

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

## APPROVED MINUTES AND SUMMARY

### SUMMARY

**Thursday, December 22, 2022**

2425 Reedie Drive  
Wheaton, MD 20902  
301-495-4605

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, December 22, 2022, beginning at 9:04 a.m. and adjourned at 10:28 a.m.

Present were Chair Jeff Zyontz, Vice Chair Amy Presley, and Commissioners Cherri Branson, David Hill, and Roberto Piñero.

Items 1 through 5 were discussed in that order and reported in the attached Minutes.

There being no further business, the meeting was adjourned 10:28 a.m. The next regular meeting of the Planning Board will be held on Thursday, January 5, 2023, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

*Kimberly Young*  
Kimberly Mann Young  
Technical Writer/Legal Assistant

*Rachel Roehrich*  
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Technical Writer/Legal Assistant

MINUTES

**Item 1. Preliminary Matters Preliminary Matters**

**A. Adoption of Resolutions**

1. 4405 East West Hwy Sketch Plan 320220120 – MCPB No. 22-102

**BOARD ACTION**

**Motion:** Presley/Branson

**Vote:** 4-0-1

**Other:** Commissioner Piñero Abstained due to being absent from the meeting when this matter was heard.

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

2. Chaberton Solar Site Plan 820220210 – MCPB No. 22-113
3. SAR 28000 Grand Park Development (Silverstone Senior Housing) – MCPB No. 22-122
4. 1910 University Blvd Preliminary Plan 120210230 – MCPB No. 22-22-120
5. 4901 Battery Lane Preliminary Plan 120220100 – MCPB No. 22-115
6. 4901 Battery Lane Site Plan 820220160 – MCPB No. 22-116
7. 4910-4920 Strathmore Avenue Preliminary Plan – MCPB No. 22-118
8. 4910-4920 Strathmore Avenue Site Plan 820220220 – MCPB No. 22-119

**BOARD ACTION**

**Motion:** Branson/Presley

**Vote:** 5-0

**Other:**

**Action:** Adopted the Resolutions cited above, as submitted, with correction noted by Emily Vaias, Principal Counsel, to the Resolution for 1910 University Boulevard Preliminary Plan 120210230 – MCPB No. 22-22-120.

**B. Approval of Minutes**

1. Minutes for December 8, 2022
2. Closed Session Minutes for December 8, 2022

**BOARD ACTION**

**Motion:** Branson/Hill

**Vote:** 4-0-1

**Other:** Vice Chair Presley abstained due to being absent from the December 8, 2022 meeting.

**Action:** Approved the Minutes cited above, as submitted.

**C. Other Preliminary Matters**

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action:**       **There were no Other Preliminary Items submitted for approval.**

**Item 2. Record Plats (Public Hearing)**

**Subdivision Plat No. 220230390, Country Club Village – Wynkoop Estates**

R-60 zone; 1 lot; located on the south side of Winston Drive, 650 feet west of Wynkoop Boulevard; Bethesda – Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220230470, Mount Prospect Farm**

PD-2 zone; 2 lots; located on the west side of Gibby Alley, 200 feet south of Grey Skies Drive; Potomac Subregion Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220230010, Montgomery Community College – Germantown Campus**

LSC zone; 1 parcel; located in northwest quadrant of the intersection of Observation Drive and Exploration Lane; Germantown Employment Area Sector Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** Hill/Presley

**Vote:** 5-0

**Other:**

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

**Item 3. Regulatory Extension Requests (Public Hearing)**

**Batson Road Property, Administrative Subdivision Plan No. 620220080, Regulatory Review Extension Request No. 2 - Request to extend the regulatory review period for three months until March 23, 2023**

Application to convert one deeded parcel into one buildable lot for a new single-family detached dwelling unit; located at the Northwest corner of Batson Rd. and Brogden Rd.; 8.31 acres; RC zone; 1997 Cloverly Master Plan and 1993 Functional Master Plan for Patuxent River.

*Staff Recommendation: Approval of extension request*

A. Duprey

**Tregoning Property, Pre-Preliminary Plan No. 720220020, Regulatory Review Extension Request No. 2 - Request to extend the regulatory review period from December 24, 2022, to February 24, 2023**

Application to determine the feasibility of the Hoffman Drive connection, the off-site connection to Damascus Regional Park, and the location and distribution of MPDUs; located on Kings Valley Road, west of Preakness Drive; 17.81 acres; RE-1 zone; 1994 Clarksburg Master Plan & Hyattstown Special Study Area.

*Staff Recommendation: Approval of the extension request*

J. Server

**BOARD ACTION**

**Motion:** Presley/ Branson

**Vote:** 5-0

**Other:**

**Action:** Approved staff recommendations for approval of the Regulatory Extension Requests cited above.

**Item 4. Forest Conservation Plan Amendment No. 11997056C, Kentsdale Estates Lot 44, Block D and Parcel 495, 10423 Willowbrook Lane, Potomac, MD 20854**

In response to a violation, a request for approval of a forest conservation plan amendment to abandon 0.20 acres (8,612 square feet) of Category I Conservation Easement and provide 0.20 acres (8,740 square feet) of mitigation onsite. In addition, the amendment proposes to release 0.11 acres (4,852 square feet) of Category I Conservation Easement that was improperly placed on property not owned by the Applicant; 9.49 acres, RE-2 Zone, 2002 Potomac Subregion Master Plan.

*Staff Recommendation: Approval of the Forest Conservation Plan Amendment*

S. Peck

**BOARD ACTION**

**Motion:** Presley/Branson

**Vote:** 5-0

**Other:**

**Action:** Approved staff recommendation for approval of the Forest Conservation 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.

Stephen Peck presented a multi-media presentation regarding a Forest Conservation Plan Amendment for a property located at 10423 Willowbrook Lane, Potomac, Maryland. Further information can be found in the Staff Report dated December 9, 2022.

The Forest Conservation Plan Amendment will resolve two forest conservation citations issued on June 3, 2020, to the Property Owner for cutting, clearing and constructing within a forest conservation easement. It also removes a portion of the easement that was incorrectly placed on a portion of the property that was not owned by the Applicant.

The Amendment proposes: removing 8,612 square feet (0.20 acres) of forest conservation easement from the property; adding 8,740 square feet (0.20 acres) of forest conservation easement to the property; a restoration planting and maintenance program; and installation of permanent conservation easement markers.

In addition, the Amendment releases 4,792 square feet (0.11- acre) of forest conservation easement area from Parcel 495 that was recorded in error, and an additional 3,049 square feet (0.07-acre) of planting is to be completed by the Applicant, by a fee-in-lieu payment.

The Board asked for general information regarding how the forest conservation violations are brought to light, how the fines and penalties for this matter were determined, why the easement areas were not addressed during the permitting process to avoid violation, and if the Applicant confirmed a play area would be installed.

Christina Sorrento, Josh Kaye, and Stephen Peck offered responses to the Board's questions.

David McKee, Benning & Associates, Inc., offered comments on behalf of the Applicant.

**Item 5. FY23 Budget Adjustment for Planning and Parks**

*Staff Recommendation: Approval of the Request for FY23 Budget Transfers for the Planning Department and Parks Department*

T. Stern/N. Steen

**A. Planning**

**BOARD ACTION**

**Motion: Branson/Hill**

**Vote: 5-0**

**Other:**

**Action: Approved staff recommendation to approve the FY23 Budget Adjustment Request for the Planning Department.**

Karen Warnick gave an overview and summary of the FY23 Budget Transfers requested for the Planning Department. Further information can be found in the Staff Report dated December 13, 2022.

The Board asked for clarity on potential effect on the FY24 budget if FY23 transfers were approved and further clarity regarding security and event management.

Commissioner Hill also requested follow up on the Incentive Density Implementation Guidelines and future presentation.

Acting Director Stern and Ms. Warnick offered responses to the Board.

**B. Parks**

**BOARD ACTION**

**Motion: Piñero/Branson**

**Vote: 5-0**

**Other:**

**Action: Approved staff recommendation to approve the FY23 Budget Adjustment Request for the Montgomery Parks Department.**

Nancy Steen gave an overview and summary of the FY23 Budget Transfers for the Montgomery Parks Department. Further information can be found in the Staff Report dated December 19, 2022.

The Board asked for confirmation that transfers requested were excess from FY23 as well as the recycling program throughout Montgomery Parks due to need for an additional trash truck.

The Board also offered comments regarding contractual services requested as part of the budget transfer.

Parks Director Riley and Ms. Steen offered responses to the Board.