

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, May 1, 2025
2425 Reedie Drive
Wheaton, MD 20902
301-495-4605

The Montgomery County Planning Board met in regular session in the Wheaton Headquarters Building in Wheaton, Maryland, and via Microsoft Teams video conference on Thursday, May 1, 2025, beginning at 9:37 a.m. and adjourning at 3:35 p.m.

Present were Chair Artie Harris, Vice Chair Mitra Pedoeem, and Commissioners Shawn Bartley, James Hedrick, and Josh Linden.

Items 1 through 5 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch at 11:45 p.m. and reconvened in the auditorium and via video conference to return to open session at 1:03 p.m. to discuss Items 6 and 7, Items 9 through 12, and Item 14, as reported in the attached Minutes.

Item 8 was removed, and Item 13 was postponed until May 8, 2025.

There being no further business, the meeting adjourned at 3:35 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 8, 2025, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Rachel Roehrich

Rachel Roehrich
Technical Writer/Legal Assistant

MINUTES

Item 1. Preliminary Matters

A. Adoption of Resolutions

1. Tevis Place Administrative Subdivision Plan No. 620250090 – MCPB No. 25-046
2. Tevis Place Mixed-Income Housing Community Plan No. E20250010 – MCPB No. 25-047
3. Tevis Place Forest Conservation Plan No. F20250410 – MCPB No. 25-048

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 3-0-2

Other: Chair Harris and Commissioner Bartley abstained due to being necessarily absent for the April 17, 2025 Planning Board meeting.

Action: Adopted the Resolutions cited above, as submitted.

4. Rickman Property Preliminary Plan Application No. 120250060 – MCPB No. 25-040
5. Rickman Property Final Forest Conservation Plan No. F20250160 – MCPB No. 25-041

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Adopted the Resolutions cited above, as submitted.

B. Approval of Minutes

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Minutes submitted for approval.

C. Other Preliminary Matters

1. Corrected Resolution Chaberton Solar Sugarloaf Forest Conservation Plan No. F20250220 – MCPB No. 25-009

BOARD ACTION

Motion: Hedrick/Linden

Vote: 3-0-2

Other: Vice Chair Pedoeem and Commissioner Bartley abstained.

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

Item 2. Record Plats (Public Hearing)

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Record Plats submitted for approval.

Item 3. Regulatory Extension Requests (Public Hearing)

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Regulatory Extension Requests submitted for approval.

Item 4. Roundtable Discussion

Parks Director's Report
M. Figueredo

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Montgomery Parks Director, Miti Figueredo, offered a multi-media presentation regarding recent updates for the Parks Department.

Ms. Figueredo highlighted the new ADA accessible viewing platform overlooking the Gude Garden at Brookside Gardens made possible by a gift from the late Joan O'Rourke, who was a long-time supporter of Montgomery Parks. Ms. Figueredo provided a PHP/PS budget update to the Board and discussed State funding recently received for different projects. Ms. Figueredo also discussed the recent Commission for Accreditation of Park and Recreation Agencies (CAPRA) Accredited Tour, the 50th Annual Public Safety Awards, a new fish passage in the Long Branch Community, and the newly installed artwork at Gene Lynch Urban Park. Lastly, Ms. Figueredo highlighted the upcoming Sligo Creek Fest taking place Saturday, May 3, 2025.

The Board asked questions regarding reasoning for lack of Program Open Space funding received, location of the Gene Lynch Urban Park, and hours of operation for the Gene Lynch Urban Park.

Ms. Figueredo offered comments and responses to the Board's questions.

Item 5. University Boulevard Corridor Plan Work Session 4

Work Session 4 for the University Boulevard Corridor Plan

Staff recommendation: Discuss the University Boulevard Corridor Plan and provide guidance to staff.

Z. Adrianvala

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing followed by discussion and direction from the Planning Board.

Zubin Adrianvala, Planner III, offered a multi-media presentation regarding Work Session Number 4 for the University Boulevard Corridor Plan. Further information can be found in the Staff Report dated April 25, 2025.

Mr. Adrianvala offered brief comments regarding the public outreach performed to date, as well as an overview of the topics to be covered in the work session.

To provide additional background and context for the zoning recommendation, Mr. Adrianvala discussed recommendations in Thrive 2050, focusing on corridor-focused growth. Mr. Adrianvala also provided information about the different Centers and Corridor Segment Typologies and explained Planning Staff's determination that the "modest growth" corridor segment typology aligned best with the context and conditions of University Boulevard. Mr. Adrianvala further discussed the testimony received for neighborhood character, parking, lot consolidation, pedestrian safety, selective rezoning, and community goals.

The Board asked questions regarding the exact location of nodes, what is included in a node, the significance of nodes, the proposed University Boulevard Overlay Zone, and how the overlay zone helps transition between zones.

Staff, including Luis Estrada, Planner III, offered comments and responses to the Board's questions.

The Board offered further comments regarding Thrive 2050's priorities, restrictions, and neighborhood character.

Zoning for Corridor-Fronting Blocks

Mr. Adrianvala and Mr. Estrada discussed the proposed zoning for corridor-fronting blocks on University Boulevard including the Commercial Residential Zone (CRN) zone, possible rezoning locations, community concerns, transitions required by the zone, building types, and development standards for the overlay zone. Mr. Adrianvala read Staff's proposed language for the

recommended Plan revisions for pages 141-142 of the Draft Plan regarding development standards.

The Board asked questions regarding potential for flexibility for other uses within the CRN zone, height and setback requirements, clarification regarding development standards for the multifamily building type, and reasoning for needing more development standards/requirements within the overlay zone.

Staff, including Carrie Sanders, Chief of Midcounty Planning and Jessica McVary, Planning Supervisor, offered comments and responses to the Board's questions.

The Board held further discussion regarding concerns with development limitations, as well as building types and development standards within the overlay zone. Staff, including Robert Kronenberg, Deputy Director of Planning, offered further comments regarding development standards, and suggested bringing back proposed language at a future work session. The Board agreed.

Overlay Zone

Mr. Adrianvala discussed the proposed overlay zone and the four primary components including the purpose, applicability, land uses, and development standards in greater detail.

The Board asked questions regarding open space requirements, stormwater management, site coverage, and parking.

Staff offered comments and responses to the Board's questions.

Four Corners District

Mr. Estrada discussed the existing zoning for the Four Corners District and proposed zoning revisions for the area including: the Four Corners West Neighborhood, the Four Corners North Neighborhood, the Woodmoor Shopping Center Neighborhood, and the Montgomery Blair High School Neighborhood.

The Board held discussion regarding the Four Corners intersection regarding the maximum Commercial and Residential FAR permitted, potential for increasing the residential FAR, and providing the maximum amount of flexibility within area. The Board also requested Staff provide examples/scenarios for potentially increasing Residential FAR to 2.0.

Staff agreed to provide different development scenarios for a single property to serve as an illustrative example to the Board at a future work session.

Item 6. Donner Property, Administrative Subdivision Plan Amendment No. 62023001A (Public Hearing)

Request to remove Condition No. 26, requiring the recordation of a common use and access covenant over all trails, sidewalks, and paths not included in a public right-of-way or private street parcel; located at 939 Grays Lane; on approximately 2.28 acres zoned R-90; within the 2001 Kemp Mill Master Plan area.

Staff Recommendation: Approval

A. Lindsey

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Administrative Subdivision Plan Amendment cited above, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Amy Lindsey, Planner III, offered a multi-media presentation regarding the Donner Property. Further information can be found in the Staff Report dated April 21, 2025.

Ms. Lindsey stated the amendment proposes no changes to the plans approved under Administrative Subdivision Plan No. 620230010, except for the removal of Condition No. 26, which requires the recordation of a common use and access covenant over all trails, sidewalks, and paths not included in a public right-of-way or private street parcel.

Ms. Lindsey noted the original intent of Condition No. 26 was to maintain access to Wheaton Regional Park prior to dedication. Ms. Lindsey stated Parcel B is currently unimproved and will not be improved prior to dedication, however, the requirement to place a covenant on Parcel B has created an indemnification requirement for the Applicant to maintain, regardless of the actual existence of a formal path.

The Board asked questions regarding current and future pedestrian access to the park and requirements for the new access road.

Staff offered comments and responses to the Board's questions.

Soo Lee-Cho of Bregman, Berbert, Schwartz and Gilday, LLC offered comments regarding the existing and proposed pedestrian access and reasoning for the Applicant's request to remove Condition 26.

Item 7. Approval of the Resolution of Adoption of the Bethesda Downtown Plan Minor Master Plan Amendment for transmission to the Full Commission

L. Klevan

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Resolution of Adoption of the Bethesda Downtown Plan Minor Master Plan Amendment, and transmittal to the Full Commission.

Larissa Klevan, Master Plan Supervisor, offered comments regarding the approval of the Resolution of Adoption of the Bethesda Downtown Plan Minor Master Plan Amendment with transmission to the Full Commission on May 21, 2025 for Adoption. Further information can be found in the Staff Report posted to the Agenda for May 1, 2025.

Item 8. REMOVED - Silver Spring Streetscape Standards (briefing and request for Board approval)

Staff will present the final draft of the Silver Spring Streetscape Standards.

Staff Recommendation: Board approval

A. Margolies

BOARD ACTION

Motion:

Vote:

Other:

Action: Item was removed.

**Item 9. Norwood Road Shared Use Path between MD 108 and Ashton Forest Way
Mandatory Referral No. MR2025012 and Final Forest Conservation Plan Amendment No.
F20250420 (Public Hearing)**

- A. Mandatory Referral No. MR2025012
- B. Final Forest Conservation Plan Amendment No. F20250420

The applicant, Montgomery County Department of Transportation, proposes to design and construct 1,349 feet of sidepath improvements on the west side of Norwood Road between Olney-Sandy Spring Road (MD 108) and Ashton Forest Way.

Staff Recommendation: Transmit comments to the Montgomery County Department of Transportation

S. Aldrich

A. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval to transmit comments to the Montgomery County Department of Transportation with an additional comment regarding working with resident for stormwater drainage mitigation, as stated in a transmittal letter to be prepared at a later date.

B. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Final Forest Conservation Plan cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Sofia Aldrich, Planner IV, offered comments regarding the Norwood Road Shared Use Path between MD 108 and Ashton Forest Way. Further information can be found in the Staff Report dated April 11, 2025.

Ms. Aldrich stated the proposed shared use path will be constructed along the west side of Norwood Road between Olney Sandy Spring Road and Ashton Forest Way (approximately 1,400 linear feet) to improve pedestrian and bicycle connectivity and safety. The improvements include a ten-foot-wide shared use path with a minimum five- to seven-foot-wide grass buffer, installation of curb and gutter with storm drains along the west side of Norwood Road, two eleven-and-a-half-foot wide travel lanes, and pedestrian-scale lighting.

Joshua Penn, Planner III, stated the northern section (within Olney-Sandy Spring Veterinary Hospital Site) of the project is subject to a Final Forest Conservation Plan (FFCP) and the southern portion of the project has been confirmed for a Forest Conservation Exemption. The portion of

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the shared use path that traverses the previously approved FFCP requires an amendment to remove 0.06 acres of modified Category I conservation easement and mitigate at a 1:1 planting ratio offsite.

Ms. Aldrich continued with the presentation discussing the design element review, Master Plan conformity, pedestrian level of comfort, and bicycle level of traffic stress. Lastly, Mr. Penn discussed the FFCP Amendment conditions of approval and Ms. Aldrich discussed Staff's comments for the Mandatory Referral.

Ed Awni, an adjacent property owner, offered testimony regarding overall support for the project, but noted concerns with stormwater management and proposed drainage plans. Mr. Awni offered further comments additional pipe outlets and mitigation efforts.

The Board asked questions regarding the pedestrian level of comfort ratings, location of the pipe outlet, proposed easements, stormwater drainage flow, location of stormwater pipe outlet, stormwater drainage patterns, approximate outfall distance to resident's home, current resident's mitigation efforts, potential narrowing of travel lanes, and further explanation of closed ditch systems.

Staff offered comments and responses to the Board's questions.

Dan Sheridan of MCDOT offered comments regarding stormwater outfall on private property.

Michael Mercado of Mercado Engineers offered comments regarding stormwater drainage for the area, stormwater drainage flow, potential proposed easements through private properties, and drainage patterns.

Based on the testimony and discussion, the Board suggested an additional comment/recommendation for the MCDOT to work with the current property owner regarding stormwater management mitigation.

Item 10. Burnt Hill Bridge over Little Bennett Creek Mandatory Referral No. MR2025014 (Public Hearing)

The applicant, Montgomery County Department of Transportation, proposes to design and construct a replacement bridge crossing over Little Bennet Creek. This bridge is located on a rustic road.

Staff Recommendation: Transmit comments to the Montgomery County Department of Transportation

S. Aldrich

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval to transmit comments to the Montgomery County Department of Transportation, as stated in a transmittal letter to be prepared at a later date.

Sofia Aldrich, Planner IV, offered a multi-media presentation regarding Burnt Hill Bridge over Little Bennett Creek. Further information can be found in the Staff Report dated April 11, 2025.

Ms. Aldrich stated the Montgomery Department of Transportation (MCDOT) proposes to replace bridge number M-0157X01, which carries Burnt Hill Road, a two-lane rustic road, over Little Bennett Creek, and is directly adjacent to park owned property. Ms. Aldrich discussed the design element review for the project and stated the Burnt Hill Road Bridge replacement involves the removal of the existing bridge infrastructure and construction of a new prestressed concrete slab bridge, riprap scour protection, stream stabilization features, and new landscaping.

Joshua Penn, Planner III, discussed the Forest Conservation for the project noting the project is exempt from the requirement to submit a forest conservation plan. Mr. Penn stated 0.75 acres of forest will be removed, and under the requirements of the confirmed exemption under Section 22A-5(e), the Applicant must mitigate this loss at 1:1 in an off-site forest mitigation bank or via fee-in-lieu if a bank is not available. One specimen tree will also be removed, and mitigation will consist of planting eight two-inch caliper trees.

Douglas Stephens, Parks Principal Natural Resources Specialist, discussed the Parkland impacts including: approximately 425 linear feet of stream stabilization, the removal of approximately 16 trees on parkland, and minimal permanent impact for the bridge structure. Mr. Stephens also discussed the proposed right-of-way needed and conditions required with the future Park Construction Permit.

The Board asked questions regarding whether the longer design of the bridge caused the removal of 16 trees, approximate start date for the project, estimated timeline, and potential for road closure during construction. Staff offered comments and responses to the Board's questions.

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Brian Copley of MCDOT offered comments regarding approximate start date for the project and estimated timeline.

Item 11. Shiloh Church Road Culvert Repairs, Water Quality Plan (Public Hearing)

Request for water quality plan approval for required culvert repairs in the Ten Mile Creek Special Protection Area. R-Zone, located at Shiloh Church Road and West Old Baltimore Road.

Staff Recommendation: Approval with Conditions

J. Penn

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Water Quality Plan, with conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Joshua Penn, Planner III, offered a multi-media presentation regarding Shiloh Church Road Culvert Repairs. Further information can be found in the Staff Report dated April 18, 2025.

Mr. Penn stated the Montgomery County Department of Transportation (MCDOT) is implementing a new storm drain culvert along Shiloh Church Road in Clarksburg, and the project is located on the east side of Shiloh Church Road, in the northeast quadrant of the West Old Baltimore Road and Shiloh Church Road intersection.

Mr. Penn stated the project will replace an existing culvert, near the West Old Baltimore Road intersection, which is in poor condition, and the new storm drain culvert will be in the exact location of the existing culvert. Mr. Penn noted the project has received a Forest Conservation Exemption, and the property is located in the Ten Mile Creek Special Protection Area (SPA). Mr. Penn also noted the application does increase impervious surfaces by 1,463 square feet due to new riprap protection area at the outfall of the new culvert, however, it is exempt from the impervious restrictions of the Clarksburg West Environmental Overlay Zone because it is a publicly funded roadway project.

Item 12. Water and Sewer Category Change Requests – March 2025 County Council Review (Public Testimony Accepted)

The Planning Board is required to make a master plan conformance determination for all water and sewer category change requests. The Board will review the County Executive’s March 2025 County Council Review Group of proposed category map amendments to Montgomery County’s Comprehensive Water Supply and Sewerage Systems Plan.

Staff Recommendation: Transmit Recommendations to County Council

J. Pratt

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendations for the Montgomery County Comprehensive Water and Sewer Category Change Requests – March 2025, and transmittal of comments to the County Council, as stated in a transmittal letter to be prepared at a later date.

Jamey Pratt, Planner III, offered a multi-media presentation regarding Water/Sewer Service Category Change Requests. Further information can be found in the Staff Report dated April 24, 2025.

Mr. Pratt discussed the following category change requests listed below:

- WSCCR 24-TRV-04A: Abdollah Bagheri
Staff Recommendation: Approve S-3 conditioned on WSSC’s approval of a sewer main extension along the public rights-of-way.
- WSCCR 25-TRV-02A: Keh-Ming Lu
Staff Recommendation: Deny a change to sewer category S-3; maintain S-6.

Mr. Pratt gave a brief overview and discussed the water/sewer category changes listed above in greater detail.

The Board asked questions regarding approximate cost for a 1300-to-1600-foot extension, reasoning for the property owner’s (Bagheri) request for connection, why acceptable septic cannot be installed, potential for other residents to connect, possibility to change the Planned Sewer Service, and Late-Comer agreements.

Staff, including Patrick Butler, Chief of Upcounty Planning, offered comments and responses to the Board’s questions.

Alan Soukup of DEP offered comments regarding approximate cost per linear foot, estimated cost for extension, reasoning for connection request, inability to install acceptable septic, and potential possibility to change the Planned Sewer Service Envelope.

Item 13. POSTPONED - Clarksburg Gateway Sector Plan – Preliminary Recommendations Briefing

A briefing to the Planning Board on Preliminary Recommendations for the Clarksburg Gateway Sector Plan in advance of the preparation of the Working (Staff) Draft Plan.

Staff Recommendation: Provide direction to staff on the planning team's Preliminary Recommendations.

C. Larson

BOARD ACTION

Motion:

Vote:

Other:

Action: Item postponed until May 8, 2025.

Item 14. Forest Conservation Fee Increases

Staff proposes to increase the fee-in-lieu rate to \$1.55 per square foot and the maximum administrative civil penalty to \$13.85 per square foot, and for the new rates to come into effect on July 1st, 2025.

Staff Recommendations: Approval of the new rates and Adoption of the Resolution

K. Desmond/C. Sorrento

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: **Approved Staff recommendation for approval of the new Forest Conservation rates, and Adoption of the Resolution.**

Kelsey Desmond, Forest Conservation Planner III, offered a multi-media presentation regarding the 2025 Forest Conservation Fee Increases. Further information can be found in the Staff Report dated April 28, 2025.

Ms. Desmond stated Montgomery County Council Resolution 15-1271 requires the Planning Board to assess and adjust the forest conservation fee-in-lieu and maximum administrative civil penalty rates based on the Consumer Price Index (CPI) from the past two years. Ms. Desmond noted the Washington-Arlington-Alexandria regional CPI is used, and the increase must be made by May 1 of each odd numbered year and becomes applicable on July 1. Ms. Desmond stated between January 2023 and January 2025, there was a 6.36 percent increase in the index. Therefore, Staff recommends increasing the fee-in-lieu rate to \$1.55 per square foot and the maximum administrative civil penalty to \$13.85 per square foot.

The Board asked when the administrative civil penalty would take effect if found in violation and Christina Sorrento, Chief of the Intake and Regulatory Coordination Division offered comments.