



**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 22, 2016, at 9:02 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 3:03 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioners Natali Fani-González and Gerald Cichy. Commissioner Norman Dreyfuss was necessarily absent.

Items 1, 3, 6, 5, and 7, discussed in that order, are reported on the attached agenda.

Item 4 was removed from the Planning Board agenda.

The Board recessed for lunch at 11:54 a.m. and reconvened in the auditorium at 12:48 p.m.

Item 2 and Items 8 through 10 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 3:03 p.m. The next regular meeting of the Planning Board will be held on Thursday, September 29, 2016, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise  
Sr. Technical Writer/Editor

James J. Parsons  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, September 22, 2016**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: There were no Resolutions submitted for adoption.**

**\*B. Record Plats**

**Subdivision Plat No. 220081660, Clarksburg Village**

R-200 zone; 1 lot; located in the southwest quadrant of the intersection Robin Song Drive and Magic Leaf Lane; Clarksburg Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220160990, Rossmoor Leisure World**

PRC zone; 2 parcels; located on the north side of Gleneagles Drive, at the intersection with South Leisure World Boulevard; Aspen Hill Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

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

**\*C. Other Consent Items**

**Offutt Estates: Regulatory Plan Extension Request, Site Plan No. 820150140** --- Request to extend the regulatory review period for Site Plan No. 820150140 by two months to December 8, 2016; proposed residential development consisting of 6 townhouse units; RT-12.5 Zone; 0.5 acres; located on Hillery Way approximately 450 feet west of Rockville Pike (MD 355) within the White Flint Sector Plan area.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/WELLS-HARLEY

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** DREYFUSS ABSENT

**Action:** Approved staff recommendation for approval of the Site Plan Extension cited above.

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of September 8, 2016

**BOARD ACTION**

**Motion:** WELLS-HARLEY/FANI-GONZÁLEZ

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** DREYFUSS ABSENT

**Action:** Approved Planning Board Meeting Minutes of September 8, 2016, as submitted.

**\*3. Ripley II Sketch Plan Amendment 32015003A**

**A. Sketch Plan Amendment 32015003A**, Ripley II, CR 5.0 C 4.0 R 4.75 H 200T Zone and Ripley/South Silver Spring Overlay Zone, 1.40 acres, Amendment to modify the public benefits schedule, located on Dixon Avenue, approximately 150 feet south of Ripley Street, Silver Spring CBD Sector Plan

*Staff Recommendation: Approval with Conditions*

**B. Preliminary Plan No. 120160190**, Ripley II, CR 5.0 C 4.0 R 4.75 H 200T Zone and Ripley/South Silver Spring Overlay Zone, 1.40 acres, Proposing one lot for a mixed-use development with up to 419,181 square feet of residential uses, for up to 440 multi-family dwelling units, including a minimum of 15 percent MPDUs and up to 18,083 square feet of non-residential uses; located on Dixon Avenue, approximately 150 feet south of Ripley Street, Silver Spring CBD Sector Plan

*Staff Recommendation: Approval with Conditions*

**C. Site Plan No. 820160070**, Ripley II, CR 5.0 C 4.0 R 4.75 H 200T Zone and Ripley/South Silver Spring Overlay Zone, 1.40 acres, Proposing a mixed-use development with up to 419,181 square feet of residential uses, for up to 440 multi-family dwelling units, including a minimum of 15 percent MPDUs and up to 18,083 square feet of non-residential uses, the removal of the recycling facility plan benefit, the wayfinding benefit and the cool roof benefit from the public benefits schedule; located on Dixon Avenue, approximately 150 feet south of Ripley Street, Silver Spring CBD Sector Plan

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: A, B, & C. WELLS-HARLEY/CICHY**

**Vote:**

**Yea: 4-0**

**Other: DREYFUSS ABSENT**

**Action: A. Approved staff recommendation for approval of the Sketch Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.**

**B. Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, as stated in the attached adopted Resolution.**

**C. Approved staff recommendation for approval of the Preliminary Plan cited above, subject to revised conditions discussed during the meeting, and as stated in the attached adopted Resolution.**

Planning Department staff offered a multi-media presentation and discussed the proposed Sketch Plan Amendment, Preliminary Plan, and Site Plan requests to create one new lot for the construction of a mixed-use building, and amend a previously approved public benefit schedule. The 1.66-acre site is located on the northwest quadrant of Silver Spring Avenue and the future Dixon

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**\*3. Ripley II**

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Avenue extended, which will connect Ripley street to Silver Spring Avenue, and is zoned Commercial/Residential within the Ripley/South Silver Spring Overlay Zone in the Ripley District of the Silver Spring Central Business District Sector Plan area. The proposed project site is currently developed with the existing Progress Place social services building and Public Parking Lot 20. Under the terms of the General Development Agreement, the County will transfer public parking Lot 20 to the applicant.

The applicant proposes to create a new lot, and construct a maximum 21-story mixed-use building for up to 419,181 square feet of multi-family residential uses in up to 440 units, including 15 percent Moderately Priced Residential Units (MPDUs), and up to 18,083 square feet of non-residential uses, with a below grade parking structure. The proposed development is expected to be built in one phase. Two plazas are proposed along Dixon Avenue extended, with one located between the proposed building and the west side of Dixon Avenue extended, and the other, smaller plaza confronting on the east side of Dixon Avenue extended. The applicant will also extend the Metropolitan Branch Trail (MBT) southward with the construction of a variable-width shared-use trail located on the west side of the building. Vehicular access to the site is proposed directly from Dixon Avenue extended, which will intersect with Silver Spring Avenue at the southeast corner of the property, with access to the parking and loading entrances located at the northeast corner of the property. Pedestrian and bicycle access to the site will be located along the Dixon Avenue frontage. The applicant is also seeking to amend the previously approved public benefits schedule in order to eliminate the required wayfinding, cool roof, and recycling plan. Staff then briefly discussed a correction to Condition 12 regarding demolition and clearing of the site and added that Resolutions for the three proposed Plans will be submitted for adoption at a later date.

Ms. Heather Dlhopsky, attorney representing the applicant, offered comments, and concurred with the staff recommendation.

There followed extensive Board discussion with questions to staff and Ms. Dlhopsky, during which Chair Anderson instructed staff to include an additional condition of approval for the proposed Site Plan that clearly specifies the preferred width of the trail, and that the proposed landscaping along the extended portion of the MBT cannot interfere with the shy zone between the proposed path and the building.

MCPB, 9-22-16, APPROVED

~~\*4. Little Falls Swim Club, Preliminary Plan 11991105B — R-60 Zone, 2.78 acres, Proposing landscaping, grading and pool modifications; located on Little Falls Drive, approximately 100 feet west of Greenway Drive, Bethesda-Chevy Chase Master Plan — **REMOVED**~~  
*Staff Recommendation: Approval with Conditions Denial*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This Item was removed from the Planning Board agenda.**

**\*6. Montrose Crossing Limited Site Plan Amendment No. 81995036H** --- Request to replace an existing 10,701-square-foot freestanding restaurant building with a 19,000-square-foot multi-tenant retail building; and approval of the parking requirements under the current Zoning Ordinance. 31.41 acres zoned CR-2.0, C-0.5, R-1.5, H-220T, located in the southeast quadrant of the intersection of Rockville Pike and Bou Avenue, within the North Bethesda/Garrett Park Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation for approval of the Limited Site Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.**

Planning Department staff offered a multi-media presentation and discussed a proposed Limited Site Plan Amendment request to replace an existing building for restaurant use with a multi-tenant retail/restaurant building and to reduce the number of existing parking spaces. The 31.41-acre site is located on the southeast quadrant of the intersection of Rockville Pike (MD355) and Bou Avenue and is zoned Commercial/Residential within the North Bethesda/Garrett Park Master Plan area. Because the application was submitted prior to October 29, 2014, the property is being reviewed under its former Residential-Mixed Use Development zone. The site is currently developed with the Montrose Crossing shopping center. Although the proposed Amendment covers the entire 31.41-acre Shopping Center site, the application is limited to a 1.93-acre project site and includes the modifications to the existing building, related parking, and proposed landscaping.

The applicant proposes to replace the existing 10,701-square foot building, currently occupied by Timpano’s restaurant, with a 19,000-square-foot multi-tenant retail/restaurant building and to reduce the number of required parking spaces from 1,977 to 1,910, in order to improve pedestrian circulation on the project site. The applicant also proposes to eliminate an existing vehicular access point from the internal driveway within the shopping center parking lot, and extend an existing sidewalk and tree panel to provide better separation between the project site and the shopping center driveway. The applicant will also add a ten-foot landscape buffer between the proposed project site parking lot and the

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**\*6. Montrose Crossing Limited Site Plan Amendment No. 81995036H**

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MD355 right-of-way. Staff received one letter from a resident expressing concern regarding the proposed reduction in parking. The associated Resolution for the proposed Amendment will be submitted for adoption at a later date.

Mr. Chris Ruhlen, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Jay Corbalis, member of the applicant's team, also offered comments.

There followed a brief Board discussion with questions to staff and Messrs. Ruhlen and Corbalis.

**\*5. Pooks Hill**

**A. Sketch Plan Amendment No. 32015006A**, Pooks Hill, CR 1.0 C 1.0 R 0.75 H 160 Zone, 19.38 acres, Amendment request to modify the public benefit category to allow for the provision of additional off-street parking above the minimum required by the zoning ordinance; located on Pooks Hill Road approximately 1,200 west of the intersection with Rockville Pike ~~at the northwest intersection with Dudley Lane~~, Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval with Conditions*

**B. Site Plan No. 81982098C (replaces formerly assigned number 820160080)**, Pooks Hill, CR 1.0 C 1.0 R 0.75 H 160 Zone, 19.38 acres, Request for 905,250 square feet for development for: i) existing 259,593 square foot hotel to remain; and ii) 645,657 square feet proposed for a maximum of 631 multi-family dwelling units, including a minimum of 15 percent MPDUs ~~and up to 259,593 square feet of non-residential uses~~, and a Final Forest Conservation Plan and Tree Variance request; located on ~~5151~~ Pooks Hill Road approximately 1,200 west of the intersection with Rockville Pike ~~at the northwest intersection with Dudley Lane~~, Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: At the request of the applicant, the Board, by consensus, voted to defer this Item.**

Planning Department staff offered a multi-media presentation and discussed the proposed Sketch Plan and Site Plan Amendments to construct two multi-family residential buildings for up to 645,657 square feet of residential use in up to 631 total units, including 15 percent Moderately Priced Dwelling Units (MPDUs). The proposal also includes associated underground parking and a request to modify the previously approved minimum parking requirement. The Site Plan Amendment also includes a Final Forest Conservation Plan (FCP) and a tree variance request. The project site, which consists of a six-acre portion of a 19.38-acre property, is located on the north side of Pooks Hill Road, bounded by Rockville Pike (MD355) to the east, I-495 to the north, and is zoned Commercial/Residential within the Bethesda-Chevy Chase Master Plan area. The site is currently developed with terraced surface parking lots and drive aisles that connect to the existing parking lots for the abutting Bethesda Marriott hotel to the northeast. Access to the site will be provided via a shared driveway from Pooks Hill Road. The site contains approximately 4.53 acres of high priority

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**\*5. Pooks Hill**

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forest, a stream, and associated streamvalley buffers (SVBs). A wood chip surface looped trail is proposed to be located within a Category I Conservation Easement on the southwest portion of the property.

The submitted FCP proposes 1.05 acres of forest clearing, 3.56 acres of forest retention, and 0.34 acres of onsite reforestation. The applicant is requesting a variance to remove four trees, and impact one, for which staff and the County arborist have recommended a partial denial. Although the numbers used by the applicant to calculate reforestation credit were actually correct, both staff and the applicant agree that a 0.08-acre deficiency still exists, which contrary to the staff recommendation, the applicant proposes to mitigate offsite. Staff recommends that the applicant remove a portion of a dilapidated tennis court that is located within an existing SVB and reforest that portion of the SVB, which staff noted is a priority area.

Staff has received letters from residents expressing concerns regarding pedestrian safety and potential congestion due to increased traffic, the proposed number of units, increased school capacity, and potentially inadequate water and sewer capacity. Staff addressed these concerns, noting that the existing turning restrictions at the intersections of Pooks Hill Road and Linden Lane, and Beech Avenue and Linden Lane would remain in place. Also, a traffic study that was submitted with the application found that the proposed congestion levels were found to be acceptable for the policy area. Regarding concerns over increased density, staff stated that the Sketch Plan was originally approved for 650 units, and that the proposed density is in keeping with the Commercial/Residential zone. Staff noted that although the proposed development will generate a student rate that is beyond the high school capacity, for which the applicant will make a school payment, student numbers at the elementary and middle school levels will remain acceptable. Also, Washington Suburban Sanitary Commission has found that the proposed development will be adequately served by the existing sewer and water system.

Ms. Soo Lee-Cho, attorney representing the applicant, offered comments, and disagreed with staff Condition 3 regarding the removal of the tennis court and reforestation within the existing SVB, and noted that the tennis courts are an existing amenity for the abutting Bethesda Marriott hotel, are owned by Marriott, and are not within the applicant's control. Ms. Lee-Cho then proposed an alternative to the staff recommendation, noting that residents of the adjacent Promenade condominiums have encroached upon a 0.13-acre portion of the site for use as a community garden. She stated that the applicant would be willing to enter into a license agreement to allow continued use of the garden in order to fulfill the remaining 0.08-acre reforestation requirement.

Ms. Heather Dlhopsky, attorney representing Bethesda Marriott hotel, offered comments, stating that the applicant is not permitted to accept a condition of approval that requires alteration to the Marriott-owned tennis courts.

Messrs. Wen Wang, Stephen Cook, and Robert Knopf, members of the applicant's team, also offered comments.

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**\*5. Pooks Hill**

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The following speakers offered testimony: Mr. Allen Myers, representing the Maplewood Citizens Association; Mr. Charles Buxbaum of Pooks Hill Road; and Mr. David Brown, attorney representing the adjacent Promenade condominiums.

There followed extensive Board discussion with questions to staff, Ms. Lee-Cho, and some of the speakers, during which the Board instructed staff to include an additional condition of approval for the proposed Site Plan that specifies that construction of the proposed loop trail will accommodate materials and utilize grades that will make it maximally accessible to all users, and to draft a letter to Montgomery County Department of Transportation recommending the restriping of the existing left turn lanes from Pooks Hill Road onto northbound MD355. The Board also concurred with the staff recommendation for removal of the existing tennis court and reforestation within the existing SVB.

Ms. Lee-Cho then requested a deferral, pending further discussion with the applicant and representatives from Bethesda Marriott hotel regarding the tennis courts.

There followed a brief Board Discussion.

**\*7. Pike and Rose Limited Site Plan Amendment No. 82013012C** --- Request for a reduction in the number of dwelling units for Building 2 by 38 units, including five moderately priced dwelling units; change of unit mix in Buildings 6 and 7; modification of Towne Road to incorporate a cycle track and streetscape changes; an increase in the park pavilion building area by 255 square feet; design modifications for Rose Park; and updates to the Certified Site Plan set to reflect as-built conditions for garage 7. 10.32 acres zoned CR-3.0, C-1.5, R-2.5, H-200' and CR-4.0 C-3.5 R-3.5 H-300', located north of Old Georgetown Road (MD187), between Rockville Pike (MD355) and Town Road; within the 2010 White Flint Sector Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: WELLS-HARLEY/CICHY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation for approval of the Limited Site Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.**

Planning Department staff offered a multi-media presentation and discussed a proposed Limited Site Plan Amendment request to reduce the number of units, update the unit mix, modify an existing street, increase the size of a building, modify the design of a park, increase the number of parking spaces, and update the Certified Site Plan regarding a parking garage for portions of a previously approved development project. The 10.32-acre project site is located on the southwest quadrant of the intersection of Montrose Parkway and Rockville Pike (MD355), bounded by Towne Road to the west, Meeting Street to the south, and zoned Commercial/Residential within the White Flint Sector Plan area. The project site is part of Phase II of the 24.4-acre Pike and Rose development, the application for which was submitted prior to October 29, 2014, and therefore is being reviewed under the previous Zoning Ordinance.

The applicant proposes to reduce the number of dwelling units in one residential building, identified as building 2, from 286 units to 198 units, including a reduction in Moderately Priced Dwelling Units (MPDUs) from 30 to 25 units, which is the same number of dwelling units approved in the original Site Plan for Phase II. The proposed Amendment will also update the unit type for two residential buildings identified as buildings 6 and 7, as well as update the Certified Site Plan set to reflect an as-built condition for the parking garage in building 7. The total number of parking spaces for Phase II are proposed to increase from 1,862 to 1,916 spaces. The Amendment includes changes to Rose Park by reducing the pavilion building height from

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**\*7. Pike and Rose Limited Site Amendment No. 82013012C**

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two to one story, increasing its total size by 255 square feet to allow for the addition of a public restroom, and modifying the park landscaping. The Amendment also includes modifications to Towne Road to allow for parking on both sides of the street, and to better accommodate a future protected two-way separated bike lane. Staff added that the associated Resolution for the proposed Amendment will be submitted for adoption at a later date.

Ms. Barbara Sears, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Jay Corbalis, member of the applicant's team, also offered comments.

There followed a brief Board discussion with questions to staff and Mr. Corbalis.

**2. Roundtable Discussion**

- Planning Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing.**

Planning Department Director Gwen Wright briefed the Board on the following ongoing and upcoming Planning Department events and activities: a meeting held this morning with the Government and Operations (GO) Committee to discuss subdivision staging and the recommendations regarding school impact fees during which five Councilmembers were present; the County Council Committee on Planning, Housing, and Economic Development (PHED) worksession on the subdivision Staging Policy held on Monday; County Council Public Hearings scheduled for the Greater Lyttonsville Sector Plan on September 27, and the Bethesda Downtown Sector Plan for October 18 and 20; Planning staff and Parks staff are in the process of arranging an upcoming tour of Lyttonsville for County Councilmembers; Westbard Sectional Map Amendment worksessions will be coming up in the next few months, and staff is working on regulatory review and the Willett Branch with Parks Department staff and the Little Falls Watershed Alliance; the upcoming worksessions for Rock Spring, White Flint II, Grosvenor/Strathmore, and the Bicycle Master Plans; the Recreation Guidelines, and the Design Excellence Award; the upcoming open house focused on assisting faith-based institutions in better understanding the planning process to be hosted by staff from the Department of Permitting Services and the Planning Department; the literacy program training offered by the Full Commission; an upcoming leadership program or Planning U for Planning Department staff.

There followed a brief Board discussion with questions to Ms. Wright.

**\*8. Dowden’s Station, Preliminary Plan No. 120160160 and Site Plan No. 820160060 with Final Water Quality Plan** --- Request to create 105 lots with 21 detached single-family residential and 84 attached single-family residential units (including 14 MPDUs) from two un-platted parcels., associated landscape and public amenities; located on the southwest side of Frederick Road (MD 355) approximately 1/3 of a mile from the intersection of Stringtown Road and Frederick Road, 24.37 acres, Planned Development (PD-4) Zone, 1994 Clarksburg Master Plan & Hyattstown Special Study Area  
*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: WELLS-HARLEY/ FANI-GONZÁLEZ**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation for approval of the Preliminary, Site, and Water Quality Plans for the Dowden’s Station project, subject to revised conditions discussed at the meeting, and as stated in the attached adopted Resolution.**

In keeping with the September 9 technical staff report, Planning Department staff offered a multi-media presentation and discussed proposed Preliminary and Site plan requests for the Dowden’s Station project, as well as a final Water Quality Plan (WQP). Staff noted that the request is to create 105 lots to build 21 detached single-family residential units and 84 attached single-family residential units, including 14 Moderately Priced Dwelling Units (MPDUs) on two un-platted parcels with the associated landscape and public amenities. The 24.37-acre property is in a Planned Development (PD-4) zone, located on the southwest side of Frederick Road, approximately one third of a mile from the intersection of Stringtown Road and Frederick Road in the Clarksburg Master Plan and Hyattstown Special Study area. Staff noted that the applicant has made every effort to minimize the number of impervious surfaces. The approved stormwater management concept plan proposes a combination of micro-bio-retention cells and planter boxes to meet the final WQP. The final Forest Conservation Plan (FCP) was submitted as part of this application and is consistent with the previously approved preliminary FCP, which proposes to retain 8 acres of forest.

Legal staff noted that an additional condition of approval should be added to the Site Plan to reflect Vice-Chair Wells-Harley’s comments and recommendations regarding the proposed tot lot and play area equipment for the proposed development.

Mr. Jody Kline, attorney representing the applicant, introduced Messrs. Michael Fisher, Jon Lerner, Steve Crum, David Crowe, and Carl Wilson, members of the applicant’s team, briefly discussed the proposed request, and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and the applicant’s representative.



**9. Proposed Water and Sewer Map Amendments --- Proposed Category Map Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment – County Executive’s June 2016 Amendment – Five Water/Sewer Service Category Change Requests**

*Staff Recommendation: Transmit Comments to County Council*

**BOARD ACTION**

**Motion: WELLS-HARLEY/ FANI-GONZÁLEZ**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation to transmit comments to the County Council regarding the following five Water/Sewer Category Change requests, as discussed below and as stated in the attached transmittal letter.**

- 1. By consensus, the Planning Board approved sewer service for the St. John Neumann Catholic Parish.**
- 2. By consensus, the Planning Board approved staff recommendation to approve water service and deny sewer service for the Ahmad Akbari property.**
- 3. By consensus, the Planning Board approved the applicant’s request for a deferral regarding sewer service request for the Ted and Roxanne Smart property, pending further technical analysis by the Department of Environmental Protection (DEP) and Washington Suburban Sanitary Commission (WSSC).**
- 4. By consensus, the Planning Board approved staff recommendation to deny sewer service for the Fiona Lau property.**
- 5. By consensus, the Planning Board approved staff recommendation to approve sewer service for the Daniel & Leslie Geringer property.**

In keeping with the September 15 technical staff report, Planning Department staff offered a multi-media presentation and discussed five Water/Sewer Service Category Change requests. Staff’s recommendation for the first request for St. John Neumann Catholic Parish located on Lochaven Drive in Gaithersburg, Maryland. is to approve water service but to deny sewer service due to concerns about the rural setting in what is a transitional area to the northern agricultural zone. Reverend Joseph Rogers representing St. John Neumann Catholic Parish introduced Mr. Stephen Crum, engineer for the applicant, and offered comments. .Mr. Stephen Crum also offered comments.

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## **9. Proposed Water and Sewer Map Amendments**

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At the Board's request, Mr. Alan Soukup of the Department of Environmental Protection (DEP) offered comments.

Staff noted that the Ten-Year Water Supply and Sewerage Systems Plan policies make the Ahmad Akbari property ineligible for sewer service because it is outside of the sewer envelope, is zoned low-density, and there is no sewer main abutting the parcel. Staff recommended denial of the requested sewer service.

Regarding the Ted and Roxanne Smart property, staff noted that further technical analysis by DEP and WSSC is required before staff can review the request and therefore recommended a deferral. Mr. Steve Orens, attorney representing the applicant, Mr. Ted Smart also present, offered comments. Mr. Ted Smart also offered comments.

At the Board's request, Mr. Alan Soukup of DEP offered comments.

Regarding the request for sewer service at the Fiona Lau property, staff noted that the Glen Hills Sewer Service Policy approved by the County Council in March 2016, sets out specific conditions for considering public sewer service in this community. Under the policy, individual unimproved lots are not eligible for evaluation, but may be included if a group of qualifying landowners seeks evaluation for service. Although the policy does not currently support sewer service to this property, the owner should work with other eligible property owners to extend service to the area. Staff recommended denial of sewer service at this time.

The applicants for the Daniel & Leslie Geringer property have requested sewer service to their existing house. They have raised concerns about the condition of the 60-year septic system currently serving the property. WSSC's review of this request confirms the feasibility of providing public service from the abutting gravity sewer in the Foxden Drive cul-de-sac without the need for a main extension. The applicants' house was built in 1960 and with the abutting sewer main installed in 1968, staff noted that this lot qualifies for a single sewer hookup and recommended approval of the sewer service request.

There followed a brief Board discussion with questions to staff.

**10. Ten Mile Creek Conservation Park** --- Resolution Authorizing the acquisition of 60.03 acres, more or less improved, from the Mary Beth Lassetter Beck Revocable Trust, located at 23301 Shiloh Church Road, Boyds, Maryland 20841.

*Staff Recommendation: Approval and adoption of Resolution*

**BOARD ACTION**

**Motion:** WELLS-HARLEY/ FANI-GONZÁLEZ

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** DREYFUSS ABSENT

**Action:** Approved staff recommendation for approval of the proposed land acquisition cited above, as stated in the attached adopted Resolution.

Parks Department staff briefly discussed a request to authorize the acquisition of 60.03 acres, more or less improved, from Barbara Gail Beck, Successor Trustee of the Mary Beth Lassetter Beck Revocable Trust, located on Shiloh Church Road in Boyds, Maryland. This land will be an addition to the County's existing Ten Mile Creek Conservation Park. Staff noted that the Ten Mile Creek Watershed, including this property, was designated as a Legacy Open Space Natural Resource site in the Ten Mile Creek Area Limited Amendment of the Clarksburg Master Plan of July 2014. Staff is recommending that the purchase price of \$985,500 be financed by the Commission's Legacy Open Space Acquisition Program. Staff noted that the Planning Board received a full briefing on the proposed acquisition last week, and staff is requesting formal approval of the proposed acquisition and adoption of the Resolution.

There followed a brief Board discussion with questions to staff.