

Agenda for Montgomery County Planning Board Meeting
Thursday, January 22, 2004, 9:30 A.M.
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: September 11, 2003 Commissioners' Reports Directors' Reports Reconsideration Requests	
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1. **Preliminary Plan No. 1-85077A – Rusty Acres – Request to Revise the Previous Conditions of Approval**

RC Zone; 5.4 acres; one (1) lot requested (one [1] lot previously approved); private religious institution

Community Water and Sewer

Located on the north side of Spencerville Road (MD 198), approximately 700 feet southeast of Winifred Drive

Policy Area: Fairland

Applicant: Idara Jaferia
Engineer: Dean Packard

Staff Recommendation: Approval, subject to the following conditions

- 1) All previous conditions of 1-85077 remain in full force and effect.
- 2) Complete record plat application to submitted within 60 days of Planning Board approval of the preliminary plan and plat to be recorded within 90 days of submittal
- 3) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed

Request to Revise the Previous Conditions of Approval for Preliminary Plan No. 1-85077A – Rusty Acres (continued)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Preliminary Plan No. 1-99059 Callithea Ridge

RC Zone; 40.0 acres; six (6) lots and one (1) outlot requested; six (6) single-family detached dwelling units

Private Well and Private Septic

Located on the south side of River Road (MD 190), approximately 100 feet west of Signal Tree Lane

Policy Area: Potomac

Applicant: Gus Stamoulis

Engineer: Thomas A. Maddox

Staff Recommendation: Approval, subject to the following conditions:

- 1) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) Record plat to reflect delineation of conservation easement over forest retention and stream valley buffer areas

Preliminary Plan No. 1-99059 Callithea Ridge (continued)

- 3) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the master plan unless otherwise designated on the preliminary plan
- 4) Access and improvements as requested by MDSHA prior to issuance of access permits
- 5) The term “denied access” is to be placed on the final record plat along the property that abuts MD 190, except at the approved locations
- 6) Applicant is to create a minimum 12-foot wide Public Use Trail Easement along the entire southern border of proposed lots 4, 5, and 6 and continuing through the southern portion of the Forest Conservation Easement area.
- 7) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 8) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 9) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Preliminary Plan No. 1-04023 – Schmeisser Property

RE-2 zone; 6.30 acres; two (2) lots requested; two (2) single-family detached dwelling units, (one [1] existing)

Community Water and Community Sewer

Located in the southeast corner, intersection of River Road (MD 190) and Swains Lock Road

Policy Area: Potomac

Applicant: William C. Schmeisser

Engineer: Thomas A. Maddox

Staff Recommendation: Approval, subject to the following conditions:

- 1) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) Applicant to create a minimum 15-foot wide Public Use Trail Easement along the entire southern border of the property from Swains Lock Road to the eastern boundary of the property. Easement to be adequately signed.
- 3) Compliance with conditions of approval of DPS (Health Department) letter dated January 5, 2004
- 4) Compliance with the conditions of approval of the MCDPS stormwater management approval dated November 17, 2003
- 5) Record plat to reflect denial of access onto River Road (MD 190)
- 6) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Potomac Master Plan unless otherwise designated on the preliminary plan
- 7) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 8) Other necessary easements

Staff Recommendation:

BOARD ACTION

Motion:

Preliminary Plan No. 1-04023 – Schmeisser Property (continued)

Vote:

Yea:

Nay:

Other:

Action:

4. Preliminary Plan No. 1-03092 – Sandy Spring Friends School

RE-2 Zone; 140.52 acres; one (1) lot requested; private educational institution

Community Water and Community Sewer

Located on east side Norwood Road (MD 182), approximately 3,200 feet north of Ednor Road

Policy Area: Cloverly/Norwood

Applicant: Sandy Spring Friends School

Engineer: Patton Harris Rust

Staff Recommendation: Approval, subject to the following conditions:

- 1) Limit the increase in student enrollment at Sandy Spring Friends School to 182 students (for a total of 700 students).
- 2) Consistent with the Approved and Adopted Sandy Spring/Ashton Master Plan, dedicate adequate right-of-way along the school frontage of Norwood Road (MD 182) to provide 60 feet of right-of-way from the centerline.
- 3) In coordination with the Maryland State Highway Administration (SHA), and the Montgomery County Department of Public Works and Transportation (DPWT), construct a Class I bikeway along the east side of Norwood Road, along the school frontage.
- 4) In coordination with the SHA, DPWT, and the Parks Department of the M-NCPPC, at the applicant's expense, design and construct at-grade improvements at the Norwood Road/Layhill Road/Ednor Road intersection to provide a westbound Ednor Road to northbound Norwood Road right turn lane.
- 5) In coordination with the SHA and the DPWT, relocate the existing main school access (to Norwood Road) to the south to align with Excaliber Lane, and provide access

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- improvements at the main school driveway as required by the SHA.
- 6) Access to this property is subject to the “Rules and Regulations” of the Administration with a permit issued by the office for property frontage improvements along MD 182, which include, but are not limited to; acceleration, deceleration and by-pass lanes, storm drain construction, sidewalk and landscaping.
 - 7) Prior to Planning Board approval, the applicant shall provide SHA with Conceptual Roadway Improvement Plans.
 - 8) Compliance with the conditions of approval of the MCDPS stormwater management approval dated September 5, 2003.
 - 9) Record plat to reflect the delineation of a conservation easement over areas of forest retention and stream valley buffers
 - 10) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
 - 11) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
 - 12) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Request to Revise the Previous Conditions for Preliminary Plan No. 1-04001 Edwards Property

RE-2 Zone; 5.22 acres; one (1) lot and one (1) outlot requested; one (1) single-family detached dwelling unit

Community Water and Community Sewer

Located on the west side of Piney Meetinghouse Road, approximately 1,600 feet north of Glen Road

Policy Area: Rural (Travilah and Vicinity)

Applicant: James Edwards

Engineer: CAS Engineering

Staff Recommendation: Approval, subject to the following conditions,

- 1) Compliance with the conditions of approval of the preliminary forest conservation plan. Applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit, as appropriate
- 2) All the property under this preliminary plan is to be recorded simultaneously and shown on one record plat
- 3) Compliance with the conditions of DPS (Health Department) approval
- 4) Dedication of Piney Meetinghouse Road as shown on the preliminary plan
- 5) This plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved plan must be recorded or a request for an extension must be filed

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Preliminary Plan No. 1-04005 – Greenacres**

R-60 Zone; 0.66 acres; three (3) lots requested; three (3) single-family detached dwelling units, (one [1] existing dwelling unit)

Community Water and Community Sewer

Located on south side of River Road (MD 190), approximately 110 feet northwest of Ventor Road

Policy Area: Bethesda/Chevy Chase

Applicant: David Kelly

Engineer: Witmer Associates, LLC

Staff Recommendation: Approval, subject to the following conditions:

- 1) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 2) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the master plan unless otherwise designated on the preliminary plan
- 3) Access and improvements including 8-foot bikepath along River Road (MD 190) as required by MDSHA prior to issuance of access permits
- 4) The term “denied access” is to be placed on the final record plat along the property that abuts (MD 190) except for the driveway locations approved by MDSHA
- 5) The relocation of, renovation of, and any proposed addition to the existing house are subject to a voluntary design review by the Historic Preservation Commission through the Historic Area Work Permit process.
- 6) The renovation of the existing house is occur generally concurrently with the rest of the subdivision and is to be completed within 24 months of record plat.
- 7) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 8) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Record Plats**Staff Recommendation:**

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plans and site plans, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code.

- 2-04176 Silver Crest, Lots 16-19 & Outlots A & B, Block "D"
Northeast side of intersection of Hawkins Creamery Rd. and Hilton Rd.
RC Zone, 4 Lots & 2 Outlots
Private Well, Private Septic
Planning Area: Goshen
Ronald S. Carey, Applicant
- 2-04178 Kentsdale Estates, Lots 43-50 & Parcels A & B, Block "D"
South side of Bells Mill Rd., intersection of Bells Mill Rd. and Willowbrook Dr.
RE-1 and R-200 Zone, 8 Lots, 2 Parcels
Community Water, Community Sewer
Planning Area: Potomac
John & Mary Ann Panagos, Applicants

Staff Recommendation:

Pursuant to section 50-35A, the following minor subdivision plats are recommended for approval subject to any applicable conditions of previous preliminary plan approvals and conditions on conformance with all requirements of Chapter 50 of the Montgomery County Code.

- 2-04177 Willerburn Acres Lot 55, Block D
South Side of Gainesborough Road, approximately 1200' east Seven Locks Road
R-90 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Potomac
Jerold E. & Francis L. Williamson
- 2-04179 Rose-Dale Lot 27 Block 6
(Resubdivision of Lot 12 & Part of 13)
Southwest quadrant of Chestnut Street and Lynnbrook Drive
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda/Chevy Chase
Kathleen Summa, Applicant

Record Plats (continued)

- 2-04182 Briarcliff Manor North Parcel C, Block F
South of Spencerville Road at the end of Briarcliff Manor Road and Lions
Den Road
RE-1 Zone, 1 Parcel
Community Water, Community Sewer
Planning Area: Fairland/White Oak
Hailey Development, L.C.

- 2-04183 Hoyles Mill Village
Southwest quadrant of Clopper Road (MD 117) and Germantown Road (MD
118) at the east side of Richter Farm Road
R-200 Zone, 41 Lots, 1 Parcel
Community Water, Community Sewer
Planning Area: Rural
Artery Hoyles Mill, L.L.C.

- 2-04184 Chevy Chase Terrace Section 1 Lot 46 Block B
(Resubdivision of Lots 12 & 13)
South side of Norwood Drive, east of Wisconsin Avenue
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda/Chevy Chase
Arthur Lerner, Applicant

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Forest Conservation Plan for Mandatory Referral No. 03604-MVA-1, Proposed Motor Vehicle Administration Branch Office**

Industrial Parkway, 400 feet east of the intersection of US 29 – Fairland Master Plan –

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. **Mandatory Referral No. 03604-MVA-1, Proposed Motor Vehicle Administration Branch Office**

Industrial Parkway, 400 feet east of the intersection of US 29 – Fairland Master Plan –

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Facility Plan for Woodstock Equestrian Park, Route 28, Beallsville

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Amendment to the Master Plan of Highways:

Interchange of Randolph Road and Veirs Mill Road, Aspen Hill -

Staff Recommendation: Worksession No. 1 (No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Broadacres Local Park Renovation Plan

located at 710 Beacon Road, Silver Spring, MD

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

13. Winding Creek Local Park Renovation Plan

Replacement of facility following WSSC Sewer Project, located at 12326 Dewey Road, Wheaton, MD; Aspen Hill

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. Intercounty Connector 2004 Environmental Impact Statement (EIS) process: briefing and status report

Staff Recommendation: *Briefing from staff and SHA.* (No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

GENERAL MEETING (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)

- A. Administrative Items
- B. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (13) (to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter) (Subject: Approval of Closed Session Minutes)*
- C. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (Subject: Litigation)*
- D. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (4) (proposal for a business to locate, expand or remain in the state) (Subject: Fairland)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: