



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

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session in the Wheaton Headquarters Building in Wheaton, Maryland, and via Microsoft Teams video conference on Thursday, January 27, 2022, at 9:21 a.m., and adjourned at 4:18 p.m.

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

Items 1, 2, 11, 3, 5, and 4, discussed in that order, are reported on the attached agenda.

The Board recessed at 1:31 p.m. and convened in Closed Session at 1:37 p.m. to take up Item 9, 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:

The Board convened in Closed Session at 1:37 p.m. via video conference on motion of Commissioner Rubin, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Cichy, Patterson, Verma, and Rubin voting in favor of the motion. 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 for the meeting were Director Mike Riley, Deputy Director Miti Figueredo, Brenda Sandberg, Darren Flusch, Henry Coppola, Cassandra Michaud, Shirl Spicer, and Andrew Frank of the Parks Department; and Senior Counsel Megan Chung and James Parsons of the Legal Department.

In Closed Session, the Board discussed the proposed disposition of buildings at Warner Circle Special Park.

The Closed Session meeting was adjourned at 1:55 p.m.

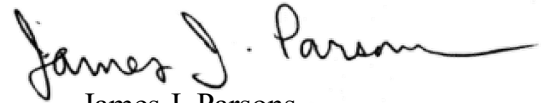
The Planning Board reconvened the auditorium and via video conference at 2:06 p.m.

Items 6, 7, and 10 are reported on the attached agenda.

MCPB, 1-27-22, APPROVED

Items 8 and 12 were removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 4:18 p.m. The next regular meeting of the Planning Board will be held on Thursday, February 3, 2022, in the Wheaton Headquarters Building in Wheaton, Maryland, and 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

Thursday, January 27, 2022
2425 Reddie Drive
Wheaton, MD 20902
301-495-4605

1. Consent Agenda

***A. Adoption of Resolutions**

1. 4901 Battery Lane Sketch Plan 320220040 – MCPB No. 22-004
2. Garden of Remembrance Preliminary Plan 12000004B – MCPB No. 22-010

BOARD ACTION

Motion: CICHY/RUBIN

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220210700, Woodmont

CR zone; 1 lot; located on the west side of Auburn Avenue, 100 feet south of Norfolk Avenue;
Bethesda Downtown Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/RUBIN

Vote:

Yea: 5-0

Nay:

Other:

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

***C. Other Consent Items**

1. 9615 Medical Center Drive, Site Plan Amendment No. 81999005A---Request to construct a 1,320 square foot building addition on the southern façade of Building II to accommodate an elevator. Associated site improvements also include new curb, gutter, sidewalk, and a building overhang; located at Blackwell Road, West of the intersection of Medical Center Drive and Blackwell Road; on approximately 12.52-acres of land zoned Life Sciences Center (LSC); within 2010 Great Seneca Science Corridor Master Plan.

Staff Recommendation: Approval and Adoption of the Resolution

2. Iglesia Vida Nueva Church: Preliminary Plan No. 120210020, Regulatory Review Extension Request No. 3---Request to extend the regulatory review period for an additional three months until May 5, 2022; Application to create one lot for a religious assembly with capacity for up to 294 persons; 4.1 acres; RE-2C Zone; located approximately 800 feet from the intersection of Old Columbia Pike and Randolph Road; 1997 Fairland Master Plan.

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

Motion: 1 & 2. CICHY/RUBIN

Vote:

Yea: 1 & 2. 5-0

Nay:

Other:

Action: 1. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

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

***D. Approval of Minutes**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Planning Board Meeting Minutes submitted for approval.

2. Roundtable Discussion

- Parks Department Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Briefing.

Parks Department Director's Report – Parks Department Director Mike Riley offered a multi-media presentation and briefed the Board on the following ongoing and upcoming Parks Department events and activities: the upcoming retirement of Deputy Director John Nissel, who has taken a County Administrator position in Jefferson County, West Virginia; and *Bethesda* magazine's annual "Best of Bethesda" issue, in which Parks Department facilities were recognized in numerous categories, with the mural at Wheaton Headquarters winning Best Addition to the Public Art Scene, Josiah Henson Museum and Park winning Best Way To Learn About Slavery in Montgomery County, Dewey Local Park winning Best Park for Family Fitness, Bauer Drive Local Park winning Best Places To Pick up a Paddle, the Drag Queen Story Hour at Brookside Gardens winning Most Inclusive Story Time, Locust Grove Nature Center winning Best Activities for Kids, and Cabin John Regional Park and Rock Creek Regional Park being recognized as two of the Best Parks for Mountain Biking.

There followed a brief Board discussion.

11. Mt. Prospect (Hanson Farm): Site Plan Amendment No. 82017016B---Amendment to modify certain development triggers and minor modifications to stormwater, landscaping, recreation area, lighting, limits of disturbance, and forest conservation, located broadly in the northwest quadrant of the intersection of Quince Orchard Road, Dufief Mill Road, and Travilah Road; 170.7 acres, PD-2 Zone, 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: RUBIN/CICHY

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a proposed Site Plan Amendment request to modify the delivery timing of specific amenities, as well additional minor modifications to stormwater, landscaping, recreation area, lighting, limits of disturbance, and forest conservation. The site, a former active family cattle farm with farmhouses and a cluster of associated sheds and barns around a central farmhouse, is currently under construction with the development approved by a 2018 Site Plan for up to 187 lots, including one lot for an existing dwelling, 120 lots for new single-family detached dwellings, and 66 lots for new single-family attached dwellings, with 12.5 percent Moderately Priced Dwelling Units (MPDUs); 19.56 acres of Muddy Branch Stream Valley Park (SVP) dedication; 10.05 acres of local park dedication; new public road dedications; open spaces; and amenities. Staff added that a 2019 Site Plan Amendment approved modifications to site grading, stormwater management, landscaping, forest conservation, utilities, and the limits of disturbance.

To address construction delays due to the COVID-19 pandemic, the applicant proposes to make the following modifications to the approved Plans: elimination of a seat wall; the replacement of two playground structures, shifting a sidewalk segment, revisions to bollard locations, shade trees, and relocation of bike rack pad for a tot lot; retrofitted pond embankments; storm drain alignment revisions; lot line adjustments to the existing Hanson Reserve Outlot A and revisions to several existing Homeowner's Association (HOA) parcels; revisions to Final Forest Conservation Plan (FCP), including an amendment to the requested tree variance; revisions to Condition 17.a regarding standards for bollard lighting; revisions to Condition 6.a.ii , 6.a.iii, and 7.d.ii regarding the delivery of recreation amenities and open space areas; and revisions to Conditions 3.g and 3.h. regarding the increased forest

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11. Mt. Prospect (Hanson Farm): Site Plan Amendment No. 82017016B

CONTINUED

conservation planting requirement for Phases I and II of the project, respectively.

Pat Harris, attorney representing the applicant, offered brief comments and concurred with the staff recommendation.

There followed a brief Board discussion.

3. Special Exception Amendment Guidepost A, LLC (Higher Ground Education)--- Special Exception Amendment No. S-2345-B: Request to transmit comments to the Hearing Examiner on a Special Exception Amendment application to reduce enrollment of an approved Child day care facility to a maximum of 180 students, extend the current hours of operation, and improve ADA accessibility of the Site at 7108 Bradley Boulevard, Bethesda; 2.41 acres; R-200 Zone; 1990 Bethesda Chevy Chase Master Plan.

Staff Recommendation: Approval with Conditions

(NOTE: Action required for hearing by Hearing Examiner on February 11, 2022)

BOARD ACTION

Motion: RUBIN/CICHY

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a proposed Special Exception Amendment (SEA) to reduce enrollment, extend operating hours, and improve accessibility for an existing school. The property is currently developed with a 16,181-square foot structure that was originally built as a fire station, then later used as a church with a Montessori school, and most recently converted into the Rochambeau French International School. The property has since been acquired by the applicant Guidepost A, LLC C/O Higher Ground Education with the intention of continuing a Private Education Institution use as a Montessori school with daycare and nursery instruction.

The applicant is seeking approval to reduce enrollment to up to 180 students aged six weeks to 13 years, with hours of operation from 7:00 a.m. to 7:00 p.m. While interior improvements are proposed, there are no proposed changes to the existing building square footage, footprint, or height. Exterior modifications are mainly limited to Americans with Disabilities Act (ADA) accommodation improvements. Other minor improvements include routine building and recreational facilities maintenance, including but not limited to replacement of playground equipment, repainting the exterior of the building, and new signage to reflect the change in ownership. The applicant will be required to complete two off-site Local Area Transportation Review (LATR) mitigation projects along MD191. Staff then briefly discussed the addition of clarifying language to the staff report regarding the inherent physical and operational characteristics associated with a Private Education Institution Use facility.

Ms. Stacy Silber, attorney representing the applicant, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion.

5. Neelsville Middle School, Mandatory Referral No. MR2022007

A. Mandatory Referral No. MR2022007---New school building, approximately 162,684 square feet, to replace existing Neelsville Middle School; 11700 Neelsville Church Road, Germantown, northeast quadrant of Frederick Road/Germantown Road intersection; 29.17 acres; R-200 zone; 1989 Germantown Master Plan.

Staff Recommendation: Approval with Conditions

B. Final Forest Conservation Plan No. MR2022007---New school building, approximately 162,684 square feet, to replace existing Neelsville Middle School; 11700 Neelsville Church Road, Germantown, northeast quadrant of Frederick Road/Germantown Road intersection; 29.17 acres; R-200 zone; 1989 Germantown Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: B & A. RUBIN/CICHY

Vote:

Yea: B & A. 5-0

Nay:

Other:

Action: B. Approved staff recommendation for approval of the Final 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.

A. Approved staff recommendation to transmit comments to Montgomery County Public Schools, as discussed during the meeting, and stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed Mandatory Referral and associated Final Forest Conservation Plan (FFCP) requests by Montgomery County Public Schools (MCPS) for the construction of new school building.

Following demolition of the existing school building, MCPS proposes to construct a new 162,684-square foot school building with an additional 630-square foot trash/storage building on the site in two phases. Phase 1 will include construction of the building, a second entrance from Neelsville Church Road, a new 130-space parking lot and drop-off/pick-up loop, an extension of the existing bus loop, and new recreational amenities and is scheduled to be completed in summer 2024. Phase 2 will include the demolition of the building and construction of the remaining athletic facilities, including softball and soccer fields, and tennis courts to be located where the current parking lot and school building are currently located and will be completed in summer 2025. The new building be built for a capacity of 1,063 students with a master-planned

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5. Neelsville Middle School

CONTINUED

recommendations include additional pedestrian and bicycle improvements to increase safety and provide more direct non-vehicular access, as detailed in the January 14 technical staff report.

The FFCP proposes clearing 0.37 acres of existing forest, which requires no mitigation. All 11.16 acres of remaining onsite forest will be protected in a Category I Conservation Easement located on the east side of the site. MCPS has submitted a variance request to impact but not remove three trees, for which no mitigation is required.

Mr. Seth Adams of MCPS offered comments regarding staff's recommended pedestrian and bicycle improvements, noting that MCPS is amenable to making the improvements.

There followed extensive Board discussion with questions to staff and Adams, during which the Planning Board instructed staff to include an additional comment stating that the recommended external bicycle and pedestrian connections must be addressed.

***4. Takoma Junction**

A. Mandatory Referral 2021019--Request for the disposition of land owned by the City of Takoma Park, NR-0.75 H-50 & Takoma Park/East Silver Spring Commercial Revitalization Overlay zones, 1.25 acres, located on the south side of Carroll Avenue at its intersection with Ethan Allen Avenue in the City of Takoma Park, 2000 Takoma Park Master Plan

Staff Recommendation: Denial

B. Preliminary Plan 120190150---Request for one lot for up to 40,762 square feet of commercial uses, NR-0.75 H-50 & Takoma Park/East Silver Spring Commercial Revitalization Overlay zones, 1.25 acres, located on the south side of Carroll Avenue at its intersection with Ethan Allen Avenue in the City of Takoma Park, 2000 Takoma Park Master Plan

Staff Recommendation: Denial

C. Site Plan 820190090---Request to construct a 40,762 square feet commercial building for restaurant, retail, and office, request for 15 off-street parking spaces, and request to allow a loading space within a layby along the site frontage on Carroll Avenue, NR-0.75 H-50 & Takoma Park/East Silver Spring Commercial Revitalization Overlay zones, 1.25 acres, located on the south side of Carroll Avenue at its intersection with Ethan Allen Avenue in the City of Takoma Park, 2000 Takoma Park Master Plan

Staff Recommendation: Denial

BOARD ACTION

Motion: A, B, & C. RUBIN/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: A. Approved staff recommendation to transmit comments to the City of Takoma Park, as stated in the attached transmittal letter.

B. Approved staff recommendation for denial of the Preliminary Plan cited above.

C. Approved staff recommendation for denial of the Site Plan cited above.

Planning Department staff offered a multi-media presentation and discussed proposed Mandatory Referral, Preliminary and Site Plan requests for the disposition of City of Takoma Park owned land to create a single lot for the construction of a 40,762-square foot commercial building for restaurant, retail, and office uses, and for two waivers to reduce required parking from 93 to 78 spaces and to provide the required loading area offsite. Vehicular access to the site

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***4. Takoma Junction**CONTINUED

is from MD195 via a right-in/right-out access point along the northwest portion of the property. In September 2021, following Maryland Department of Transportation State Highway Administration (MDOT/SHA) rejection of the applicant's proposed layby design and access point, and the City Council of Takoma Park vote to disapprove the project, the Planning Board extended the review of the Plans to January 2022 to allow the applicant and MDOT/SHA to pursue a solution regarding the layby and access. Since that time, staff has met with the applicant and MDOT/SHA and City of Takoma Park staff, with no solution reached; the applicant has requested approval of applications with condition that MDOT/SHA subsequently approves layby and access point; and the City of Takoma Park has reaffirmed its denial and recommended against conditional approval.

Staff discussed MDOT/SHA's outstanding issues with the site access and layby, which include the application not meeting the site distance criteria of stopping distance and intersection distance, the removal of offsite vegetation prior to further analysis, the required re-evaluation of the existing access due to the change of use, continued large truck conflicts with vehicular and bicycle travel lanes, and the potential for the applicant to be unable to enforce truck size restrictions. To date, MDOT/SHA has not approved the project's site access or layby design which fronts on and is located partially within the state-owned public right-of-way, MD195. Staff added that as submitted, the proposed layout cannot adequately accommodate all infrastructure necessary for the use and development proposed, particularly relating to site access and off-street service, and that the project does not meet all of the general requirements and development standards of the NR zone, specifically for Parking Requirements and Loading Design Standards. Staff has also received correspondence from neighboring residents regarding environmental impacts, increased traffic, the proposed design elements, and potential economic impacts.

Staff recommendations include denial of the parking waiver, as it is unknown how the loading would need to be redesigned within the site and how that would affect the ultimate number of on-site parking spaces to be waived; denial of the loading waiver, as the applicant has yet to receive approval from MDOT/SHA for use of Carroll Avenue right-of-way; and denial of all three requests, as the proposed lot does not satisfy Subdivision Ordinance requirements for site access and off-street loading and does not satisfy the Zoning Ordinance Requirements for Parking and Loading Design.

The following speakers offered testimony: Mr. Robert Dreher representing Community Vision for Takoma; Mr. Mark W. Sherman of Hancock Avenue; Mr. Byrne H. Kelly representing Takoma Stormwater Solutions; Mr. Paul Huebner of Carroll Avenue; Ms. Colleen Cordes of New York Avenue; Mr. Roger Schlegel of Allegheny Avenue; Ms. Cynthia Mariel of Manor Circle; Ms. Susan Schreiber of Willow Avenue; Mr. Eric Sepler owner of Kinetic Artistry, Incorporated; Ms. Lorraine Pearsall representing Historic Takoma, Incorporated; Mr. Carl Elefante of Westmoreland Avenue; Mr. Tracy Duvall of Poplar Avenue; and Mr. Michael Tabor of Erie Avenue.

Ms. Erin Girard, attorney representing the applicant offered comments and requested

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***4. Takoma Junction**

CONTINUED

conditional approval pending further discussion with MDOT/SHA and their approval of the proposed layby.

Mr. Kwesi Woodroffe of MDOT/SHA offered comments and answered questions from the Board regarding the removal of offsite vegetation and sight distance calculations.

There followed extensive Board discussion with questions to staff, Ms. Girard, and Mr. Woodroffe, during which the Planning Board approved staff recommendation for denial on the grounds of the MDOT/SHA analysis regarding the lack of safe and efficient access but noted that if the applicant can resolve issues with the City of Takoma Park and MDOT/SHA, the Planning Board could waive future development review fees.

9. CLOSED SESSION

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

The topic to be discussed is the proposed disposition of buildings at Warner Circle Special Park

BOARD ACTION

Motion: RUBIN/CICHY

Vote:

Yea: 5-0

Nay:

Other:

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

6. ELP Bethesda at Rock Spring Phase 1A, Site Plan No. 820210190---Request to construct Phase 1A with up to 928,844 sf of continuing care retirement community (CCRC) uses; located at 10400 Fernwood Rd, Bethesda; approximately 33.64 acres of land zoned CRF 1.5, C-0.75, R-1.5, H-150; within the Rock Spring Sector Plan area.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a proposed Site Plan request to construct a phase of a Continuing Care Retirement Community (CCRC). Vehicular access is currently provided by four existing driveways, including three signalized, full-movement access points on Fernwood Road, with the southernmost entrance located at a signalized intersection with a shared access drive that also provides access to Bethesda Marriott Suites and the office complex located directly south of the property, and the employee parking and loading areas. Numerous Washington Suburban Sanitary Commission (WSSC), storm drain, and other types of existing easements are located on the property. The Thomas Branch stream runs along the southern boundary, which also contains areas of wetland and a floodplain.

Following the demolition of the existing office building, the applicant proposes to construct Phase 1A of the CCRC, which will include two residential buildings with 512 independent living units, including 15 percent Moderately Priced Dwelling Units (MPDUs) and associated facilities and amenities; renovation of the existing parking garage; a linear open space area located behind the parking garage; an urban park along Fernwood Road that will be dedicated to the M-NCPPC Parks Department; the majority of the internal private road circulation network; and the reconstruction of Fernwood Road along the frontage, extending south to Democracy Boulevard, including a road diet that will include the construction of a bike path.. The applicant is seeking a parking waiver to allow for 479 parking spaces above the 562 space maximum, and to provide one fewer loading space than the required four. Staff noted that the number of spaces requested in this first phase of development is exaggerated due to the size of the existing parking structure, and that five total loading spaces will be provided at full buildout. Staff supports the waiver requests. Staff then briefly discussed minor revisions to

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6. ELP Bethesda at Rock Spring Phase 1A, Site Plan No. 820210190

CONTINUED

Conditions 1, 5, 10, and 12 regarding density, the Urban Park, noise attenuation, and transportation, respectively.

Parks Department staff then briefly discussed the elements of the proposed urban park, which include a paver plaza, a concrete sidewalk, a woodland trail, a lawn panel with ping pong tables, exercise pod, a play space pod, a game plaza, a pedestrian promenade, a preserved tree area, and a shade structure.

The Final Forest Conservation Plan proposes an afforestation requirement of 5.27 acres of planting, 3.02 acres of which will be planted onsite within a Category I Conservation Easement to be located in the existing stream buffer. The remaining 2.25 acres of the requirement will be fulfilled by off-site options. In addition to four trees approved for removal in the Preliminary Forest Conservation Plan, the applicant has also submitted a variance request to remove 18 more high-priority trees, which will be mitigated through the planting of 60 overstory native trees onsite.

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

There followed a brief Board discussion with questions to staff.

7. Fenton Street Cycle Track Mandatory Referrals

A. Fenton Street Bikeway Mandatory Referral (MR2022011)---Construction of a cycle track along the west side of Fenton Street from Cameron Street to Gist Avenue.

Staff Recommendation: Approval and Transmittal Comments to the Montgomery County Department of Transportation

B. Fenton Street at MD 410 Intersection Reconstruction (MR2022008)---Pedestrian and bicycle access and safety improvements for along Fenton Street from King Street to Gist Avenue.

Staff Recommendation: Approval and Transmittal of Comments to the Montgomery County Department of Transportation

BOARD ACTION

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

Vote:

Yea: **A & B. 5-0**

Nay:

Other:

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

Following some opening remarks from Planning Department staff, Mr. Matt Johnson of Montgomery County Department of Transportation (MCDOT), offered a multi-media presentation and discussed proposed Mandatory Referral requests by MCDOT for two bikeway projects along Fenton Street in Downtown Silver Spring, identified as the Fenton Street at East-West Highway (MD410) Intersection Reconstruction and the Fenton Street Bikeway projects. According to Mr. Johnson, the projects propose pedestrian and bicycle access and safety improvements along approximately 850 linear feet of Fenton Street, which includes a sidepath from King Street to MD410, two-way separated bike lanes from MD410 to Gist Avenue, and two-way intermediate level separated bike lanes from Gist Avenue to Cameron Street along the west side of Fenton Street. Other improvements include removal of channelized right-turn ramps and islands located in the northwest and northeast corners of the intersection with stormwater management facilities to be constructed in their place; reconstructed sidewalks with buffers landscaped with street trees; short segments of separated bike lanes along the west leg of MD410; floating bus stops at four locations; shared-platform stops; truck loading and paratransit zones; bicycle signals at up to eight intersections; well-defined pedestrian access routes; exclusive protective left turns for northbound traffic on Fenton Street; and conveyance of

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7. Fenton Street Cycle Track Mandatory ReferralsCONTINUED

right-of-way to M-NCPPC for the future Fenton Street Urban Park.

Staff then discussed transportation, environmental, and historic preservation recommendations for the projects, as detailed in the January 20 technical staff report.

Parks Department staff then discussed parks recommendations, which include continued MCDOT coordination with M-NCPPC to finalize the condition and timing of the proposed 3,925 square feet of Philadelphia Avenue and 2,501 square feet of the Blair Place paper street conveyance as parkland; the removal of a 17-inch ornamental cherry tree along Fenton Street Urban Park; modification to the project so that the sidewalk and bikeway do not extend past the existing limits of the sidewalk to avoid the critical root zone of the 30-inch scarlet oak including, where possible, at the corner of Richmond Avenue and Fenton Street; narrowing the bikeway from 10 to eight feet and widening the street buffer from one to three feet along Fenton Street Urban Park; and mitigating the parkland tree removal with parkland replanting or pay tree loss mitigation.

Messrs. David Helms of Lanark Way and Tino Calabria of Willard Avenue offered testimony.

There followed extensive Board discussion with questions to staff and Mr. Johnson, during which the Planning Board recommended the exploration of ways to reduce the impact to critical root zone of the scarlet oak tree and to maintain the recommended width of the proposed bikeway.

8. ~~Fairland and Briggs Chaney Master Plan—Planning Board Briefing on Community Engagement~~—This briefing is an update on community engagement activities which include data summaries on Everyday Canvassing efforts, a Pedestrian Audit and the summer and fall outreach and Listening Sessions that were conducted since the approval of the Scope of Work.
———**REMOVED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

12. — ~~Legislative Update: Bill PG/MC 107-22 — Montgomery County — Land Use Documents — Certification —~~ **REMOVED**

Staff Recommendation: Favorable with Amendment

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

10. Briefing: County Executive's Recommended FY23-28 Capital Improvements Program and FY23 Capital Budget for the Department of Parks

Staff Recommendation: Transmit Response to County Executive Request for Reductions to the FY23-28 CIP to the County Council and County Executive

BOARD ACTION

Motion: VERMA/RUBIN

Vote:

Yea: 5-0

Nay:

Other:

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

Parks Department staff offered a multi-media presentation and discussed the next stage of the FY23-28 Capital Improvements Program (CIP) and FY23 Capital Budget. According to staff, the FY23 Capital Budget and FY23-28 CIP for Parks were submitted to County Council and County Executive November 1, 2021. The County Executive reviewed the Parks CIP through January 2022 and submitted his recommended CIP to the Council on January 18. The proposed CIP request is \$265,066,000, a 10 percent increase over the approved FY21-26 CIP, with the County Executive recommending reductions of \$19,392,000, including reductions of \$4,982,000 for Current Revenue and \$14,410,000 for General Obligation (GO) funded projects. Other recommendations include delaying \$105,000 in FY25 spending to FY26-27 and delaying \$500,000 in FY23 Urban Park Elements spending for the Norwood Dog Park to FY25 for M-NCPPC Bond funded projects.

Staff recommendations include not delaying funding for Norwood Dog Park, which is funded with FY22 funding; delaying FY25 \$105,000 M-NCPPC Bond spending for Planned Lifecycle Asset Replacement (PLAR): Non-Local (NL) – Resurfacing Lots and Paths projects to FY26-27; restoring Current Revenue funding for PLAR: NL – Minor Renovations Level of Effort (LOE) projects; restoring GO Bond funding for the South Germantown Recreational Park cricket field, Brookside Gardens Master Plan implementation, Wheaton Regional Park improvements, Northwest Branch Recreational Park improvements, and Montgomery Blair High School field renovations and lights. Staff also recommends advocating that the County Council increase funding for the Resurfacing Park Roads and Bridge Improvements capital project by \$200,000 per year. Staff added that County Council Public Hearings are scheduled for February 8 and 9, with Council Committee meetings tentatively scheduled to begin March 2.

There followed a brief Board discussion with questions to staff.