



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED  
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, January 30, 2014, at 9:13 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:45 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioners Casey Anderson and Amy Presley. Commissioner Norman Dreyfuss joined the meeting during discussion of Item 3.

Items 1 through 3 are reported on the attached agenda.

The Board recessed for lunch at 10:48 a.m. and to take up Items 4 and 5 in Closed Session.

In compliance with §10-509(c)(2), State Government Article, Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 11:08 a.m. in the 3rd floor conference room, on motion of Commissioner Presley seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto, and Annotated Code of Maryland, State Government Article, §10-508(a)(7) to consult with counsel to obtain legal advice.

Also present for the Closed Session were Associate General Counsels Carol Rubin and Megan Chung of the Legal Department; Director Gwen Wright, Deputy Director Rose Krasnow, Fred Boyd, and Richard Weaver of the Planning Department; Director Mary Bradford, Deputy Director Michael Riley, and Judie Lai, of the Parks Department; and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received briefing from Parks Department staff, Planning Department staff, and legal counsel to the Board regarding the proposed Montgomery County Park and Planning new headquarters building in Wheaton, and also received briefing and discussed a proposed exchange of parkland.

The Closed Session meeting was adjourned at 12:26 p.m.

The Planning Board reconvened in the auditorium at 2:05 p.m.

MCPB, 1-30-14, APPROVED

Items 7, 8, 10, and 13, are reported on the attached agenda.

Item 9 was postponed.

There being no further business, the meeting was adjourned at 4:45 p.m. The next regular meeting of the Planning Board will be held on Thursday, February 6, 2014, in the Montgomery Regional Office in Silver Spring, Maryland.

Tomasina Ellison  
Technical Writer

M. Clara Moise  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, January 30, 2014**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

1. **Consent Agenda**

**\*A. Adoption of Resolutions**

1. All Souls Church Preliminary Plan 1199991030 - MCPB No. 14-02

**BOARD ACTION**

**Motion: PRESLEY/ANDERSON**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Adopted the Resolution cited above, as submitted.**

**\*B. Record Plats**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: There were no Record Plats submitted for approval.**

**\*C. Other Consent Items**

**Randolph Manor Final Forest Conservation Plan Amendment S-2554** -- Request to amend the approved Final Forest Conservation Plan to allow The Montgomery County Department of Environmental Protection to perform the proposed Hollywood Branch stream restoration activities; R-90 Zone, 4.66 acres located at 601 Randolph Road E. in the 1997 White Oak Master Plan  
*Staff Recommendation: Approval and Adoption of Resolution*

**BOARD ACTION**

**Motion: WELLS-HARLEY/ANDERSON**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation for approval of the Final Forest Conservation Plan Amendment and adopted the submitted Resolution.**

**\*D. Approval of Minutes**

Minutes of December 12, 2013

**BOARD ACTION**

**Motion: PRESLEY/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved Planning Board Meeting Minutes of December 12, 2013, as submitted.**

**2. Roundtable Discussion**

~~A. Planning Parks Director's Report~~ **(REMOVED)**

B. Clarksburg Town Center: Quarterly Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by Board discussion.**

\*At the start of the discussion, Commission Presley recused herself.

**B. Clarksburg Town Center: Quarterly Report** - Planning Department staff discussed the progress of the Clarksburg Town Center project. A community meeting is scheduled in March to discuss the project plan details with Clarksburg Town Center community members and stakeholders. During a meeting with the Historic Preservation Commission earlier this month, staff received conditional approval of the proposed plan to connect Clarksburg Square Road with Maryland Route 355 in the Historic District. In response to the Planning Board's inquiry regarding the Capital Improvements Program (CIP) for this project, staff stated that detailed information would be presented to the Planning Board next week.

The Board briefly discussed the proposed relocation of the Clarksburg Fire Station and the associated sewer and water plan.

**3. Scope of Work-Bethesda Downtown Sector Plan**

*Staff Recommendation: Approve Scope of Work*

**BOARD ACTION**

**Motion: ANDERSON/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Scope of Work.**

Planning Department staff offered a multi-media presentation and discussed the Scope of Work for the proposed Bethesda Downtown Sector Plan. The project encompasses approximately 450 acres, with the core area of the subject property consisting of single-family residences. Staff also discussed

economic, social, and environmental sustainability of the project, and noted community outreach efforts designed to engage the public in the process through social media and community meetings. In keeping with community outreach efforts, staff presented a screenshot of the project blog site which highlights the Maryland-National Capital Park and Planning Commission. Twitter has also been utilized in the effort to provide public information and, following a warning of caution from the Planning Board regarding the use of this venue, staff stated that only a limited amount of updated information is dispersed through Twitter, and the messages always include a link to the project site. Staff presented a list of issues to be addressed at the project kick-off meetings which include mobility, access, circulation, public and green space, connectivity, small businesses, affordable housing, impacts of new development, and attracting younger residents. In response to the Board's inquiry about zoning for the proposed project and the possible impact on retail, staff discussed the proposed layout of the retail shopping area.

The Board briefly discussed statutory restrictions that could impede the development of the project with prolonged document submission milestones.

Ms. Christine Real de Azua of Elm Street offered comments and amendment recommendations for the Zoning Ordinance.

Staff discussed the environmental concerns mentioned by Ms. Real de Azua stating that some of the issues cited could be incorporated into the Master Plan during its development.

The Board extensively discussed language changes and additions to the Scope of Work.

#### **4. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto (Wheaton)

#### **BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** Discussed in Closed Session. See State citation and open session report in narrative minutes.

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#### **5. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(7) to consult with counsel to obtain legal advice

MCPB, 1-30-14, APPROVED

(Agreements with MCPS related to Farquhar Middle School/parkland exchange)

**MOVED FROM JANUARY 23 AGENDA**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** Discussed in Closed Session. See State citation and open session report in narrative minutes.

~~Item 6~~

~~**Closed Session**~~

~~Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(1)(i) to discuss performance evaluation of Commission employee.~~

**MOVED TO FEBRUARY 13 AGENDA**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**7. [FY15-20 CIP Update: County Executive Recommendations for M-NCPPC](#)**

On January 15, 2014 the County Executive released his Recommended FY15-20 Capital Improvements Program which includes the FY15-20 CIP for M-NCPPC. Staff will provide an update regarding

changes recommended by the CE to 11 projects that the Board approved on October 10, 2013. The projects include: Legacy Open Space; Facility Planning: Non-Local Parks; Josiah Henson Historic Park; Little Bennett Regional Park Day Use Area; North Branch Trail; Planned Lifecycle Asset Replacement: NL Parks; Pollution Prevention and Repairs to Ponds & Lakes; Restoration Of Historic Structures; Seneca Crossing Local Park; Trails: Natural Surface Design, Construction & Renovations; Urban Park Elements; and Woodside Urban Park.

*Staff Recommendation: Briefing and Discussion*

### **BOARD ACTION**

**Motion: DREYFUSS/PRESLEY**

**Vote:**

**Yea: 5-0**

**Action: Received briefing followed by Board discussion, and approved staff recommendation to request a \$10 million reduction in the FY15-20 Parks Department Capital Improvements Program (CIP) versus the \$26 million reduction recommended by the County Executive, as discussed at the meeting, and as stated in the attached transmittal letter.**

Parks Department staff offered a multi-media presentation and discussed the FY15-20 Capital Improvements Program (CIP), and the County Executive's recommendations. The Planning Board approved the FY15-20 CIP for the Parks Department on October 10, 2013, and transmitted it to the County Executive on November 1, 2013. Funding levels and schedules for eleven projects were modified by the County Executive, which primarily involved transferring GO bonds funding in various projects from FY15-20 to the years beyond. Two projects, North Branch Trail and Urban Park Elements, were not recommended for any funding at all. The Planning Board approved \$194,721,000 for the CIP, and the County Executive recommended \$168,603,000, a 13.4 percent reduction from the approved amount. Staff reviewed in detail the list of projects included in the CIP, including projects funded by the Legacy Open Space fund, and also reviewed the projects which staff believes cannot and should not be postponed to later years in the CIP. Staff recommended that the Planning Board authorize staff to reprioritize the projects, and discussed a handful of park projects, i.e., Warner Circle, Seneca Crossing, the Pollution Prevention and Repairs of Ponds and Lakes, and the Restoration of Historic Structures, which need to be addressed sooner rather than later.

At the Board's request, Parks Department Director Mary Bradford, and Deputy Director Michael Riley offered comments.

There followed a brief Board discussion with questions to staff.

Chair Carrier and Board members agreed that, as recommended by staff, a letter should be sent to the County Executive and the County Council recommending a \$10 million dollar cut to the CIP instead of the \$26 million proposed by the County Executive.

### **8. Resource Conservation Plan - Energy and Utilities Solid Waste and Recycling**

Annual energy, solid waste, and recycling report presentation

*Staff Recommendation: Briefing and Discussion*



**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:       Received briefing followed by Board discussion.**

Parks Department staff introduced Mr. Richard Anderson, consultant from CQI Associates, who offered a multi-media presentation of the Department of Parks and the Department of Planning resource conservation accomplishments as of December 2013, and plans for FY15 to conserve energy and water resources in regard to the Commission’s comprehensive Resource Conservation Plan. The plan will be submitted to Montgomery County Government for inclusion in the annual combined agency Resource Conservation Plans documents prepared by the Interagency Committee on Energy and Utilities Management (ICEUM).

Mr. Anderson noted that the Montgomery County Parks and Planning Departments established a comprehensive energy management program in July 2003 awarding the competitively bid contract to CQI Associates as a primary consultant for energy management, recycling, and a green parks program. As a result of projects and programs implemented by staff with the assistance of CQI Associates, energy consumption and costs have been reduced significantly. The cumulative savings from this program is over \$3.7 million for the period July 2003 to June 2013. Additionally, the implementation of methods introduced through this program place Montgomery County Departments of Parks and Planning in alignment with Sustainability Practice 6-40.

There followed a brief Board discussion with questions to staff and Mr. Anderson.

**9.     [Intelligence Community Campus-Bethesda \(ICC-B\): Mandatory Referral No. MR2011105-MDP-4](#)**

Voluntary Submittal following MR2011105-MDP-4 for façade improvements to Roberdeau/Erskine buildings; located at 400 Sangamore Road; Bethesda-Chevy Chase

*Staff Recommendation: Approval to transmit comments to the National Capital Planning Commission*

**BOARD ACTION**

**Motion:               PRESLEY/WELLS-HARLEY**

**Vote:**

**Yea:               5-0**

**Nay:**

**Other:**

**Action:       Approved staff recommendation for approval to transmit comments to the National Capital Planning Commission, as stated in the attached transmittal letter.**

In keeping with the January 16 technical staff report, Planning Department staff offered a multi-media presentation and discussed the proposed request for advisory review of a preliminary submittal of design work to implement the plan of the Intelligence Community Campus in Bethesda, and existing federal facility that is being retrofitted by the Defense Intelligence Agency (DIA), and the United States Army Corps of Engineers (USACE). The campus is located on Sangamore Road in the Bethesda-Chevy Chase Master Plan area, and is approximately 30 acres. The proposed design work will focus on the façades of the Roberdeau Hall and Erskine Hall, which are existing buildings highly visible to the community. These buildings are connected by the Centrum Hall which was the focus of an earlier mandatory referral review. The Planning Board is requested to provide advisory comments on the façade designs for Roberdeau and Erskine Halls for consideration by the DIA, the USACE, and the National Capital Planning Commission.

Mr. Bobby Bourgeois representing DIA offered brief comments.

Mr. David Berg of Maryland Avenue and representing the Community Stormwater Committee and Civic League of Brookmont & Vicinity offered testimony.

There followed a brief Board discussion with questions to staff and Mr.

Chair Carrier thanked Mr. Bourgeois and the other representatives from DIA and USACE, also present at the meeting, for working so well with Planning staff.

**10.    ~~Subdivision Regulation Amendment No. 13-03~~**

~~To limit the number of agencies required to approve a record plat; and to generally amend the provisions relating to the approval of record plats~~   **POSTPONED**

~~Staff Recommendation: Transmit Comments to County Council  
(Action required for County Council public hearing of 2/4/14)~~

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:       This Item was postponed.**

**13. Review of Proposed State Legislation to:**

- A. Ban Use Program Open Space Funds for Artificial Turf; and**
- B. Ban Smoking in Park System**

*Staff Recommendation: Transmit Comments to County Council*

**BOARD ACTION**

**Motion:**                   **A. ANDERSON/WELLS-HARLEY (Bill HB-123)**  
                                  **B. ANDERSON/WELLS-HARLEY (Bill PG/MC 112-14)**

**Vote:**  
**Yea:**                   **A. 5-0**  
                                  **B. 4-0-1**

**Nay:**                   **B. PRESLEY**

**Other:**

**Action:**           **A. Approved staff recommendation to transmit comments to the County Council on Bill HB-123, as stated in the attached transmittal letter.**  
                          **B. Approved staff recommendation to transmit comments to the County Council on Bill PG/MC 112-14, as stated in the attached transmittal letter.**

Parks Department Director Mary Bradford briefed the Board on the proposed legislation, Bill HB-123, which would prohibit the use of certain funds, under the Program Open Space, to build new or replace existing athletic fields with certain artificial or synthetic turf surfaces, and generally relating to the use of funds for Program Open Space. Ms. Bradford noted that staff opposes the proposed legislation and so does Prince George’s County Commission staff.

At the Board’s request, Mr. Michael Riley, Parks Department Deputy Director, offered comments.

Legal Counsel to the Board and Ms. Bradford briefed the Board on the proposed legislation, Bill PG/MC 112-14, which calls for the adoption of regulations to prohibit smoking of certain tobacco products, and/or the use of Electronic Cigarettes (E-cigarettes) on property under the jurisdiction of the Maryland-National Park and Planning Commission (M-NCPPC). Ms. Bradford noted that the Parks Department has been installing non-smoking signs throughout the parks playgrounds, and adding some designated smoking areas. Delegate Benjamin Kramer who introduced this legislation, consulted Chair Carrier and worked with Ms. Bradford to revise the proposed bill, and take into consideration the recommendations made by Parks Department staff. Staff does not oppose the revised Bill.

Commissioner Dreyfuss stated for the record that he does not fully understand the functioning and the health impact of E-cigarettes, and does not think it should be part of the Bill.

Commissioner Presley dissented on Bill PG/MC 112-14 stating that she does not support the band on E-cigarettes as there has not been a study on its health impact.