

Draft date: February 15, 2010

Target date: February 22, 2010

Dr. Judith Ackerman, Provost Montgomery College, Rockville Campus

Re: Your letter of January 22, 2010 to Mayor Phyllis Marcuccio

Dear Dr Ackerman,

Thank you for your letter of January 22 and for explaining the current position of Montgomery College. Mayor and Council also recognize the long-standing good relationships between MC and the City of Rockville and we wish to keep them that way.

However, the letter disappoints in several respects. In our response we set the record straight on points in your letter and we call upon Montgomery College to re-engage in a process to re-open the fence without negative impact on Montgomery College's near neighbors. While the goal of smoking reduction is laudable, there are alternative ways to achieve these goals.

Totally restricting tobacco on the Rockville campus cannot be achieved without either forcing MC smokers onto other property and/or restricting needed and desired access of residents of College Gardens (which includes Scarborough Square and Yale Village) and Plymouth Woods to the MC bus terminus or other necessary MC locations.

We note that the Montgomery College smoking area on Mannakee Street is 100% on campus property and therefore the College is not presently tobacco free. Thus we call upon the College to establish a strategically placed smoking area near the academic buildings in the northwest quadrant and to re-open the fence. Forty years of experience inform us that when MC smokers have a well-located place to smoke on campus they do not go onto other property to smoke.

- Your letter should recognize that the problems in College Gardens and Plymouth Woods started with the Montgomery College implementation of the "Tobacco-Free" policy. Of all the options attempted, none of them include a revision of Montgomery College's "Tobacco Free" policy by Montgomery College.
- There are other ways to achieve smoking reduction. Montgomery College should show flexibility. Concentrate on the goal; don't stick with a method that harms your neighbors.
- With the current implementation of the "Tobacco-Free" policy, fence open or fence closed, separate groups of people in Plymouth Woods and College Gardens are severely and negatively impacted. How do you expect the neighborhood to come together in this situation? You forced your neighbors into a zero-sum game. Under the current MC policy:
 - With the Princeton Place fence open, the Princeton Place residents are subjected to groups of MC smokers near and on their property.
 - With the Princeton Place fence closed, MC smokers light up near or on other private property and MC access is closed to handicapped and other nearby neighbors.
- The closing of the Princeton Place fence has shifted Montgomery College smokers onto the private property of Scarborough Square. The fence opening there has become an informal alternate access point for some College Gardens neighbors, but in being so, it forces them to trespass. It is not certain that this opening will remain available as an informal access to the community. This opening is also not ADA compatible.
- There are MC smokers who smoke next to the fence that backs onto Clemson Court properties creating a nuisance for these home owners. Additionally, anyone who smokes against an MC fence abutting a wooded area also creates a fire hazard.

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- By citing an impasse and keeping the fence closed until "... the representatives of the community organizations and the Princeton Place residents can come together on a reasonable alternative option" you effectively give the Princeton Place residents every incentive to not cooperate in any fruitful way with their neighbors. They recently refused to meet with a small group of people that would have been limited to Mayor Marcuccio, Councilmember Pierzchala, Mike Phillips (head of the College Gardens Civic Association), Gerry Cashin (president of the Plymouth Woods Condominium Association), and Elyse Gussow (Plymouth Woods designee for this issue). The Princeton Place residents have what they want and so does Montgomery College. This passage of the letter removes the onus for searching for a resolution from Montgomery College, the instigator of the problem.
- Montgomery College has cited a security assessment in its justification to close the fence. However, there has not been a security issue in the 40 years of the fence opening prior to the August 2008 implementation of the "Tobacco Free" policy.
- It is ironic that Montgomery College should cite the Americans with Disabilities Act (ADA) in its justification for closing the Princeton Place fence. There are handicapped residents of Plymouth Woods and College who depend on the Princeton Place fence opening. A few of them have filed complaints with the City's Human Rights Commission. The College should re-open the Princeton Place fence opening and make the pre-existing sidewalk ADA compatible which would not be difficult.
- Montgomery College is a bus terminus for that part of the City. There is a responsibility for the College to provide the needed pedestrian access for its near neighbors. An expansion of the Ride-on 45 route (Sunday or longer hours) was never a realistic alternative, and as you know the Saturday service was and may still be threatened. The need to keep historic pedestrian access to the MC bus terminus is stronger than ever.
- Prior to August 2008, the Princeton Place residents had a minor parking issue; one that has been there for many years, and one for which there are other City of Rockville provisions.
- The Princeton Place neighbors had no other negative impacts from the fence opening prior to August 2008 even as the campus grew. These neighbors chose to move to this part of Princeton Place with the fence open. The only impact they could not have foreseen when choosing to move there is the one due to the College's tobacco-free policy.
- The residents of College Gardens and Plymouth Woods had access to the College for approximately 40 years without negative impact to either the College itself or the Princeton Place residents. Some neighbors purchased or rented homes because of the Princeton Place access. Some other neighborhood residents are students, faculty, or staff, while still others attend programs or events on campus. In order to access the campus now, these neighbors often or mostly drive as the walk-around routes are much longer and hillier.

Signatures.

ccs: