



Freeman Property, Administrative Subdivision Plan No. 620190140, Regulatory Review Extension Request No. 3

- ☐ Jeffrey Server, Planner Coordinator, Area 3, Jeffrey.Server@montgomeryplanning.org, 301-495-4513
- ☐ Sandra Pereira, Supervisor, Area 3, Sandra.Pereira@montgomeryplanning.org, 301-495-2186
- ☐ Richard Weaver, Chief, Area 3, Richard.Weaver@montgomeryplanning.org, 301-495-4544

Completed: 07/21/2020

Description

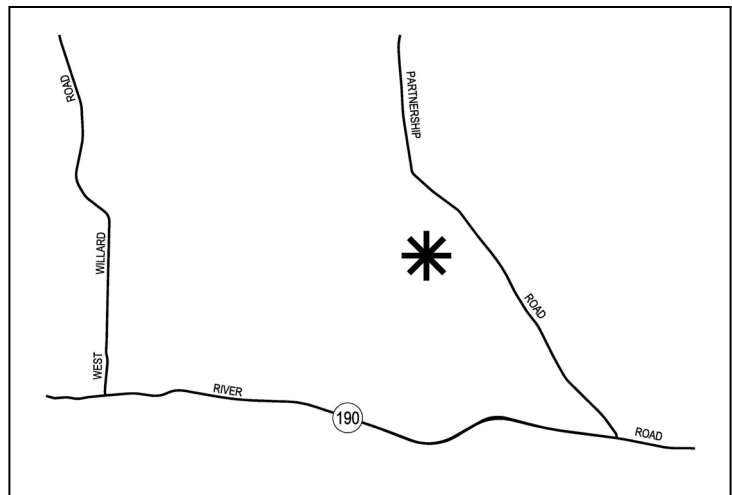
Freeman Property, Administrative Subdivision Plan No. 620190140:

Requesting to extend the regulatory review period for 3 months until November 2, 2020; an Application to create two lots, on Sugarland Road, 1,200 feet northeast of Sugarland Lane; 7.65 acres; R-200 Zone; 1980 Agricultural and Rural Open Space Master Plan.

Applicant: Jennifer Freeman

Submittal Date: 12/24/2019

Review Basis: Chapter 50



Summary

Section 50.4.1.E of the Subdivision Regulations provides that the Planning Board shall hold a public hearing for Preliminary Plans no later than 120 days after the date the application(s) are accepted. However, the Director may postpone the public hearing by up to 30 days once without Board approval and the Director or applicant may request one or more extensions beyond the original 30 days with Board approval.

The Freeman Property Administrative Subdivision Plan application was accepted on December 24, 2019, which established an approval date no later than April 2, 2020. This application received opposition, who also requested a Public Hearing. The Planning Director granted the first extension for a total of 30 additional days or until May 2, 2020. The Planning Board granted the second extension for a total of 3 additional months or until August 2, 2020. The Applicant is awaiting the conclusion of a hearing to amend the conditional use for an equestrian facility on the subject property. The decision from the Hearing Examiner will not be provided until August or early September. Therefore, the Applicant requests a 3-month extension or until November 2, 2020.

Staff recommends **approval** of this extension request.

Attachment A: Extension Request

Attachment B: Conditional Use Hearing Correspondence



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Page 1 of 2

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Effective: February 6, 2019

Phone 301.495.4550
Fax 301.495.1306

REGULATORY REVIEW EXTENSION REQUEST

☐ Request #1

☐ Request #2

M-NCPPC Staff Use Only

File Number		MCPB Hearing Date	
Date Received			

Plan Name: Freeman Property

Plan No. 620190140

This is a request for extension of:

☐
☒

Project Plan
Preliminary Plan

☐
☐

Sketch Plan
Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 07/30/2020

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

☐ Owner, ☒ Owner's Representative, ☐ Staff (check applicable.)

David McKee	Benning & Associates, Inc.		
Name	Affiliation/Organization		
8933 Shady Grove Court			
Street Address			
Gaithersburg	MD	20877	
City	State	Zip Code	
(301) 948-0240	dmckee@benninglandplan.com		
Telephone Number	Fax Number	E-mail	

We are requesting an extension for 3 months until 11/02/2020

Describe the nature of the extension request. Provide a separate sheet if necessary.

Additional time is needed to allow for the conclusion of a hearing held before the Hearing Examiner and for a decision by the Hearing Examiner on the applicant's request to amend the conditional use (equestrian facility) currently applicable to the property. According to comments received from MNCPPC staff during review of the Administrative Subdivision Plan, the CU needs to be abandoned or modified prior to approval of the subdivision. A hearing before the Hearing Examiner was held on 6/22/20 and the record remains open for submission of further evidence and responses into the record until July 27th. We anticipate a decision by the Hearing Examiner in August or early September. Given this anticipated schedule, we are requesting an additional 90 days.

Signature of Person Requesting the Extension

David William McKee

Signature



Digitally signed by David William McKee
DN: c=US, st=Maryland, l=Gaithersburg, o=Benning & Associates Inc, cn=David William McKee,
email=dmckee@benninglandplan.com
Date: 2020.07.14 12:58:44 -04'00'

Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.

Server, Jeffrey

From: David McKee <dmckee@benninglandplan.com>
Sent: Tuesday, July 14, 2020 12:55 PM
To: Server, Jeffrey
Subject: Regarding Freeman Property Subdivision Application

Follow Up Flag: Follow up
Flag Status: Completed

Jeff,

Please see below regarding the Freeman Property subdivision. I will send a request for an extension to you in a separate email.

Thanks,
Dave

David W. McKee
Benning & Associates, Inc.
Land Planning Consultants
8933 Shady Grove Court
Gaithersburg, MD 20877
(301)948-0240
(301)948-0241 fax

----- Forwarded message -----

From: Jennifer Freeman <jennifer.freeman1@yahoo.com>
Date: Mon, Jul 13, 2020 at 11:33 AM

----- Forwarded Message -----

From: Robeson Hannan, Lynn <lynn.robesonhannan@montgomerycountymd.gov>
To: Gregory Grigorian <ggrigorian@sheppardmullin.com>; Carol Rae Hansen, Ph.D. <carolraehansen@aol.com>; jennifer.freeman1@yahoo.com <jennifer.freeman1@yahoo.com>
Cc: Johnson, Nana <nana.johnson@montgomerycountymd.gov>; elsabett.tesfaye@montgomeryplanning.org <elsabett.tesfaye@montgomeryplanning.org>; GGRIGORIAN@msn.com <ggrigorian@msn.com>
Sent: Monday, July 13, 2020, 10:42:42 AM EDT
Subject: RE: Apologies, but additional visits to physicians and imaging may not allow me to complete my submission by COB today

All, does anyone object to a one-week extension for Dr. Hansen's submission? Ms. Freeman would get a similar extension for her response. The dates would be:

July 20, 2020: Submissions by Dr. Hansen and Mr. Grigorian

July 27, 2020: Final Response by Ms. Freeman.

Please let me know as soon as possible. In addition, please let me know whether you will agree to accept these deadlines without a written order, as I am trying to permit Staff to work from home as much as possible.

Lynn Robeson Hannan

Director

Office of Zoning and Administrative Hearings

100 Maryland Avenue

Rockville, MD 20850

PH: (240) 777-6660

Fax: (240) 777-6665

From: Gregory Grigorian <GGrigorian@sheppardmullin.com>

Sent: Monday, July 13, 2020 9:42 AM

To: Carol Rae Hansen, Ph.D. <carolraehansen@aol.com>

Cc: Robeson Hannan, Lynn <Lynn.RobesonHannan@montgomerycountymd.gov>; Johnson, Nana <Nana.Johnson@montgomerycountymd.gov>; elsabett.tesfaye@montgomeryplanning.org; GGRIGORIAN@msn.com; jennifer.freeman1@yahoo.com

Subject: Re: Apologies, but additional visits to physicians and imaging may not allow me to complete my submission by COB today

[EXTERNAL EMAIL]

Carol,

Sorry to hear about your fall, and hoping you're feeling better soon!

Greg

Gregory Grigorian
202.747.1923 | direct

202.747.3820 | direct fax
ggrigorian@sheppardmullin.com | [Bio](#)

SheppardMullin
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue, NW, Suite 100
Washington, DC 20006-6801

202.747.1900 | main

www.sheppardmullin.com

On Jul 13, 2020, at 9:38 AM, Carol Rae Hansen, Ph.D. <carolraehansen@aol.com> wrote:

Dear All,

I regret to inform you all that I may not be able to complete my submission by COB today for the Jennifer Freeman request for minor modification of equestrian facility (CU 16-15); I may have to request another day. On Wednesday evening, July 8, someone threw a racing Frisbee from the road at my Morgan Horse (1100 lbs.), just as I was turning him out to graze. He shied and ran me over. I fell heavily on my buttocks and right hip, with my right wrist (I am right-handed) underneath my body, then down on my back, and finally the back of my skull hit the hard ground. That night I conferred twice with my primary care physician, given that I have 11 herniated/impinged discs. Due to Covid-19 ER dangers and that I answered negative to all signs of concussion and cerebral contusion, I got the roofers off our property the next morning, and secured an appointment. Nothing appeared broken, but since I could not sit or stand without pain, and walked with a limp, I was prescribed icing, pain relievers, and rest for three days. Yesterday, my left knee resurged, and last night I could not lift my right leg more than four inches without acute pain in the right hip; my husband had to lift my leg into bed. I am back at my physicians' office this morning at 11:30 a.m., with a possible/likely referral to my orthopedist, and more imaging.

Dr. Hansen

Carol Rae Hansen, Ph.D.

Director, Equine Therapy Associates

PATH Certified Registered Instructor

P.O. Box 59253, Potomac, MD 20859

(301) 972-7833

www.equinetherapyassociates.com

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Take 10 minutes to be counted now – visit: <https://2020census.gov/>



For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19