

**ALL SOULS CEMETERY,
PRELIMINARY PLAN AMENDMENT NO. 11999103A
REGULATORY REVIEW EXTENSION REQUEST NO. 4**

Description

Request to extend the regulatory review period until April 23, 2023; Application to amend the Forest Conservation Plan and the Water Quality Plan to expand the internal road network and to create additional burial plots.

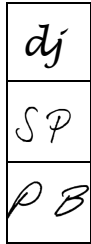
No. 11999103A

Completed: 1-6-2023

MCPB
1-19-2023

Montgomery County
Planning Board
2425 Reddie Drive,
Floor 14
Wheaton, MD 20902

Planning Staff



Doug Johnsen, Planner III, Upcounty Planning, douglas.johnsen@montgomeryplanning.org, 301-495-4559

Sandra Pereira, Supervisor, Upcounty Planning, Sandra.Pereira@montgomeryplanning.org, 301-495-2186

Patrick Butler, Chief, Upcounty Planning, Patrick.Butler@montgomeryplanning.org, 301-495-4561

LOCATION/ADDRESS

11401 Brink Road. Located at the northeast quadrant of Brink and Ridge Roads

MASTER PLAN

1994 Clarksburg Master Plan

ZONE

AR Zone

PROPERTY SIZE

149.28 Acres

APPLICANT

Catholic Cemeteries of the Archdiocese of Washington DC

ACCEPTANCE DATE

February 23, 2022

REVIEW BASIS

Chapters 19, 22A and 50



Summary:

- Section 50.4.1.E of the Subdivision Regulations provides that the Planning Board shall hold a public hearing for Preliminary Plans no later than 120 days after the date the application is accepted.
- The All Souls Cemetery Preliminary Plan Amendment application was accepted on February 23, 2022, which established a Planning Board date no later than June 23, 2022. On June 19, 2022, the Director granted a 30-day extension from June 23, 2022, to July 23, 2022. On July 14, 2022, the Planning Board granted a 3-month extension from July 23, 2022, to October 23, 2022. On November 3, 2022, the Planning Board granted a 3-month extension from October 23, 2022, to January 23, 2023.
- The Applicant is requesting a fourth extension for a period of 3 months to submit final plans that comply with the impervious limits in Special Exception H.E. 99-3 and the recommendations in the Clarksburg Special Protection Area to minimize impervious surfaces while providing safe, adequate and efficient vehicular circulation (Attachment A). Granting the extension establishes a Planning Board date no later than April 23, 2023.
- Staff recommends approval of this extension request.



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❑ Request #1

❑ Request #2

M-NCPPC Staff Use Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: _____ **Plan No.** _____

This is a request for extension of:

- ☐ Project Plan
 - ☐ Preliminary Plan
 - ☐ Sketch Plan
 - ☐ Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: _____

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

Person requesting the extension:

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

Name		Affiliation/Organization	
Street Address			
City		State	Zip Code
Telephone Number	Fax Number	E-mail	

We are requesting an extension for _____ months until _____

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

Signature of Person Requesting the Extension

Neelken Ellkopolaky

Signature

Date



Heather Dhopolsky
hdhopolsky@wiregill.com
301-263-6275

January 2, 2023

Via Email (doug.johnsen@montgomeryplanning.org)

Mr. Doug Johnsen
M-NCPPC
2425 Reddie Drive, 14th Floor
Wheaton, MD 20902

Re: All Souls Cemetery – 11401 Brink Road, Germantown, MD 20876 (the “Property”) –
Forest Conservation Plan Amendment No. 11999103A (the “Application”) – Regulatory
Review Extension Request

Dear Mr. Johnsen:

On behalf of The Catholic Cemeteries of the Archdiocese of Washington, Inc. (the “Applicant”), we are submitting this extension request regarding the Application, which is currently under review at the Maryland-National Capital Park and Planning Commission (“M-NCPPC”). Pursuant to Section 50-4.2.F.1 of the Montgomery County Subdivision Ordinance (the “Subdivision Ordinance”), the Application is treated as an amendment to an approved preliminary plan and must follow the procedures of such. Per Section 50-4.1.E, action is required to be taken on the Application within 120 days of acceptance. As a result, action would have been required by June 23, 2022, but that was extended an initial 30 days at the request of M-NCPPC Staff via Director approval, and a second extension was then approved by the Montgomery County Planning Board (the “Planning Board”) on July 14, 2022, extending the review period until October 23, 2022. A third extension was subsequently approved by the Planning Board on November 3, 2023, extending the review period until January 23, 2023. The primary reason for the third extension was because the submittal that the Applicant made to M-NCPPC Staff on August 10, 2022 did not receive any M-NCPPC Staff substantive response or feedback until October 4, 2022.

Since approval of the third extension by the Planning Board on November 3, 2023 the Applicant and M-NCPPC Staff have been in close and regular coordination, and made tremendous progress on reaching agreement, with all substantive points now resolved. However, one final extension is needed to allow time for final documentation of the agreed upon plans, and to allow time for M-NCPPC Staff to prepare their Staff Report for consideration by the Planning Board. Given the current deadline for Planning Board action (January 23, 2023), if the Applicant and M-NCPPC Staff had even one additional week they would likely be able to meet that deadline. However, given the holidays this final extension is needed. While the Applicant is requesting a new three-month extension, the Applicant firmly believes that this can be wrapped up and brought to the Planning Board early in the month of February.



Heather Dlhopsky
hdlhopolsky@wiregill.com
301-263-6275

We thank you for your consideration of this request. Please contact us should you have any questions or require any additional information. We will also be present at the hearing on the extension request, which we understand will take place on January 19, 2023, to answer any questions you may have.

Sincerely,

Wire Gill LLP

A handwritten signature in black ink that reads "Heather Dlhopsky".

Heather Dlhopsky