



**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, February 6, 2020, at 9:04 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 11:44 a.m.

Present were Chair Casey Anderson, Vice Chair Natali Fani-González and Commissioner Tina Patterson.

Commissioner Partap Verma joined the meeting at 9:09 a.m. during discussion of Item 8.

Commissioner Gerald Cichy was necessarily absent.

Items 1B, 1C, 8, 1A, 1D, and Items 2 through 7, discussed in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 11:44 a.m. There is no Planning Board meeting scheduled for Thursday, February 13, 2020. The next regular meeting of the Planning Board will be held on Thursday, February 20, 2020, in the Montgomery Regional Office in Silver Spring, Maryland.

James J. Parsons  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, February 6, 2020**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*B. Record Plats**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**      **There were no Record Plats submitted for approval.**

**\*C. Other Consent Items**

**1. 7340 Wisconsin Avenue Sketch Plan 320200010, Extension Request No.1---CR-5.0 C-5.0 R-4.75 H-250, and the Bethesda Overlay Zone, 0.42 acres, Request to extend review period from February 13, 2020 to April 30, 2020; located on Wisconsin Avenue between Montgomery Lane ~~Battery Lane at the Northwest quadrant of the intersection of Wisconsin Avenue and Hampden Lane;~~ 2017 Bethesda Downtown Sector Plan.**

*Staff Recommendation: Approval of the Extension Request*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/PATTERSON**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CICHY & VERMA ABSENT**

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

**8. Legislative Update: Bill PG/MC 104-20 - Montgomery County – Land Use Documents – Certification***Staff Recommendation: Pending***BOARD ACTION****Motion: FANI-GONZÁLEZ/VERMA****Vote:****Yea: 4-0****Nay:****Other: CICHY ABSENT****Action: Approved Legal Counsel's recommendation to oppose Bill PG/MC 104-20.**

Legal Counsel to the Board and Planning Department staff briefed the Planning Board on proposed Bi-County Bill PG/MC 104-20. As introduced by the Montgomery County Delegation to the Maryland House of Delegates, the proposed Bill would affect certain land use regulations applicable in Montgomery County to require that applicants involved in development projects sign a certification under penalty of perjury for documents submitted to the Montgomery County Planning Board. The proposed Bill will also establish the content of the certification, and generally relate to the certification. If the proposed Bill is passed, virtually all land use documents will be submitted under penalty of perjury. Counsel noted that the County Council has voted to oppose the Bill on the grounds that it criminalizes possible errors in submitted documents, which is a potential violation of the Public Records Law.

Planning Department staff then briefly discussed how the proposed Bill could potentially affect the development application process, noting that by signing the required Certificate of Compliance, an applicant will then become responsible for all submitted documents in an application, even those that have been signed, certified, and sealed by others, such as professional engineers, surveyors, inspectors, and architects. Staff added that there are systems in place that currently address errors in development applications.

Counsel then added that both the National Association for Industrial and Office Parks (NAIOP) and the Maryland Building Industry Association (MBIA) have also voiced opposition to the Bill. For these reasons, Counsel recommended that the Planning Board oppose proposed Bi-County Bill PG/MC 104-20.

There followed extensive Board discussion with questions to Legal Counsel and staff, during which the Planning Board instructed staff to include an additional comment to the Delegation stating that to date, Planning Department staff has not identified any intentional falsifications in submitted development applications.

**\*1A. Adoption of Resolutions**

1. Meadowvale Preliminary Plan 12006028A MCPB No. 20-003

**BOARD ACTION**

**Motion:** VERMA/FANI-GONZÁLEZ

**Vote:**

**Yea:** 2-0

**Nay:**

**Other:** FANI-GONZÁLEZ & PATTERSON ABSTAINED  
CICHY ABSENT

**Action:** Adopted the Resolution cited above, as submitted and recorded at the  
**meeting.**

**\*1D. Approval of Minutes**

Planning Board Meeting Minutes of January 23, 2020

**BOARD ACTION**

**Motion: VERMA/FANI-GONZÁLEZ**

**Vote:**

**Yea: 2-0**

**Nay:**

**Other: FANI-GONZÁLEZ & PATTERSON ABSTAINED  
CICHY ABSENT**

**Action: Approved Planning Board Meeting Minutes of January 23, 2020, as submitted and recorded at the meeting.**

**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 County Council Public Hearing on the Capital Improvements Program (CIP) held on February 5, during which County residents testified in favor of restoring funds to the Parks Department six-year CIP budget; the recent annual Cultural Resources Stewardship Section (CRSS) Volunteer Recognition Brunch event held on February 1 at the Agricultural History Farm Park Activity Center; the recent Martin Luther King, Jr. Day of Service event held on January 20, during which more than 600 volunteers removed 14,650 pounds of trash and 3,799 pounds of recyclables from 12 parks; the recent Language and Literacy Luncheon event held February 5, during which eight Montgomery County Parks Department staff received graduation certificates for successfully completing the Montgomery Literacy Council English as a Second Language (ESL) course; the status of Maryland State Bond funding for four park projects, with staff, community advocates, and Bill sponsors to testify on behalf of the Bills at a Maryland General Assembly meeting scheduled for March 7; the upcoming County Council town hall meeting on pedestrian, bicycle, and traffic safety, as well as the Vision Zero program, scheduled for February 9 at Wheaton High School; and the upcoming Green Matters Symposium scheduled for February 21 at the Silver Spring Civic Building.

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

**3. Department of Parks' GIS Strategic Plan****BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing followed by discussion.**

Parks Department staff offered a multi-media presentation and discussed the Department's proposed Geographic Information System (GIS) Strategic Action Plan. According to staff, the proposed Action Plan aims at providing the structure and workflows for data creation, maintenance, and visualization for the Parks Department. With the Plan, staff seeks a robust and high-quality GIS that empowers users to efficiently access, manage, maintain, and share accurate, reliable, and consistent geo-spatial data; to easily and quickly analyze and obtain information in various formats on demand; and to develop the skillset of users across the Department. The four goals of the Action Plan are complete, accurate, and reliable geo-spatial data of parkland, park features, and assets maintained by the Department for use in the ArcGIS Desktop (Desktop) and ArcGIS Online (AGOL) environment; clearly defined roles and responsibilities that support and facilitate consistent business processes for geospatial data creation and maintenance; high quality print and web maps, and web mapping applications that are available to staff and the public, which have been developed using the latest techniques; and the most current information about the GIS industry and GIS technology advancements empowering Parks Department staff to utilize GIS in their work programs.

There followed a brief Board discussion with questions to staff.



**4. Montgomery County Planning Board Public Hearing, Worksession, and Action on Historic Designation of the Thomas H. White House at 21820 Club Hollow Road, Poolesville (Locational Atlas Resource M:16/17) – Demolition Pending**

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/VERMA

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** CICHY ABSENT

**Action:** Approved staff recommendation to remove the property cited above from the *Locational Atlas & Index of Historic Sites* and not list it in the Master Plan for Historic Preservation.

Planning Department staff offered a multi-media presentation and discussed consideration of a possible historic designation for a property for which the owner has filed a demolition permit. The structure and its outbuildings, identified in the *Locational Atlas & Index of Historic Sites* as the Thomas H. White House, is located on Club Hollow Road in Poolesville, Maryland, within the Preservation of Agricultural & Rural Open Space Functional Master Plan area. According to staff, the structure is one of the original sites included in the *Locational Atlas*, which was established by The Maryland-National Capital Park and Planning Commission (M-NCPPC) in 1976 to identify potentially significant historic resources. The Master Plan for Historic Preservation directed the Historic Preservation Commission (HPC) to systematically evaluate resources listed in the *Locational Atlas* and determine whether they satisfy criteria for designation to the Master Plan. Staff noted that the historic resources within this planning area have not been comprehensively re-assessed since implementation of the Plan.

Staff added that on December 5, 2019, the property owner filed a demolition permit for the dwelling, citing safety concerns due to the structure poor condition. Under the current Montgomery County Code, individual sites listed in the *Locational Atlas* may only be demolished or substantially altered following a determination by the Planning Board that the resource will not be designated in the Master Plan for Historic Preservation. Following two site visits by Planning Department staff, a HPC worksession and public hearing held on November 13, 2019, and subsequent review and evaluation of the property, both Planning Department staff and HPC members agreed that the site does not satisfy the historic, cultural, or architectural design criteria for designation in the Master Plan for Historic Preservation as outlined in the County Code, and that it be removed from the *Locational Atlas & Index of Historic Sites*.

There followed a brief Board discussion with questions to staff.

**5. Montgomery County Planning Board Public Hearing, Worksession, and Action on Addition to the Locational Atlas and Index of Historic Sites: 8104 Woodhaven Boulevard – Administrative Subdivision Application Pending**

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/VERMA

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** CICHY ABSENT

**Action:** Approved staff recommendation not to include the property cited above in the *Locational Atlas & Index of Historic Sites*.

Planning Department staff offered a multi-media presentation and discussed a request to add a property to the *Locational Atlas and Index of Historic Sites*. The property, identified as the Worthmill House, is located on Woodhaven Boulevard in Bethesda, Maryland. According to staff, the property owner submitted an Administrative Subdivision Plan application on September 27, 2019, which resulted in a requested evaluation of the property by the adjacent property owners for potential listing and protection under the Montgomery County Ordinance. Following review and additional research, staff determined that the property does not satisfy the designation criteria as listed in the Montgomery County Code. On January 22, The Historic Preservation Commission (HPC) held a joint worksession and public hearing, during which HPC members heard a presentation from staff and testimony from the property owner and his representative. After deliberation, the HPC also found that the subject property failed to satisfy the historic, cultural, architectural, or design criteria for designation as outlined in the Montgomery County Code and unanimously recommended that the Planning Board not add the Worthmill House to the *Locational Atlas and Index of Historic Sites*. For these reasons, staff recommended that the Planning Board determine that the Worthmill House does not meet the criteria for listing in the *Locational Atlas and Index of Historic Sites*.

Ms. Patricia Harris, attorney representing the property owner, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Ms. Harris.

**6. Review of County Executive's FY21 Recommended FY21-26 Capital Improvements Program (CIP) Budget - Transportation & Schools---**Planning staff has reviewed the County Executive's FY21 Recommended Capital Budget and FY21-26 Capital Improvements Program (CIP) budget and developed CIP priorities recommendations. ~~coming FY21-26 CIP Budget. For transportation, the Top 100 projects will be identified. For schools, CIP project issues are raised with areas of concern and CIP recommendations.~~

*Staff Recommendation: Recommended Changes to Transportation and Schools-Related Items for the FY21-26 CIP*

### **BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/VERMA

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** CICHY ABSENT

**Action:** Approved staff recommendation to transmit comments to the County Council, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed the proposed FY21-26 Capital Improvements Program (CIP), specifically the County Executive's January 15 recommendations for the FY21 Capital Budget and CIP for transportation projects and Montgomery County Public Schools (MCPS) projects. According to staff, the County Executive has recommended a \$141,936,000 reduction in the overall CIP, including a \$105,589,000 or 11.2 percent reduction for transportation projects, and a \$29,589,000 or 1.7 percent reduction for school projects. Staff noted that the County Executive did not allocate reductions to specific MCPS projects, which will be addressed by the MCPS Board of Education in the coming months.

The major transportation projects with proposed significant funding reductions include a \$2,900,000 reduction for the White Flint Metro Station north entrance project, which the County Executive has recommended canceling and replacing with a new project focused on the design of pedestrian improvements in the vicinity of the White Flint Metro station; and a \$2,000,000 reduction for the Veirs Mill Road Bus Rapid Transit (BRT) project, which the County Executive has recommended for FY21 with no funding at all for FY22 through FY26. The transportation projects not addressed in the CIP include projects to extend the Capital Crescent Trail (CCT) to the intersection of Woodmont Avenue and Bethesda Avenue, through Elm Street Urban Park, and to build a bicycle parking facility adjacent to the Purple Line station; and pedestrian improvements along Dale Drive.

Staff then discussed the County Executive's recommended schools CIP, noting that the recommended reductions will total \$103,800,000 less than requested, which will require MCPS to identify more than \$100,000,000 in non-recommended reductions. Staff noted that if the

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**6. Review of County Executive's FY21 Recommended FY21-26 Capital Improvements Program (CIP) Budget - Transportation & Schools**CONTINUED

Board of Education's requested CIP were to be fully funded, all four current cluster moratoria and 11 of the 13 current individual school moratoria would be lifted, with two additional schools entering moratoria.

The key staff recommendations include the creation of a new project with design and construction funding for a proposed CCT tunnel between Elm Street Urban Park and the Silver Spring Transit Center; the advancement of the bicycle parking facility and trail extension projects; the retention and advancement of the White Flint Metro north entrance project; creation of a new project for Dale Drive pedestrian improvements with complete design and construction within the current CIP; the advancement of the Veirs Mill Road BRT project; amendments to Bicycle-Pedestrian Priority Area improvements projects to include additional safety measures along and around Veirs Mill Road, Randolph Road, and the Wheaton Central Business District (CBD); deferment of the Falls Road east side hiker/biker path project; re-evaluation of the Bradley Boulevard improvements project; amending the Bicycle-Pedestrian Priority Area improvements for the Purple Line to include additional projects improving access at the Lyttonsville, 16th Street, Long Branch, and Piney Branch Road stations; creation of a new project for the Aspen Hill Bicycle-Pedestrian Priority Area Vision Zero related improvements; and prioritization of schools projects that address and provide solutions for school capacity issues.

There followed extensive Board discussion with questions to staff, during which the Planning Board instructed staff to include the following: 1) comments stating that funding for the White Flint Metro north entrance project should be restored in order to provide access that will assist in the reduction of greenhouse gas emissions, implement the Vision Zero initiative, promote residential development, and provide access to local businesses; 2) language that emphasizes the importance of the CCT tunnel project; 3) additional language highlighting the relatively low cost of the Dale Drive pedestrian improvements, as well as their importance to the Vision Zero program; and 4) a recommendation to consider using funds from projects placed lower on the priorities list to fund high priority projects.

Following additional Board discussion, Commissioner Patterson instructed staff to prepare and submit a minority report stating her disagreement with the Planning Board recommendation regarding use of funds from projects placed lower on the priorities list.

**7. Rustic Roads Functional Master Plan Update Scope of Work**

*Staff Recommendation: Approve the Proposed Scope of Work for the Rustic Roads Functional Master Plan Update*

**BOARD ACTION**

**Motion:** PATTERSON/VERMA

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** CICHY ABSENT

**Action:** Approved staff recommendation for approval of the Rustic Roads Functional Master Plan Update Scope of Work.

Planning Department staff offered a multi-media presentation and discussed the proposed Scope of Work for the Rustic Roads Functional Master Plan (RRFMP) Update. According to staff, the Rustic Roads Program was established to preserve as rustic roads those historic and scenic roadways that reflect the agricultural character and rural origins of the County, by retaining specific physical features and right-of-way maintenance procedures. The purpose of the proposed Update to the RRFMP, which was last updated in 2004, is to assess 20 roads which have been nominated for addition to the Rustic Roads Program, to update 29 of the 99 roads currently in the program that have incomplete descriptions, to consider two existing rustic roads for their eligibility to the exceptional rustic road classification, and to make other needed corrections.

Mr. Robert Twokowski, Chair of the Rustic Roads Advisory Committee (RRAC), briefly discussed the RRAC's key duties for the preservation of rustic roads, which include reviewing and commenting on road classifications; educating the public; promoting the Rustic Roads Program; reporting to and updating the Planning Board, County Executive, and County Council; and coordinating with agencies, residents, and applicants to advise on potential rustic road impacts during subdivision reviews. The eight-member Committee consists of three members from the farming community, including one member who represents the Agricultural (Ag) Reserve Advisory Committee; one member with knowledge of rural preservation techniques; a member with knowledge of roadway engineering; a representative from a civic association located inside the Ag Reserve; a representative from a civic association located outside the Ag Reserve; and a non-voting Planning Board appointee.

Ms. Sarah Rogers, representing Heritage Tourism Alliance of Montgomery County (Heritage Montgomery), then briefly discussed Heritage Montgomery's role in rustic road preservation, which consists mainly in the promotion of agritourism and the preservation and stewardship of historic buildings, sites, and communities.

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**7. Rustic Roads Functional Master Plan Update Scope of Work**

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Staff then briefly discussed community outreach efforts, which in addition to RRAC efforts include an upcoming photo contest to raise awareness of the Rustic Roads program and the RRFMP Update, public meetings, focus meetings, interactive online maps and other online resources, and social media platforms.

There followed a brief Board discussion with questions to staff, Mr. Twokowski, and Ms. Rogers, during which the Planning Board recommended that staff seek support from the Montgomery County Department of Transportation (MCDOT), the business community, and schools and colleges to assist in community outreach work.