

March 11, 2005

Montgomery County Planning Board  
Maryland-National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Stoney Springs (Casey Property), Winchester

Preliminary Subdivision.

Dear Commissioners,

I ask on behalf of the Board of Directors of Historic Medley District, Inc. (19923 Fisher Avenue, Poolesville, MD) that you **deny** the Stoney Springs preliminary plan. Since our nonprofit corporation was organized in 1974, we have supported the conservation of historic open space as well as the preservation of historic structures.

We do not expect you to bring back the Native American hunting deer in the forests or the colonial farmer growing wheat to ship to the Indies. We do ask that the Planning Board continue to protect the historic uses of the land as farmland, hunting grounds, undeveloped open spaces and woodland that were recognized in 1980 with the passage of the Preservation of Agriculture & Rural Open Space Functional Master Plan. The Plan itself developed "a zoning map and land-use plan that recognizes farmland as permanent land-use and not simply a "holding land-use" to be utilized for future development. " (P.7, Preservation of Agriculture & Rural Open Space Functional Master Plan, 1980.)

Please understand that the Rural Density Transfer area in the Agricultural Reserve as an industrial zone. The industry is farming, an enterprise that has served the county well for centuries. It is an industry that requires substantial contiguous land mass in order to be viable. In the Ag Reserve that viability still exists as long as projects such as Stoney Springs are denied. Although the subject property has been temporarily taken out of farming by the developer in anticipation of permission being given to change the zoning from farming to housing, the land continues to be an important component of the future of the industry. To convert the land to housing would be to downgrade the RDT land from its preferred use as farmland. It would be in direct contravention to the "Permanence Syndrome" in farming that the Ag Reserve was created to support.

For the Planning Board to support the proposed use of sand mounds is counter to the Ag Plan, which recommends, "Support of a rural sanitation policy that does not encourage development within the critical mass of active farmland."

Attached is a letter to the Gazette that was published after the December 9, 2004 consideration of the Stoney Springs development plan. We ask that the Planning Board put the welfare of the county's people ahead of the financial objectives of the housing industry. The Ag Reserve was a

visionary and sagacious gift which the Planning Board and the County Council made to the people of the county. We ask that this board support the wisdom of that action.

Thank you.

Sincerely,

Elizabeth Perry Kapsch  
Vice President

Letter to the Gazette Editor:

Printed January 6, 2005

In the article, "When you can't afford to live near where you work" (Nov. 17), Rich Parsons, CEO and president of the Montgomery County Chamber of Commerce, said that 47 percent of the land area (of the county) is locked away from development.

The Agricultural Reserve is not locked away from development. It is not land waiting to be used. It is, in fact, already fully and actively developed as farmland. There is no room in the Ag Reserve for suburban expansion. The land has been entirely committed to a beneficial industrial use, farming, that is compatible with the welfare of all the people in the county, no matter their income level.

Farming has prevailed as an industry for several thousand years. It is able to continue on the same piece of ground for decades - for eons. Unlike the housing industry, it does not require more and more land be consumed in order for the business to be viable.

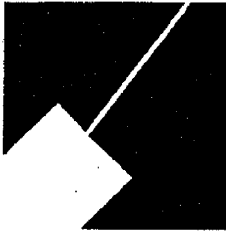
What wears out in farming is the farmer. As he or she grows old and wants to retire, the need for a replacement farmer - if there is no one in the family to take over - creates an interval when the land could go out of farming. It is completely appropriate that the county has recognized the need to protect the land while the transition takes place so the county can continue to have farms.

Take heed that the housing industry does not care about keeping farms and open space in the county. When it has consumed all the land in the county it can get its hands on, it will move on to other counties and continue building there. It will not look back at Montgomery County and worry about the quality of life of the county's people. It will not worry that it left no open space, no farmland, no night sky, no country roads, and the huge pile of problems that come with overbuilding.

It is up to the people who live here to have the discipline to keep a balance of open spaces, suburban housing, and urban centers. It is up to the people to elect county leaders who have the vision and fortitude to protect the county, no matter how seductive the siren song of the developers and their easy money.

Perry Kapsch

M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301-495-4500, [www.mncppc.org](http://www.mncppc.org)

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OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

February 9, 2005

Montgomery County Planning Board  
Silver Spring, Maryland 20910

At our meeting on January 31, the LOS Advisory Committee expressed its concern that allowing sand mounds for sewage disposal in order to subdivide the Casey/Winchester (Stoney Creek) property into residential lots is inconsistent with the Mater Plan of Agricultural Preservation and Open Space. We understand from LOS staff that they feel opposition to the subdivision may exceed their mandate under the Legacy Open Space Master Plan because the proposed subdivision exceeds minimum acreage requirements of the RDT zone and a substantial portion of forest land on the tract is to remain undeveloped. We believe this approach focuses on the mote and ignores the beam in the eye of the Plan.

The *purpose* of the Agricultural Reserve is to protect the land for agricultural and forestry uses--not to provide passive open space. The LOS plan is consistent with that purpose. Consequently, it must be read as complementary and as a means of implementing the Master Plan through acquisition of the fee or an easement on critical parcels of land where appropriate, or through other means, such as the subdivision process, where feasible. A subdivision that is in violation of the Master Plan with regard to its means of sewage treatment, and especially one that impairs the express primary purpose of both the Plan and the Zone can hardly be viewed as consistent with the purpose of LOS. As a property identified in LOS for conservation by means other than acquisition in fee, we have no doubt that an appropriate plan of subdivision *consistent with the Master Plan* would warrant acceptance. One that is premised and entirely dependent on technologies the Master Plan recommends AGAINST does not commend itself to us, and we trust the Board will reject such a plan, as it must under the subdivision regulations.

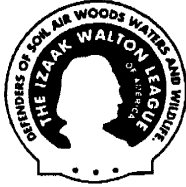
Sincerely,

Royce Hanson

by Dominic Quattrocchi per direction

Members of the Legacy Open Space Advisory Group:

Royce Hanson, Barbara Medina, Charles Pritchard, Aleen Starkweather, Delores Milmoé, Ginny Barnes, Helen Wilkes, Jim Benton, and John Chritea



# Izaak Walton League of America

## BETHESDA-CHEVY CHASE CHAPTER

*Defenders of Soil, Air, Woods, Waters and Wildlife*

June 25, 2004

Derick Berlage, Chairman  
Planning Board  
MNCPPC  
8787 Georgia Ave.  
Silver Spring, MD 20910

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JUN 29 2004

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Sir;

I am the President of the Bethesda-Chevy Chase Chapter of the Izaak Walton League of America, Poolesville, MD. I am writing this letter because there are two building developments under consideration bordering our property. One property is to the North, Casey Property, and one property is to the East, Polo Grounds.

As you know our chapter operates outdoor shooting ranges on our property that are regularly attended throughout the year. At times we hold special shooting events that involve numerous participants.

I am writing this letter to request that the MNCPPC Planning Board require an "acknowledgement clause" in each lot deed issued to the home purchasers in these developments. The clause should state that purchaser acknowledges that the BCC-IWLA operates shooting ranges on the adjacent property and that the chapter regularly sponsors events that are attended by numerous participants.

Sincerely,

Ray Klecker  
President  
Bethesda-Chevy Chase Chapter  
Izaak Walton League of America

P.O. Box <sup>542</sup>~~251~~ Poolesville, MD 20837



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AUG 10 2004

Maryland Division  
The Izaak Walton League of America  
707 Conservation Lane  
Gaithersburg, Maryland 20878-2983  
301-926-8713

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dr. Roger C. Sears  
17240 Edwards Ferry Road  
Poolesville, MD 20837  
301-972-8942  
rogercsears@aol.com

August 4, 2004

Mr. Derick Berlage, Chairman  
Planning Board  
MNCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Mr. Berlage,

As president of the Maryland Division of the Izaak Walton League I wish to express my alarm at proposals being put forward to introduce large scale residential development in the Agricultural Reserve, in particular, and especially, the proposed cluster housing development for the Casey Property located near Poolesville. In addition to compromising the integrity of the Ag Reserve by the conversion of a working farm to a non farm, developments such as this would introduce a large urbanized population into the area having little or no appreciation for the realities of country life. Needless to say, this could create difficulties for the people who wish to continue to hunt, fish and farm in this area,

The Maryland Division of the IWLA is composed of 4000 conservation minded sportsmen and women, of which two-thirds (2700) reside in Montgomery County. One thousand members belong to the Bethesda-Chevy Chase Chapter, whose 500 acre property is contiguous to that of the Casey Property, and lies down stream from it on the Horsepen Creek. We hear that the developer plans to construct 35 individual sand mound septic systems on the property, which, being individual systems, would not be subject to State licensing and oversight. We also hear that sand mound systems are safe and reliable if they are properly constructed and properly maintained. However, this is a big "if", and we have seen an article in a professional journal about a local contractor who does a substantial business in correcting other contractors' mistakes. This is not encouraging.

Thanking you for your attention to this matter, I remain

*Sincerely yours,*

*Roger C. Sears*

Roger C. Sears  
President  
Maryland State Division IWLA

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#17

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OFFICE OF THE CHAIRMAN  
8601 Georgia Avenue • Suite 612 • Silver Spring, MD 20910 • 301.608.1188 • Fax: 301.608.1144

www.potomac.org

December 8, 2004

Chairman Berlage and Montgomery County Planning Board  
MNCPPC  
8787 Georgia Avenue  
Silver Spring, MD 20910

**RE: Proposed Stoney Springs Development (Case No. 1-05029)**

Dear Chairman Berlage and Planning Board Members:

I am writing to express the Potomac Conservancy's concerns regarding the proposed Stoney Springs Development and the preliminary plan of subdivision that is being considered by the Montgomery County Planning Board. The Potomac Conservancy holds a conservation easement on the nearby West Woods tract owned by the Bethesda-Chevy Chase Chapter of the Izaak Walton League of America. We have two major concerns regarding the proposed development:

1. **Water Quality:** The developer is proposing to use sand mound septic systems for a significant residential development. For a development of this size in an environmentally sensitive area with highly permeable soils, the use of sand mound septic systems is inadequate. This property is located very close to the Potomac River and McKee-Beshers Wildlife Management Area, and a rare red triassic shale barren is known to occur in this region. If the land itself does not support normal septic systems, then it seems logical that such a scale and density of the proposed development should not be permitted because of the threat to water quality and public health. If the developer cannot propose septic systems that are appropriate for the sensitive resources on and surrounding this property, then the proposed development should not be permitted.
2. **Character of the Agricultural Reserve:** Montgomery County's Agricultural Reserve is very rich with one of the region's most prized and critical resources – productive farmland. Certainly, farming is not much of a profit-making business due to the current economic conditions, however, farmland is integral to Montgomery County's heritage and quality of life. Montgomery County's leadership in creating the Agricultural Reserve and the Legacy Open Space Program has allowed many farms to remain active and both are touted around the State of Maryland as being strong models for preservation of rural areas. Montgomery County has set a high standard for quality of life, protection of productive agricultural lands, and preservation of open space. We urge the

*Protecting the health, beauty, and enjoyment of the Potomac*

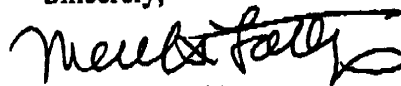
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Planning Board to uphold the standard that has been set by denying development that is simply inappropriate and incompatible with the character of the prized Agricultural Reserve.

Thank you for the opportunity to comment on this important matter. The Potomac Conservancy is a regional conservation nonprofit dedicated to protecting the lands vital to the health, beauty and enjoyment of the Potomac River and its tributaries. If I can be of any assistance with respect to additional information about our strong interest in this particular region of Montgomery County or the sensitive ecological resources in this area, please do not hesitate to contact me at (301) 608-1188, ext. 204.

Sincerely,



Meredith Lathbury  
Director of Land Protection,  
General Counsel

18932 North Meadow Fence Road  
Montgomery Village, MD 20886  
December 8, 2004

Mr. David Fischer, Esq.

Dear David:

I have read your testimony and the planning department's staff report on the Stoney Springs preliminary plan of subdivision. I am in full agreement with the position you have taken in all of its particulars. I believe the staff have erred in recommending approval of this plan. The Board should reject it because it does not substantially conform to the Master Plan or the purpose of the RDT Zone.

As trustees for the future of the County, the Planning Board has a special obligation to insist on adherence to its master plans and a special obligation to protect the Agricultural Reserve, where so many land owners have transferred their development rights to receiving areas or land trusts and where public agencies and private individuals that have spent many millions of dollars to protect and sustain in perpetuity a critical mass of farmland. As a consequence of their work and investment, Montgomery County ranks at the top rank of all counties in the nation, and first in Maryland in its successful protection of farmland and a working rural landscape. It would be a serious breach of faith with those that have spent a generation working to protect the Reserve to now approve a plan that has no agricultural purpose or virtue. Rather it is an invitation to the annihilation of one of the county's and the State's greatest assets.

I regret that because of other commitments I cannot attend the hearing Thursday, but trust that you will convey my concern to the Board. My hope is that they will need little persuasion.

Sincerely,

Royce

Royce Hanson

# theOlneyCoalition

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preserving the quality of life in Olney

December 9, 2004

Dear Chairman Berlage and Planning Board Commissioners,

Olney Coalition opposes the Stoney Spring development in the Agricultural Reserve southwest of Poolesville. Half of the Olney Master Plan is in the Agriculture Reserve and we are extremely concerned regarding the precedent this could set for additional residential development in Northern Olney.

While we support the development of innovative technologies, we oppose applying them in ways that were never intended. The alternative sand mound septic technology proposed for this development is a case in point.

The recommended water and sewerage guidelines that begin on page 59 of the Agricultural and Rural Open Space Master Plan states "Deny private use of alternate individual and community systems in all areas designated for the Rural Density Transfer Zone." The intent of the 1994 Council resolution regarding sand mounds was to allow farm families who wanted to build additional homes on their land for other family members or to replace their own failed septic systems. It was not an amendment to the master plan to allow for residential subdivisions.

Further, the General Refinement Plan states on page 33 that:

"The agricultural wedge is an invaluable resource for Montgomery County beyond its agricultural use. Maintaining large amounts of rural open space protects the environment – especially sensitive headwaters areas, conservation areas, wildlife habitats, and flood plains – from the impacts of development. It also serves as a "clean air shed" to cleanse the atmosphere, as well as the mechanism to protect the quantity and quality of water resources. "

Given the explosion in Montgomery County's population and air pollution problems, we need to preserve this area more than ever. If this development is approved, then it encourages other areas in the Agriculture Reserve to subdivide. This will erode the very reasons the Ag Reserve was created in the first place: to preserve farmland *and* to protect water and air quality for all residents in Montgomery County.

We ask you to hold true to the vision for the Agricultural Reserve and deny this application.

Sincerely,



Barbara Falcigno  
President, Olney Coalition



**TESTIMONY OF MONTGOMERY COUNTY CIVIC FEDERATION  
BEFORE THE PLANNING BOARD ON STONEY SPRINGS  
PRELIMINARY PLAN REVIEW - December 9, 2004**

Good afternoon Chairman Berlage and Commissioners. My name is Jim Humphrey and I reside at 5104 Elm Street in Bethesda. I currently serve as the District One Vice President of the Montgomery County Civic Federation, and am pleased to have the opportunity to appear before you today in that capacity.

I am here today to question the wisdom of this Board approving a plan to subdivide a 700+ acre farm located southwest of the Town of Poolesville into 21 separate home sites. At our November 10, 2003 meeting, Civic Federation delegates adopted a Balanced Land Use Policy by an overwhelming majority vote of the members present. The policy contains 3 simple points:

- 1) Improve balance between jobs and housing within the regions of the county.
- 2) Organize growth around transit nodes, both rail and bus, while insuring adequate infrastructure and county services are in place to accommodate such growth.
- 3) Reduce growth in rural and outer low-density suburban areas.

I realize that at first glance this may seem an overly simplified approach to good land use planning. However, all 3 of these policy points relate to the Stoney Springs preliminary plan you now have before you.

As to policy point #1, an imbalance exists between jobs and housing with the majority of low- to moderate-income housing being located on the eastern side of the downcounty (in Langley Park, Takoma Park and east Silver Spring) while a majority of job opportunities for the residents of such housing exist on the western side of the downcounty (in Bethesda, Friendship Heights and Potomac). The subdivision plan before you, calling for the building of luxury homes on minimum 25 acre lots on the western side of the downcounty, will do nothing to help rectify this imbalance.

The second point in the MCCF Balanced Land Use Policy urges that "smart growth" development be focused near transit nodes, with the added proviso that we should insure adequate roads, schools and county services are in place to accommodate such growth. I believe that Chairman Berlage has made statements noting his desire to

protect the county's Agricultural Reserve, a nationally recognized environmental asset, in part by focusing new development in "smart growth" transit center areas. The Stoney Springs plan to subdivide a 700 acre farm into home sites is the very kind of suburban sprawl that members of this Board and the County Council claim they are trying to prevent by encouraging increased residential density in transit center areas.

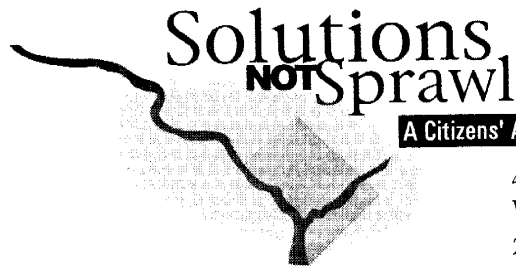
Next week, this Board will be considering approval of the Woodmont Triangle Amendment, to increase residential density in the Central Business District of Bethesda. If you are to ask residents of Bethesda to accept increased density as a trade off for preventing suburban sprawl in the more rural areas of the county, then you must hold up your end of that bargain and act to prevent the continued chopping up of rural and agricultural areas into suburban subdivisions, no matter how large the proposed lot size. That is the essence of the third point in the Civic Federation's Balanced Land Use Policy that urges the reduction of growth in rural areas like this pristine farmland southwest of Poolesville.

I would also like to raise a concern about the sand mound septic technology proposed for use in this Winchester Homes subdivision plan. The Preservation of Agriculture and Rural Open Space Functional Master Plan recognizes that the land in the Agricultural Reserve, with the high clay content of its soil, does not meet conventional septic standards. The Plan specifically recommends denying "private use of *alternative individual* and community systems in all areas designated Rural Density Transfer (RDT)." Sand mound septic technology is still relatively new, but anecdotal evidence gathered on its use indicates system failures can result in ponding in the absorption area of the mound, and seepage out of the side or toe of the mound. This type of system failure could impact nearby streams or the underground aquifer from which residents draw their water, endangering the health and safety of the area's human population and wildlife. Another disadvantage is the negative aesthetic impact it would have on an area of the county in which we should be attempting to maintain scenic agricultural vistas.

A County Council resolution that was introduced by then-District 2 Councilmember Nancy Dacek, agreed to in 1994 I believe, suggested approving use of alternative septic technology in cases where traditional septic had failed and it was found necessary to allow the alternative in order to permit a farm family to continue to live on and work their land. The Council also urged that alternative technology be allowed in cases where a farm family needed to build a new dwelling to house family members who wished to join in operating a farm. The Council resolution did not constitute an amendment to the Functional Master Plan, nor did it seek to allow alternative septic technology as a means of approving new subdivision development in the AgReserve.

By approving this preliminary plan you would be permanently taking this land out of agricultural use, which is counter to the objectives in the Agriculture and Rural Open

Space Functional Master Plan. One of the primary goals for establishment of the AgReserve was to help assure a viable farm industry in Montgomery County, a goal that will be difficult to meet by approving the subdividing of farms into homes sites. I understand that this property is on the list of those being considered for inclusion in the county's Legacy Open Space Program, which means you already realize its value as an environmental asset that should be preserved for ours and future generations. I urge you to find a way to make that happen. And, I and others in the Montgomery County Civic Federation stand ready to assist you in the effort, should you desire our assistance. Thank you.



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[www.solutionsnotsprawl.org](http://www.solutionsnotsprawl.org)

Chairman Derick Berlage  
8787 Georgia Avenue  
Silver Spring, MD 20910

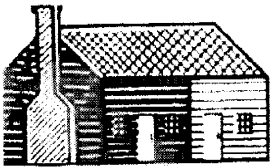
December 9, 2004

RE: Opposing the Stoney Spring development proposal in Poolesville

I am a member of Solutions Not Sprawl, a grassroots alliance of individuals and civic and environmental organizations across the metropolitan region. Thank you for the opportunity to testify today. We urge you to oppose the Stoney Spring proposal near Poolesville. This proposal would destroy over 700 acres of open, natural land and violate the integrity of the County's Master Plan.

This development proposal proves that open space and agricultural land are being threatened in our county and in our region. This Planning Board and your predecessors have worked hard to protect the Agricultural Reserve from development and this proposal would have irreversibly detrimental effects on the very character of the Reserve. Paving land and building palatial homes on what the County's Legacy Open Space list calls "the last of the best places in the County" would destroy beautiful open space. This increase of impervious surface has a harmful effect on water quality and wildlife habitat, in addition to significantly altering the landscape and increasing traffic on local and rustic roads. This area maintains its rural character because of the way it is zoned, and neighbors of the Stoney Spring site do not want these changes. Do not give in to the pressure of developers and allow an increase of development in an area that should be considered off-limits.

Residents and officials are rightfully proud of the Master Plan process in Montgomery County. Stoney Spring violates the integrity of the Master Plan and the process in which so many people invested time and careful forethought. The sand mound systems being used for this proposal are a form of alternative individual septic technology, against which the Plan strongly advises because they encourage development in active farmland. The sand mounds for the Stoney Spring development are not compliant with the Master Plan and should not be allowed in the Reserve for houses which are so clearly intended for non-agricultural use. The Master Plan is also meant to prevent the fragmentation of farmland by development and allows residential options *only* when they are consistent with preservation. Stoney Spring complies with neither of these. Again, as "the last of the best places in the County", this parcel would be fragmented by 21 houses with no intent of land preservation. This area is not intended to be suburban, but rural. **We do not want to see the suburbanization of the Agricultural Reserve.**



**Testimony before the Montgomery County Planning Board  
December 9, 2004**

**Item 7 – Stoney Springs (Casey Property) Preliminary Plan for Subdivision.**

My name is Perry Kapsch. I reside at 18200 Beallsville Road, Poolesville, MD. I am here to represent the Historic Medley District, Inc. Board of Directors. HMD's offices are located at 19923 Fisher Avenue, Poolesville, MD, in the heart of Montgomery County's Agricultural Reserve. We ask that the Planning Board deny the preliminary plan for the following reasons:

1. The development as it is currently planned is not in compliance with the Ag Reserve Master Plan.
  - a. Staff indicates that MCDPS has reviewed and approved the proposed sand mounds. Once again, Department of Permitting Services is ignoring the laws in the Montgomery County Code that were put in place to support the Ag Reserve Master Plan. There have been a number of notorious instances in the last few months of the MCDPS wrongly issuing permits for activities in the Ag Reserve in direct contravention of the Master Plan and its supporting legislation. These include a diversity of incompetence including, among others, failure to follow correct procedure that led to the demolition of a historic building, failure to follow correct procedure that led to installation of illegal commercial radio towers, failure to obtain a special exception for soccer tournaments on horse farms and approval of alternative septic methods for non-farm construction. As discussed by those more expert than HMD in the law, the executive order to allow sand mounds was not passed in order to convert historic farmland to elitist housing developments. DPS seems to think that all of Montgomery County is a giant housing development, either in place, or waiting to happen.
  - b. The Planning Board staff spent a lot of effort to tweak the proposed plan, but has failed to make any serious effort to protect the Ag Reserve. Like DPS, they seem to have housing developments on the brain. The staff's job is to implement master plans and then to see that the projects that come to the planning board for approval comply with the plans. They have failed to do so in this case, and in others in the Ag Reserve such as allowing landowners to misrepresent their qualifications for kiddy lots. The executive order on sand mounds was passed in order to assure that farmers could continue to live on their farms without endangerment to their health. Staff had a responsibility to be sure that the order was in compliance with the language and the purpose of the master plan. Monster mansions are clearly not in compliance with the master plan. I know from long experience how important it is for the Planning Board to rely on the competence of the staff. For the staff to hide behind the 25 acre zoning rather than confront the



**Testimony by Historic Medley District, Inc. to the Montgomery County Planning Board  
December 9, 2004  
Item #7**

real issues that the proposed project raises as to land use and water quality fails to serve well either the Planning Board or the public whom the board represents. We trust you with our county. Based on the staff report, our trust is seriously misplaced.

2. The landowner has a financial interest in destroying the Ag Reserve. With the many acres of land that she owns, it is in her best interest to see all the county's open spaces converted to housing for the wealthy, regardless of the negative impact this will have on the people of the county. It should be noted that denial of the plan will not deprive the landowner reasonable use of her land. She and her foundation have a number of alternative means of realizing a maximum return on the original investment beyond just the sale of TDR's

a. Legacy Open Space has placed the property on its list of potential acquisitions. It could be bought, an easement put on it and then resold with most or all of the development rights extinguished. This would assure that the water quality of the area was not compromised by multiple septic systems and would keep the open space, forests and farmland that are the important features of this property.

b. Conservation-minded purchasers have been found for similar properties in the Ag Reserve. It is reasonable to expect that they would come forward to protect this land as well.

Approval, even with the staff's conditions, of this project sends the Ag Reserve, not down a slippery slope, but crashing over a cliff. How can this plan be approved and similar developments be denied? It is vital that the quality of life of the people of the county be placed ahead of the financial interests of the housing industry. When the home builders have built on every square inch of the county, they will not stay around to suffer the results of their work. They will move on to find new land in other counties that they can convert to housing. The people of our county will have lost their legacy, they will be left without farmland, without country roads, with tiny token forest patches, with overcrowded parks and without historic open spaces.

It is important that the Planning Board convey the message that the Ag Reserve is already entirely developed, not as housing, but as historic farmland and open spaces. There is no room in the Ag Reserve for clustered housing developments or posh suburban mansions. Let Winchester Homes come back with a project that is comprised of 25 acre farms, priced so they are viable as farms. With the help of existing conservation programs, this is possible. If the Planning Board stands behind its master plan, this can happen. Please deny this preliminary plan.

WEST MONTGOMERY COUNTY  
CITIZENS ASSOCIATION

FOUNDED 1947

P.O. BOX 59335 • POTOMAC, MARYLAND 20859-9335

**Re: Testimony on 'Stony Springs' Preliminary Plan - MNCPPC - 12/9/2004**  
**By: Ginny Barnes, Environmental Chair**

The Potomac Subregion is one of two residential "Green Wedges" intended to buffer and create a transition to the agricultural open space we all value so highly. We take a keen interest in the protection of this precious resource because our destiny is linked to it and we share so many of the same problems and threats. Our recent Master Plan process wrestled with the dangers of expanding the sewer envelope to the detriment of the environmental premises on which our zoning depends. The key to the plan before you today is **preservation**. Does the plan meet the requirements of *The Master Plan Of Agriculture and Rural Open Space*? We believe it does not. The use of sand mounds encourages development within the critical mass of active farmland in direct contravention of the Master Plan. Furthermore, the Master Plan calls for the denial of "private use of alternative, individual and community systems in all areas designated for the Rural Density transfer zone." This Preliminary Plan is inconsistent with the MP objective of preventing fragmentation of active farmland. Farming is recognized as a **permanent** use and "not simply a holding land use to be utilized for future development."

The simple fact that sand mounds may be an acceptable alternative to traditional septic systems does not mean that they should override the guidance of the Master Plan. We would ask that the Planning Board defend it's Master Plan in this case and deny this Preliminary Plan. Further, the PB needs to take a proactive role in the preservation of our agricultural open space. If a proposed plan does not further the goal of preservation of rural open space, then it should be emphatically denied.

Thank you for the opportunity to comment.

Ginny Barnes, Environmental Chair  
10311 Glen Road  
Potomac, Md. 2085  
(301) 762-6423