



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

301-495-4616

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, September 25, 2008, at 9:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 7:15 p.m.

Present were Chairman Royce Hanson, Vice Chair John Robinson, and Commissioners Jean Cryor, Joe Alfandre, and Amy Presley.

Before discussion of the Board Agenda, Parks Department Director Mary Bradford and Planning Department Director Rollin Stanley presented recognition awards to staff retiring from the Commission.

Items 1 through 4 are reported on the attached agenda.

Item 5 was postponed.

The Board recessed at 1:10 p.m. for lunch and reconvened at 2:05 in the auditorium to continue discussion of Item 4 and take up the remaining items on the Agenda.

Items 5 through 9 are reported on the attached agenda. Item 8 was taken up out of order, prior to Item 7.

There being no further business, the meeting was adjourned at 7:15 p.m. The next regular meeting of the Planning Board will be held Thursday, October 2, 2008, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Technical Writer

Ellyn Dye
Technical Writer

Montgomery County Planning Board Meeting
Thursday, September 25, 2008
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Adoption of Opinions/Resolutions

Group A: All Five Commissioners Eligible to Vote [Commissioners Alfandre, Cryor, Hanson, Presley, and Robinson]

- i) Chevy Chase Bank at Fox Chapel, Preliminary Plan No. 11988271A, ADOPTION OF RESOLUTION No. 08-88
- ii) Chevy Chase Bank at Fox Chapel, Site Plan No. 820080170, ADOPTION OF RESOLUTION No. 08-98

Group B: Three Commissioners Eligible to Vote [Commissioners Cryor, Hanson, and Robinson]

- iii) Cabin Branch Amendment B, Preliminary Plan No. 12003110B, ADOPTION OF RESOLUTION No. 08-117

BOARD ACTION

Motion: A) PRESLEY/ROBINSON
 B) ROBINSON/CRYOR

Vote:

Yea: A) 5-0
 B) 3-0

Nay:

Other: B) ALFANDRE, PRESLEY ABSTAINED

Action: Adopted Resolutions in Groups A and B as stated above.

2. Record Plats

Subdivision Plat No. 220080130, Dufief Mill

R-200 zone; 1 lot; located on the east side of Dufief Mill Road, approximately 1,000 feet north of Lake Winds Way; Potomac - *Staff recommendation: Approval*

Subdivision Plat No. 220081270, Griffith Park

RDT zone; 1 lot; located on the east side of Fitzgerald Drive, approximately 2,000 feet south of Griffith Road; Olney - *Staff recommendation: Approval*

Subdivision Plat No. 220081680, Moxley Estates

RDT zone; 1 lot; located on the north side of Bethesda Church Road, approximately 1,700 feet west of Purdum Road; Damascus - *Staff recommendation: Approval*

Subdivision Plat No. 220082110, Brookdale

R-60 zone; 2 lots; located on the west side of Dover Road, at the intersection with Keokuk Street; Bethesda-Chevy Chase - *Staff recommendation: Approval*

BOARD ACTION

Motion: **ROBINSON/CRYOR**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved the record plats as stated above.**

3. Consent Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **No consent item submitted for approval.**

4. Suburban Hospital - REVISED

Note: Because of the complex nature of this item, the Board is limiting time for public testimony to one (1) hour. The Chairman will seek to balance “pro” and “con” testifiers, so we cannot guarantee that you will be called. Consider signing up to speak before the Board on-line. Written testimony is always welcomed in advance via email.

A. AB#715: Abandonment of Lincoln Street

Request by Suburban Hospital, Inc., applicant, to abandon approximately 36,126 square feet of right-of-way of Lincoln Street, between Old Georgetown Road and Grant Street, Bethesda
Staff recommendation: Transmit a recommendation of approval with conditions to the County Council

B. Preliminary Forest Conservation Plan

Staff recommendation: Approve Forest Conservation Plan with conditions

C. Board of Appeals No: S-274-D: Suburban Hospital, Inc., applicant, requests a modification to an existing Hospital special exception, R-60 Zone; located at 8600 Old Georgetown Road, Bethesda

Staff recommendation: Transmit recommendation of approval with conditions to the Hearing Examiner

(Action required for hearing by the Hearing Examiner on 10/06/08, 10/07/08, 10/14/08, 10/17/08, 10/21/08, and 10/24/08)

BOARD ACTION

Motion: A) ROBINSON/CRYOR
 B) ROBINSON/CRYOR
 C) ROBINSON/HANSON

Vote:
Yea: A) 4-1
 B) 4-1
 C) 3-2

Nay: A) PRESLEY
 B) PRESLEY
 C) ALFANDRE, PRESLEY

Other:

Action: A) Approved staff recommendation to approve the abandonment of Lincoln Street, subject to revised conditions discussed during the meeting, and as stated in the attached transmittal letter to the County Council.

 B) Approved staff recommendation to approve the proposed Forest Conservation Plan, subject to conditions.

 C) Approved staff recommendation to approve the request for a modification to the existing Special Exception for Suburban Hospital, subject to modifications to the plan and revised conditions discussed during the meeting, and as stated in the attached transmittal letter to the Hearing Examiner.

4. Suburban Hospital – REVISED

Development Review Division staff offered a detailed presentation, accompanied by a multi-presentation, of the special exception request for modernization and expansion of existing Suburban Hospital located on Old Georgetown Road in Bethesda, as discussed in detail in the September 15 technical staff report.

Ms. Barbara Sears, attorney representing the applicant, introduced members of the applicant's team and discussed at length the proposed request.

The following speakers offered testimony in support of the proposed abandonment of Lincoln Street and of the proposed Board of Appeals request: Mr. William Docker of Clewerwall Drive; Ms. Leighann Sidone of Broken Oak Road; Mr. Bob Westing speaking on behalf of Dr. Danny Westerbrand of Flannery Lane; Mr. Pete Johnson of Village Park Drive; Mr. Daniel Keen of Hempstead Avenue; Ms. Maryann Brondi of Hempstead Avenue; Mr. Jerry Morenoff of Barrister Court and representing the Greater Bethesda/Chevy Chase Chamber of Commerce; Mr. Alan Ehrlich of Democracy Boulevard; Ms. Marilyn Mazuzan of Oakmont Avenue and representing the Oakmont Neighborhood Association; Ms. Marie Wernar-Crosfon representing the Maryland Institute for Emergency Medical Services System; Ms. Virginia Miller of Singleton Drive.

The following speakers offered testimony in opposition to the proposed abandonment of Lincoln Street and also requested that the Board ask the applicant to revise the proposed modernization and expansion plan to take into consideration the community's concerns: Mr. Norman Knopf representing the Huntington Terrace Citizens Association; Mr. Bob Deans of Lincoln Street; Ms. Amy Shiman of Hoover Street; Ms. Lorraine Driscoll of Garfield Street, President of the Huntington Terrace Citizens Association; Mr. Bob Wisman of McKinley Street; Ms. Ann Dorough of Grant Street, and Mr. Scott Davis of Radnor Road; Mr. Stephen Godwin of Garfield Street; Ms. Vera Ashworth of Lincoln Street; Mr. David Mangurian of Garfield Street; Ms. Kate Stern of McKinley Street; Mr. Robert Resnik of Hoover Street; Mr. Anthony Clayman of Garfield Street; Mr. Wayne Goldstein of Jennings Road and representing the Montgomery County Civic Federation Planning and Land Use Committee; Ms. Joan Lunney of Grant Street; Mr. David Snyder of Garfield Street; Ms. Susan Snyder of Garfield Street; Ms. Lesley Hildebrand of Madison Street; Ms. Frances Ulmer of McKinley Street.

There followed an extensive Board discussion with questions to Legal Counsel to the Board, staff, and the applicant's representatives.

The Board voted in favor of the modification to the Special Exception, including revised conditions, with a vote of 3-2, with Commissioners Alfandre and Presley dissenting.

5. CLOSED SESSION – POSTPONED

In accordance with State Government Article, Section 10-508(a)(7), State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice. (Clarksburg Town Center)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This item was postponed.**

6. Road Code Executive Regulations (Rescheduled from September 18, 2008 agenda)

MCER NO. 29-08: Proposed Department of Fire And Rescue Service Regulation, Fire Safety Code —Fire Department Apparatus Access and Water Supply. Executive Regulations submitted for public comment prior to submission to the County Council for adoption under Method 2. The proposed regulations have been formulated in conjunction with MCER NO. 31-08: Proposed Department of Transportation Regulation, Adoption of Context Sensitive Road Design Standards.

Staff recommendation: Transmit comments to County Executive

BOARD ACTION

Motion: **CRYOR/ALFANDRE**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved the staff recommendation to transmit comments to the County Executive, as stated in the attached Letter of Transmittal.**

Transportation Planning staff presented the proposed Fire and Rescue Service Executive Regulations and the staff comments, as detailed in the staff report, noting that the County Executive proposes that these Regulations proceed in tandem with the proposed revisions to the Road Code.

Mr. Michael Donahue, Assistant Fire Marshall, made a presentation on road issues related to Fire and Rescue Services being addressed in the Executive Regulations and participated in the discussion.

7. Worksession #2: Germantown Master Plan

Design and Transportation
(No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Provided guidance to staff on design and transportation elements.

Community-Based Planning staff presented an overview of design elements in the Germantown Sector Plan, public hearing testimony, and staff recommendations, as detailed in the staff report and a distributed memorandum, and Parks Department staff presented the parks, open spaces, and amenities. Transportation Planning staff presented an overview of transportation issues and elements, public hearing testimony, and staff recommendations, as stated in the distributed revised staff report. Site-specific transportation recommendations will be addressed at a later worksession.

Mr. Gary Erenrich, Montgomery County Department of Transportation, participated in the discussion of parking, parking districts, and transportation elements.

Ms. Margaret Schoap of the Dayspring Retreat Center provided comments.

8. Worksession: Upper Rock Creek Trail Corridor Plan

Review Public Hearing testimony and adopt final draft plan
(No public testimony will be taken at this time)
Staff recommendation: Approve Adoption of Plan

BOARD ACTION

Motion: ROBINSON/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Following a brief presentation by Parks Department staff, in keeping with the staff report, approved the staff recommendation to adopt the final draft plan.

9. Roundtable Discussion - ADDED

(No public testimony will be taken at this time)

- A. Commissioners' Report
- B. Approval of Minutes
- C. Director's Report
- D. County Council Activity
- E. Increase in Development Review Fees*

*Added following publication of the agenda.

BOARD ACTION

Motion: E. ALFANDRE/PRESLEY

Vote:

Yea: E. 5-0

Nay:

Other:

Action: E. Approved the staff recommendation to increase Development Review fees, effective October 1, 2008, as stated in the September 25, 2008, memorandum from Development Review Division Chief Rose Krasnow.

A. Commissioners' Report—None.

B. Approval of Minutes—None.

C. Director's Report—Director of Parks Mary Bradford presented highlights of her written report. Director of Planning Rollin Stanley requested and received Board comments on the draft Semi-Annual Report.

D. County Council Activity—Discussed and provided guidance to staff on the response to Council staff questions about the TOMX Zone, in preparation for further discussions on October 6.

E. Increase in Development Review Fees—Approved, as stated above.