

TILDEN WOODS RECREATION ASSOCIATION, INC.
CASE NO. CBA-1383-A

STATEMENT OF OPERATIONS

I. INTRODUCTION / BACKGROUND

The Tilden Woods Recreation Association, Inc. is a Maryland non-profit corporation organized to own and operate a community swimming pool. The subject property is known as Parcel "B" of the Tilden Woods Subdivision, located at 6806 Tilden Lane, Rockville, Maryland and consists of approximately 1.92 acres of land in the R-90 Zone. The Association originally purchased the subject property in 1962 and obtained approval of a special exception for a community swimming pool from the Board of Appeals in March of 1963, in Case No. CBA-1383.

In developing this Statement of Operations, the Association seeks to improve and further enhance its ability to serve and be an asset to the surrounding community. By detailing its operational parameters and establishing a Neighborhood Liaison Committee (further discussed in Section VI below) as other similar community swimming pool organizations in Montgomery County have done in recent years, it is the Association's intent to foster and facilitate more open lines of communication with its neighbors and to provide a structured and accessible means of addressing concerns and/or issues that may arise with regard to the Association's operations from time to time.

II. MEMBERSHIP

The approved special exception permits a total membership of 350 families. No change to the approved membership level is being requested in Case No. CBA-1383-A.

Each active family membership (i.e., adult family, young family, single parent family or couple membership) is equivalent to one (1) family membership. Each active single membership (i.e., one individual) is equivalent to one-half (1/2) a family membership. Inactive memberships will not be included.

III. OPERATIONS

A. Operating Season

1. **Background:** The Swim Club was originally approved by the Board of Appeals with no restriction/limitation on the months of operation. However, based on the Swim Club's historic usage of the site, the Swim Club proposes to establish herein an "Operating Season" which sets forth the allowable months of operation for the site, as follows:
 - a. **Operating Season:** The community swimming pool operating season may begin no earlier than May 1st and end no later than and inclusive of September 30th in any given calendar year.
 - b. The total number of organized events must not exceed ten (10) during the operating season and must avoid overlap with any swim meets.
 - c. No more than two (2) organized group activities, including swim team activities or social events, shall take place between Labor Day and the end of September.
 - d. Aside from accessing/opening the site for maintenance/security purposes, the site will be closed to any individual/group use from October 1st to April 30th.

2. As indicated above, the proposed Operating Season is based on the historic usage of the Swim Club site. The heaviest volume of use of the site occurs during the 14-week “Summer Swim Season”, commonly accepted as beginning the last weekend of May (i.e., Memorial Day weekend) and ending after the first weekend in September (i.e., Labor Day weekend). However, since the Swim Club’s pools are heated, the Swim Club has in years past had occasion to open its swimming pool earlier and close the pool later, depending on when the warm weather arrives/leaves in a given season. In addition, the proposed Operating Season is to accommodate allowable special events on the site (discussed in more detail under Section III.E. below) which can occur beyond the 14-week “Summer Swim Season”.

B. Swim Meets

1. **Background:** The Swim Club participates in the Montgomery County Swim League (MCSL), which coordinates competitive swim meets between/amongst swim clubs organized throughout the County, known as “A” meets held on Saturday mornings. The Swim Club also takes part in “B” meets held on Wednesday evenings that are independently organized amongst swim clubs. The “A” meets always get scheduled on Saturdays and “B” meets always on Wednesdays, but if a particular meet gets canceled due to severe weather on the scheduled day, it could get rescheduled to the following day or evening.

The “Competitive Swim Meet Season” (hereinafter “Meet Season”) runs from mid-June to late July (approximately a 7-week period) during the Swim Club’s

Operating Season. Participants who compete in either of the above “A” or “B” meets are children of member families and constitute the Tilden Woods Swim Team (hereinafter “Swim Team”).

2. **Type and Number of Swim Meets That May Be Hosted at the Swim Club Site:**

The maximum number of competitive swim meets that might be conducted at the Swim Club site during the Meet Season is a total of nine (8) swim meets, of which a maximum of four (4) may occur on Saturday mornings and a maximum of four (4) may occur on a weekday evening within the approved hours of operation. In the event of a weather related delay, nothing stated herein is intended to preclude a scheduled meet from being re-scheduled or continued to a following day within the approved hours of operation.

- a. **MCSL “A” Meets:** A maximum of three (3) “A” meets may be hosted at the Swim Club site each Meet Season.
- b. **Wednesday “B” Meets:** A maximum of three (3) “B” meets may be hosted at the Swim Club site each Meet Season.
- c. **Time Trial Meet:** The Swim Club conducts a “Time Trial” meet at the Swim Club site each Meet Season to determine the qualifying swimmers that will compete in the MCSL “A” meets.
- d. **Mini-Meet:** The Swim Club conducts a “Mini-Meet” at the Swim Club site each Meet Season to provide younger swimmers with an opportunity to experience a competitive swim meet environment.

3. **Summary of Additional Hours of Operations to Accommodate Swim Meets**

Conducted at Swim Club Site: [NOTE: The approved hours of operation for the

Swim Club under the original 1963 Opinion of the Board are as follows: *“The hours of operation shall be from 9:00 AM to 9:00 PM, six days a week, and from 11:00 AM to 9:00 PM on Sunday. There may be six late nights of operation no later than 11:00 PM.”*]

The following summarizes the additional hours of operation requested by the Swim Club in Case No. CBA-1383-A to better accommodate the swim meets that are **hosted** at the Swim Club site, described in Section III.B.2. above:

- a. **Saturday Morning “A” Meets:**
 - i. No change required from Swim Club’s approved hours of operation.
- b. **Wednesday Evening “B” Meets:**
 - i. No change required from Swim Club’s approved hours of operation.
- c. **Time Trial Meet:**
 - i. No change required from Swim Club’s approved hours of operation.
- d. **Mini-Meet:**
 - i. No change required from Swim Club’s approved hours of operation.

C. Swim Team Practice/Warm-Up Activities and Early Morning Lap Swim Program

1. **Background:** Included in the Swim Club’s modification request are changes to its approved hours of operations to better accommodate the practice and warm-up needs of its Swim Team, as well as to accommodate early morning lap swimming as an exercise option for general members of the Club.

- a. **Weekday Swim Team Practice:** Members of the Tilden Woods Swim Team practice on weekday mornings no earlier than 8:30 AM. This allows Swim Team members who have summer jobs or attend summer school or college exam prep classes to be able to practice and get to those other commitments on time.
- b. **Warm-Up Prior to MCSL Saturday "A" Meets:** There are a total of six (6) MCSL Saturday "A" meets held each Meet Season, of which only a maximum of three (3) are hosted at the Swim Club site each Meet Season as indicated in Section III.B.2.a. above. However, prior to each MCSL "A" meet, regardless of whether or not hosted at the Swim Club, members of the Swim Team require access to the Swim Club's pool for warm-up.
 - i. Warm-up for advanced swimmers would start at 6:30 AM and end by 7:30 AM on Saturdays prior to every MCSL "A" meet and be restricted to no more than 25 swimmers during that period of time.
 - ii. General warm-up for other members of the Swim Team would follow from 7:30 AM to 9:00 AM, but occurs only prior to an MCSL "A" meet hosted at the site.
- c. **Warm-Up Prior to Time Trial Meet:** As discussed in Section III.B.2.c. above, the Swim Club conducts a "Time Trial" meet at the Swim Club site each Meet Season on the Saturday one week prior to the first MCSL "A" meet. Prior to the start of the Time Trial meet, Swim Team members require early access to pool facilities to begin warm-up.
 - i. Advanced swimmers may begin warm-up at 6:30 AM, with general warm-up for other members of the Swim Team starting no earlier than 7:30 AM.

- d. **Early Morning Lap Swim Program:** The Swim Club has received requests in the past from some of its membership for access to pool facilities to accommodate an early morning lap swim as an exercise option. The Swim Club would allow early morning access to pool facilities only to members that have pre-registered for this program and would restrict participation to no more than 25 members per Operating Season.

2. **Summary of Additional Hours of Operations to Accommodate Swim Team**

Practice/Warm-Up Activities and Early Morning Lap Swim Program: [NOTE:

The approved hours of operation for the Swim Club under the original 1963 Opinion of the Board are as follows: *“The hours of operation shall be from 9:00 AM to 9:00 PM, six days a week, and from 11:00 AM to 9:00 PM on Sunday. There may be six late nights of operation no later than 11:00 PM.”*]

The following summarizes the additional hours of operation requested by the Swim Club in Case No. CBA-1383-A to better accommodate the Swim Team practice and warm-up activities, as well as to facilitate the proposed early morning lap swim program, all described in Section III.C.1. above:

- a. **Weekday Swim Team Practice** (during 6 weeks out of the 7-week Meet Season):
- i. Access to Swim Club’s pool facilities for Swim Team members beginning at 8:30 AM on weekdays.
- b. **Warm-Up Prior to MCSL Saturday “A” Meets** (total of six (6) Saturdays during Meet Season):

- i. Access to Swim Club's pool facilities for Swim Team members (advanced swimmers only; restricted to no more than 25 swimmers) at 6:30 AM (not limited to meets hosted at the site).
 - ii. Access to Swim Club's pool facilities for other Swim Team members at 7:30 AM (only prior to meets hosted at the site).
- c. **Warm-Up Prior to Time Trial Meet** (one Saturday during Meet Season):
- i. Access to Swim Club's pool facilities for Swim Team members (advanced swimmers only) at 6:30 AM
 - ii. Access to Swim Club's pool facilities for other Swim Team members at 7:30 AM.
- d. **Early Morning Lap Swim Program:**
- i. Access to Swim Club's pool facilities for pre-registered members from 7:00 AM to 8:00 AM on weekdays. Participation in program restricted to no more than 25 members per Operating Season.

D. Swim Team - Special Event

1. **Annual Lock-In:** The Annual Lock-In is a special event organized for members of the Tilden Woods Swim Team held at the end of each Meet Season to celebrate the accomplishments of that year's team. It is held on a weekend after the year's Divisional Meet in late July and is fully chaperoned by adult members of the Swim Club (generally the parents of Swim Team members).
 - a. The attendance level of this event has averaged between 125-150 members, including the adult chaperones.
 - b. The event will be fully subject to the restrictions in Section III. D. 2. below, the noise restrictions outlined in Section III.G. below and the parking restrictions outlined in Section IV.B. below, as well as compliance with the Swim Club's approved Transportation Management Plan.

2. **Summary of Additional Hours of Operations to Accommodate Annual Lock-In**

Event: [NOTE: The approved hours of operation for the Swim Club under the original 1963 Opinion of the Board are as follows: *“The hours of operation shall be from 9:00 AM to 9:00 PM, six days a week, and from 11:00 AM to 9:00 PM on Sunday. There may be six late nights of operation no later than 11:00 PM.”*]

- a. As indicated above, the Swim Club’s current approval permits up to six (6) late nights of operation to no later than 11:00 PM. The Annual Lock-In Event if only held until 11:00 PM does not require approval of additional hours of operation to accommodate, but would certainly count toward one of the six (6) allowable late nights of operation.
- b. One of the six late nights may be devoted to the annual all-night “lock-in.” On that one night, the pool hours would be extended from 11:00 p.m. to 6:30 a.m., the following day. However, no amplified noise and no amplified music at all are permitted during the lock-in (*i.e.*, not even CD players, or the like); no diving board or volleyball is permitted after 9:00 p.m.; Children must be out of the pool by 10:00 p.m.; carpooling must be used to minimize traffic to the pool when the children are picked up in the morning; and pick-up must be in the corner of the site farthest away from the neighbors. The impacts of the year’s lock-in must be an annual topic at the mid-season meeting of the Community Liaison Council, with reference to it in the minutes filed with the Board, so that the Board can review whether Petitioner has kept adverse impacts to a minimum. The

Board will retain jurisdiction and consider revocation of this permission if impacts become undue.

E. Organized Events

1. “Organized events” that have been held at the Swim Club site include the type of events commonly held at community swim clubs for members and guests, and can be grouped into several categories, as follows:
 - a. **Family Gathering Events:** Includes holiday socials/parties, i.e., 4th of July, Labor Day, Halloween, and events such as the Dads’ Pancake Breakfast – these are family activities that involve general members of the Swim Club and their guests. They occur during normal operating hours and may include pot-lock meals or use of portable barbeques for group meals.
 - i. The attendance level for this type of event can range between 50-200 members and guests.
 - b. **Adult Parties:** Includes Swim Club anniversary party or other adult social events/fundraisers – these are social activities open to the general membership of the pool and their guests, that occur during normal operating hours or utilize one of the allowed late evenings of operation until 11:00 PM, and may include food prepared by members or purchased for the event.
 - i. The attendance level for this type of event can range between 50-200 members and guests.

- c. **Member Birthday Parties:** Member birthday parties with 25 attendees or more require an additional staff to be brought on duty and, as such, are considered by the Swim Club to rise to the level of an “organized event”.
- i. Large birthday parties of greater than 25 attendees are a very rare occurrence at the Swim Club.
- d. **Neighborhood Events:** Includes events such as the “Doggie Dip” and the Luxmanor Elementary School Graduation Party.
- i. The “Doggie Dip” is an event that could occur immediately before the Swim Club closes the swimming pool for the season. Members and guests from the neighborhood are invited to let their dogs have a dip in the pool. The event generally occurs on Labor Day in the evening and ends before 9:00 PM.
- a) The attendance level for this type of event has been at most 50 members/guests and their pets.
- b) No traffic/parking issues have ever been observed as a result of this event since most attendees walk to the site with their dog.
- ii. Luxmanor Elementary School Graduation Party – members of the Swim Club graduating from Luxmanor have hosted a graduation party at the Swim Club.
- a) The attendance level for this type of event can range between 50-75 members/guests.
- d. **Sports Tournament:** The Swim Club may organize a volleyball tournament or other lawn game tournament for members and guests during the Swim Club’s Operating Season. There is only one sand volleyball

court and limited lawn area on site. As such, tournaments do not draw large crowds and never generate any parking issues.

- i. The attendance level for this type of event ranges between 25-50 members and guests.
2. The total number of “organized events” held at the Swim Club generally do not exceed ten (10) per Operating Season.
 - a. All organized events occur only during normal operating hours and no more than one (1) organized event is scheduled to occur at any one time on the site.
 - b. Certain “organized events” (e.g., holiday socials/parties, adult parties) also may include food service and/or alcohol service on site, with all required County permits obtained for said events by the Swim Club.
 - c. In addition, such organized events are scheduled by the Swim Club such that they avoid overlap with any swim meets to be hosted at the site.
3. None of the “organized events” listed above have created traffic/parking issues such as overflow parking onto adjacent public streets or queuing/stacking at the site entrance in the past. However, precautions will be undertaken by the Swim Club for any “organize event” held on site pursuant to measures outlined in the Transportation Management Plan herein to ensure that parking/traffic impacts to adjacent residential neighbors, if any, are minimized.

F. Other Events/Activities

1. The following describes certain other events/activities routinely offered by the Swim Club that do not rise to the level of “organized events” but rather are more accurately described as “user incentives or amenities” offered as a means of

encouraging and enhancing the use and enjoyment of the Swim Club's facilities by its members and guests. These may include the following types of events/activities:

- a. "Grill and Chill" Dinners by the Pool Night
- b. Small group birthday "swim and cake" celebrations (less than 25 attendees)
- c. Bring Your Own Raft Night
- d. "Age Specific" Evenings at the Pool (e.g. high school kids, middle school kids)
- e. Friday Afternoon Socials for New Members
- f. Friday Pre-Swim Meet - Swim Team Gatherings
- g. Evening Playing Card Gatherings
- h. Ice Cream/Carmen's Italian Ice Night at the Pool

G. Amplification Devices

1. Restricted Hours of Use

No amplified noise (by any device) shall be permitted before 9:00 AM. or after 9:00 PM on the pool property except that the use of a standard swim meet starting system with a "buzzer" or "tone" in compliance with the Montgomery County Noise Ordinance is permitted to regulate swim meets.

2. Montgomery County Noise Ordinance Compliance

Any amplified noise on-site shall strictly comply with the Montgomery County noise ordinance and in accordance with any recommendations by the noise program

manager of the Division of Environmental Policy and Compliance, Montgomery County Department of Environmental Protection.

3. Swim Meet Starting System

- a. Use of a standard swim meet starting system with a “buzzer” or “tone” that complies with the Montgomery County Noise Ordinance and other applicable guidelines, is permitted to regulate swim meets.

4. Speaker System

- a. Two (2) portable speakers with hand-held microphone may be used during swim meets but only to announce events and/or make necessary safety/emergency type of announcements. At no time, shall the speaker system be used for the playing of music at swim meets or on any other occasion.

5. Music may be played on the pool grounds during no more than six (6) special events or organized events held in any Operating Season pursuant to the following restrictions:

- a. No music will be played by a means different from, or to a level greater than that of a usual and conventional home reproduction system, i.e., CD player/stereo. Under no circumstances shall the speaker system described above in Section III.G.4.a. be used for the playing of music on the pool grounds.
- b. Use of non-amplified acoustic instruments to play only the National Anthem at the start of a swim meet may be allowed.
- c. On no occasion will the County Noise Ordinance be violated.

H. Lighting

1. All internal and external lights will be turned off within ½ hour of closing.

I. Maintenance

1. The grounds of the property, including the landscaping and fencing, must be properly maintained throughout the year. This includes removal of landscaping and lawn waste from the property, which must not be deposited in the adjoining park or properties.

IV. PARKING

- A.** Vehicles arriving or dropping off passengers prior to 7:30 a.m. for Swim Team warm-ups/meet preparation and/or early morning lap swimming shall be permitted to park and/or drop off only in the eastern end of the parking lot, in order to minimize any potential disturbance to adjacent residences.
- B.** Vehicles either leaving from or arriving to pick up individuals at the conclusion of the overnight Annual Lock-In event at or about 6:30a.m. the following Sunday morning, shall park in or pick-up individuals from the eastern end of the parking lot, in order to minimize any potential disturbance to adjacent residences. In addition, participating families will be required to carpool with at least three (3) Lock-In attendees per vehicle.
- C.** To improve safety at the main driveway entrance, the Association shall prohibit vehicles from engaging in drop-off or pick-up activity at or near the main driveway entrance located off of Tilden Lane by posting a sign prohibiting such activity, as well as by discouraging members and members' children from standing at or near the driveway entrance by having staff periodically monitor and warn individuals away from the area.
- D.** The Transportation Management Plan is incorporated herein by reference.

V. EMPLOYEES

The Swim Club does not directly employ individuals, but contracts with a management company that provides staff for operational management and maintenance of pool facilities. The maximum number of employees/staff from the management company (i.e., manager, assistant manager, maintenance, lifeguards, coaches, etc.) present on the site at any one time shall not exceed twelve (12).

VI. COMMUNITY LIAISON COUNCIL

The Petitioner must create a Community Liaison Council (CLC) to discuss and address operating impacts and other issues of concern to the Petitioner and/or the community. The CLC shall consist of the Petitioner, the Petitioner's representative and representatives from any civic association, homeowner association or resident within the defined neighborhood wishing to participate. Petitioner's representative will also serve as a contact person for complaints by the neighbors, and therefore Petitioner must post the name and contact information for its representative on its web site. A record of complaints by any neighbor must be filed with Board of Appeals on an annual basis. Meetings of the CLC must be held three times a year to be scheduled as follows: a meeting before the start of the operating season, a meeting during the operating season, and a meeting after the end of the operating season. Meeting minutes must be kept by the Petitioner and filed with the Board of Appeals (BOA) on an annual basis.

VII. POSTING OF THE STATEMENT OF OPERATIONS & TMP

The Statement of Operations and the TMP must be posted at the pool in an area accessible to members, and the Statement of Operations and the TMP must be posted on Petitioner's web site in a manner accessible to the public.