



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, October 24, 2013, at 9:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 9:38 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioner Casey Anderson. Commissioner Norman Dreyfuss joined the meeting at 9:15 a.m., and Commissioner Amy Presley joined the meeting at 10:55 a.m. during discussion of Item 3.

Items 1 through 3 are reported on the attached agenda.

The Board recessed for lunch at 11:35 a.m. and to take up Item 4 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 12:10 p.m. in the 3rd floor conference room, on motion of Vice Chair Wells-Harley seconded by Commissioner Presley, 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.

Also present for the Closed Session meeting were Associate General Counsels Carol Rubin and Megan Chung of the Legal Department; Planning Department Director Gwen Wright; Director Mary Bradford, Deputy Director Mike Riley, Mitra Pedoeem, Judie Lai, and Rachel Newhouse of the Parks Department; and M. Clara Moise of the Commissioners' Office.

In Closed Session the Board received an update from Parks Department staff regarding the proposed Montgomery County Park and Planning new headquarters building in Wheaton.

The Closed Session meeting was adjourned at 1:10 p.m.

The Planning Board reconvened in the auditorium at 1:18 p.m.

Items 5, 6, 7, 8, 9, and 10 are reported on the attached agenda.

MCPB, 10-24-13, APPROVED

The Board recessed for dinner at 4:23 p.m.

The Board reconvened in the auditorium at 6:18 p.m.

Item 11 is reported on the attached agenda.

There being no further business, the meeting was adjourned at 9:38 p.m. The next regular meeting of the Planning Board will be held Thursday, October 31, 2013, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

Tomasina Ellison
Technical Writer

Montgomery County Planning Board Meeting
Thursday, October 24, 2013
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. North Bethesda Gateway, Sketch Plan 32011002A
2. Estates at Greenbriar Preserve, Site Plan 82003029E
3. Pike & Rose (Mid-Pike Plaza) Preliminary Plan 12012002A
4. Pike & Rose – Phase II, Site Plan 820130120

BOARD ACTION

Motion: WELLS-HARLEY/ANDERSON

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS, PRESLEY ABSENT

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220131540, Chevy Chase Park

R-60 zone; 1 lot; located on the north side of Leland Street, 550 feet east of Oak Lane; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS, PRESLEY ABSENT

Action: Approved staff recommendation for approval of the Record Plat cited above.

***C. Other Consent Items**

- Glenmont Metro Center, Preliminary Plan 120130080

BOARD ACTION

Motion: WELLS-HARLEY/ANDERSON

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS, PRESLEY ABSENT

Action: Approved staff recommendation for approval of the Glenmont Metro Center Preliminary Plan.

***D. Approval of Minutes**

Minutes of September 12, 2013

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS, PRESLEY ABSENT

Action: Approved Planning Board Meeting Minutes of September 12, 2013, as presented.

2. Roundtable Discussion - **TIME CHANGED**

A. Planning Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by brief Board discussion.

A. Planning Director's Report – Planning Department Director Gwen Wright introduced Mr. Mark Wulff as the Interim Management Services Division Chief who will assist with preparing the FY15 proposed budget for the Planning Department while the Department is continuing the interview process for the hiring of a new Division Chief. Mr. Wulff noted that he has worked for the Montgomery County government for over 37 years in different positions and has recently retired. He briefed the Board on the various positions he has held and received a warm welcome from Board members.

Ms. Wright noted that she is working with staff on the Semi-Annual report scheduled to be presented to the County Council next Tuesday, October 29. The Council has requested that, in the context of the White Oak Master Plan, the Planning Department and the County Executive staff work together to identify alternative means to balance the proposed new developments and public facilities. Planning staff is working with the Executive staff to make that happen. Worksessions with the Planning Board are planned in December with an expected supplement to the Plan to be sent to the Council at the beginning of the New Year.

Ms. Wright also informed the Board about the school queue for the Kennedy school cluster in the Glenmont Sector Plan, and noted that staff member Pam Dunn is closely monitoring the school queue for several projects coming before the Board in the next three months.

***3. The Blairs Master Plan - TIME CHANGED**

Project Plan Review 920130050, The Blairs Master Plan, CBD-R2, 30.37 acres, 450,000 square feet of commercial development including a 125,000 square-foot hotel, 203,045 square feet of office, 3,045 square feet of which is existing, 121,955 square feet of retail and 2,800 multi-family residential units, of which 1,110 units are existing; located on Blair Mill Road, east of Eastern Avenue, Silver Spring CBD.

Staff Recommendation: Approval with Conditions

Preliminary Plan Review 120130220, The Blairs Master Plan, CBD-R2, 30.37 acres, one lot for 450,000 square feet of commercial development including a 125,000 square-foot hotel, 203,045 square feet of office, 3,045 square feet of which is existing, 121,955 square feet of retail and 2,800 multi-family residential units, of which 1,110 units are existing; located on Blair Mill Road, east of Eastern Avenue, Silver Spring CBD.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: **A. ANDERSON/DREYFUSS**
 B. ANDERSON/WELLS-HARLEY

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

Nay:

Other: **PRESLEY ABSTAINED**

Action: **A. Approved staff recommendation for approval, subject to revised conditions, including approval of two waiver requests discussed at the meeting, as stated in the attached Resolution.**

B. Approved staff recommendation for approval, subject to revised conditions, including approval of two waiver requests discussed at the meeting, as stated in the attached Resolution.

In keeping with the October 11 technical staff report, Planning Department staff offered a multi-media presentation and discussed the proposed Blairs Master Plan project, which is an urban infill redevelopment project on a property located on Blair Mill Road, east of Eastern Avenue in the Silver Spring Central Business District (CBD), in close proximity to the Silver Spring metro rail station. Staff noted that the applicant will redevelop two of the existing buildings and will provide 12.5 percent of Moderately Priced Dwelling Units (MPDUs). The proposed project will offer 450,000 square feet of commercial development, including a 125,000 square-foot hotel, 203,045 square feet of office space, 121,955 square feet of retail, and 2,800 multi-family residential units, of which 1,100 are existing, with a twenty percent on-site public

***3. The Blairs Master Plan - TIME CHANGED**

CONTINUED

use space calculated over the net tract area. The preliminary plan proposes to consolidate seven parcels and create parcels for private roads and distinct blocks containing the residential portion of the development. Construction on the site is proposed to take place in five phases over a period of twenty years. Staff noted that public use space areas surrounding the project include the pedestrian areas surrounding the buildings, Sonny’s Park, Rachel Carson Park, Blair Stomping Ground, the Mews, Lucy’s Landing, and Fitness Park. Along Blair Mill Road, Blair Stomping Ground is a publicly accessible dog park with clear visibility from Blair Mill Road. It is intended to provide a social space for dogs and their owners. The Mews will provide an additional connection for pedestrians through the site and enhance the accessibility for the public into interior spaces and the upper escarpment on the property. Lucy’s Landing is a second, smaller dog park also intended for residents and the public, to ease any overcrowding that might occur at Blair Stomping Ground. Fitness Park located off of Portal Drive and alongside an existing surface parking lot to provide another opportunity for active recreation within the site. This park will have outdoor fitness equipment for adults and children as well as a sitting area.

The site is located within the Silver Spring Parking Lot District therefore the applicant has the option to provide no on-site parking or fewer than normally required parking spaces per unit. The applicant must however pay a tax for any parking not provided on site. The Sector Plan identifies a master-planned roadway bisecting the site which could be dedicated as either a public or a private roadway. The applicant has requested that this roadway be platted as a private roadway and constructed to minimum standards established by the Montgomery County Business District street typical section. The private roadway will allow the applicant the freedom to install non-standard landscaping and traffic calming devices, including a speed table to improve the pedestrian experience. Staff supports the proposed private street because it is consistent with the Sector Plan and will provide a superior transportation facility for pedestrians, bicyclists, and motorists alike. Additionally, the applicant will have the flexibility to program the roadway, pursuant to road closure conditions included in the staff report, as an active and vibrant streetscape. The proposed stormwater management concept was approved by the Department of Permitting Services on August 12, 2013, and meets the required stormwater management goals. The Project must also comply with the County Council green building legislation, by achieving LEED certification by using diverse measures such as green roofs, green building materials, energy saving measures, and waste reduction plans.

Parks Department staff offered comments and discussed the proposed public use space and the various parks, and dogs parks. Staff noted that the Blairs development will be the highest density area in the Silver Spring CBD. Parks staff has worked diligently with the applicant and his team to make sure that there is a very accessible dog park in the area for the residents and the public. The applicant was required to get approval of a tree variance from the County Arborist, which staff has received. The recommendation of the County Arborist was that the variance request be approved with mitigation. The applicant proposed to disturb the critical root zones of three specimen trees and to remove six specimen trees. Mitigation for impacts and loss of those

***3. The Blairs Master Plan - TIME CHANGED**

CONTINUED

trees will occur at a ratio of approximately one inch diameter for every four inches proposed for removal. While the replacement trees will not be as large as the trees lost, they will at least provide some immediate canopy cover. Because these trees are mitigation for specimen trees lost or impacted, they do not count toward afforestation requirements. Staff recommended that the variance be approved by the Planning Board.

Mr. Robert Brewer, attorney representing the applicant, introduced Messrs. William Kominers, Sri Velamati, Bing Thom, Alan Ward, and Mark Morelock, members of the applicant's team, discussed the proposed project, and concurred with the staff recommendation.

Mr. E. K. Hobson of Eastern Avenue N.W. offered testimony and noted the lack of parking spaces along Eastern Avenue and the possible stormwater runoff during construction which will have a negative impact on his property and that of his neighbors.

In rebuttal, Mr. Brewer noted that with the up-to-date stormwater management proposed, the runoff will be minimal and much better than it has been in the past.

There followed considerable Planning Board discussion during which staff noted that in reply to Mr. Brewer's request, related to condition 17 of the preliminary plan, that the applicant submits a record plat for review before the site plan has been reviewed by the Planning Board, is not supported by staff. Even though the Building Industry has criticized the Planning Department for taking too long to review development plans, staff noted that the delay is usually not due to staff slow process but rather to the applicant failing to provide the necessary documentation on time, and most of the time the record

plats need to be modified to reflect easements of all types which have to be discussed and approved by other government agencies, adding more delays to the process.

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.

5. Rock Creek Trail Signage Project - **TIME CHANGED**

The Rock Creek Trail Signage Project is comprised of two main parts: Part 1 includes development of plans for improving trail signage along the Rock Creek Hiker-Biker Trail, including adjacent neighborhood trail connectors. Part 2 includes development of a Trail Signage Design Manual that will be used as a standard for future hard surface trail signage in Montgomery Parks.

Staff Recommendation: Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Parks Department staff offered a multi-media presentation delineating proposed signage additions and modifications for the Montgomery County trails system. Staff discussed the proposed aesthetic unification of signs throughout the County. Staff noted that consultants hired by the Parks Department have suggested using the color brown as the background with white text for signs used to direct individuals to the trails, and green as the background for signs that will navigate them through the trails. The proposed navigational signs will be placed at key points such as trail gateways and “T” or “Y” trail intersections, and will also be used as guidance to alternative routes linking two major trails, mileage markers, guide to trail user services such as park facilities, recreational areas, and egress guide to trail user services, such as parking, water, and restrooms. Rectangular shaped trail etiquette signs are also proposed and will contain black text on a white background. Warning signs will be the standard diamond shaped with black text on yellow background. Poles at trail intersections will display road names with arrows pointing in the direction of the desired road or trail.

Parks Department Director Mary Bradford noted that consultants have suggested the standardized green color as more desirable and more visual, which is a departure from the standard brown and white background. Staff also noted that signs will not be located on hard surface main trails but off to the side and at the entry point or intersection of the desired trail.

The Planning Board discussed the projected signage project and agreed with the staff recommendation.

Ms. Judy Koenick of Chevy Chase offered testimony in lieu of a multi-media presentation due to technical difficulties.

***6. Gables White Flint - TIME CHANGED**

Sketch Plan 320130010 -- Redevelopment of two surface parking lots and a segment of Executive Boulevard to be abandoned with a maximum of 521,000 square feet of mixed use development in three buildings in the CR3 C1.5 R2.5 H70 and CR4 C2.0 R3.5 H250 zones; at the intersection of Old Georgetown Road (MD 187) and Executive Boulevard adjoining Wall Local Park and the Kennedy-Shriver Aquatics Center; 5.21 gross acres; White Flint Sector Plan area.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval, subject to revised conditions, as stated in the attached adopted Resolution.

Planning Department staff discussed the proposed redevelopment of the 5.1-acre subject property located at the intersection of Old Georgetown Road and Executive Boulevard in the White

Flint Sector Plan area. The proposed project will redevelop two existing surface parking lots and a segment of a public street into a mixed-use residential development with new street networks, public-use spaces, and a new public facility. The perimeter streets on the subject property are public, while streets located within the boundaries of the proposed development are private and will include designated parking areas. Staff recommended a building height of 70 feet, which is the maximum height, for the proposed development. Executive Boulevard will be realigned and will reconnect with Old Georgetown Road.

Staff discussed the proposed Wall Local Park and open space that will be available for public use. Staff noted that the wooded area that currently buffers the subject property from Old Georgetown Road will be maintained. The proposed project will include structured parking and the removal of existing surface parking which will be developed into an open grassy area, and the retention of the swim center. Other amenities of the proposed park will include an outdoor splash park, an expanded indoor pool area, playground for young children, skateboard facilities, walking paths, and a pedestrian connection to Josiah Henson Park. Staff noted that patrons of the swim center expressed concern regarding the safety of the proposed structured parking and the redesign of open park spaces. Staff also discussed the proposed staggered two-phase

***6. Gables White Flint - TIME CHANGED**

CONTINUED

development noting that construction of the eastern building will occur in Phase 1, and construction of the western building will occur in Phase 2. Construction of the parking garage may occur in either phase, and is contingent upon project road network development, land acquisition, and available funding.

Mr. Stephen Kaufman, attorney representing the applicant, briefly discussed funding and density restrictions for the project, answered questions from the Board, and concurred with the staff recommendation.

Mr. Jorgen Punda, member of the applicant's team, offered a multi-media presentation.

Mr. Dan Ashtary, member of the applicant's team, also offered a multimedia presentation which delineated the development of the proposed structured parking from Phase 1 to Phase 2.

The Planning Board discussed the project funding, noting that maintenance of the proposed park will require revisions and additions to the Parks Department and the County's Recreation Department budgets.

Mr. Jordan Cooper, of Windermere Circle, offered testimony.

Ms. Dee Metz, representing the Office of the County Executive, briefly discussed the funding and timetable for the proposed project and answered questions from the Board.

The Board briefly discussed the connections from the proposed Wall Local Park to the street in regards to its accessibility to Executive Boulevard. The Board instructed staff to include the minor text modifications discussed at the meeting in the Resolution.

***7. Preliminary Plan 120130090: Goshen Heritage - TIME CHANGED**

Request to re-subdivide to create four lots located on the west side of Goshen School Road approximately 1,800 feet north of the intersection with Huntmaster Road, 11.76 acres, RE-2 Zone, Preservation of Agriculture & Rural Open Space Master Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval, subject to revised conditions, as stated in the attached adopted Resolution.

Planning Department staff discussed the proposed re-subdivision of an 11.76-acre property located on the west side of Goshen School Road, approximately 1,800 feet north of Huntmaster Road. Septic service and utilities will be provided to the site, and fire department access has been approved for the subject property by the Montgomery County Fire and Rescue. Staff also discussed the 1.88-acre forest planting as required by the Forest Conservation Plan. The new plantings will be located on the back end of Lots 6 and 7 where they will be fenced off and placed in a Category I easement. The stormwater management concept was approved by the Montgomery County Department of Permitting Services (DPS) on March 14, 2013. Staff noted that the proposed size, width, and shape of the lots are appropriate for the location of the property and are similar to existing surrounding lots.

Mr. David Crowe, the applicant, offered brief comments and concurred with the staff recommendation.

8. Preliminary Plan Amendment 11991094A: Bradley Farms, Lot 26 (In Response to a Violation) - **TIME CHANGED*

Modify the Category I Conservation Easement on the property located at 9224 Inglewood Drive, 2.71 acres, RE-2 Zone, Potomac Master Plan

Staff recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: **Approved staff recommendation for approval, subject to revised conditions, as stated in the attached adopted Resolution.**

Planning Department staff discussed the proposed modification to the conservation easement on the 2.71-acre subject property located on River Road with access off of Inglewood Drive. Staff noted that the Washington Suburban Sanitary Commission (WSSC) easement bisects the Category I easement on the subject property creating a non-contiguous forest easement that combines as one. Staff recommended that the applicant remove 18,713.5 square feet of Category I conservation easement and relocate 3,056 square feet to an area adjacent to the Category I area that remains on the property.

Mr. Josh Maisel, engineer for the applicant, offered brief comments and concurred with the staff recommendation.

Mr. David Kramer, the applicant also present at the meeting, concurred with the staff recommendation.

The Planning Board briefly discussed the relocation of the Category I easement and concurred with the staff recommendation.

9. Chevy Chase Lake Sectional Map Amendment - **TIME CHANGED**

Recommendation: Approve request to file Sectional Map Amendment

BOARD ACTION

Motion: **DREYFUSS/ANDERSON**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved staff recommendation for approval to file the Sectional Map Amendment.**

Planning Department staff discussed minor changes to the Chevy Chase Lake Sectional map. Staff noted that the current zoning code does not permit zoning in rights-of-way unless specifically recommended by the Master or Sector Plan. The Chevy Chase Lake Sector Plan, approved by the County Council, does not recommend zoning in the right-of-way. Staff noted that the right-of-way zoning restriction will present a conflict for the future development of the Housing Opportunities Commission (HOC) property located on Chevy Chase Lake Drive.

The Planning Board briefly discussed the right-of-way zoning issue, as presented by staff, and instructed staff to present options to address this issue at a later date.

Legal counsel to the Board advised that the County Council has the authority to modify the Sector Plan in regards to right-of-way zoning.

The Board briefly discussed options to address the right-of-way issue in the transmittal letter to the County Council.

***10. DANAC Stiles Property- TIME CHANGED**

A. Preliminary Plan 11996112B, DANAC Stiles Property - Request to remove an old transitway easement that is no longer required across approximately 0.8 acres of the Subject Property and allow for replatting of Lots 4 and 5 to incorporate that area previously encumbered by the easement; located on approximately 30.7 acres of land in the CR Zone in the northwest quadrant of the intersection of Diamondback Drive and Key West Avenue within the GSSC Master Plan area.

Recommendation: Approval with Conditions

B. Site Plan 82000018E, DANAC Stiles Property - Request to amend the Final Forest Conservation Plan (FFCP) to add the approximately 0.8 acre area encumbered by the transitway easement to the net tract area of the FFCP, for purposes of recalculating the planting requirement; ; zoned CR in the northwest quadrant of the intersection of Diamondback Drive and Key West Avenue within the GSSC Master Plan area.

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, as stated in the attached Resolution.**

B. Approved staff recommendation for approval, subject to revised conditions, as stated in the attached Resolution.

Planning Department staff discussed the 30.7-acre subject property located at the intersection of Key West Avenue and North Diamondback Drive in the North District of the Great Seneca Science Corridor. Staff noted the proposed relocation of existing surface parking, from Lot 7 to Lot 6, which will be replaced by a parking structure, as well as the incorporation of internal roads within the development with public access easements outside the perimeter of the property. An existing transitway easement will be removed and added to the net tract area of the Forest Conservation area which will then increase the planting requirement for the property.

The Planning Board discussed the language of the revised conditions regarding the removal of the transitway easement and the impact on compliance with the forest conservation law.

Staff noted that in the event of future development on the subject property, the applicant can request for removal of the easement area and would then only be required to meet the requirements of the forest conservation law.

Mr. Timothy Dugan, attorney for the applicant, briefly discussed the text modifications and concurred with the staff recommendation.

11. Clarksburg Limited Master Plan for the Ten Mile Creek Watershed, Review of Proposed Planning Board Draft

Staff Recommendation: Approve Planning Board Draft and Transmit to County Executive and County Council

BOARD ACTION

Motion: **ANDERSON/PRESLEY**

Vote:

Yea: **4-0-1**

Nay: **DREYFUSS**

Other:

Action: **Approved staff recommendation to transmit the Planning Board Draft to the County Executive and County Council, as stated in the attached Transmittal letter.**

Planning Department staff discussed the redlined Public Hearing Draft for the Clarksburg Limited Master Plan for the Ten Mile Creek (TMC) Watershed. Staff reviewed the major points of Worksession #2, which include protection of imperviousness, greater density and imperviousness on the Pulte and King properties, use of the Rural Neighborhood Cluster zone on the Pulte and King properties, and the discussion of Transferrable Development Rights (TDR). Language changes to the proposed Planning Board Draft were noted and explained as these changes were not represented in the draft copies provided to the Planning Board. Some of the text changes will address the changes to the Area Boundary Map. The Options Summary chart was modified as previously instructed by the Board so that the new chart includes the 1994 Plan, as modeled, in an effort to show the comparison to the proposed modifications. The additional sub-watershed has been added to the map, which also shows the changes to the area west of I-270. Staff noted that the environment section has also been modified with minor text changes along with the replacement of the map in this section. Staff also noted that the transportation section has been modified to include a highway classification table specific to the Ten Mile Creek area in reference to the bypass.

The Planning Board discussed the proposed relocation of the transportation center and the implication of the language regarding this action, noting that access to the transportation center would be more inconvenient if it is not located at Redgrave Point, considering the proposed realignment of the bypass. The Board instructed staff to ensure that the draft language reflects that the 1994 plan with the bypass alignment has been retained, but that optional alignments are available for review as part of a facility plan for consideration at a future date.

11. Clarksburg Limited Master Plan for the Ten Mile Creek Watershed, Review of Proposed Planning Board Draft

CONTINUED

Planning staff proposed new language regarding the location of the transit center upon selection of the bypass alignment, while acknowledging that the original designation of Redgrave Place as the transit center was intended to integrate the historic district with outlying districts to include pedestrian access.

Legal counsel advised against proposed zoning changes to property that is outside the boundaries of the Master Plan planning area.

Planning staff discussed minor text modifications regarding the Egan/Mattlyn and Miles-Coppola properties.

The Board discussed the permissibility of a split zone site so that provisions will allow up to 100 feet on certain portions while restricting heights on specific portions within the same zone. The Board instructed staff to include language that dictates that building heights of 85 feet along the 355 bypass are inappropriate and that building heights should be compatible with Historic District heights of 45 feet, with transitional decreases in height as you move closer toward the town center.

Planning staff noted that the entire Water and Sewer section of the draft has been replaced and that the Legacy Open Space requirement for the Pulte/King property has been included, as further protection for property owners, regarding falling trees.

Commissioner Dreyfuss voted against the motion stating his concern and citing a need for compromise with what he identified as extreme changes to the plan that may adversely impact a number of property owners.