



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES

The Montgomery County Planning Board met in regular session via Microsoft Teams video conference on Thursday, June 10, 2021, at 4:00 p.m., and adjourned at 6:32 p.m.

Present were Chair Casey Anderson, Vice Chair Natali Fani-González, and Commissioners Gerald R. Cichy and Partap Verma.

Commissioner Tina Patterson joined the meeting at 5:17 p.m. during discussion of Item 5.

The Board recessed at 4:01 p.m. and convened in Closed Session at 4:02 p.m. to take up Item 7, a Closed Session Item.

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

The Board convened in Closed Session at 4:02 p.m. via video conference on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor of the motion, and Commissioner Patterson absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(7), to consult with counsel to obtain legal advice.

Also present at the Closed Session meeting were Chief Darryl McSwain of the Montgomery County Park Police; Parks Department Director Mike Riley; General Counsel Adrian Gardner, Principal Counsel William Dickinson, Principal Counsel Emily Vaias, Amy Foster, and Sr. Technical Writer/Editor James J. Parsons of the Legal Department.

In Closed Session, the Board received briefing and legal advice regarding pending litigation.

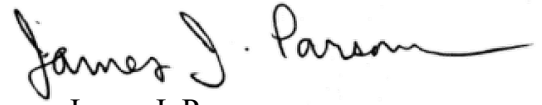
The Closed Session meeting was adjourned at 4:20 p.m. and the Planning Board reconvened via video conference at 4:22 p.m.

Items 1 through 5 are reported on the attached agenda.

MCPB, 6-10-21, APPROVED

The Board recessed at 5:50 p.m. and reconvened via video conference at 6:04 p.m. to take up Item 6, a public forum on the Parks Department proposed FY23-28 Capital Improvements Program (CIP). There was no Technical Writer present for this Item.

There being no further business, the meeting was adjourned at 6:32 p.m. The next regular meeting of the Planning Board will be held on Thursday, June 17, 2021, via video conference.

A handwritten signature in black ink that reads "James J. Parsons". The signature is written in a cursive style with a long horizontal flourish extending to the right.

James J. Parsons
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, June 10, 2021
2425 Reddie Drive
Wheaton, MD 20902
301-495-4605

7. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(7), to consult with counsel to obtain legal advice.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

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. 220210080, The Towns at Knowles Station

CRN zone; 6 lots, 3 parcels; located in the southeast quadrant of the intersection of Summit Avenue and Knowles Avenue (MD 547); Kensington Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220210190, Battery Park

R-60 zone; 1 lot; located on the west side of Maple Ridge Road, 110 feet north of the intersection with Goddard Road; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

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

***C. Other Consent Items**

1. Bethesda Downtown Sector Plan, Park Impact Payment Adjustment

Staff Recommendation: Approve Adjustment of the Park Impact Payment

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

Action: Approved staff recommendation to approve the Park Impact Payment adjustment for the Bethesda Downtown Sector Plan.

***D. Approval of Minutes**

Planning Board Meeting Minutes of May 27, 2021

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

Action: Approved Planning Board Meeting Minutes of May 27, 2021, as submitted.

2. Roundtable Discussion

- Planning Department 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 THRIVE Montgomery 2050 Update to the General Plan, with a County Council briefing scheduled for June 15, and County Council Public Hearings scheduled for June 17 and 29; the status of the Attainable Housing Strategies initiative, with a Planning Board briefing scheduled for June 24; the status of Phase I of the Great Seneca Science Corridor Minor Master Plan Amendment, with worksessions forthcoming; the status of the Silver Spring Downtown and Adjacent Communities Plan, with briefings scheduled throughout the summer; the status of the Fairland and Briggs Chaney Master Plan, with the final installment of the Speakers Series held on June 1; the status of the Corridor Forward – The I-270 Transit Plan, with staff currently exploring options for study; the status of the Rustic Roads Master Plan, the Pedestrian Master Plan, and the Takoma Park Minor Master Plan Amendment; the status of the Mixed-Use Study, with briefings forthcoming; the recent hiring of Don Zeigler as Upcounty Master Plan Supervisor; the hiring of apprentice interns Kylee McDaniel, Savannah Scoller, Shelly Romero, Alexander Brewington, and Quinten Cadeau, who will assist artist Nicole Bourgea with the Wheaton Headquarters mural project, and intern Sophie McManus, who will assist the Countywide Planning and Policy Division; the upcoming retirement of Henry Mobayeni, Information Technology and Innovation (ITI) Division Chief; the recent retirement of Upcounty Senior Planner Leslie Saville; and the recent acceptance of a Montgomery Parks Human Resources Division position by former ITI staff member Dominique Neam.

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

3. Carderock Springs, Administrative Subdivision No. 620200140---R-200 Zone, 1.07 acres, Request to create 2 single-family lots. Located on Osage Lane, NE of the intersection of Tomlinson Avenue and Buxton Terrace; 1990 Bethesda Chevy Chase Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

Action: Approved staff recommendation for approval of the Administrative Subdivision Plan cited above, subject to revised conditions discussed during the meeting, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Planning Department staff offered a multi-media presentation and discussed a proposed Administrative Subdivision Plan to subdivide a property for the construction of single-family detached dwelling units. The 1.07-acre property, identified as Lot 11, Block T, is located on the South side of Osage Lane, approximately 350 feet east of its intersection with Tomlinson Avenue, and is zoned Residential within the Bethesda-Chevy Master Plan area and the Potomac Direct watershed. The property is currently developed with a single-family residence and is accessed from Osage Lane through a private access easement via a gravel driveway.

Staff noted that following the demolition of the existing residence and abandonment of the Osage Lane access point, the applicant proposes to subdivide the lot into two lots, to be identified as Lots A and B, with direct frontage on and access from Tomlinson Avenue via two separate private driveways. Lot A, the eastern lot, will consist of approximately 20,246 square feet, and Lot B, the western lot, will contain approximately 26,162 square feet. Each lot will be developed with a new single-family detached dwelling. A new five-foot wide sidewalk with six-foot vegetated buffers will be constructed along the Tomlinson Avenue frontage. Staff also discussed minor corrections to the Conditions of Approval.

Staff then briefly discussed the associated Preliminary/Final Forest Conservation Plan, noting that while there is no forest onsite, there is an afforestation requirement of 0.18 acres of planting, which the applicant proposes to meet onsite through the planting of 0.22 acres within three Category I Conservation Easements that will connect to an existing Category I Forest Conservation Easement on adjacent properties to the east.

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3. Carderock Springs, Administrative Subdivision No. 620200140

CONTINUED

Staff has received community correspondence expressing concerns regarding tree preservation and the potential for a sidewalk fragment along Tomlinson Avenue. Staff has addressed these issues, as detailed in the May 28 technical staff report.

Mr. Curt Schreffler, member of the applicant's team, offered brief comments. There followed a brief Board discussion.

4. Hardings Subdivision, Lot 55, Administrative Subdivision Plan No. 620210110 including Final Water Quality Plan---Request to create one (1) lot for a Single-Unit Living dwelling; located at on the south side of Sagebrush Terrace, approximately 400 feet east of Wildwood Drive; 2.60 acres; R-200 zone and Upper Paint Branch Overlay zone; 1997 Fairland Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

Action: Approved staff recommendation for approval of the Administrative Subdivision Plan cited above, subject to conditions, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Administrative Subdivision Plan to subdivide a property for the construction of a single-family dwelling unit. The 2.6-acre property, consisting of Outlots A, B, and D, is located on the south side of Sagebrush Terrace, approximately 400 feet east of its intersection with Wildwood Drive, and is zoned Residential within the Fairland Master Plan area, and the Upper Paint Branch watershed, Special Protection Area (SPA), and Overlay Zone, which limits impervious surfaces to eight percent. The property is currently undeveloped. Staff briefly discussed previous approvals, including a 1988 Preliminary Plan for six lots and five outlots, including the property that is the subject of the plan under review today, for single-family detached structures on 8.97 acres, and a 2003 Preliminary Plan for one lot on 2.6 acres, which was never platted and expired once the validity period ended.

Staff noted that the applicant proposes to create one 2.6-acre lot from the three platted outlots to construct one single-family dwelling unit, which will be accessed from Sagebrush Terrace via a private driveway and served by public water and sewer. Staff added that while existing environmental constraints prohibit development of the individual outlots, they can be developed adequately in aggregate while protecting the environmental features of the property.

Staff then discussed the associated Preliminary/Final Forest Conservation Plan, which proposes to remove approximately 0.3 acres of forest and retain 2.22 acres. While this does not result in a planting requirement, the applicant proposes 0.24 acres of forest planting within the stream buffer to meet the Environmental Guidelines requirement that all stream buffers located within a SPA must be reforested. All retained and planted forest, as well as the stream and wetland buffers, will be protected in a Category I Conservation Easement. Staff added that

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4. Hardings Subdivision, Lot 55, Administrative Subdivision Plan No. 620210110 including Final Water Quality Plan

CONTINUED

Montgomery County Department of Permitting Services (DPS) has reviewed and conditionally approved the elements of the Preliminary/Final Water Quality Plan, noting that the proposed 3.3 percent imperviousness level is well within the eight percent limit.

Staff has received one letter from an adjacent property owner who supports combining the three outlots but has concerns about the compatibility of the proposed housing, stormwater drainage, and the protection of wetlands, forest, specific trees, streams. Staff has addressed these issues, as detailed in the May 28 technical staff report.

Ms. Michele Rosenfeld, attorney representing the applicant, offered brief comments, and concurred with the staff recommendation.

***5. Miles Coppola: Pre-Preliminary Plan Application No. 720210010**---Request to determine the alignment of the MD 355 bypass through the subject property; 97.15 acres; R-90, R-200, CRT-2.0 C-2.0 R-2.0 H-120, and Clarksburg East Environmental Overlay Zone; located along Clarksburg Road and north of Interstate 270; 1994 Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Clarksburg Ten Mile Creek Area Limited Amendment.

Staff Recommendation: Approval of the Bypass Alignment

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Pre-Preliminary Plan cited above, subject to revised conditions discussed during the meeting, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Planning Department staff offered a multi-media presentation and discussed a proposed Pre-Preliminary Plan request to determine the alignment of a road through a property. The 97.15-acre property, consisting of 18-acre Parcel A, 63-acre Parcel B, and 16-acre Parcel C, is bisected by Clarksburg Road (MD121), bounded by Interstate 270 (I-270) to the west, Frederick Road (MD355) to the east, and is split-zoned Residential, Commercial/Residential/Town (CRT), and Clarksburg East Environmental Overlay Zone within the Clarksburg Master Plan, Hyattstown Special Study Area, and Ten Mile Creek Area Limited Amendment areas. The site is currently undeveloped and contains 73 acres of forest, with Parcel A completely vacant, and Parcels B and C used for agricultural production. Parcel A and the portion of Parcel B located on the west side of MD121 are both currently accessed from MD121 through the adjacent Liberty Gas Station property. There is no existing access to the portion east of MD121. Staff added that there are streams, wetlands, and areas of 100-year floodplain within the environmental buffer areas.

Staff noted that the applicant is seeking a binding decision from the Planning Board on the preferred alignment of the proposed MD355 Bypass through the property. Two options have been proposed by the applicant, both utilizing a realignment of confronting Gateway Center Drive to the south, in which MD121 and Gateway Center Drive will merge then split further to the north, with the applicant constructing a road connection between existing MD121 and MD355 that will also provide bike and pedestrian connectivity through the site. Option 1 proposes an extension of Gateway Center Drive via a portion of MD121, continuing through the property. The proposed bypass would intersect MD355 approximately 650 feet to the northwest

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***5. Miles Coppola: Pre-Preliminary Plan Application No. 720210010**CONTINUED

of the existing intersection of MD121 and MD355 and immediately adjacent to the new fire station. However, the section of the bypass adjacent to the fire station would run through one or more properties that are not controlled by the applicant, which will require additional land acquisition or partnership with the adjacent landowners to allow for a full vehicular connection. With a land acquisition or partnership, a vehicular connection would need to be constructed between existing MD121 and MD355 following the alignment, specifically to provide proper fire access and adequate community connectivity. Option 2 proposes using the same alignment extension of Gateway Center Drive via MD121, but would intersect MD355 further in the northwest portion of the property and approximately 1,200 feet to the northwest of the existing intersection of MD121 and MD355, allowing the bypass alignment to be located entirely within the property boundaries, and to accommodate full vehicular and pedestrian connection. The applicant will then provide a road connection from MD121 through the site to MD355 aligning with the future bypass. The applicant will also provide a plan for road dedication that can accommodate the ultimate alignments for either Option 1 or Option 2, as well as dedication for a potential extension of Observation Drive from the southeast in case the future public bypass project utilizes that alignment in addition to the Gateway Center Drive alignment. Staff noted that additional road designs study will include cross section, vertical and horizontal alignment, and measures of environmental impact will be provided.

Staff then discussed the environmental impacts associated with each option, with Option 2 resulting in an estimated 30,001 square feet of environmental impacts to the stream and wetland system near MD355, compared to 6,471 square feet of wetland buffer impact under Option 1. The applicant has also estimated that 50,574 square feet of stream buffer will be impacted by Option 2, as opposed to 26,220 square feet of stream buffer impact under Option 1. Additionally, Option 2 requires 136,906 square feet of forest removal, compared to 89,451 square feet for Option 1. Staff added that both options propose the same impacts to forest, streams, wetlands, and their buffers where the Bypass intersects MD121. Staff added that additional environmental details will be provided by the applicant that will be further analyzed and reviewed by staff as part of the future preliminary plan, including cut and fill, grading, and stream and wetland impacts.

Staff has received correspondence from the Friends of Ten Mile Creek community group, who has raised concerns with the environmental impacts of the future Bypass and the lack of a comprehensive facility plan. Staff has addressed these issues, as detailed in the May 28 technical staff report.

Staff then recommended approval of Option 2 as the preferred alignment. However, staff noted that they will also support the Option 1 alignment if the applicant can obtain ownership of the intervening parcel of land between the property and MD355 to provide the necessary connection.

Mr. Bob Harris, attorney representing the applicant, offered comments, and noted that the applicant is amenable to either alignment option but would prefer to wait until Preliminary Plan review to make a final decision.

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***5. Miles Coppola: Pre-Preliminary Plan Application No. 720210010**

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Ms. Rebecca Torma of Montgomery County Department of Transportation (MCDOT) also offered brief comments and answered questions from the Planning Board.

There followed extensive Board discussion with questions to staff, during which the Planning Board agreed with the staff recommendation for alignment Option 2. The Planning Board also agreed that alignment Option 1 will also be acceptable if the applicant is in control of the necessary land at the time of Preliminary Plan review.

6. Public Forum, FY 23-28 Capital Improvements Program, Department of Parks

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Comments from the Public on the proposed FY23-28 Capital Improvements Program (CIP).

This Item was not covered by a Technical Writer. A recording of the proceedings is available on the Montgomery County Planning Board website at <https://montgomeryplanningboard.org>.