



**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, September 9, 2021, at 9:04 a.m., and adjourned at 7:53 p.m.

Present were Chair Casey Anderson and Commissioners Gerald R. Cichy, Tina Patterson, and Partap Verma.

Items 1 through 5 are reported on the attached agenda.

The Board recessed for lunch at 11:09 a.m. and convened in Closed Session to take up Item 6, 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 11:09 a.m. via video conference on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson and Commissioners Cichy, Patterson, and Verma voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Also present at the Closed Session meeting were Director Mike Riley, Deputy Director Miti Figueredo, Brenda Sandberg, Henry Coppola, Andrew Frank, Darren Flusche, and Bob Turnbull of the Parks Department; Deputy Director Tanya Stern, Deputy Director Robert Kronenberg, and Nick Frymark of the Planning Department; Principal Counsel Emily Vaias, Senior Counsel Matthew Mills, Associate General Counsel Allison Myers, and Sr. Technical Writer/Editor James J. Parsons of the Legal Department.

In Closed Session, the Board received briefing regarding the proposed acquisition of land as an addition to the Black Hill Regional Park.

The Closed Session meeting was adjourned at 11:17 a.m.

The Planning Board reconvened via video conference at 12:45 p.m.

MCPB, 9-9-21, APPROVED

Items 7, 8, 10, 11, and 9, discussed in that order, are reported on the attached agenda.

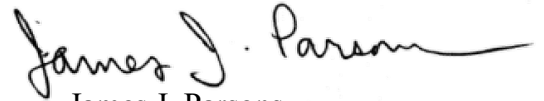
The Board recessed for dinner at 5:43 p.m. and reconvened via video conference at 6:12 p.m.

Items 13 and 12, discussed in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 7:53 p.m. The next regular meeting of the Planning Board will be held via video conference on Wednesday, September 15, 2021, instead of Thursday, September 16, in observance of Yom Kippur.

*M. Clara Moise*

M. Clara Moise  
Sr. Technical Writer/Editor



James J. Parsons  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, September 9, 2021**  
2425 Reddie Drive  
Wheaton, MD 20902  
301-495-4605

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Montgomery County Brookville Smart Energy Depot FCP No. MR2021021 – MCPB No. 21-081

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:**

**Action:** Adopted the Resolution cited above, as submitted.

**\*B. Record Plats**

**Subdivision Plat No. 220200770, Chesney’s Subdivision** -- R-200 zone; 2 lots; located on the western side of Ridge Road (MD-27), 2000 feet south of the intersection with Oak Drive; Damascus Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220210160, Granby Woods** --- RE-1 zone; 1 lot; located at the terminus of Willow Oak Drive; Upper Rock Creek Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220210220, 220210230, 220210280, 220210290, 220210300, Bloom Montgomery Village** -- TLD zone; 19 lots & 10 parcels; located on the western side of Montgomery Village Avenue opposite from the intersection of Stewartown Road; Montgomery Village Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220210710, George P. Sacks’ Subdivision** -- CR zone; 1 lot; located on the western side of Wisconsin Avenue (MD-355), 290 feet south of the intersection with Woodmont Avenue; Bethesda Downtown Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220210780, Section 3, Chevy Chase** -- R-60 zone; 1 lot; located on the south side of Spring Street, 190 feet east of the intersection with Delaware Street; Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** VERMA/CICHY

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:**

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

**\*C. Other Consent Items****1. One Bethesda Center Condominiums**

**A. Project Plan Amendment 91983005C**---CR 5.0 C-4.0 R-4.75 H-175, 1.4 acres, Within the previously approved maximum density, reclassify internal GFA for tenant space and improve lobby entrance and redistribute Public Use Space while maintaining 20% requirement. Located at Hampden Lane and Woodmont Avenue. 2017 Bethesda Downtown Sector Plan  
*Staff Recommendation: Approval with Conditions*

**B. Site Plan Amendment 81984006C**---CR 5.0 C-4.0 R-4.75 H-175, 1.4 acres, Within the previously approved maximum density, reclassify internal GFA for tenant space and improve lobby entrance, redistribute Public Use Space while maintaining 20% requirement, update hardscape and landscape and other minor building façade elements. Located at Hampden Lane and Woodmont Avenue. 2017 Bethesda Downtown Sector Plan  
*Staff Recommendation: Approval with Conditions*

**2. 8001 Wisconsin Avenue**

**A. Sketch Plan No. 320210050, Regulatory Extension Request No. 2**---Request to extend the regulatory review period for the concurrent Sketch Plan and Preliminary Plan applications for five months until February 28, 2022; Applications propose to create 1 lot for a mixed-use development of up to 375,000 square feet, comprised of up to 350 multifamily dwelling units and up to 15,000 square feet of commercial uses; future Bethesda Overlay Zone density allocation; 2.74 acres; CR-3.0, C-3.0, R-2.75, H-90; CR-3.0, C-2.0, R-2.75, H-90; CR0.5, C-0.5, R-0.5, H-70; CRT-0.5, C-0.25, R-0.5, H-70 and the Bethesda Overlay Zone; 2017 Bethesda Downtown Sector Plan.  
*Staff Recommendation: Approval of Extension Request*

**B. Preliminary Plan No. 120210140, Regulatory Extension Request No. 2**---Request to extend the regulatory review period for the concurrent Sketch Plan and Preliminary Plan applications for five months until February 28, 2022; Applications propose to create 1 lot for a mixed-use development of up to 375,000 square feet, comprised of up to 350 multifamily dwelling units and up to 15,000 square feet of commercial uses; future Bethesda Overlay Zone density allocation; 2.74 acres; CR-3.0, C-3.0, R-2.75, H-90; CR-3.0, C-2.0, R-2.75, H-90; CR0.5, C-0.5, R-0.5, H-70; CRT-0.5, C-0.25, R-0.5, H-70 and the Bethesda Overlay Zone; 2017 Bethesda Downtown Sector Plan.  
*Staff Recommendation: Approval of Extension Request*

**3. Montgomery Auto Sales Park: Limited Site Plan Amendment No. 82006002C**

Request to replace an existing dealership building and expand the footprint by approximately 371 SF; 13.89 acres; located at 3131 Automobile Blvd, 1,500 feet southeast of Briggs Chaney Rd. in Silver Spring, MD; GR 1.5 Zone; 1997 Fairland Master Plan.  
*Staff Recommendation: Approval with Conditions*

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**\*C. Other Consent Items**

CONTINUED

**4. Appointment of Erin White, C.P.A, as Public Member of the Audit Committee. Appoint Erin White, C.P.A. to serve on the Commission’s Audit Committee as a public member for a full two-year term ending September 30, 2023.**

**BOARD ACTION**

**Motion: 1. through 3. CICHY/VERMA**

**Vote:**

**Yea: 1. through 3. 4-0**

**Nay:**

**Other:**

**Action: 1A. Approved staff recommendation for approval of the Project Plan Amendment cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.**

**1B. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.**

**2A. Approved staff recommendation for approval of the Sketch Plan Extension request cited above.**

**2B. Approved staff recommendation for approval of the Preliminary Plan Extension request cited above.**

**3. Approved staff recommendation for approval of the Limited Site Plan Amendment cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.**

**4. By consensus, the Planning Board took no action on this Item, with Chair Anderson noting that the Item will be taken up at a future meeting.**

**\*D. Approval of Minutes**

Planning Board Meeting Minutes:

1. July 22, 2021
2. July 29, 2021

**BOARD ACTION**

**Motion:** 1. & 2. CICHY/VERMA

**Vote:**

**Yea:** 1. 3-0  
2. 4-0

**Nay:**

**Other:** 1. PATTERSON ABSTAINED

**Action:** Approved the Planning Board Meeting Minutes of July 22 and July 29, 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 offered a multi-media presentation and briefed the Board on the following ongoing and upcoming Planning Department events and activities: the status of continuing work on THRIVE Montgomery 2050 Update to the General Plan, with the County Council Planning, Housing, and Economic Development (PHED) Committee meetings scheduled for September and October; the status of continuing work on the Attainable Housing Strategies initiative, with a third worksession scheduled for later today; the status of continuing work on the Corridor Forward: the I-270 Plan and the Downtown Silver Spring and Adjacent Communities Plan; the upcoming presentation of the Fall 2021 Semi-Annual Report to the County Council scheduled for October, with a forthcoming presentation of the Report Outline to the Planning Board; the recent one-year anniversary of the move-in to the Wheaton Headquarters Building, with the building recently being named one of 23 finalists for the Urban Land Institute (ULI) Americas Awards for Excellence, and winning the Engineering News-Record Award of Merit in the Government Public Building category and the National Association for Industrial and Office Parks (NAIOP) Best Sustainable Building award; the upcoming Wheaton Arts Parade and Festival, scheduled for September 19; and the status of the Planning Department Design Excellence Awards program, scheduled for October 21, with 19 submissions received thus far, which will be reviewed on September 20.

There followed a brief Board discussion with questions to staff.



**3. FY23 Operating Budget Overview**

*Staff Recommendation: Receive Briefing*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing on the FY23 Budget guidelines from the Commission Executive Director Asuntha Chiang-Smith and Budget Manager John Kroll in preparation for the FY23 Budget and the six-year Outlook.**

**4. Worksession #1, FY 23-28 Capital Improvements Program, Department of Parks**

*Staff Recommendation: Tentatively Approve Programming and Funding for Parks Projects in the FY23-28 CIP, Including Local Parks, Program Open Space Funding, Recommendations for Spending Affordability Guidelines, and General Guidance Regarding Further CIP Development*

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** PATTERSON ABSTAINED

**Action:** Approved staff recommendations for approval of the programming and funding for projects, and to request that the County Council increase the Spending Affordability Guidelines for the FY23-28 Capital Improvements Program.

Parks Department staff offered a multi-media presentation and discussed recommendations and funding scenarios for the proposed FY23-28 Capital Improvements Program (CIP). According to staff, they have been working with the Planning Board in strategy sessions to develop a CIP Strategy and Evaluation Criteria FY23-28. As a result, staff has developed funding scenarios for the FY23-28 CIP that deliver capital resources into Equity Focus Areas (EFAs) and Energizing Public Spaces (EPS) priority areas; reflect the priorities and evaluation criteria of the Planning Board; respond to affordability, including a reasonable request for General Obligation (GO) bonds which continues a focus on maintaining the existing park system and keeping up with growth; a Spending Affordability Guideline (SAG) request for The Maryland-National Capital Park and Planning Commission (M-NCPPC) bonds that the Commission deems affordable and is targeted to high priority projects, and leveraging federal and other funds to improve infrastructure and development in priority areas; assume an appropriate amount of Maryland Program Open Space (POS) funding with required matching for M-NCPPC bonds, and maintain a reasonable level of risk; and allow water quality related capital projects to begin moving again.

Staff noted that while the current SAG for M-NCPPC Bonds in FY21-22 is \$8,000,000 per year, it is set for approximately \$6,600,000 per year for FY23-26. Raising the SAG to \$8,000,000 in FY21-22 has allowed the Parks Department to increase funding for numerous capital projects, including energy conservation for local parks (LP); minor new construction; park refreshers; Planned Life-cycle Asset Replacement (PLAR) for LP, such as park building renovations, play equipment, resurfacing parking lots and paths, and tennis/multi-use court renovations; and urban park elements. Extending the \$8,000,000 per year through FY28 will allow the Department to continue increases in the same capital projects. To that end, staff

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**4. Worksession #1, FY 23-28 Capital Improvements Program, Department of Parks**CONTINUED

recommended that the Planning Board request that the County Council raise SAG for M-NCPPC Bonds in all years of the CIP from the current amount of approximately \$6,600,000 million per year to \$8,000,000, and to incorporate this request in their review of SAGs in mid-September for the FY23-28 CIP.

Staff then discussed Water Quality Protection funding in the CIP, noting that an initial state loan request that would fund water quality-related capital projects in the CIP was on hold pending the drafting of a Memorandum of Understanding (MOU) between M-NCCPC and Montgomery County Government, which will address what the State of Maryland deemed unclear regarding application, administration, and guarantee to repay loans extended by the State's Water Quality Financing Administration. To address a revenue gap for Parks Department FY23 water quality projects created by the MOU negotiations, staff recommends a funding switch of \$700,000 from Long-Term Financing to Current Revenue – Water Quality Protection in the FY23 Stream Protection (SVP) capital project, which will allow the Department to coordinate with Montgomery County Government on a combined loan application for projects in FY24 and beyond. Staff is also requesting \$250,000 per year in Current Revenue – Water Quality Protection funds that will allow the Parks Department to fund work outside of the loan program.

Staff offered a scenario for the FY23-28 CIP, which includes a request of \$265,066,000, a 10.6 percent increase over the FY21-26 CIP. Recommendations include funding for emerging issues, including equity and the Long Branch area Parks Initiative, the Wheaton Regional Park Master Plan, trails, replacement of the South Germantown Recreational Park Adventure playground, aging infrastructure, and emerging trends. Other recommendations include continued funding for ongoing Stand-Alone and Level-of-Effort (LOE) projects, funding for park acquisitions, and increased funding for energy conservation projects and Enterprise Facility Improvements. Staff added that Josiah Henson Historic Park improvements, construction of the Little Bennett Regional Park Day Use Area, and some local and non-local parks acquisitions will have no expenditures in FY23-28 as they are in various stages of being closed out.

There followed extensive discussion with questions to staff, during which the Planning Board offered guidance and approved the staff recommendations.

**\*5. 7402 Garland Avenue, Preliminary Plan 120210220---R-40**, 0.26 acres, Request to create two lots for a side by side duplex; located on Garland Avenue 180 feet southeast of Carroll Avenue; 2000 Takoma Park Master Plan.

*Staff Recommendation: Approval with Conditions and Adoption of the Resolution*

**BOARD ACTION**

**Motion:** CICHY/PATTERSON

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to subdivide a property for the construction of a multi-family dwelling unit. The 0.26-acre property, identified as Lot 26 Block B, is located on the west side of Garland Avenue, approximately 180 feet southeast of its intersection with Carroll Avenue, and is zoned Residential within the Takoma Park Master Plan area and the Sligo Creek watershed. The site is currently developed with a single-family residence that has been converted into a three-unit rental, one driveway near the southern lot line, with a detached garage and shed in the rear. Staff added that the applicant, Habitat for Humanity, is using this project to address Missing Middle Housing in the area, resulting in the City of Takoma Park issuing a Resolution of Support for the project.

Staff noted that the applicant proposes to subdivide the existing lot to create 5,381-acre Lot A and 6,031-acre Lot B for the redevelopment of the existing residence into a side-by-side duplex, with the new internal lot line running through the structure. Staff added that the existing driveway will be retained to serve Lot A, with a new driveway to be constructed for Lot B.

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

Mr. William Kirwan, member of the applicant’s team, offered a multi-media presentation and discussed the design elements of the proposed project.

There followed a brief Board discussion.

**6. CLOSED SESSION**

According to MD ANN Code, General Provisions Article, §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

**The topic to be discussed is the proposed acquisition of land as an addition to the Black Hill Regional Park**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

7. **ZTA 21-04 Germantown Churchill Village Overlay Zone**---ZTA 21-04 establishes an overlay zone for the Germantown Churchill Village as recommended by the Germantown Plan for the Town Sector Zone to preserve the unique character of Churchill Village, protect open space, and ensure a compatible relationship between new and existing development.

*Staff Recommendation: Transmit Comments to the County Council*

**(NOTE: Action required for the County Council Public Hearing of September 14, 2021)**

**BOARD ACTION**

**Motion:** VERMA/CICHY

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and discussed a proposed Zoning Text Amendment (ZTA) 21-04, which establishes an overlay zone for the Germantown Churchill Village as recommended by the Germantown Plan for the Town Sector Zone to preserve the unique character of Churchill Village, protect open space, and ensure a compatible relationship between new and existing development. Staff noted that this ZTA was requested by the Planning Board to create a new Germantown Churchill Village (GCV) Overlay Zone as part of the implementation of the recently completed Germantown Plan for the Town Sector Zone, which was approved in July of 2020. This new overlay zone would complement the Sectional Map Amendment (SMA) H-139, which rezones the land within the old Town Sector Zone to various residential and Commercial/Residential (CR) zones best matching the existing development patterns on the ground. As part of the rezoning recommended by the master plan and the SMA, it is noted that there are a lot of public and private open space areas throughout Churchill Village, which was a hallmark of the Town Sector Zone. The language and structure of the GCV Overlay is identical to the Montgomery Village Overlay Zone, which was created under similar circumstances in 2015.

Staff recommended that the Planning Board transmit comments to the County Council supporting ZTA 21-04. The ZTA was introduced by County Council President Tom Hucker on behalf of the Planning Board on July 20, 2021. The Public Hearing is scheduled for September 14, 2021. Introduction of this ZTA establishing the Germantown-Churchill Village Overlay Zone is a major piece in implementing the recently adopted Germantown Plan for the Town Sector Zone and the corresponding SMA H-139, which is concurrently being taken up by the Council.

There followed a brief Board discussion with questions to staff.

**8. ZTA 21-05 Rural Village Center Overlay Zone – Vehicle Repair**---ZTA 21-05 modifies the allowed land uses in the Rural Village Center Overlay Zone, to allow vehicle repair (minor, and major) where the underlying zone is CRN.

*Staff Recommendation: Transmit Comments to the County Council*  
**(NOTE: Action required for the County Council Public Hearing of September 14, 2021)**

**BOARD ACTION**

**Motion: PATTERSON/VERMA**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and briefly discussed a proposed Zoning Text Amendment (ZTA) 21-05, which amends the list of allowed and prohibited land uses in the Rural Village Center (RVC) Overlay Zone, and allow minor and major vehicle repairs where the underlying zone is Commercial/Residential Neighborhood (CRN). Staff noted that this ZTA was introduced by Councilmember Glass to allow Vehicle Services and Repair as a conditional use within the RVC overlay zone if the underlying zone is CRN. Currently the repair uses are not permitted anywhere within the RVC Overlay.

Staff recommended that the Board transmit comments to the County Council supporting ZTA 21-05 with the proposed revisions discussed at the meeting and listed in the September 2 technical staff report, which help with text consistency. The Public Hearing is scheduled for September 14, 2021.

There followed a brief Board discussion with questions to staff.

**\*10. Shops at Travilah: Preliminary Plan No. 120210090**---Application to create one (1) lot for a 5,681-square foot retail building and a 12,762-square foot daycare center, on the south side of Travilah Road, approximately 250 feet west of its intersection with Piney Meetinghouse Road; approximately ~~355~~ 1.96 acres, NR-0.75, H-45 zone, 2002 Potomac Subregion Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:**

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

In keeping with the August 27 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Preliminary Plan request to create one lot for a 5,681-square foot retail building and a 12,762-square foot daycare center on a 1.96-acre property located on the south side of Travilah Road, approximately 250 feet west of its intersection with Piney Meetinghouse Road in the Potomac Subregion Master Plan area. Staff noted that the property is situated to the north of the Rockville Crushed Stone Quarry, owned by Baron Inc., which is an active quarry. To the south and southwest of is land zoned Heavy Industrial (IH-2.5), and H-70, which is the active portion of the Quarry. To the east, the property is separated from Pine Meetinghouse Road by a vacant parcel zoned Neighborhood Retail (NR-0.75), which is also owned by the Quarry. The Residential and Transferable Development Rights (R-200/TDR-3) zoned parcel to the northwest, also owned by the Quarry, is an undeveloped, forested property, which contains wetlands, and is encumbered by a Category I Forest Conservation Easement. Travilah Road abuts the property to the north. The Primary Day Montessori School and single-family detached dwellings confront the property to the north across Travilah Road.

Staff also noted that property is Parcel 160 and consists of approximately 1.96 acres and has frontage on Travilah Road, a two-lane minor arterial road with a 26-foot pavement width. Currently, access to the property is uncontrolled, without a continuous paved area. The site is improved with 5,742 square feet of commercial uses; the primary building is a single-story cinder block retail building adjacent to Travilah Road. Other improvements include a single-story wood frame building, a metal warehouse, and a metal trailer. The site is largely paved or covered with gravel and surrounded by chain link fences and is located within the Muddy Branch watershed, which is classified by the State of Maryland as Use Class I-P waters. There are three

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**\*10. Shops at Travilah: Preliminary Plan No. 120210090**CONTINUED

existing structures on the property and some piles of dirt and debris. There is no forest and no trees greater than 24 inches in diameter at breast height (DBH). There are no streams, wetlands, 100-year floodplain, highly erodible soils, or slopes greater than 25 percent. However, there are two small areas of wetland buffer totaling 877 square feet on associated with an offsite stream; one located in the northwest corner adjacent to Travilah Road, and the other in the southwest corner, at the rear of the property. The Preliminary Plan for the Shops at Travilah, was submitted on February 24, 2021 by the applicant, the Preliminary Plan anticipates future standard method development totaling 18,443 square feet of non-residential uses, which will require a subsequent site plan approval. The development is proposed within two buildings: Building A, a 5,681 square-foot building with approximately four units/bays will be constructed on the northern half of the property and contain a mix of neighborhood serving retail uses and/or a restaurant. Building B, a 12,762-square foot daycare building will be located on the southern half of the property. Approximately 9,468 square feet of outdoor space behind the daycare will be fenced to enclose a playground/recreation area.

Staff added that the applicant is consolidating access from Travilah Road into a new single driveway apron on the east side of the site which connects to an internal drive-aisle that loops around the retail/restaurant building. The two buildings will share access and internal drive aisles, as well as 71 surface parking spaces, which includes four Americans with Disabilities (ADA) accessible spaces close to the entrance of each building, and 2 motorcycle parking spaces. The existing bus stop located at the western corner of the site will be upgraded and a six-foot wide sidewalk will be installed along the property's frontage to provide a pedestrian connection from the site. The applicant is also extending the sidewalk off-site from the proposed driveway east along the frontage of Parcel 113 to Piney Meetinghouse Road. Approximately 12.5 percent or 10,323 square feet of amenity space will be provided on site, including an outdoor seating area abutting the retail/restaurant building on three sides and pedestrian connection throughout the site that connect the daycare, and retail buildings to the proposed sidewalk on Travilah Road. A little over 10 percent of the total lot, or approximately 8,956 square feet, will be amenity open space. The lot will be served by public water and sewer which is consistent with the property's Water-1 and Sewer-1 category. Stormwater will be managed via micro bioretention facilities and a structural filter device.

Staff then discussed the Preliminary Forest Conservation Plan (FCP) associated with the Plan, which was submitted with the Preliminary Plan. The net tract area for forest conservation is 2.04 acres, which includes the 1.96-acre site and 0.08 acres of offsite disturbance for improvements along Travilah Road and utility connections. There is no forest on the site and the resulting afforestation requirement of 0.31 acres will be satisfied through fee-in-lieu as noted on the FCP. Per Section 22A-12(g)(2) of the Forest Conservation Law an Application with a planting requirement of less than 0.5 acres with no on-site priority or other appropriate areas available for planting may meet the planting requirement via fee-in-lieu. Staff also discussed the Conditions of approval and noted that the applicant has asked that Condition 16 be waived. This Condition requires the applicant, prior to the recordation of plat(s),

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**\*10. Shops at Travilah: Preliminary Plan No. 120210090**CONTINUED

to ensure construction of the following offsite improvement(s) to satisfy Montgomery County Department of Transportation (MCDOT) requirements, including construction of a 6-foot wide sidewalk on the south side of Travilah Road that extends approximately one hundred and sixty-five (165) feet, from the northeast corner of the property to Piney Meetinghouse Road. Final details including, but not limited to alignment, and cross-section of the offsite improvements to be determined at Site Plan approval.

The following speakers offered testimony: Ms. Abigael Owen of Travilah Road, Director, Primary Montessori Day School; Ms. Donna Anthony of Travilah Road, Head of School, Primary Montessori Day School.

Mr. William Whelan of the Director's Office, and Ms. Rebecca Torma-Kim, Engineer III of the Montgomery County Department of Transportation were also present at the meeting.

Ms. Casey Cirner of Miles Stockbridge, representing the applicant, introduced Ms. Katie Wagner of Grove Slade; Mr. Scott Wolford and Mr. Robert Pease of Colliers Engineering; and Mr. Mike Magruder and Mr. Bill Magruder of Magruder Co., members of the applicant's team, offered comments and requested that the Planning Board waive Condition 16, as previously noted by staff.

There followed extensive Board discussion, with questions to staff and the applicant's representative, during which Chair Anderson noted that he does not support waiving Condition 16, which was echoed by the other three Commissioners.

**\*11. Creekside at Cabin Branch: Site Plan No. 820200160**---Application for 117 new single-family detached dwelling units, 208 new single-family attached dwelling units, and one existing single-family detached dwelling unit for a total of 326 units, including 12.5% MPDUs, and parkland dedication of approximately 312 acres to M-NCPPC; 402.6 acres; RNC Zone and Clarksburg West Environmental Overlay Zone; located on the northwest quadrant of the intersection of MD Route 121 (Clarksburg Road) and West Old Baltimore Road; 1994 *Clarksburg Master Plan & Hyattstown Special Study Area*; 2014 *Clarksburg Ten Mile Creek Area Limited Amendment*.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:** VERMA/CICHY

**Vote:**

**Yea:** 3-1

**Nay:** PATTERSON OPPOSED

**Other:**

**Action:** Approved staff recommendation for approval of the Site Plan request cited above, subject to revised conditions, 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 Site Plan request for the Creekside at Cabin Branch project, as discussed in detail in the August 27 technical staff report. Staff noted that this is a request to build 117 new single-family detached dwelling units, 208 new single-family attached dwelling units, and one existing single-family detached dwelling unit to remain, for a total of 326 units, including 12.5 percent Moderately Priced Dwelling Units (MPDUs), or 41 units, with parkland dedication of approximately 312 acres to The Maryland-National Park and Planning Commission (M-NCPPC) for the Ten Mile Creek Conservation Park which includes a 10-acre neighborhood park. The 402.6-acre property is in the Rural Neighborhood Cluster Zone (RNC) Zone and Clarksburg West Environmental Overlay Zone, and is located in the northwest quadrant of the intersection of MD Route 121 (Clarksburg Road) and West Old Baltimore Road in the Clarksburg Master Plan & Hyattstown Special Study area and the Clarksburg Ten Mile Creek Area Limited Amendment. The property is also within the Ten Mile Creek Special Protection Area (SPA). The Site Plan request includes three parcels, Parcel P600, Parcels P900 and P222 totaling approximately 402.6 acres of land with access currently provided from Clarksburg Road via a driveway north of the Historic Cephas Summers House parcel to an existing farmhouse on Parcel 600. A second driveway exists along Clarksburg Road for access to the existing Historic Cephas Summers House.

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**\*11. Creekside at Cabin Branch: Site Plan No. 820200160**CONTINUED

Staff also noted that the site contains a mix of woodlands, a farmhouse and accessory structures, farm fields, and forest covering much of the stream valleys. property drains to three sub-watersheds of the Little Seneca-Ten Mile Creek watershed, including two identified by the Master Plan as being the most sensitive sub-watersheds. There are no Federal Emergency Management Agency (FEMA) mapped floodplains on or within 100 feet of the property, however, there is an existing M-NCPPC mapped floodplain. The Cephas Summers House is a locally designated historic resource, as referenced in the Master Plan, and is currently accessed from Old Clarksburg Road. Not part of the property is an existing four-acre parcel, P225. This parcel, known as the Delaney Property, is currently landlocked on the southern portion of the site, with an access easement from Old Clarksburg Road through the property. The overall layout of the proposed development responds to environmental features, topography, zoning ordinance regulations, and master plan recommendations.

The Site Plan proposes a clustered residential community served by an interconnected grid of public streets and greenways. The request presents a combined single-family detached and townhouse residential neighborhood that embraces the guidelines for environmental protection as recommended by the Master Plan. The development is generally clustered in the northeast portion of the site, in an area of open field which was previously farmed. Higher density is located near the intersection of Clarksburg Road and Creekside Boulevard consisting of front loaded and rear loaded townhouse units on smaller lots. The Center of the proposed development will be where Creekside Boulevard and Lindsay Drive come together and will include both front-loaded and rear-loaded townhouse units and front loaded single-family detached units. This central location will also include the clubhouse and main recreation amenities, i.e., a multi-purpose court, swimming pool, wading pool, tot lot, and a large green area, in addition to four pocket parks dispersed throughout the development. The Historic Cephas Summers House is in poor condition, extremely damaged and will be reconstructed in its original location with a 10.21-acre environmental setting. Pedestrian connectivity throughout the site will be achieved via a comprehensive network of natural surface trails and sidewalks on both sides of all public roads. On-street and off-street parking is provided for the residential development. Almost all the 650 spaces provided are on private driveways and within garages. Additional on-street parking is provided along public roads, although typically on only one side of the road.

Staff then discussed the Final Forest Conservation Plan (FFCP) noting that the Preliminary Forest Conservation Plan (PFCP) was approved by the Planning Board as part of the Preliminary Plan. The PFCP approval included a variance for impacts and removal of subject trees. The FFCP was submitted with the Site Plan application, as required, and includes a request for a tree variance for subject trees that were not granted a variance with the PFCP. The impacts to these trees were not known at the time of the PFCP review. The Site Plan and the accompanying FFCP comply with the Montgomery County Environmental Guidelines, the Limited Amendment Master Plan, and the Forest Conservation Law, as discussed in detail in the staff report.

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**\*11. Creekside at Cabin Branch: Site Plan No. 820200160**CONTINUED

Staff also briefly discussed the Conditions of approval, noting that regarding Condition 19, the applicant submitted a request for a waiver from the 55 decibels (dBA) day & night level (Ldn) noise threshold to allow the application of the 60 dBA Ldn noise threshold. Staff recommended granting the waiver and using an exterior noise threshold of 60 dBA and based on the Noise Guidelines, an interior noise threshold of 45 dBA.

Staff has received community correspondence in opposition to this application citing environmental protection issues, and these concerns are addressed in the staff report. Additional concerns were raised from other community members related to the imperviousness resulting from the proposed development. These concerns were discussed and addressed at the public hearing for the Preliminary Plan held on December 3, 2020. These concerns are based on the Master Plan, the impervious surfaces should be limited to five percent (5%). However, the Master Plan and the Clarksburg West Environmental Overlay Zone are clear that there is a six percent (6%) impervious surface limit.

The following speakers offered testimony: Ms. Sylvia Tognetti of Menlo Avenue; Ms. Anne Cinque of Slidell Road; Mr. Julius Cinque of Slidell Road; Ms. Shruti Bhatnagar of McComas Avenue and representing the Sierra Club of Montgomery County; Ms. Diane Cameron of Edgewood Road; Mr. John Parrish of Fairview Road, who also offered a multi-media presentation; Ms. Roberta G. Steinman of Fairview Road; and Mr. David Fischer of Keller and Heckman LLP (Attorney for Friends of Ten Mile Creek and Little Seneca Reservoir).

Mr. Kenny Mack of the Department of Environmental Protection (DEP); Mr. Mark Ethridge and Mr. Galen Rende of Montgomery County Department of Permitting Services (MCDPS) were also present at the meeting.

Mr. Bob Harris, attorney from Lerch, Early & Brewer, representing the applicant, introduced Mr. David DeMarco of Pulte Homes, the applicant; Messrs. Gary Unterberg and Matt Wessel of Rodgers Consulting; Mr. Avi Sareen of TNT Environmental, Inc.; and Mr. John Brooks of Apex Companies, LLC., members of the applicant's team. Mr. Harris offered comments and addressed the concerns raised by the speakers during the testimony concerning the environmental issues related to Ten Mile Creek and Little Seneca.

There followed extensive Board discussion with questions to staff and Mr. Harris, during which Chair Anderson stated that the Site Plan request is within the environmental guidelines and the impervious limits cited in the Clarksburg Master Plan.

**9. Attainable Housing Strategies – Worksession #3**---Planning Board worksession on the Attainable Housing Strategies initiative and recommendations to the County Council on adding more diverse housing options in Montgomery County

*Staff Recommendation: Receive Briefing*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received Briefing.**

Planning Department staff offered a multi-media presentation and provided an overview of the decisions that the Board made at the July worksessions regarding the Attainable Housing Strategies (AHS) Initiative and reviewed staff recommendations. Staff also requested the Planning Board's guidance on the following topics specific to the by-right development proposal for duplexes, triplexes, and quadplexes: 1) recap of previous decisions pertinent to today's discussion; 2) the role a Pattern Book will play; 3) defined terms; 4) Modifications to the Use Tables; 5) Limited Use Standards for two-unit and multi-unit housing; and 6) standard method of development data tables of development standards for the Residential zones (R-200, R-90, R-60 and R-40). The detailed staff report and attachments can be found on the Montgomery County Planning Department website @ <https://montgomeryplanning.org>. Staff recommends modifying the building types in the standard method of development standards tables for the Attainable Housing Focus Zones to clarify a Detached House 'For Single Unit Living', and to add new column for Duplex. In the R-90, R-60 and R-40 zones staff also recommends a new column for Multiplex buildings. The first set of changes are proposed to the building types found at the very top of the standards tables that serve as the column headings. Not all building types will be found in all zones or all methods of development.

Staff recommends adding a new section for site standards that would apply to the Duplex and Multiplex building types. The first major change shown is adding a new section for site standards, that include setting minimum and maximum Site Areas for the duplex and multiplex buildings, as well as a Site Width at Front Site Line Standards. These new site standards are necessary for the duplex and multiplex building types to enable Duplex and Multiplex buildings to be built either as condo/co-op style with one structure on one lot, or as individual ownership with subdivided lots under each unit. Staff recommends creating new Lot standards for the Duplex and Multiplex building types, expressing lot size minimums as a 'per unit average.' There are no changes proposed to the type of standards covered under Lot, other than to add standards as they apply to duplex and multiplex buildings. Staff is proposing the lot area

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**9. Attainable Housing Strategies – Worksession #3**CONTINUED

requirements for the duplex and multiplex buildings be expressed as a “per unit average.” This is another change being proposed to allow these dwellings to be either subdivided for individual ownership or to be built as a condo/co-op/rental on a single property. This new wording would also allow for subdivisions that are not perfectly equal in lot size. Staff recommends removing Density as a development standard within the Attainable Housing Focus Zones. The density rows only served as a quick way to gauge how many units per acre were allowed, based on the minimum lot size for the detached dwelling. By allowing duplexes and multiplexes, a policy decision is being made to allow an increase in the actual density on a units/acre measure making the metric less useful. Maintaining development standards such as building height, setbacks and lot coverage is the more practical way to regulate development within the different zones, as these standards are what ultimately regulate the built form of the neighborhoods.

Staff recommends adding a new Specification for Site and Lot that provides flexibility for existing undersized lots to still pursue house scale Attainable Housing. At the end of most sections within the standards tables is a ‘Specifications’ section, where footnotes on how to interpret the table, or special standards that may be applied can be found. There are some existing specifications that will remain unchanged. However, one new specification is proposed, which would address the creation of Duplex and Multiplex buildings on existing lots or parcels that are substandard for a detached house. Staff recommends a new section of standards for Buildings, setting a new maximum building size based on the underlying zone, and setting criteria for when the new standard applies that aligns with the existing Residential Infill Compatibility applicability. A new section proposed for the standards tables in the Attainable Housing Focus Zones is a section on Buildings to regulate building size maximums. Staff recommends creating standards for Placement, Height and Form standards for the Duplex and Multiplex building types within the Attainable Housing Focus Zones. There are no substantial changes proposed to the types of standards that are presented under Placement, Height or Form. Appropriate standards are proposed for the Duplex and Multiplex building type columns where none existed before and are largely based on mirroring the standards set for the existing Detached House building type to ensure elements such as setbacks and height remain the same.

Staff also recommends making modifications to the standards tables in the Residential Townhome, Commercial/Residential and Employment zones to add the Multiplex building type to the standard method of development data tables. In the Townhouse, Multi-unit, Commercial/Residential, and Employment zones, staff recommends the standard method of development standards tables all have minor modifications to add the Multiplex building type, and to insert the appropriate development standards consistent with how the standards are developed for the Attainable Housing Focus Zones. These are all zones where Duplex and Townhouse building types are currently allowed by-right, so it seems consistent to also include the Multiplex type. This would keep the use of the building type consistent across zones and may increase the opportunity to create attainable housing in more places of the county.

Staff then discussed the Patter Book and noted that staff recommends requiring that any new house scale Attainable Housing created by-right in the Attainable Housing Focus Zones

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**9. Attainable Housing Strategies – Worksession #3**CONTINUED

comply with the elements of a Pattern Book. The pattern book will be a complementary document to the development standards in the Zoning Ordinance. Staff recommends using a pattern book as part of the building permit process as a tool to ensure clear and objective form-based standards. New construction, and replacement duplexes, triplexes and quadplexes built in the Attainable Housing Focus Zones will need to conform to the recommendations within the pattern book. Adaptive reuse projects will not be required to conform to the recommendations of the pattern book, given the unique site conditions and building constraints typically involved with conversions and additions to existing structures.

A primary goal of the pattern book is to facilitate the construction of duplexes, triplexes, and quadplexes that maintain a “house-scale” size and form. The pattern book will graphically illustrate the development standards for the underlying residential zones and provide multiple recommendations related to building placement and orientation, massing, frontage design, and parking layout based on a variety of lot configurations and sizes (narrow, deep, large etc.). Recommendations within the pattern book will ensure that duplexes, triplexes, and quadplexes contribute positively to the public realm and create safe and attractive streetscapes that are not overwhelmed by parking or that unintentionally look like small apartments. The pattern book will also ensure elements like porches, stoops, and lead walks are included to create neighborly homes that encourage social interaction and do not lead to isolating community dynamics. Finally, the pattern book will help get rid of arbitrary terms such as “character” and “compatibility” from the evaluation criteria for these multiplex housing types. The pattern book will not dictate or restrict architectural styles, design choices, building materials, or colors. These creative choices will be the purview of the architect and/or homeowner. The pattern book will provide clear regulatory guidance with some conceptual options but will not create cumbersome mandates related to design. The Planning Department has a current work program item focused on developing this pattern book. Staff recommends that this pattern book be completed, approved by the Planning Board following an opportunity for public comment, and available for use by the Department of Permitting Services before allowing any replacement or new construction duplexes, triplexes or quadplexes by-right.

Staff added that if the Planning Board is amenable to using a pattern book as a tool to ensure clear and objective form-based standards, staff is seeking guidance on the following: 1) should the pattern book be regulatory or advisory in its nature? 2) should the pattern book’s application pertain to all small-scale attainable housing typologies, or only certain ones? should it only apply to certain geographies? 3) should the pattern book apply to only small-scale attainable housing, or also medium and large scale? 4) should the pattern book cover any additional building types beyond duplexes, triplexes and quadplexes? and 5) should staff work with the Department of Permitting Services (DPS) as a separate effort to develop ready-to-use permit sets for duplexes, triplexes and quadplexes to facilitate their construction?

Staff also added that there are three additional worksessions scheduled for October and November, with a County Council action/decision tentatively scheduled for late Fall/early Winter.

There followed extensive Board discussion with questions to staff, during which the Planning Board provided guidance to staff, as requested.



**13. White Oak Apartments**

**A. White Oak Apartments, LMA H-141---**Request to rezone the property from CR-0.75, C-0.75, R-0.25, H-75 to CRF-1.25, C-0.25, R-1.25, H-85 for a multi-unit residential development with up to 390 units; located at 2220 Broadbirch Drive, Silver Spring; on approximately 7.83 acres within the 2014 White Oak Science Gateway Master Plan area.

*Staff Recommendation: Approval and Transmit Comments to the Hearing Examiner*  
**(NOTE: Action required for Public Hearing by Hearing Examiner on September 24, 2021)**

**B. White Oak Apartments, Preliminary Forest Conservation Plan H-141---**Request for construction of a multi-unit residential development with up to 390 units; located at 2220 Broadbirch Drive, Silver Spring; on approximately 7.83 acres within the 2014 White Oak Science Gateway Master Plan area.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: A. & B. CICHY/PATTERSON**

**Vote:**

**Yea: A. & B. 4-0**

**Nay:**

**Other:**

**Action: A. Approved staff recommendation to transmit comments to the Hearing Examiner, as stated in the attached transmittal letter.**

**B. Approved staff recommendation for approval of the Preliminary Forest Conservation Plan cited above, subject to conditions, 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 Local Map Amendment (LMA) and an associated Preliminary Forest Conservation Plan (PFCP) for the construction of a multi-family residential development. The 7.83-acre property, identified as Parcel EEEE, is located on the north side of Broadbirch Drive and is zoned Commercial/Residential (CR) in the White Oak Science Gateway Master Plan area and the Little Paint Branch watershed. The site, which is accessed from Broadbirch Drive via an existing driveway, is currently developed with a single-story, 66,150-square-foot office building, associated surface parking areas, and several satellite dishes, which are located along the southern portion of the site. A fenced-off vehicular connection for two adjacent DARCARS automobile dealership lots to the north and east, is located along the northeast corner of the property. A stormdrain easement occupies the southwest corner of the property, and a Potomac Electric Power Company

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**13. White Oak Apartments**CONTINUED

(PEPCO) right-of-way (ROW) and easement is located close to the western property line. A 20-foot wide stormdrain and public utility easement also encumbers a portion of the property along Broadbirch Drive. An intermittent stream and associated 1.51 acres of stream valley buffers are located in the southwestern corner of the site. The stream is surrounded by 0.35 acres of forest.

Staff noted that the applicant is requesting to rezone the property from CR to Commercial/Residential/Floating (CRF) for the construction of a 447,510-square foot multi-family residential development consisting of 390 dwelling units within a five-story multi-family unit building and two-over-two multi-family structures, including surface and structured parking, public open space, and residential amenities. The proposed two-over-two units will be located along the Broadbirch Road frontage, with the multi-family building, a structured parking garage, and interior courtyard to be located at the rear of the property. A proposed surface parking lot will be located west of the multi-family building. A main driveway, which is a potential future extension of Whitehorn Court, will provide access to the site and connects to the structured garage in the multi-family building. Internal driveways will connect to the surface parking lot and two-over-two buildings. Open space will be located along Broadbirch Drive, which will encompass much of the stream valley buffer. Staff has received correspondence from the Calverton Civic Association expressing concerns regarding the proposed amenities, parking, school capacity, traffic along Calverton Boulevard, and the number of Moderately Priced Dwelling Units (MPDUs). Staff noted that these details, as well as details regarding open space, architecture, landscaping, road cross-sections, and site design, will be reviewed and approved by the Planning Board at subsequent Sketch, Preliminary, and Site Plan application reviews.

Ms. Soo Lee-Cho, attorney representing the applicant, offered comments, and concurred with the staff recommendation.

Mr. Joshua Wooldridge, member of the applicant's team, offered comments and briefly discussed the project design elements.

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

**12. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment---County Council’s July 2021 Group of Three Water/Sewer Service Category Change Requests.**

**A. WSCCR 20-TRV-14A, Transquest LLC and WSCCR 20-TRV-15A, Travilah Oak LLC**

**B. WSCCR 21-TRV-02A, TDR Properties LLC**

*Staff Recommendation: Transmit Comments to the County Council*

**BOARD ACTION**

**Motion:**                    **A. VERMA/PATTERSON**  
                                      **B. VERMA/CICHY**

**Vote:**  
       **Yea:**                    **A. & B. 4-0**

**Nay:**

**Other:**

**Action:**            **Approved staff recommendation for denial and to transmit comments and recommendations 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 three 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) WSCCR 20-TRV-14A, Transquest LLC 2-acre property located on the northeast quadrant of the intersection of Travilah and Glen Roads, deny S-3 pending a determination that multi-use septic system is feasible for the property; ii) WSCCR 20-TRV-15A, Travilah Oak LLC 3.14-acre property located on the southwest quadrant of the intersection of Travilah and Glen Roads, deny S-3 pending a determination that multi-use septic system is feasible for the property; and iii) WSCCR 21-TRV-02A, TDR Properties LLC located within the Glen Hills Study Area, deny S-3, as per the conditions outlined in the Water and Sewer Plan.

Staff added that Map 1, included in the August 27 technical staff report, shows the existing sewer service envelope recommended in individual master and sector plans for the entire County, with the locations of the three properties requesting sewer service shown with asterisks. Staff also noted that the Planning Board’s recommendations will be transmitted to the County Council for final action.

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**12. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment**CONTINUED

The following speakers offered testimony: Ms. Susanne Lee, representing the West Montgomery County Citizens Association; Mr. Sherlock Grigsby, representing the North Potomac Citizens Association; Mr. Sandy Larson, representing the Stoney Creek Road Association; Mr. John Ferguson of Travilah Road; and Mr. Jed Jaffe of Seneca Castle Court.

Ms. Soo Lee-Cho, attorney representing Transquest LLC and Travilah Oak LLC, offered comments and discussed the Master Plan recommendations for her clients' properties, noting that while the properties are not specifically granted sewer service, they are not specifically denied service either.

Messrs. Robert O. Eisinger, owner of the Transquest LLC property, Guy Semmes, owner of the Travilah Oak LLC property, and Raymond Day, owner of the TDR Properties LLC property also offered comments.

Mr. Alan Soukup of the Montgomery County Department of Environmental Protection (DEP) noted that the proposed sewer service category change requests are not supported by the current Master Plan or the existing DEP and Washington Suburban Sanitary Commission (WSSC) policies. Rather than the requested shared low-pressure system, he recommended either a Master Plan Amendment or revisions to existing water and sewer policies.

There followed extensive Board discussion with questions to staff, during which the Planning Board approved staff's recommendation for denial of the WSCCR 20-TRV-14A and WSCCR 20-TRV-15A requests and instructed staff to include language in the comments stating that while the Board is not opposed to the project per se, the two requests should only be granted through revisions to existing water and sewer policies, and should be contingent on agreement between the applicant, DEP, and WSSC regarding the engineering, financing, and maintenance of new sewer lines. The Planning Board also approved the staff recommendation to deny the WSCCR 21-TRV-02A request.