



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, June 7, 2018, at 9:15 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 3:00 p.m.

Present were Chair Casey Anderson, Vice Chair Norman Dreyfuss, and Commissioners Natali Fani-González, Gerald R. Cichy, and Tina Patterson.

Items 1, 4, 5, 2, and 7, discussed in that order, are reported on the attached agenda.

Item 3 was removed from the Planning Board agenda.

The Board recessed at 2:21 p.m. and convened in Closed Session at 2:32 p.m. to take up Items 6 and 8, Closed Session Items.

In compliance with State Government Article §3-305(b), Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 2:32 p.m. in the 3rd floor conference room on motion of Commissioner Patterson, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the meeting were Director Gwen Wright and Molline Jackson of the Planning Department; Acting Principal Counsel Matt Mills of the Legal Department; and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and discussed the Art Review Panel recent candidate selection, and the Board approved the Closed Session Minutes of March 22, April 12, and May 24, 2018.

The Closed Session meeting was adjourned at 3:00 p.m.

There being no further business, the meeting was adjourned at 3:00 p.m. The next regular meeting of the Planning Board will be held on Thursday, June 14, 2018, in the Montgomery Regional Office in Silver Spring, Maryland.

A handwritten signature in black ink, appearing to read "James J. Parsons". The signature is fluid and cursive, with a long horizontal stroke at the end.

James J. Parsons
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting
Thursday, June 7, 2018
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. 220081650, Clarksburg Village

R-200 zone, 1 lot; located on the east side of Summer Shade Lane, 175 feet south of Bent Arrow Drive; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220180460, Belvedere

RE-2 zone, 1 lot, 1 outlot; located on the east side of Stonebarn Lane, approximately 2,100 feet south of Split Creek Court; Potomac Subregion Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220180770, Palatine

RE-2 zone, 1 lot, located on the north side of Centurion Way, approximately 740 feet northeast of the intersection of Greenbriar Road; Potomac Subregion Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 5-0

Nay:

Other:

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

***C. Other Consent Items**

1. Old Angler’s Cover: Extension Request for Preliminary Plan No. 120170290---Request to extend the regulatory review period by approximately 5 months to November 1, 2018; to subdivide the Subject Property initially proposed for four (4) lots for four (4) detached single-family houses, located on MacArthur Boulevard approximately 2,475 feet west of Brickyard Road; 1.865 acres, R-200; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the Extension Request

2. Lindsay Ford at Aspen Hill, Site Plan No. 820180070, Regulatory Extension Request---Request to extend the regulatory review period of the Site Plan by two months from June 7, 2018 to July 26, 2018; 10.04 acres in the CRT 1.5, C-0.5, R-1.0, H-60 Zone; located on the northwest quadrant of the intersection of Aspen Hill Road and Route 185-Connecticut Avenue, within the 2015 Aspen Hill Minor Master Plan Amendment area.

Staff Recommendation: Approval of the Extension

BOARD ACTION

Motion: 1. FANI-GONZÁLEZ/PATTERSON
 2. CICHY/DREYFUSS

Vote:

Yea: 1. & 2. 5-0

Nay:

Other:

Action: 1. Approved staff recommendation for approval of the Preliminary Plan Extension request cited above.

 2. Approved staff recommendation for approval of the Site Plan Extension request cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of May 24, 2018

BOARD ACTION

Motion: FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of May 24, 2018, as submitted.

***4. Glen Mill – Parcel 833, Preliminary Plan No. 120160180---**Request to create two (2) lots from one (1) unplatted parcel; located on Glen Mill Road approximately 650 feet east of Boswell Lane, 2.77 acres, RE-1 Zone, 2002 Potomac Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Preliminary Plan cited above, subject to revised conditions discussed during the meeting, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a Preliminary Plan request to subdivide a property. The 2.77-acre un-platted parcel, identified as Parcel 833, is located on the south side of Glen Mill Road, approximately 650 feet east of its intersection with Boswell Lane, and is zoned Rural Estate within the Potomac Master Plan area. The property, located within the Watts Branch watershed and the Piney Branch Special Protection Area (SPA), is currently undeveloped, with 1.54 acres of existing forest. A portion of the Piney Branch stream enters the site from the north side, flows south, then meanders onto and off the property along the eastern boundary. A 1.38-acre buffer associated with the stream extends onto the property and encompasses a portion of the existing forest, as well as a 175-square foot wetland area and an isolated pond, both located on the southeast portion of the property.

The applicant proposes to subdivide one un-platted parcel in order to create two lots, proposed Lot 1 at 1.1 acres, and proposed Lot 2 at 1.77 acres. Both lots will be served by public water, with the applicant constructing an approximately 100-foot sewer extension to provide sewer service.

Staff then discussed environmental issues, noting that because the site has a tract area of less than 10 acres and contains less than 15 percent impervious surfaces, the applicant is exempt from the requirement to submit a Water Quality Plan. However, the applicant has expanded the minimum 100-foot stream buffer requirement by 25 feet to include all hydraulically adjacent steep slopes. The applicant also proposes to protect an additional 5,224 square feet of steep slopes located outside the buffer. Staff then discussed the Forest Conservation Plan (FCP), which proposes to remove 0.97 acres of forest that lies outside the existing stream buffer, and retain 0.57 acres of forest within the stream buffer, resulting in a reforestation/afforestation requirement

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***4. Glen Mill – Parcel 833, Preliminary Plan No. 120160180**CONTINUED

of 0.46 acres of planting, which the applicant proposes to meet through 0.28 acres of forest planting within the stream buffer, and 0.19 acres through a fee-in-lieu payment. The applicant also proposes to retain and plant an additional 0.17 acres of forest outside the stream buffer to be placed in Category I Conservation Easement, consisting of 0.12 acres of forest retained and 0.05 acres planted. The applicant has also submitted a variance request to remove four specimen trees and to impact one that is located approximately 30 feet outside the western property line. As mitigation, the applicant proposes to plant 12 overstory trees onsite. Staff supports the variance request.

Staff then briefly discussed an additional condition of approval that was not included in the June 7 staff report. Staff has received three letters from neighboring property owners in opposition to the application expressing concerns that focus primarily on environmental issues, as well as lot pattern, and the number of allowed sewer connections. Staff addressed each of these concerns, as noted in the June 7 technical staff report.

The following speakers offered testimony and a multi-media presentation: Mr. Austin Burnes, adjacent property owner; Ms. Mary Ellen Gaspard, adjacent property owner; Ms. Cady Burnes, adjacent property owner; Mr. Tom Gaspard, adjacent property owner; Mr. Steve Gershberg of Glen Mill Road; and Ms. Susanne Lee, representing the West Montgomery County Citizens Association.

Mr. Alan Soukup of the Montgomery County Department of Environmental Protection offered comments.

Ms. Soo Lee-Cho, attorney representing the applicant, offered a brief multi-media presentation that addressed the concerns expressed by the neighboring property owners, and concurred with the staff recommendation.

Mr. Mike Razavi, member of the applicant's team, also offered comments.

There followed extensive Board discussion with questions to staff, during which the Planning Board instructed staff to include an additional condition of approval that requires the record plat to reflect a 45-foot rear setback for the southern boundary of the proposed Lot, as well as the relocation of the 12 variance trees to the southern boundary line to maximize screening.

5. **Mandatory Referral – MR2018025 – MD355 Bridge over Little Bennet Creek---** MDOT/SHA Project to replace the existing bridge over Frederick Road (MD355) and construct stream restoration on Little Bennet Creek.

Staff Recommendation: Approval with Comments

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to Maryland Department of Transportation State Highway Administration, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department and Parks Department staff offered a multi-media presentation and discussed a Mandatory Referral request from the Maryland Department of Transportation State Highway Administration (MDOT/SHA) to replace the existing bridge for Frederick Road (MD355) over Little Bennett Creek just south of Hyattstown. The approximately 0.2-mile project site runs along MD355, a two-lane, undivided roadway, from Croghan Lane north to Old Hundred Road. According to staff, the existing bridge is deficient, with significant deterioration of the bridge deck, concrete beams, and abutments. The bridge has significant undermining of the abutments due to scour, and the current stream alignment is eroding the roadway side slopes of MD355 at the south bridge abutment and approximately 200 feet to the south of the bridge.

The applicant proposes to replace, in three stages, the existing 40-foot span concrete T-beam bridge with a two-span structure consisting of a pre-stressed concrete slab with two 55-foot spans providing a total bridge length of 116 feet. The majority of the increased span length will be added to the south toward Croghan Lane to better align the channel opening with the stream flow and the existing floodplain. For traffic maintenance, MDOT/SHA is proposing to install a temporary roadway and temporary bridge to the west of the existing structure. To address issues of erosion, MDOT/SHA proposes to extend the southeast wing wall approximately 50 feet farther than the other wingwalls to prevent further stream erosion. Staff noted that there will be impacts to parkland at Little Bennett Regional Park, including approximately 11,300 square feet for the new bridge and side slopes; 31,000 square feet of perpetual easement for stormwater management, side slopes, and the repaving of the Hyattstown Playground parking lot; and 48,000 square feet of temporary easement for the temporary roadway and bridge. As mitigation for these impacts, MDOT/SHA proposes approximately 750 linear feet of stream reconstruction and re-alignment, from 500 feet upstream to 250 feet downstream of the existing bridge structure.

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5. Mandatory Referral – MR2018025 – MD355 Bridge over Little Bennet CreekCONTINUED

Staff then discussed the applicant's proposed bikeway plan, which includes the construction of a 10-foot wide sidewalk/sidepath between Old Hundred Road and Hyattstown Mill Road, and a five to 6.5-foot wide sidewalk/bikeway between Hyattstown Mill Road and the south end of the new bridge, both along the west side of MD355. No provision is made for bicycle facilities between the south end of the bridge and Croghan Lane. Staff noted that the proposed bicycle-related improvements are not consistent with the current Countywide Bikeways Functional Master Plan. Staff recommends that MDOT/SHA upgrade the shoulder from Hyattstown Mill Road to the south end of the new bridge to an elevated, 12-foot wide sidepath. For the south end of the new bridge, staff recommends that the applicant provide a minimum 18-foot wide graded shoulder to allow the future construction of a 10-foot wide sidepath and a six-foot wide grass buffer between the sidepath and the road edge. Other staff comments include the recommendations that the applicant obtain a Park Construction Permit from Montgomery County Department of Parks prior to any construction activities on parkland; design all proposed stormdrain and stormwater facility outfalls on parkland to Parks Department environmental standards; keep both the Little Bennett Regional Park access via Hyattstown Mill Road and the Hyattstown playground open during construction; and rebuild the playground parking lot as mitigation for the impacts to parkland.

Mr. Daniel Beck of MDOT offered comments.

Mr. John Webster, engineering consultant for MDOT/SHA, also offered comments.

There followed extensive Board discussion, during which the Board instructed staff to include additional comments that recommend more specific language regarding the widths of the required sidepaths, and that MDOT/SHA work with the Planning and Parks Departments and other County agencies to explore the feasibility of cost sharing for the grading proposed for the area south of the new bridge.

2. Roundtable Discussion

- Parks Director’s Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing.

Parks Department Director’s Report – Parks Department Director Mike Riley briefed the Board on the following ongoing and upcoming Parks Department events and activities: the recent quarterly Connecting, Learning, Informing, Motivating, and Building (CLIMB) meeting held on May 30, during which the Americans with Disabilities Act (ADA) Access Team presented their ADA Spirit Award to staff members who have made significant contributions to the program; the recent presentation of the Countywide Recreation and Parks Advisory Board 2018 Recognition Award for Employee Excellence to Ms. Lynn Gertzog of the Enterprise Division for her work with the ACEing Autism program, and the presentation of the Volunteer of the Year Award to Ms. Bonnie Bell for her trail maintenance work in the Great Seneca Valley Watershed; the upcoming ribbon cutting ceremony for the opening of the Laytonia Recreation Park scheduled for June 10; the recent Food Matters Foodie Fridays event held on May 25 at Brookside Gardens, which was attended by Commissioner Tina Patterson; the recent tour of three community gardens held on May 25, which was also attended by Commissioner Patterson; the recent Summer Camp training program for Enterprise Division, Horticulture, Forestry and Environmental Education (HFEE) Division, and Park Planning and Stewardship Division summer camp staff held at the Agricultural History Farm Park on June 1 and 2; the recent opening of the SplashPark facility at South Germantown Recreational Park on May 26; the recent hiring of Ms. Maureen Moyer as the Human Resources Manager for the Management Services Division of the Montgomery County Parks Department; and the upcoming Mudfest event scheduled for June 23 at the Woodstock Equestrian Park.

There followed a brief Board discussion, during which Commissioner Fani-Gonzalez requested that Mr. Riley return with an update regarding County pesticide legislation and pesticide application at park facilities.

~~3. — Urban Parks & Open Spaces Design Guidelines Framework, Planning Board Briefing— Overview of the Urban Parks & Open Spaces Design Guidelines Framework content and approach.—REMOVED~~

~~Staff Recommendation: Provide Guidance~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

7. **Veirs Mill Corridor Master Plan – Work Session #2**

Staff Recommendation: Discuss and Provide Guidance to Staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the proposed Veirs Mill Corridor Master Plan, specifically the land use and zoning recommendations for the Connecticut/Randolph District and the Twinbrook District. Staff briefly summarized the zoning recommendations discussed during the first worksession held on May 17. According to staff, the goal of the proposed Plan is to preserve and strengthen the Veirs Mill Corridor communities by enhancing existing community resources, increasing connectivity, and promoting safety in the public realm. The Plan area extends along Veirs Mill Road from approximately four miles from the City of Rockville to the Wheaton Central Business District (CBD) within the existing Aspen Hill, North Bethesda/Garrett Park, and Kensington Wheaton Master Plan areas, and consists of the Newport Mill District to the east, the Connecticut/Randolph District, the Robindale District, and the Twinbrook District to the west.

Staff then discussed specific zoning recommendations for the Connecticut/Randolph District, specifically three quadrants of the intersection of Veirs Mill and Randolph Roads, which include zoning all five parcels on the northeast quadrant Commercial/Residential/Town (CRT), with increased height and residential density. For the approximately three-acre Veirs Mill Village shopping center site located on the southwest quadrant, staff recommends retention of the existing CRT Zone with increased height and residential density to ensure mixed-use development. For the 13.6-acre Stonemill Square shopping center site located on the northwest quadrant, staff also recommends retention of the existing CRT Zone with increased height and residential density, though staff noted that redevelopment of the site is not anticipated in the near-future.

Staff then discussed zoning recommendations for the Twinbrook District, which include rezoning the Rock Creek Woods apartments, located on Twinbrook Parkway at the southwest and southeast quadrants of its intersection with Veirs Mill Road, from Residential to CRT through a Local Map Amendment. For the Halpine View apartment complex, located to the south on Twinbrook Parkway, staff recommends rezoning the southwest portion of the site to the CRT Zone while retaining the Residential Zone on the remainder of the site. For the Parkway

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7. Veirs Mill Corridor Master Plan – Work Session #2

CONTINUED

Woods and Halpine Hamlet apartments, which are also located on Twinbrook Parkway and owned by the Housing Opportunities Commission and the Montgomery Housing Partnership respectively, staff recommends rezoning from Residential to CRT.

Staff added that the next steps for the Plan include a third worksession, scheduled for July 12, with additional worksessions scheduled for September as needed.

Mr. Robert Dalrymple, attorney from Linowes and Blocher, offered testimony.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to return with several zoning options for properties in the Plan area, to explore the feasibility of increasing the commercial density for several of the properties, and to include clear language in the Plan regarding parking and building height recommendations, text that explains the rationale for proposed new roads and road connections, and text that explains that graphics are for illustrative purposes only.

6. CLOSED SESSION

Pursuant to MD ANN Code, General Provisions Article §3-305(b)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction.

The topic to be discussed is the Art Review Panel Election

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

8. CLOSED SESSION

According to MD ANN Code, General Provisions Article §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

The topic to be discussed is the Approval of Closed Session Minutes

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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