



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, March 20, 2014, at 9:08 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 7:00 p.m.

Present were Chair Françoise M. Carrier, and Commissioners Casey Anderson, Norman Dreyfuss, and Amy Presley. Vice Chair Marye Wells-Harley joined the meeting during discussion of Item 2.

Items 1 and 2 are reported on the attached agenda.

The Board recessed for lunch at 12:33 p.m.

The Planning Board reconvened in the auditorium at 1:50 p.m. to continue discussion of Item 2, Purple Line Mandatory Referral Public Hearing.

Item 5 is reported on the attached agenda.

Commissioner Presley left the meeting at 6:12 p.m. during discussion of Item 5.

The Planning Board reconvened in the auditorium at 6:45 p.m. to take up Item 7 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 a brief Closed Session meeting in the auditorium at 6:45 p.m., on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss, voting in favor of the motion, and Commissioner Presley absent. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Also present for the Closed Session were Executive Director Patti Barney; Commission Budget Manager John Kroll; Director Gwen Wright, and Deputy Director Rose Krasnow of the Planning Department; Director Mary Bradford, Deputy Director Michael Riley, Deputy Director John Nissel, and Kennedi Anderson of the Parks Department; and M. Clara Moise of the Commissioners' Office.

MCPB, 3-20-14, APPROVED

In Closed Session the Board received a brief update from the Executive Director on the proposed revisions to the FY15 budget.

The Closed Session meeting was adjourned at 7:00 p.m.

There being no further business, the meeting was adjourned at 7:00 p.m. The next regular meeting of the Planning Board will be held on Thursday, April 3, 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, March 20, 2014
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Home Depot – Aspen Hill Site Plan 820140030 MCPB, No. 14-06

BOARD ACTION

Motion: PRESLEY/ANDERSON

Vote:

Yea: 4-0

Nay:

Other: WELLS-HARLEY TEMPORARILY ABSENT

Action: Adopted the Resolution cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220140200, Manor Oaks

RE-2/TDR zone, 1 lot; located on the south side of Abbey Manor Circle, approximately 650 feet west of Abbey Manor Drive; Olney Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220140800, Cabin John Park

R-90 zone, 2 lots; located on the south side of Caraway Street, 475 feet east of Persimmon Tree Road; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: DREYFUSS/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: WELLS-HARLEY TEMPORARILY ABSENT

Action: Approved staff recommendation for approval of the Record Plats cited above, as submitted.

***C. Other Consent Items**

A. Shady Grove Adventist Hospital: Preliminary Plan No. 120110160 --- Request to (1) adopt a resolution reflecting minor modifications to conditions 4 and 8 as approved by the Board on January 23, 2014; and (2) correct a statement on page 22 of the January 13, 2014 staff report, in order to address staff error and ensure clarity in the Board's approval.

Staff Recommendation: Adopt corrected Resolution

B. Corrected Resolution – Glenmont Metrocenter Phase 1.1, Site Plan No. 820130270, MCPB 14-08

Staff Recommendation: Adopt corrected Resolution

BOARD ACTION

Motion: ANDERSON/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: WELLS-HARLEY TEMPORARILY ABSENT

Action: Approved staff recommendation for approval of the Other Consent Items, cited above, and adopted the corrected Resolutions.

***D. Approval of Minutes**

Minutes of February 13 and February 20, 2014

BOARD ACTION

Motion: PRESLEY/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: WELLS-HARLEY TEMPORARILY ABSENT

Action: Approved Planning Board Meeting Minutes of February 13 and February 20, 2014, as submitted.

2. A. Purple Line – Mandatory Referral No. 2014033

B. Bethesda Metro Station South Entrance, Mandatory Referral No. MR2014034 - CIP Project 500929

C. Capital Crescent Trail - Mandatory Referral No. MR2014035 - CIP Project 501316

D. Silver Spring Green Trail, Mandatory Referral No. MR2014036, CIP Project 509975

Staff Recommendation: Forward comments to the Maryland Department of Transportation, Maryland Transit Administration, State Highway Administration, and Montgomery County Department of Transportation

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Action: Received briefing from Planning Department staff followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the progress and community impacts of the Purple Line project. Information regarding the project has been provided to the community through a variety of venues that include Public Notice issued to more than 300 contacts on February 21, 2014, the creation of a dedicated webpage at www.montgomeryplanning.org/purpleline, the creation of an interactive map at www.mcatlas.org/purple, and an Infoshare broadcast on February 21 and 28, 2014, and March 7 and 14, 2014.

Mr. Jamie Kendrick and Mr. Mike Madden, representing the Maryland Transit Administration (MTA), offered a multi-media presentation and discussed the project schedule and dynamics of the continuing public-private partnership. Mr. Madden stated that since the Record of Decision has been signed with the Federal Transit Administration (FTA), scheduled to record it in the Federal Register by March 28, 2014, MTA can begin right-of-way purchases for the project. The final Request for Proposal (RFP) will be submitted in June and project construction is scheduled to begin in 2015. The Purple Line is scheduled to open for service in 2020. Mr. Madden also discussed the project impact of legally binding Final Environmental Impact Statement (FEIS) commitments, including parkland protection, historic preservation, noise and vibration mitigation, and minimizing construction impacts. MTA maintains a number of project-related factors such as environmental approvals, right-of-way acquisition, public information and communication, fare policy, service levels, and quality assurance oversight. Also, MTA is working with property owners to minimize the amount of property acquisition

needed from them for right-of-way requirements for the project. Following the Planning Board's inquiry regarding construction standards, Mr. Kendrick stated that the MTA would issue work orders and enforce compliance standards. As part of the planning process, MTA is addressing bicycle and pedestrian access with pending community meetings, proposed improved access to the Capital Crescent Trail (CCT), the addition of 16.5 miles of bike facilities, pedestrian safety

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CONTINUED

design options for University Boulevard, new traffic signals with pedestrian crosswalks, and reconstructed sidewalks improved to be Americans with Disabilities Act (ADA) compliant.

Staff discussed land easements at the Silver Spring Transit Center, noting the pending Memorandum of Understanding (MOU) between the Commission and the Washington Metropolitan Area Transit Authority (WMATA), and provided an update of the estimated expense to build a new Metro Mezzanine, which is currently at approximately \$28 million. WMATA is not willing to contribute towards the proposed mezzanine that would provide a convenient and direct connection between the Red Line and Purple Line at the Silver Spring Transit Center station.

The Board discussed drafting a letter of appeal to WMATA regarding commonly shared benefits of the proposed mezzanine, and to request their reconsideration of allocating funds for the shared cost of construction.

Staff discussed stormwater management regulatory credits and forest conservation easements, stating that reforestation in certain areas would require land easements that may call for the purchase of additional land.

Mr. Gary Erenrich representing the Montgomery County Department of Transportation (MCDOT), discussed Capital Crescent Trail and Green Trail funding and stated that an MOU between Montgomery County and MTA is pending, with the County bearing the responsibility of acquiring easements for the CSX property along the trail. Following the Board's inquiry, Mr. Erenrich stated that funding for the project has been allocated in the Capital Improvements Program (CIP).

Staff also discussed ten major project issues that include barriers to station access, community compatibility in the town of Chevy Chase, pedestrian access to Lyttonsville Station, connection between the Red Line and Purple Line in Silver Spring, pedestrian access to Woodside Station, community compatibility on Wayne Avenue, pedestrian access to Piney Branch Road Station, stormwater management design, mitigation for stream and wetland impacts, and full function of all impacted parks. Staff is requesting that state agencies lead the effort in providing safety measures for vehicular and pedestrian traffic in the project and is recommending that the State Highway Administration install light-controlled crossing signals for safer access to the rail stations. Staff also discussed community concerns regarding the extension of the station at Dale Drive noting the anticipation of increased traffic, zoning changes, noise and visibility of the proposed power substation, the proposed retaining walls, visual impact of capillary poles and wires, and the reduction in community property values.

The following speakers offered testimony prior to the Board's afternoon lunch break: Ms. Mary Anne Hoffman representing the Town of Chevy Chase; Mr. Chris Richardson of Deerfield Avenue; Mr. Ralph Bennett representing Purple Line Now; Ms. Judy Tso representing Kentbury Drive Residents

Group; Ms. Kelly Blynn representing the Coalition for Smarter Growth; and, Ms. Erin Johansson of Wayne Avenue.

3. 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)~~

REMOVED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This item was removed from the Planning Board Agenda.**

2. A. Purple Line – Mandatory Referral No. 2014033 - (CONTINUED)

BOARD ACTION

Motion:

- A. ANDERSON/WELLS-HARLEY**
- B. ANDERSON/PRESLEY**
- C. ANDERSON/WELLS-HARLEY**
- D. ANDERSON/PRESLEY**

Vote:

Yea: **A, B, C, & D: 5-0**

Action: **A, B, C, & D: Approved staff recommendation to transmit comments on the Purple Line Mandatory Referral request, and the other three related Mandatory Referrals cited above, including the revisions discussed during the meeting, to the Maryland Department of Transportation, the Maryland Transit Administration, the State Highway Administration, and the Montgomery County Department of Transportation, as stated in the attached transmittal letter.**

In keeping with the March 13 technical staff reports, Parks Department staff offered a multi-media presentation and discussed the Mandatory Referral requests for the Capital Crescent Trail and the Silver Spring Green Trail, and answered questions from the Board.

The following speakers offered testimony: Mr. Joel Teitelbaum of Richland Street; Ms. Anne Edwards of Greenbrier Drive; Ms. Jean Cavanaugh of Worth Avenue and representing the Seven Oaks Evanswood Citizens Association; Mr. William Mentzer Jr. of East Schuyler Road and representing the Sligo/Branview Community Association; Mr. Alan Bowser of Deerfield Avenue and representing the Park Hills Civic Association; Mr. Richard Albores of Hanover Street and representing the North Woodside/Montgomery Hills Citizens Association; Mr. Richard Paden of Richland Place & representing the Greater Lyttonsville Community Coalition; Mr. David Reed of Lynwood Place and representing the Chevy Chase Hills Association; Ms. Patricia Tyson of Michigan Avenue and representing Lyttonsville Community Civic Association; Mr. Greg Drury of 42nd Street N.W. and representing the Coalition for the Capital Crescent Trail; Mr. Joseph Suntum, attorney from Miller, Miller & Canby; Ms. Amy Strachman of Piney Branch Road and representing her parents Mr. William and Mrs. Helen Luksenburg; Ms. Theresa White of Executive Boulevard and representing Washington Real Estate Investment Trust; Mr. Bruce Sidwell of Spruce Avenue and representing the Friends of Sligo Creek; Ms. Dianne Cameron of Jones Mill Road and representing the Audubon Naturalist Society.

Planning Department staff and Parks Department staff summarized the proposed changes discussed during the meeting, and recommended that the Planning Board forward comments to the government agencies listed above.

At the Board's request, Messrs. Jamie Kendrick and Mike Madden of MTA offered comments.

There followed extensive Board discussion focusing primarily on the disposition and conveyance of land by the Maryland Transit Administration (MTA) for potential use by the Parks Department.

4. Roundtable Discussion - POSTPONED

A. Planning Director's Report

B. 1. Operating Funds Seven Month Financial Report Including Projections to June 30, 2014

2. Enterprise Funds Seven Month Financial Report Including Projections to June 30, 2014

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This Item was postponed.**

5. Briefing on County Executive's Recommended Operating FY15 Budget - CAS, Planning, and Parks

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Mr. John Kroll, the Commission's Budget Manager briefed the Planning Board on the status of the County Executive's recommended operating FY15 budgets for the Montgomery County Planning Department, the Parks Department, and the Central Administrative Services (CAS). Mr. Kroll noted that the department directors were asked to provide proposed budget reduction options for the FY15 budget to help meet the Executive's FY15 budget recommendations.

Ms. Patti Barney, the Commission's Executive Director, discussed proposed budget reduction options for the Department of Human Resources and Management (DHRM), the Legal Department, and the Internal Audit Department.

Planning Department Director Gwen Wright, Parks Department Director Mary Bradford, and Parks Department Deputy Director Michael Riley, discussed the proposed budget reduction options, and answered questions from the Board.

7. CLOSED SESSION

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

6. ~~Defining Plan Amendments~~—POSTPONED****

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was postponed.