



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, March 28, 2019, at 9:02 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:46 p.m.

Present were Chair Casey Anderson and Commissioners Gerald R. Cichy and Tina Patterson. Vice Chair Norman Dreyfuss joined the meeting at 9:06 a.m. during discussion of Item 1C.5.

Commissioner Natali Fani-González was necessarily absent.

Items 1, 11, 2, 9, and 4, discussed in that order, are reported on the attached agenda.

The Board recessed for lunch at 12:34 p.m. and convened in Closed Session at 12:42 p.m. to take up Items 5 and 10, 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 12:42 p.m. in the 3rd floor conference room on motion of Vice Chair Dreyfuss, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Cichy and Patterson voting in favor of the motion, and Commissioner Fani-González absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(1)(i), 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)(14), to discuss a matter directly related to a negotiating strategy of a proposal, as public discussion or disclosure would adversely impact the ability of the public body to participate in the proposal process.

Also present for the meeting were Planning Department Director Gwen Wright; Senior Counsel Megan Chung of the Legal Department; Deputy Director Mitra Pedoeem, Jai Cole, Joey Lampl, Julie Mueller, and Brenda Sandberg of the Parks Department; and James Parsons of the Commissioners' Office.

There was no Technical Writer present during discussion of Item 5.

In Closed Session meeting for Item 10, the Board received briefing and discussed a matter related to the Brainard Warner property.

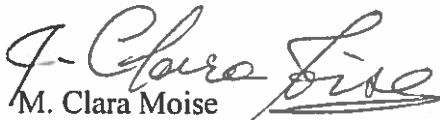
The Closed Session meeting was adjourned at 1:42 p.m.


The Board reconvened in the auditorium at 1:46 p.m.

Items 7, 8, and 6, discussed in that order, are reported on the attached agenda.

Item 3 was removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 5:46 p.m. The next regular meeting of the Planning Board will be held on Thursday, April 4, 2019, in the Montgomery Regional Office in Silver Spring, Maryland.


M. Clara Moise
Sr. Technical Writer/Editor


James J. Parsons
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting
Thursday, March 28, 2019
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600**

1. Consent Agenda

***A. Adoption of Resolutions**

1. Burtonsville Town Center Preliminary Plan 12004109D - MCPB No. 19-034

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: Adopted the Resolution cited above, as submitted.

***B. Record Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

C. Other Consent Items*1. 8101 Glenbrook Road, Extension Request No. 2**

A. Preliminary Plan No. 12016001A, 8101 Glenbrook Road, Extension Request No. 2, CR 3 C 3 R 3 H 120 and Bethesda Overlay zone, 0.59 acres, second request to extend review of request to replace 21,200 square feet of office uses with 21,200 square feet of child daycare uses, located at the northeast quadrant of the intersection of Glenbrook Road and Rugby Road; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval of Extension

B. Site Plan No. 81981081A, 8101 Glenbrook Road, Extension Request No. 2, CR 3 C 3 R 3 H 120 and Bethesda Overlay zone, 0.59 acres, second request to extend review of request to replace 21,200 square feet of office uses with 21,200 square feet of child daycare uses, with associated exterior improvements, located at the northeast quadrant of the intersection of Glenbrook Road and Rugby Road; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval of Extension

2. 8800 Brookville Road, Preliminary Plan No. 120190130, Extension Request No. 1---EIM zone, 9.93 acres, first request to extend review of proposal to create a single recorded lot from an unrecorded parcel with no new development, located at 8800 Brookville Road; 2017 Greater Lyttonsville Sector Plan.

Staff Recommendation: Approval of Extension

3. Edgemont at Bethesda II, Site Plan Amendment No. 82018017A---CR 2.50 C 0.25 R 2.50 H 90, CR 2.50 C 0.50 R 2.50 H 150 and the Bethesda Overlay (BOZ) zones, 1.65 acres, Request to reduce the amount of MPDU density exempt from the PIP from 16,990 square feet to 16,534 square feet, and accordingly increase the PIP from \$1,210,930 to \$1,215,490.; located at the corner of Woodmont Avenue and Edgemoor Lane; 2017 Approved and Adopted Bethesda Downtown Plan.

Staff Recommendation: Approval with Conditions

~~**4. Forest Conservation Plan for Gate of Heaven Cemetery, Preliminary Plan Amendment No. 11993048C**—Request to amend the Preliminary Plan for the purposes of amending the Forest Conservation Plan, including the rearrangement of Category I Forest Conservation Easements; located at 13801 Georgia Avenue, Silver Spring; on approximately 127.52 acres of land; in the RE-2 Zone; within the 1994 Aspen Hill Master Plan area.——REMOVED~~

~~*Staff Recommendation: Approval of the Preliminary Plan Amendment/Forest Conservation Plan*~~

5. Great Seneca Science Corridor – Reappoint Implementation Advisory Committee
Reappointment of the Implementation Advisory Committee for the 2010 Great Seneca Science Corridor Master Plan.

Staff Recommendation: Approve Reappointment of the Great Seneca Science Corridor Implementation Advisory Committee Members

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***C. Other Consent Items**

CONTINUED

6. Approval of Deed of Release of Conservation Easement – Etchison Lot 2 (Stabler Property)

BOARD ACTION

Motion: 1. & 2. PATTERSON/CICHY
3., 5. & 6. CICHY/PATTERSON

Vote:
Yea: 1. through 3. 3-0
5. & 6. 4-0

Nay:

Other: 1. through 3. DREYFUSS & FANI-GONZÁLEZ ABSENT
5. & 6. FANI-GONZÁLEZ ABSENT

Action: 1. A. & 2. Approved staff recommendation for approval of the Preliminary Plan Extension requests cited above.
1.B. Approved staff recommendation for approval of the Site Plan Extension request cited above.
3. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.
4. This Item was removed from the Planning Board agenda.
5. Approved staff recommendation to re-appoint the 2010 Great Seneca Science Corridor Master Plan Implementation Advisory Committee members.
6. Approved staff recommendation to approve the Deed of Release of Conservation Easement cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 14, 2019

BOARD ACTION

Motion: CICHY/ANDERSON

Vote:

Yea: 2-0

Nay:

Other: DREYFUSS & PATTERSON ABSTAINED
FANI-GONZÁLEZ ABSENT

Action: Approved Planning Board Meeting Minutes of March 14, 2019, as submitted.

11. Legislative Update: HB 716 Maryland Data Privacy Act*Staff Recommendation: Oppose***BOARD ACTION****Motion: DREYFUSS/PATTERSON****Vote:****Yea: 4-0****Nay:****Other: FANI-GONZÁLEZ ABSENT****Action: Approved Legal Counsel's recommendation to oppose the Maryland State legislation cited above.**

General Counsel Adrian Gardner briefed the Planning Board on House Bill HB 716, which creates a new standard for Information Technology (IT) security. According to Counsel, the Bill as written, which was proposed by the Maryland State Department of IT (DoIT) and has been passed by the Maryland State House of Delegates and is now before the State Senate, is an immediate mandate that will be extremely costly to implement. Current law requires that reasonable IT security measures be in place for government agencies. Bill HB 716 will require agencies to comply with Federal Information Processing Standards and National Institute of Standards and Technology guidelines, with no provision of State funding proposed for agencies to implement the new standard. Counsel has been working with the Maryland Association of Counties (MACo) and DoIT staff to draft an amendment that would exempt the legislative and judicial branches of the State government; the Office of the Attorney General; counties; municipal corporations; special taxing districts; and bi-county, regional, and multi-county agencies, among others, from the standard to allow time to integrate its implementation into the normal budgeting process. To that end, Counsel recommends opposing the Bill as written.

In response to a question from the Planning Board regarding the estimated cost for the Commission to meet the new standard, Mr. Mazen Chilet, Chief Information Officer, noted that implementation could cost \$750,000 over the next three years.

There followed extensive Board discussion with questions to Counsel and Mr. Chilet, during which a more realistic implementation total cost of \$4,500,000 was agreed upon, and the Board recommended using that figure when in discussions regarding the proposed legislation.

2. Roundtable Discussion

- Planning Director's Report

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing.**

Planning Department Director's Report – Planning Department Director Gwen Wright briefed the Board on the following ongoing and upcoming Planning Department events and activities: the status of the Veirs Mill Corridor Master Plan, with County Council Planning, Housing, and Economic Development (PHED) Committee worksessions completed, and one final County Council worksession and vote scheduled; the status of the MARC Rail Communities Plan, with PHED Committee worksessions completed, and a County Council worksession scheduled; a recent PHED Committee worksession regarding accessory dwelling units; recent County Council Transportation and Environment (T&E) Committee worksessions regarding a Zoning Text Amendment (ZTA) to create a County-wide Transportation Demand Management (TDM) Program; the status of the working draft of the Forest Glen/Montgomery Hills Sector Plan, which is scheduled to be presented to the Board in April, with a public hearing and worksessions to follow; the upcoming Semi-Annual Report presentation to the County Council scheduled for April 2; the status of ongoing FY20 budget work, with staff returning to the Board next week to continue the discussion begun at the March 21 hearing; the status of the General Plan Update, with the communication strategy scheduled to be reviewed by the Planning Board in April, and the kick-off scheduled for June; the status of the Trends Report, with Ms. Wright and Chair Anderson scheduled to discuss the report at a National Association for Industrial and Office Parks (NAIOP) Seat at the Table event on April 9; and the final Planning Department Winter Speaker Series held on Wednesday, March 28.

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

Ms. Molline Jackson, Special Assistant to the Planning Director, then offered a multi-media presentation and briefly discussed the Planning Department Play Lab equity and placemaking initiative, which will complete the existing planning process. According to Ms. Jackson, the initiative will be implemented following master plan approval and adoption, prior to Planning Board approval of development plans, and will allow the Planning Department to build on the marketing and networking that occurs during the planning process, stay connected to the

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2. Roundtable DiscussionCONTINUED

community, leverage relationships and partnerships, and test concepts identified in approved master plans. To date, three Play Lab projects have been planned: 1) Four walking tours of public artwork in Downtown Silver Spring scheduled from April through August; 2) Community engagement events in the Long Branch area scheduled from spring through autumn, culminating in a week-long block party in September; and 3) Community engagement events, organized with the support of Better Block Foundation consultants, in the Burtonsville and Damascus areas scheduled from spring through autumn, culminating in a larger community event in October.

There followed a brief Board discussion.

Mr. Jason Sartori, Acting Chief of the Functional Planning and Policy Division, also briefed the Board on Purple Line construction progress, noting that the Maryland Transit Administration (MTA) and the Purple Line Transit Partners presented their semi-annual project update to the County Council Transportation and Environment (T&E) Committee last week. According to that report, construction is currently taking place throughout the entire 16.2-mile project corridor and is at 10 percent completion, with design and vehicle assembly at 85 percent and 10 percent completion, respectively. In Bethesda, work is continuing on the elevator shaft that will connect the future Purple Line station to the existing Red Line station, with 75 feet of the 145-foot shaft completed. In the Long Branch area, excavation for the Plymouth Street tunnel has been completed. Also last week, the Purple Line Corridor Coalition (PLCC) held its annual stakeholder workshop at the University of Maryland campus, which was attended by a number of Planning Department staff members and approximately 100 other attendees. The workshop focused on the progress being made regarding the primary goals for the Purple Line corridor, which include the support and growth of local businesses, a thriving labor market, housing choices for all, and vibrant sustainable communities.

There followed a brief Board discussion with questions to Mr. Sartori.

9. 850 Sligo Avenue

A. Preliminary Plan No. 120190090, CR 3.0, C-2.0, R-2.75, H-60T and Fenton Village Overlay Zones, 0.46 acres, Request for one lot for a mixed-use project with up to 82,941 total square feet of development, including up to 76,029 square feet of age-restricted residential uses and up to 6,912 square feet of non-residential uses; located in the southeast corner of the intersection of Fenton Street and Sligo Avenue; Approved and Adopted Silver Spring CBD Sector Plan.

Staff Recommendation: Approval with Conditions

B. Site Plan No. 820190050, CR 3.0, C-2.0, R-2.75, H-60T and Fenton Village Overlay Zones, 0.46 acres, Request for a mixed-use project with up to 76,029 square feet of age-restricted residential uses; located in the southeast corner of the intersection of Fenton Street and Sligo Avenue; Approved and Adopted Silver Spring CBD Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. & B. CICHY/PATTERSON

Vote:

Yea: A. & B. 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: A. 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.

B. Approved staff recommendation for approval of the Site 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 Preliminary Plan and Site Plan requests to redevelop a property for a mixed-use development. The 0.63-acre property, which consists of parts of Lots 14, 18, 19, Lots 25 through 28, and Lot 49, is located on the southeast quadrant of the intersection of Fenton Street and Sligo Avenue and is zoned Commercial/Residential within the Fenton Village Overlay Zone and the Silver Spring Central Business District (CBD) Sector Plan areas. The site is currently developed with a vacant eight-story office building and associated surface parking lot, both of which will remain, and is accessed via two curb cuts along Gist Avenue at the southern frontage, one along Sligo Avenue to the north, and another along Fenton Street to the west.

Staff noted that the applicant proposes to create one 0.45-acre lot and redevelop the site with up to 82,941 square feet of total development consisting of up to 76,029 square feet for 85 age-restricted multi-family residential dwelling units, including 12.5 percent Moderately Priced Dwelling Units (MPDUs), and up to 6,912 square feet of non-residential development. As part of

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9. 850 Sligo Avenue

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the redevelopment, the existing 99-foot tall office tower will be adaptively reused as part of the new building, leaving the office tower's current footprint unchanged. Vehicular access to the property is proposed via Gist Avenue and Sligo Avenue, with Sligo Avenue providing loading and service access and Gist Avenue providing residential garage access via a restricted left-in/right-out driveway, which will direct site-generated traffic to Fenton Street, away from the adjacent residential neighborhood. Pedestrians and bicyclists will be able to enter the proposed building lobbies from Fenton Street and Sligo Avenue. To meet the open space requirement of 970 square feet, the applicant will provide 1,075 square feet of public open space improvements off-site within the Gist Avenue right-of-way (ROW), which has received conceptual approval from Montgomery County Department of Transportation (MCDOT) and the Department of Permitting Services (DPS). Staff added that if the ROW is needed at any time in the future, the applicant will be subject to the financial payment required for off-site open space.

Staff did receive two letters from neighboring property owners expressing concerns regarding the building architecture, specifically a potential lack of compatibility with the existing neighborhood; site design, specifically the shade generated by the proposed project; noise mitigation; construction management, specifically dust and debris management; and access and circulation. Staff addressed the issue of construction management, noting an additional condition of approval requiring that a Construction Management Plan be developed prior to Certified Site Plan review. Staff also noted that the applicant's team would address the Shade Analysis results. Staff then addressed the remaining issues, as detailed in the March 15 technical staff report.

Mr. Rush Seale, adjacent property owner, offered testimony.

Ms. Stacy Silber, attorney representing the applicant, offered comments and concurred with the staff recommendation, with the exception of Preliminary Plan Condition 3 and Site Plan Condition 5 requiring the applicant to relocate the existing above-ground utilities along Sligo Avenue underground. She then requested that both conditions be modified to state the undergrounding of utilities along Sligo Avenue is not required.

Mr. Jack Devilbiss and Ms. Trini Rodriguez, members of the applicant's team, offered a multi-media presentation and discussed the project design elements, shade analysis results, and landscape plan.

There followed extensive Board discussion with questions to staff and Ms. Silber, during which the Board instructed staff to revise the Preliminary and Site Plan conditions noted above, as per Ms. Silber's request.

Legal Counsel to the Planning Board noted that the Resolutions will be modified to reflect the requested changes and submitted to the Board for adoption at a later date.

4. **Mandatory Referral MR 2018033 - Goldsboro Road Pedestrian and Bicycle Improvements**---Montgomery County Department of Transportation Project to provide pedestrian and bicycle improvements along Goldsboro Road between River Road and MacArthur Boulevard.

Staff Recommendation: Approval with Comments

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

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

Planning Department staff offered a multi-media presentation and discussed a proposed Mandatory Referral request by the Montgomery County Department of Transportation (MCDOT) to construct pedestrian, bicycle, and traffic improvements along a 1.18-mile segment of Goldsboro Road (MD614) from River Road (MD190) to MacArthur Boulevard, and sidewalk improvements along an approximately 900-foot segment of MacArthur Boulevard between MD614 and Princeton Avenue in the Bethesda/Glen Echo area. According to staff, MD614 is currently a two-lane road with narrow shoulders that accommodates approximately 11,900 vehicles per day at a posted speed limit of 35 miles per hour. The portion of MD614 that is the subject of the Mandatory Referral is mostly open and not curbed, although some segments contain curbs on one side, with traffic signals at Massachusetts Avenue (MD396) and MD190. Staff added that the design plans for the proposed project are currently at the 35 percent design stage.

Staff noted that the applicant proposes to expand and improve MD614 to include two 11-foot travel lanes, five- to six-foot wide separated bike lanes in each direction with 2 to 3-foot-wide striped buffers and flexible delineator posts; provide a continuous sidewalk on the north side of the road and intermittent sidewalks on the south side; add one new crosswalk with a median refuge on MacArthur Boulevard to the south of the traffic circle; replace the existing pedestrian bridge connecting to Ramsgate Road with a 12-foot wide bridge over Minnehah Branch; add three new mid-block crosswalks to be located east of the existing Exxon gas station, between Tulip Hill Terrace and Rannoch Road, and west of Wedgewood Road; improve the existing crosswalk to the east of Goldleaf Drive with a center refuge island; provide crosswalks at all legs of its intersections with MD396 and MD190; and remove three channelized right-turn

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4. Mandatory Referral MR 2018033 - Goldsboro Road Pedestrian and Bicycle Improvements

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lanes at the eastbound, northbound, and southbound approaches of its intersection with MD190. The proposed improvements also include drainage upgrades, reconstructed traffic signals at the intersections of MD614 with MD396 and MD190, 1,000 feet of stream restoration along the Minnehaha Branch, and installation of five retaining walls to minimize right-of-way and environmental impacts. Two box culvert bridges will be impacted by the improvements, with one being extended near Tulip Hill Terrace and the other being replaced with a larger twin box culvert north of Goldleaf Drive.

Staff then discussed environmental issues, noting that along the project area there are 8.58 acres of forest, 0.12 acres of wetlands, 9.81 acres of floodplains, 1.31 acres of the Minnehaha Branch stream, and 19.54 acres of the associated Minnehaha Branch stream buffer. The stream buffer varies in width from 14 to 57 feet and includes steep slopes of 15 to 25 percent, a stable rocky stream bed with fish pools and outcrops, and erodible soils. The applicant is proposing to remove 3.38 acres of forest, including 36 specimen trees, portions of the wetlands, and portions of the forested stream buffer. Staff noted that the project also proposes to replace an existing fish pool along the north side of MD614 with a stone outfall. Staff environmental recommendations include reducing the impacts to the stream, stream buffer, and fish pools by reducing the project limits of disturbance; implementing innovative design features such as linear stormwater in adjacent neighborhoods, underground retention and detention systems, porous sidewalks and bicycle lanes, and cantilevered sidewalks near stream banks; providing a tree save plan at the 75 percent design stage; and retaining existing forest in lieu of the proposed construction of two stormwater management facilities on the south side of MD614.

Other staff recommendations for MD614 include restricting right-turn-on-red at its intersections with MD396 and MD190 where signalized right-turn movements will require right-turning vehicles to cross over crosswalks; reducing the existing posted speed limit from 35 to 30 miles per hour; redesigning its intersections with MD396 and MD190 as protected intersections; providing puppy tracks and green paint at its intersections with Tulip Hill Terrace, Rannoch Road, MD396, Goldleaf Drive, Redwing Road, Wedgewood Road, Blackwood Road, Haviland Drive, and MD190; a more detailed discussion of MCDOT's evaluation of ways to reconfigure the intersection of MacArthur Boulevard and MD614 to simplify pedestrian and bicycle crossing movements and improve the operation and safety for all intersection users; and the consideration of an alternative concept that includes a 10-foot-wide side path on one side of the road, intermittent sidewalks at bus stops on the other side, and a 4-foot wide bikeable shoulder on the eastbound side.

The following speakers offered testimony: Mr. Gil Carpel representing the Goldsboro Homeowners Association; Mr. Lawrence Mann of Moorland Lane; and Mr. Jack Sobel representing the Little Falls Watershed Alliance.

Mr. John B. Thomas of MCDOT, offered comments, noting that many of the staff recommendations can be implemented by the proposed project's final design stage. However, he also noted that some of the staff's recommendations are not within MCDOT's purview

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4. Mandatory Referral MR 2018033 - Goldsboro Road Pedestrian and Bicycle Improvements

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and will need to be approved by either the Maryland Department of Transportation/State Highway Administration or Montgomery County Department of Environmental Protection.

There followed extensive Board discussion with questions to staff and Mr. Thomas, during which Chair Anderson instructed staff to note in the comments to MCDOT his disagreement with the staff recommendation for a 4-foot wide bikeable shoulder on the eastbound side of MD614.

5. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(1)(i), 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.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

10. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(14), to discuss a matter directly related to a negotiating strategy of a proposal, as public discussion or disclosure would adversely impact the ability of the public body to participate in the proposal process.

The topic to be discussed is the Brainard Warner property

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

7. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment – County Executive’s AD 2019-2 Amendment – Six Water/Sewer Service Category Change requests.

Staff Recommendation: Transmit Comments to the County Executive

BOARD ACTION

Motion: CICHY/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation to transmit comments to the County Executive, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed six proposed amendments to the Montgomery County Comprehensive Water Supply and Sewer System. Staff noted that the Planning Board is required by State law to make a Master Plan consistency determination on each Water and Sewer Category Change Request (WSCCR). The following requests were reviewed by staff: i) 19-CLO-01A, Marie and Guehenno Laborde 3.6-acre property, approve S-3, single hookup only; ii) 19-TRV-044 Steve and Valli Krimilis 1.69-acre property, approve S-3, the property must be served by a low-pressure sewer extension to either Cleveland Drive or Valley Drive within the existing roadways; iii) 19-TRV-06A Yujin & Yinghua Wang 0.82-acre property, a sewer line is located on Overlea Drive, adjacent to the property. A category change should be conditioned to the approval of a subdivision plan; iv), v) & vi) 19-TRV-07A, 19-TRV-08A, & TRV-09A, Margaret Dear Properties are located adjacent to the Potomac sewer envelope. A sewer line is located on Highland Farm Road, adjacent to these properties.

Staff added that Map 1, included in the March 20 staff report, shows the existing sewer service envelope recommended in individual master and sector plans for the entire County and the locations of the six properties requesting sewer service are shown with asterisks. Staff also noted that the Planning Board’s recommendations will be transmitted to the County Executive for final action.

8. Potomac Edison Company-Clarksburg Substation

A. Conditional Use Public Utility Structure, CU-19-07 for the construction of a modular substation on approximately 0.70-acre easement on 12.02-acre parcel leased from Montgomery County. Located at 22800 Whelan Lane, approximately 100 feet north of its intersection with Clarksburg Road in Boyds, Maryland; EOF (Employment Office) Zone, Clarksburg West Environmental Overlay Zone. 10 Mile Creek Area Limited Amendment, July 2014.

Staff Recommendation: Approval with Conditions

(NOTE: Action Required for Public Hearing by Hearing Examiner of April 12, 2019)

B. Preliminary & Final Forest Conservation Plan, CU-19-07 for the construction of a modular substation on approximately 0.70-acre easement on 12.02-acre parcel leased from Montgomery County. Located at 22800 Whelan Lane, approximately 100 feet north of its intersection with Clarksburg Road in Boyds, Maryland; EOF (Employment Office) Zone, Clarksburg West Environmental Overlay Zone. 10 Mile Creek Area Limited Amendment,

Staff Recommendation: Approval with Conditions

C. Preliminary & Final Water Quality Plan, CU-19-07 for the construction of a modular substation on approximately 0.70-acre easement on 12.02-acre parcel leased from Montgomery County. Located at 22800 Whelan Lane, approximately 100 feet north of its intersection with Clarksburg Road in Boyds, Maryland; EOF (Employment Office) Zone, Clarksburg West Environmental Overlay Zone. 10 Mile Creek Area Limited Amendment, July 2014.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. PATTERSON/DREYFUSS
 B. PATTERSON/DREYFUSS
 C. PATTERSON/CICHY

Vote:
 Yea: A. through C. 4-0

Other: FANI-GONZÁLEZ ABSENT

Action: A. Approved staff recommendation for approval of the Conditional Use Public Utility Structure request, subject to conditions, and to transmit comments to the Hearing Examiner, as stated in the attached transmittal letter.

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

 C. Approved staff recommendation for approval of the Preliminary and Final Water Quality Plan cited above, subject to conditions, as stated in the attached adopted Resolution.

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8. Potomac Edison Company-Clarksburg SubstationCONTINUED

In keeping with the March 15 technical staff report, Planning Department staff offered a multi-media presentation and discussed a proposed Conditional Use request from Potomac Edison Company for the installation of a substation in Clarksburg, and the associated Preliminary/Final Forest Conservation Plan, and Preliminary/ Final Water Quality Plan. Staff noted that the subject property is located on Whelan Lane, approximately 100 feet north of its intersection with Clarksburg Road in Boyds, Maryland. The proposed project site consists of an approximately 0.70-acre easement, leased from Montgomery County by the applicant, and located on a 12.02-acre parcel of County-owned land. The property is zoned EOF (Employment Office) and is also within the Clarksburg West Environmental Overlay Zone and within the *Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan and Hyattstown Special Study Area*.

Staff also added that currently, the subject property is unimproved and is generally wooded with existing trees concentrated at the southwest and western edges. There is a small patch of graveled impervious area covering approximately 12,505 square feet at the western edge, with approximately 12,159 square feet of the gravel area located within the proposed easement that will accommodate the proposed use. There is an existing driveway apron along the property's frontage on Whelan Road. The existing driveway will be modified as part of the proposed Conditional Use. The site is entirely within the Ten Mile Creek Special Protection Area (SPA). Under the SPA law, Section 8 of Montgomery County Executive Regulation 29-95 – *Water Quality Review for Development in Designated Special Protection Areas*, development projects within a SPA are subject to approval of a Water Quality Plan. As part of this request, the applicant has submitted a detailed stormwater management concept and a Preliminary Water Quality Plan for review and approval by the Planning Board, which has been reviewed by staff and meets the necessary requirements. The required Preliminary/Final Forest Conservation Plan has also been submitted by the applicant and the proposed landscape plan provides for extensive screening, in the form of landscaping that includes a combination of shade and ornamental trees and shrubs, on all sides of the property including its frontages on Whalen Lane. A six-foot-tall chain link fence with a one-foot anti-climbing barbed wire top is also proposed with the landscaping and screening of the property. The fence, which will surround the electrical equipment powering the modular sub-station is screened by existing trees and the proposed landscaping. It will provide an added safety and secure element without affecting the aesthetic appearance of the property. Access to the site and into the structure will be restricted. Directional lighting and surveillance cameras will be included for added security

There followed a brief Board discussion with questions to staff.

6. **Addendum to the Leisure World Administration Building and Clubhouse I Site Plan 820170120 Staff Report (continuation of discussion from 11/30/17 Planning Board Hearing)**---Request to approve a Site Plan for a new 21,389-square-foot administration building, a 1,462-square-foot addition to the existing 38,860-square-foot clubhouse, for a total of 61,711 square feet of ancillary buildings, associated improvements to the existing parking lot, landscape and hardscape improvements, upgrades to pedestrian and vehicular circulation and stormwater management facilities, and a new fifty-eight (58)-space parking lot; located within Leisure World near the intersection of Rossmoor Boulevard and North Leisure World Boulevard; on approximately 11.60 acres of land zoned Planned Retirement Community (PRC); within the 1994 Aspen Hill Master Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 3-0

Nay:

Other: FANI-GONZÁLEZ ABSENT
DREYFUSS RECUSED HIMSELF (SEE BELOW)

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

At the onset of the discussion, Chair Anderson explained the rules to be followed by those testifying, and Vice Chair Norman Dreyfuss recused himself from the proceedings due to possible conflict of interest, as he was previously involved in building the Leisure World Community. Staff noted that this is a continuation of the public hearing of November 30, 2017 during which the Planning Board deferred action on this Site Plan Amendment to: allow the applicant additional time to provide documentation of outreach efforts related to the submitted plans that occurred prior to the public hearing on November 30, 2017; conduct additional outreach on the submitted plans with each of the Leisure World Mutuals; improve the access and entryway to the proposed administration building; and improve the proposed pedestrian access through the parking lot. The applicant has responded by providing the requested documentation of outreach efforts for all outreach conducted both prior to the public hearing on November 30, 2017 and after the public hearing. Prior to the public hearing, the applicant asserts that they began planning for the proposed administration building in 2010, and that they held various meetings with the Leisure World Board of Directors, the Mutuals, and various Advisory Committees between 2010 and 2017, prior to filing the Site Plan application for the proposed

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6. Addendum to the Leisure World Administration Building and Clubhouse I Site Plan 820170120 Staff Report (continuation of discussion from 11/30/17 Planning Board Hearing)

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administration building in June 2017. The applicant asserts that these pre-submittal meetings informed the design and scope of the new administration building. As requested by the Planning Board at the public hearing on November 30, 2017, the applicant asserts they held additional outreach meetings with the community, including all the Leisure World Mutuals between January 2018 and March 2018, and documentation has been provided to staff.

Staff then noted that reconfiguration and improvements to the parking facilities include removal of some of the existing parking and the addition of a new fifty-eight (58)-space parking lot near the existing Clubhouse, which results in an overall net reduction of fourteen (14) spaces (384 existing parking spaces, 370 proposed). The reconfigured parking facilities will provide better access of drop-off/pick-up areas, double the number of existing ADA spaces, and add spaces designated for electric vehicle charging, car-share, and motorcycle/scooters where none are currently provided. Staff recommends approval with conditions of Site Plan No. 820170120 for a new 21,389-square-foot administration building and a 1,462-square-foot addition to the existing 38,860-square-foot clubhouse, for a total of 61,711 square feet of ancillary buildings, along with associated improvements to the existing parking lot, landscape and hardscape improvements, upgrades to pedestrian and vehicular circulation and stormwater management facilities, and a new fifty-eight (58)-space parking lot. All site development elements shown on the latest version of Site Plan drawings submitted via ePlans to the Planning Department, as of the date of this Addendum are required, except as modified by the conditions stated in the March 12 technical staff report.

Mr. Scott Wallace, attorney representing the applicant, accompanied by Messrs. John Sekerak, Ms. Nicole Gerke and Ms. Venessa Rai, members of the applicant's team, and Mr. Phillip Marks, member of the Leisure World Board, offered brief comment and concurred with the staff recommendation.

The following speakers offered testimony: Ms. Dora Pugliese of Kelmscot Drive and representing the Landscaping Committee of Leisure World Corporation; Ms. Carolyn Oakford Vice Chair of the Landscaping Committee of Leisure World Corporation; Ms. Lenette Cruz of Chiswick Court; Ms. Brenda Kirkpatrick of Interlachen Drive and member of the Community Advancement Committee; Ms. Carole Rowse of Gleneagles Drive; Ms. Barbara Gould of Leisure World Boulevard; Ms. Ann Ferren of North Leisure World Boulevard; Ms. Karen Green of North Leisure World Boulevard; Ms. Jennifer Woodson of North Leisure World Boulevard; Ms. Lois Kutun of Fitzhugh Lane; Mr. David Katz of South Leisure World Boulevard; Ms. Pat Duran of Gleneagles Drive; Mr. Japobrata Choudhury of Interlachen Drive; Mr. Hutton Glasco of Dulwick Drive; Ms. Rosalind Kiping of South Leisure World Boulevard; Mr. Paul Bessel of Marble Arch Way; Mr. Norman Holly of North Leisure World Boulevard; Mr. Tom Conger of Fitzhugh Lane; Ms. Suzanne Gray of North Leisure World Boulevard; Ms. Barbara Studwell of Pennfield Circle; Mr. Bruce MacDonald of Fiske Terrace; Ms. Elaine Muhdlow Malloy of South Leisure World Boulevard; Ms. Judith Rosenthal of Pine Orchard Drive; Ms. Ruth Steinbrecher

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6. Addendum to the Leisure World Administration Building and Clubhouse I Site Plan 820170120 Staff Report (continuation of discussion from 11/30/17 Planning Board Hearing)

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of South Leisure World Boulevard; Mr. Joe Bolden of South Leisure World Boulevard; Mr. William Butynki of Adderley Court; Ms. Stephanie Herman of South Leisure World Boulevard; Ms. Deidre A. Williams of Pine Orchard Drive; Mr. Irving P. Cohen of North Leisure World Boulevard; and Ms. Sheryl Katzman of Chiswick Court.

There followed extensive Board discussion with questions to staff, Mr. Wallace and his team.

Ms. Nicole Gerke, traffic engineer for the applicant, answered questions from Commissioner Patterson, and offered clarification regarding the proposed traffic pattern to access the new building, and parking lots ingress and egress.

Mr. John Sekerak, member of the applicant's team, also offered brief comments and answered questions from the Board.

At the request of Chair Anderson, Legal Counsel to the Board clarified the extent of the Planning Board's purview regarding this Site Plan request. Counsel also noted that, as previously stated at the November 30, 2017 Planning Board hearing, the Site Plan request must meet the necessary requirements of the Zoning Ordinance, and the Board must determine that the plan conforms to the Master Plan.

Commissioner Patterson recommended that a condition of approval be added to the Site Plan request requiring additional lighting and enhanced signage, especially for the parking lots, to address safety concerns heard during the testimony, and reiterated that she hopes the community can work out its underpinning trust issue with its Board.

~~3. TENTATIVE Budget Discussion on the County Executive Recommendation~~
REMOVED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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