoberfest celebration, the Memorial Day parade, and the Friday night Concerts on the Square. Looking to the future, the Getty family would like to see efforts at the City level to ensure that young families and residents in their twenties and thirties are well informed and engaged in City decisions. Both the Getty and Gelin families appreciate being a part of WECA, which keeps them informed about important developments in the neighborhood and the City, and they plan to stay engaged to support the community. Jack has been a Block Captain and

officer in WECA nearly since its inception. Although the Gelin home is on the real estate market, they plan to remain involved in WECA in the future.

(Editor's note: The Gettys and Gelins were interviewed for this article by Jane Pontius, herself a 44-year resident of South Van Buren Street, where she and her husband raised two sons and where Jane still lives today. Harry and Kathryn Pontius originally bought the home in 1952 where they raised six sons. Continuing the theme of old and new, Jane's son now lives across South Van Buren Street from the house where he grew up.)



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- Inform your WECA Block Captain if you would like to share issues or concerns with the Association's Board

I-270 Widening Update

The State's plan to widen I-270 and the Beltway by up to four lanes, including toll lanes, is moving full steam ahead. In September 2017, Governor Hogan announced his plan to widen I-270, the Beltway, and the Baltimore Washington Parkway to install toll lanes under the Private Public Partnership process (P3). There are many concerns about this proposal – expanding roads has been shown in many studies not to relieve congestion in the long term, environmental issues, etc. – but for many in Rockville, the potential loss of homes, businesses, parks, churches, and other community features is paramount.

During Summer/Fall 2018, the Maryland Department of Transportation (MDOT) presented 15 alternative scenarios for public comment. The vast majority of comments favored alternatives increasing public transit, a dedicated bus-lane, reversible lanes, and other options that did not include physically widening the roads.

In February 2019, MDOT announced their narrowed list of seven alternatives. Other than the “No Build” alternative required by law, the other six all include toll lanes, consistent with the Governor's original announcement prior to public input. The public's preferred alternatives have been rejected.

Two of the alternatives maintain twelve lanes on I-270 but convert the current HOV lanes to tolled lanes, thus decreasing the number of free lanes. (HOV lanes are restricted only 15 hours per week while toll lanes would presumably be tolled 24/7.) Three other alternatives widen I-270 by two lanes (one each direction) and include one to two toll lanes in each direction. One alternative widens I-270 by four lanes, and all new lanes would be tolled. The type of toll lane would be either HOT (high occupancy vehicles ride free, other pay variable toll) or ETL (Express Toll Lane). Regarding the ETL lanes, it is not noted where a vehicle could enter or exit the lane, so it is unknown how this would affect local traffic.

This is a link to the seven alternatives:

<https://495-270-p3.com/wp-content/uploads/2019/02/I-495-I-270-Prelim-Screened-Alts.pdf>

The selection of these alternatives and the complete elimination of those preferred by the public prompted a response by residents and elected officials. The P3 process by-passes the Legislature, meaning the Governor and MDOT can proceed as they like. Several House Bills were proposed to put a pause on the process, hopefully to gain a clearer picture of the costs and impacts before plunging ahead.

One bill, HB 102, would have expanded to all Counties the ability to prohibit State agencies from constructing toll roads without the consent of the majority of the affected counties. (This has been law for the Counties on the East Shore for decades.) The bill failed in committee.

Another bill, HB 1091 passed the House with a veto proof majority. Currently, highway widening plans and bids could be finalized before knowing all the costs and impacts. HB 1091 would require the State to complete the Environmental Impact Study (EIS) on transportation projects exceeding \$500 million before awarding bids or approving P3 projects.

Hogan’s plan is estimated at \$9 to 11 billion. It would also require an independent audit of the financial impacts. The bill would not stop the project, but would delay it until that information is known. Unfortunately, Senator Nancy King, who represents Montgomery County's District 39 and chairs the Senate Budget and Taxation Committee, killed HB 1091 in Committee, and therefore it never reached the floor for a vote. The Maryland Legislature has headed home without enacting any legislation to slow the push toward managed toll lanes.

Secretary of Transportation, Pete Rahn, has recently indicated that it is unknown how many homes and other properties would have to be destroyed for the expansion, and this may not be known until MDOT receives the bidders’ designs in the summer of 2020. He has been quoted as saying construction could begin mid-2020.

Around that same time, MDOT may begin analysis of I-270 north of I-370 to Frederick. These projects are expected to be funded by toll revenues from I-270 below I-370 and the Beltway. The Baltimore Washington Parkway expansion is on hold until the State can gain control of the 19-mile segment that is federally controlled.

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West End Citizens Association

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