



**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, September 8, 2011, at 9:48 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:55 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioners Casey Anderson, Norman Dreyfuss, and Amy Presley.

Items 1 through 4 are reported on the attached agenda. Item 3 was postponed.

The Board recessed at 12:40 p.m. for lunch and to take up Items 5-7 and 11 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 12:48 p.m. in the third floor conference room, on motion of Vice Chair Wells-Harley, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley present and voting in favor of the motion. Commissioner Anderson joined the Closed Session shortly thereafter. The meeting was closed under authority of State Government Article, Annotated Code of Maryland §10-508(a)(7), to consult with counsel to obtain legal advice; §10-508(a)(9), to conduct collective bargaining negotiations or consider matters that relate to the negotiations; §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; and §10-508(a)(14), to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal before the contract is awarded or bids are opened, if public discussion or disclosure would adversely impact the ability of the Commission to participate in the competitive bidding or proposal process.

Also present for all or part of the Closed Session were Executive Director Patti Barney; Human Resources Director William Spencer; Associate General Counsels Sean Dixon, David Lieb, and Christina Sorrento, and law clerk Eric Daniel of the Legal Department; Director Mary Bradford, Deputy Directors Gene Giddens and Mike Riley, and Kate Stookey of the Parks Department; Fred Boyd, John Carter, Mary Jo Kishter, Rose Krasnow, Robert Kronenberg, and Sandra Pereira of the Planning Department; Ellyn Dye of the Commissioners' Office; and consulting labor counsel Craig Ballew.

In Closed Session, the Board approved negotiations and a public notice and hearing process for a donation and naming proposal for Takoma Piney Branch Local Park; consulted with Legal Counsel on legal issues related to the First Baptist Church of Wheaton preliminary plan and site plan on the afternoon agenda; received briefings from the Executive Director, Human Resources Director, and consulting labor counsel and provided guidance on upcoming negotiations of collective bargaining agreements; and approved submitted Closed Session minutes.

The Closed Session was adjourned at 3:48 p.m.

The Board reconvened in the auditorium at 4:00 p.m.

Item 9 is reported on the attached agenda.

Items 8 and 10 were postponed.

There being no further business, the meeting was adjourned at 8:55 p.m. The next regular meeting of the Planning Board will be held Thursday, September 15, 2011, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye  
Technical Writer

M. Clara Moise  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, September 8, 2011**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Rockville Water Treatment Plan MR2011302 – ADOPTION OF MCPB RESOLUTION No. 11-18
2. Martens Property (formerly Fairfield at Germantown) Project Plan 92002002B – ADOPTION OF MCPB RESOLUTION No. 11-53
3. Fairfield at Germantown Site Plan 82003003C – ADOPTION OF MCPB RESOLUTION No. 11-47

**BOARD ACTION**

**Motion: PRESLEY/WELLS-HARLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Adopted the Resolutions cited above, with revisions to MCPB No. 11-53, item 2, above, provided by Legal Department staff.**

**B. Record Plats**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**C. Other Consent Items**

1. North Bethesda Market Site Plan 82006017E - ADOPTION OF MCPB RESOLUTION No. 11-66
2. Woodmont Central Project Plan 92009001A – ADOPTION OF MCPB RESOLUTION No. 11-30
3. Woodmont Central Preliminary Plan 12009014A – ADOPTION OF MCPB RESOLUTION No. 11-31
4. Woodmont Central Site Plan 820110020 – ADOPTION OF MCPB RESOLUTION No. 11-32

**BOARD ACTION**

**Motion:**                   **PRESLEY/DREYFUSS**

**Vote:**

**Yea:**                   **5-0**

**Nay:**

**Other:**

**Action:**           **Adopted the Resolutions cited above, with revisions to MCPB No. 11-66, item 1, above, provided by Legal Department staff.**

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**D. Approval of Minutes**

Minutes of July 7, 14, and 21, 2011

**BOARD ACTION**

**Motion:**                   **WELLS-HARLEY/ANDERSON**

**Vote:**

**Yea:**                   **5-0**

**Nay:**

**Other:**

**Action:**           **Approved the minutes of July 7, 14, and 21, 2011, as presented.**

**2. Department of Parks' CIP Work Session #1**

Review and approve GO Bond funded projects for inclusion in the FY13-18 Parks' Capital Improvements Program

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: B. DREYFUSS/PRESLEY**

**Vote:**

**Yea: B. 5-0**

**Nay:**

**Other:**

**Action: A. By consensus, approved the staff recommendation for conditional approval of the strategy for reducing County General Obligation Bonds for the FY13-18 CIP, in response to the County Executive's request.**

**B. Approved the staff recommendation for Spending Affordability Guidelines for Park and Planning Bonds for the FY13-18 CIP.**

Parks Department staff briefed the Board on FY13-18 Parks' Capital Improvements Program (CIP) projects funded by County General Obligation (GO) Bonds, including level-of-effort projects, stand-alone projects, and potential new stand-alone projects and existing projects requiring additional funding. Staff also presented three funding scenarios in the context of the County Executive's request that each Department and Agency reduce programmed GO Bonds by 5.5 percent, or \$3.34 million for the Parks Department, as detailed in the staff report. Staff also presented for Board approval proposed Park and Planning Bond Spending Affordability Guidelines for the FY13-18 CIP. Staff noted that Park and Planning Bonds fund local park projects, while GO bonds fund capital non-local park projects.

There followed extensive discussion of various issues related to specific projects and the three funding scenarios, including the impact of reductions on the level of service in parks and the impact of reductions in Legacy Open Space funding; the status and anticipated impact of the County Council review and decision regarding the use of synthetic fields; and the process by which projects are rejected from inclusion in the CIP. The Board also provided guidance to staff related to the submission of the CIP and transmittal of Board comments.

**3. Work Session: Countywide Park Trails Plan Limited Amendment, Objectives, Outreach, & Schedule - POSTPONED**

The Department of Parks asks the Planning Board to approve the objectives, outreach strategy and schedule for a limited amendment to the Countywide Park Trails Plan. The limited amendment will: examine trail corridors in more detail to determine environmental suitability; study trail gaps more closely; and incorporate recommendations from Vision 2030 including but not limited to improving

trail access in areas of the County identified as having a lower level of service and designating more natural surface trails as multi-use.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        This item was postponed.**

**4.     Roundtable Discussion**

- Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        Received briefing.**

Director of Parks Mary Bradford presented the Parks Director's report, in keeping with her submitted written report. Ms. Bradford highlighted several issues, including the impact of Hurricane Irene and the preceding earthquake on park facilities, particularly bridges and other infrastructure, and an important arrest made by Park Police on routine patrol in Cabin John Regional Park of a person who was planning to create a significant disturbance on the national mall.

**5. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(14) to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal before the contract is awarded or bids are opened, if public discussion or disclosure would adversely impact the ability of the Commission to participate in the competitive bidding or proposal process

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

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**6. Closed Session**

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**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 official citation and open session report in narrative minutes.**

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**11. Closed Session - ADDITION**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(13) to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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



**8. Work Session for Urban Design Guidelines for the Takoma Langley Crossroads Sector Plan - POSTPONED**

*Staff Recommendation: Preliminary Approval and Transmittal to Council*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This item was postponed.**

**9. First Baptist Church of Wheaton**

**A. Preliminary Plan Review No. 120100250, First Baptist Church of Wheaton, RNC zone; 14.4 acres; proposal to build a 46,500 square foot house of worship with its associated parking and utilities; located at 3110 Emory Church Road, approximately 1,500 feet east of Georgia Ave; Olney**

*Staff Recommendation: Approval with Conditions*

**B. Site Plan Review No. 820100080, First Baptist Church of Wheaton, RNC zone; 14.4 acres; proposal to build a 46,500 square foot house of worship with its associated parking and utilities; located at 3110 Emory Church Road, approximately 1,500 feet east of Georgia Ave; Olney**

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: A. ANDERSON/PRESLEY  
B. ANDERSON/PRESLEY**

**Vote:**

**Yea: A. 5-0  
B. 5-0**

**Nay:**

**Other:**

**Action: A. Approved staff recommendation for approval, subject to revised conditions regarding traffic monitoring on Emory Church Road, and requirement to inform neighbors of name, email, and phone number of contact person in case of questions and/or issues with construction, as stated in the attached Board Resolution.**

**B. Approved staff recommendation for approval, subject to revised conditions and Board findings discussed at the meeting, and as stated in the attached Board Resolution.**

Planning Department staff offered a multimedia presentation of the request to build a house of worship with its associated parking and utilities on a 14.4-acre property located on Emory Church Road in Olney. Staff discussed the proposed plan and noted that in a 2008 amendment to the Comprehensive Water Supply and Sewerage System Plan, the County Council approved a sewer category change that would allow the subject property to be served by public sewer under the County's Private Institutional Facility (PIF) policy. The neighbors unsuccessfully appealed the Council's approval in court. Staff noted that the preliminary plan proposes to subdivide the existing un-platted parcel into one 14.4-acre lot, and the site plan proposes to remove the existing house and build a 46,500 square-foot church with a maximum capacity of 788 seats. Access to the site will be from a driveway located near the southeast corner of the property which will lead to the 197-space parking lot to be located toward the end of the church building. The applicant is proposing to provide a public improvement easement along Emory Church Road and construct frontage improvements as required by the Montgomery County Department of Transportation (MCDOT) to provide a minimum 20-foot wide roadway pavement between Georgia Avenue and

**9. First Baptist Church of Wheaton**

the church driveway. Staff noted that the applicant proposes to retain 7.2 acres of forest mainly in the stream buffer areas and clear 0.85 acres, which will result in the removal of fourteen trees. The proposed plan will also provide new planting adjacent to the environmental buffer in addition to the minimum requirements of the Forest Conservation Law. Staff added that the Olney Master Plan provides general recommendations for the Southeast quadrant of Olney, and specific recommendations for more than a dozen properties or groups, and the proposed application conforms to the recommendations in the Olney Master Plan.

Mr. Stan Abrams, attorney representing the applicant, Pastor Ed Williams of the First Baptist Church of Wheaton, introduced Pastor Williams and members of the applicant's team, extensively discussed the proposed plan, and concurred with the staff recommendation.

Pastor Ed Williams of the First Baptist Church of Wheaton offered comments and answered questions from Board members.

The following speakers offered testimony: Ms. Michele Rosenfeld, attorney representing Dr. Suddarth and Dr. David Reile; Mr. Clayton Englar representing the Southeast Rural Olney Civic Association; Ms. Barbara Falcigno, president of the Olney Coalition; Dr. David Reile of Emory Church Road; Mr. Charles Graefe of Emory Church Road; Ms. Mary Howard of Emory Church Road; Mr. Matt Zaborsky representing the Greater Olney Civic Association; Ms. Mary Williams of Lakenheath Way; Mr. Karl Heermann of Fairoak Drive; Mr. William White of Mimosa Lane; Ms. Caroline Taylor representing Montgomery Countryside Alliance (MCA); Ms. Claudia Hanlon of Norbrook Drive; Dr. Terry Peters of Ascott Lane; Mr. Bobby Berg representing the Greater Sandy Spring Green Space; Ms. Anne Stretch representing the Cherrywood Homeowners Association; Mr. Barry Newton of Ashton, Maryland; Mr. David Johnson of Emory Church Road ; Ms. Elores Milmoie representing the Audubon Naturalist Society; and Mr. Edward Weisel, Transportation Chairman for the Norbeck Meadows Civic Association.

In rebuttal, Mr. Abrams noted that as noted by the staff the proposed project is in accordance with the Olney Master Plan and many of the issues raised have no relevance.

In reply to questions from Board members, Transportation Planning staff noted that a traffic study is not required given that the church will mostly function on weekends. Staff also added that MCDOT does not foresee any traffic issues and has approved the plan with the proposed conditions.

Mr. Abrams, on behalf of the applicant, proffered to have a traffic monitoring study carried out by a traffic expert on Emory Church Road for a period of six months after construction of the church in order to address any traffic issues that may arise.

There followed considerable Board discussion with questions to staff and the applicant's representatives.

**10. Subdivision Plat No. 220111050, Outlot 1, Block E, Cliftonbrook - POSTPONED**

RC zone; 27,516 square feet; minor subdivision to create 1 lot; located in the east quadrant of the intersection of Pinebrook Drive and Pinebrook Court; Ashton-Sandy Spring Master Plan.

*Staff Recommendation: Denial*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This item was postponed.**