

# **Montgomery County Planning Board**

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED**  
**MINUTES AND SUMMARY**

**SUMMARY**  
**Thursday, April 24, 2025**  
2425 Reddie 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, April 24, 2025, beginning at 9:32 a.m. and adjourning at 5:53 p.m.

Present were Chair Artie Harris, Vice Chair Mitra Pedoeem, and Commissioners Shawn Bartley, James Hedrick, and Josh Linden.

Item 1, Item 3, and Items 4 through 7 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch at 12:11 p.m. and reconvened in the auditorium and via video conference to return to open session at 1:17 p.m. to discuss Items 8 and 9, as reported in the attached Minutes.

There being no further business, the meeting adjourned at 5:53 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 1, 2025, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

*Rachel Roehrich*

Rachel Roehrich  
Technical Writer/Legal Assistant

MINUTES

**Item 1. Preliminary Matters**

**A. Adoption of Resolutions**

1. Addition to Glen Hills Section 3, Preliminary Plan No. 120240150 – MCPB No. 25-035
2. Addition to Glen Hills Section 3, Final Forest Conservation Plan No. F20240220 – MCPB No. 25-036
3. PLD Lot 25 Redevelopment, Preliminary Plan No. 120250040 – MCPB No. 25- 042
4. PLD Lot 25 Redevelopment, Site Plan No. 820250030 – MCPB No. 25-043
5. PLD Lot 25 Redevelopment, Forest Conservation Plan No. F20250110 – MCPB No. 25-044

**BOARD ACTION**

**Motion: Hedrick/Pedoeem**

**Vote: 5-0**

**Other:**

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

**B. Approval of Minutes**

1. Minutes for April 3, 2025

**BOARD ACTION**

**Motion: Hedrick/Pedoeem**

**Vote: 5-0**

**Other:**

**Action: Approved the Minutes for April 3, 2025, as submitted.**

2. Minutes for April 17, 2025

**BOARD ACTION**

**Motion: Hedrick/Pedoeem**

**Vote: 3-0-2**

**Other: Chair Harris and Commissioner Bartley abstained due to being necessarily absent from the April 17, 2025 Planning Board Meeting.**

**Action: Approved the Minutes for April 17, 2025, 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)**

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action:** There were no Record Plats submitted for approval.

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

**2811 14th Street NE Gospel Hall, Inc. Church, Preliminary Plan No. 120250050 and Forest Conservation Plan No. F20250170: Regulatory Extension Request No. 2 - Request to extend the regulatory review period until July 31, 2025.**

Application to create one lot for an existing detached dwelling unit, one lot for an existing cellular telecommunication tower and a new 10,549 square foot religious assembly building, one parcel for park dedication, and other site-related improvements; 211 Ednor Road; 15 acres; RE-2; 1997 Cloverly Master Plan.

*Staff Recommendation: Approval of the Extension Request*

P. Estes

**8676 Georgia Avenue Site Plan No. 820250050: Regulatory Extension Request No. 2 – Request to extend the regulatory review period until June 26, 2025.**

Request to allow the Applicant to assess the viability of the development and align the Site Plan hearing with a pending hearing on an associated Preliminary Plan Amendment. The Site Plan proposes to construct a mixed-use building with up to 500,000 square feet of total density, to include up to 20,000 square feet of ground floor commercial uses and up to 480,000 square feet of residential uses for up to 493 multi-family dwelling units, with 15.1 percent MPDUs, utilizing 226,500 square feet of Downtown Silver Spring Overlay Zone Density with an associated Civic Improvement Fund contribution, and rehabilitation of the designated Historic Taste Diner. On 1.04 acres located at the southern quadrant of the intersection of Georgia Avenue and Cameron Street, Silver Spring; zoned CR-5.0 C-5.0 R-5.0 H-300 and Downtown Silver Spring Overlay Zone; 2022 Silver Spring Downtown and Adjacent Communities Plan.

*Staff Recommendation: Approval of the Extension Request*

A. Bossi

**Woodside Park – 9006 Colesville Road Administrative Subdivision Plan No. 620230090: Regulatory Extension Request No. 3 - Request to extend the regulatory review period until October 23, 2025.**

Request to incorporate an acoustical study and update plans to address review comments. The Application proposes to create two lots for one existing single-family detached dwelling and one new single-family detached dwelling; R-60 Zone; 0.788 acres; located on the west side of

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Colesville Road, 170 feet north of its intersection with Woodside Parkway, at 9006 Colesville Road, Silver Spring; 2000 North and West Silver Spring Master Plan.

*Staff recommendation: Approval of the Extension Request*

A. Bossi

**Garrett Park Administrative Subdivision Plan No. 620240230: Regulatory Extension Request No. 3 - Request to extend the regulatory review period until June 18, 2025.**

Application to create two residential lots for the construction of one new single-family detached dwelling unit; located at 10701 Keswick Street, Garrett Park, MD; R-90 Zone; 1.38 acres; 1992 North Bethesda/Garrett Park Master Plan.

*Staff recommendation: Approval of the Extension Request*

E. Fowler

**BOARD ACTION**

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0

**Other:**

**Action:** Approved Staff recommendation for approval of the Regulatory Extension Requests cited above.

**Item 4. Roundtable Discussion**

Planning Director's Report  
J. Sartori

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action: Received briefing.**

Montgomery Planning Director, Jason Sartori, offered a multi-media presentation regarding recent updates for the Planning Department.

Mr. Sartori introduced Atul Sharma, Acting Assistant to the Deputy for Development and Design Review, who discussed Montgomery Planning's Placemaking Strategic Plan, goals of the Plan, and the Placemakers Working Group. Carrie Sanders, Chief of Midcounty Planning, offered brief comments regarding the Wheaton Placemaking Initiative and introduced Sophie Kotzker, Planner II, to discuss the Wheaton Placemaking Initiative further. Ms. Kotzker stated the placemaking initiative focuses on repurposing underutilized public space in Wheaton, supporting Wheaton's sense of place, improving connectivity, and showcasing possibilities for future improvements or investments. Ms. Kotzker discussed the timeline of the Wheaton Placemaking Initiative, community engagement performed, and the upcoming Wheels in Wheaton event.

Matt Folden, Midcounty Planning Supervisor, gave an overview of the recent development within the North Bethesda area and discussed development approvals, as well as, the total number of dwelling units and affordable units for the area.

Lastly, Mr. Sartori discussed a recent article published in The Washington Post, "Which cities have the most trees? See how yours stacks up", and showed a map showing the changes in tree cover between Virginia and Maryland.

The Board asked questions regarding the skates and equipment used during the Wheels in Wheaton event, and Staff offered comments and responses.

The Board also requested a future update regarding how quickly units within the North Bethesda area are being filled.

**Item 5.           Bus Rapid Transit Briefing**

Montgomery Planning Staff will brief the Planning Board on Bus Rapid Transit (BRT), including the elements of BRT, the lifecycle of a BRT project in Montgomery County, and the relationship of BRT to Thrive Montgomery 2050 and Master Plans.

*Staff Recommendation: Discuss Bus Rapid Transit*

D. Anspacher

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action:           Received briefing.**

David Anspacher, Chief of Countywide Planning and Policy, offered a multi-media presentation regarding Bus Rapid Transit (BRT) in Montgomery County. Further information can be found in the Staff Report dated April 11, 2025.

Mr. Anspacher stated BRT is a high-quality, high-capacity bus-based transit system and discussed the four performance characteristics of BRT including reliability, comfort, convenience, and branding in greater detail. Mr. Anspacher also discussed why BRT is needed within Montgomery County, BRT's relationship to Thrive Montgomery 2050 and other Master Plans, project implementation, and potential interim improvements.

The Board asked questions regarding which BRT lines are currently running, differences between major roadway projects and minor roadway projects, length of the National Environmental Protection Act (NEPA) process, potential other corridor BRT lines in the Master Plan currently included within the Constrained Long-Range Plan, funding, timeline comparison to surrounding jurisdictions, how to keep implementation of BRT project relevant, projected ridership, and possible impacts to existing traffic.

Staff offered comments and responses to the Board's questions. Mr. Anspacher also stated he would provide the Board with further information regarding other corridor BRT lines included in other Master Plans that are currently included in the Constrained Long-Range Plan at a future date.

**Item 6. Good Hope Road Shared Use Path Extension between Rainbow Drive and Spencerville Local Park Mandatory Referral No. MR2025010 and Preliminary/Final Water Quality Plan (Public Hearing)**

- A. Preliminary/Final Water Quality Plan
- B. Mandatory Referral No. MR2025010

The Applicant, Montgomery County Department of Transportation, proposes to design and construct 900 feet of sidepath improvements on the east side of Good Hope Road between Rainbow Drive and Spencerville Local Park.

*Staff Recommendation: Transmit comments to the Montgomery County Department of Transportation*

S. Aldrich

**A. BOARD ACTION**

**Motion: Hedrick/Pedoeem**

**Vote: 5-0**

**Other:**

**Action: Approved Staff recommendation for approval of the Preliminary/Final Water Quality Plan, with conditions.**

**B. BOARD ACTION**

**Motion: Hedrick/Pedoeem**

**Vote: 5-0**

**Other:**

**Action: Approved Staff recommendation for approval to transmit comments to the Montgomery County Department of Transportation, as stated in a transmittal letter to be prepared at a later date.**

Sofia Aldrich, Planner IV, offered a multi-media presentation regarding the Good Hope Road shared use path extension between Rainbow Drive and Spencerville Local Park. Further information can be found in the Staff Report dated April 14, 2025.

Ms. Aldrich stated the proposed shared use path will be constructed along the east side of Good Hope Road between Rainbow Drive and the entrance of Spencerville Local Park to improve pedestrian and bicycle safety and connectivity. Ms. Aldrich discussed the Preliminary/Final Water Quality Plan, Staff's conditions, and Plan elements including impacts to sensitive environmental features on Parkland. Ms. Aldrich also gave an overview and discussed the Mandatory Referral including the design element review, Master Plan conformity for transportation, pedestrian level of comfort, and bicycle level of traffic stress.

Doug Stephens, Principal Natural Resources Specialist, gave an overview of the parkland analysis for Spencerville Local Park, park amenities, park natural resources, and provided a summary of the impacts to parkland. Mr. Stephens stated potential impacts include an estimated removal of four trees, new stormwater facilities and drainage pipe, and a new Montgomery County Department of Transportation (MCDOT) perpetual easement area of approximately 8,000 feet.

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Mr. Stephens also discussed the park frontage, sidepath construction, perpetual easement right-of-way, and design.

Lastly, Mr. Stephens and Ms. Aldrich discussed Montgomery Park's conditions and Planning Staff's comments.

The Board asked questions regarding reasoning for the sidepath extension, imperviousness, reasoning for area chosen for impervious removal, location of the stormwater facilities and drainage pipe, east versus west side of the road installation, size of cricket fields, and park usage.

Staff offered comments and responses to the Board's questions.

Jean Kapusnik of MCDOT offered comments regarding reasoning for location chosen for impervious removal.



**Item 7. Rickman Property, Preliminary Plan Application No. 120250060 and Final Forest Conservation Plan No. F20250160 (Public Hearing)**

A. Preliminary Plan No. 120250060: Application (including Water Quality Plan) to create one lot for up to 40,451 square feet of density, composed of 17,765 square feet of warehouse uses, 14,400 square feet of office uses, 5,000 square feet of light manufacturing uses, and 3,286 feet of retail uses; located at 18849 Woodfield Road, Gaithersburg, MD 20879; IL-1.0, H-50 & Upper Rock Creek Overlay Zone; 6.30 acres; 2004 Upper Rock Creek Area Master Plan.

B. Final Forest Conservation Plan No. F20250160: Request for approval of a Final Forest Conservation Plan to satisfy afforestation/reforestation requirements associated with Preliminary Plan Application No.120250060.

*Staff Recommendation: Approval with Conditions*

J. Server

**A. BOARD ACTION**

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0

**Other:**

**Action:** Approved Staff recommendation for approval of the Preliminary Plan, including Final Water Quality Plan, cited above, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

**B. BOARD ACTION**

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0

**Other:**

**Action:** 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.

Jeff Server, Planner III, offered a multi-media presentation regarding the Rickman Property. Further information can be found in the Staff Report dated April 11, 2025.

Mr. Server noted changes to the Staff Report regarding the square footage density totals for warehouse uses, office uses, and total development. Mr. Server stated due to the changes in density totals, Preliminary Plan Condition 1, Data Table 1, and LATR Table 2 will also be modified.

Mr. Server stated the Application proposes to subdivide two unrecorded parcels, P860 and P925, to create one 6.3 acre-lot for up to 41,052 square feet of density. The existing buildings will be demolished, and the proposed phased development is for a large warehouse and showroom building, an office building, and a saw operation building for the Potomac Valley Brick and Supply Company. Mr. Server discussed the amenity open space, landscaping, transportation, and frontage improvements proposed with the project as well as the phasing. Mr. Server also noted the APF Validity Extension request for a 10-year buildout for the site and explained the construction phasing for Phase I and Phase II.

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Mr. Server discussed the Final Forest Conservation Plan and stated the site has an afforestation requirement of 1.05 acres either within the same watershed/Priority Area or outside the same watershed/Priority Area. Mr. Server stated the Applicant will satisfy the requirement by purchasing the appropriate credits in an approved off-site forest bank, or if no banks are available, then submitting a fee-in-lieu payment to the Forest Conservation Fund. Mr. Server noted the Applicant also submitted a variance request for the removal of one tree and impact to two protected trees.

The Board asked questions regarding how the square footage was determined for the different phases, community outreach, notification radius, impervious cap regulations for the zone, reasoning for cross section portraying six travel lanes, and current usage of the property.

Staff, including Sandra Periera, Upcounty Planning Supervisor, Doug Johnsen, Planner III, and Nicholas Peavy, Planner III, offered comments and responses to the Board's questions.

**Item 8. University Boulevard Corridor Plan Work Session 3**

Work Session 3 for the University Boulevard Corridor Plan

*Staff Recommendation: Discuss the University Boulevard Corridor Plan and provide guidance to Staff.*

Z. Adrianvala

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action: Received briefing followed by discussion and direction from the Planning Board.**

Zubin Adrianvala, Planner III, offered a multi-media presentation regarding Work Session Number 3 for the University Boulevard Corridor Plan. Further information can be found in the Staff Report dated April 17, 2025.

Mr. Adrianvala stated during the second work session, the Planning Board directed Staff to provide additional information on recommendations for the Kemp Mill Shopping Center, including the existing and recommended square footages of commercial and residential uses. This information will be discussed during this third work session; however, Mr. Adrianvala noted the minor revisions to the FAR and heights in the Four Corners District will be discussed during the fourth work session on May 1, 2025.

Mr. Adrianvala noted this third work session will also focus on transportation recommendations, including the transportation vision for the University Boulevard Corridor Plan, policy guidance related to safety and multimodal travel options, the existing transportation conditions that inform the Draft Plan recommendations, and the public testimony received on the Draft Plan's transportation recommendations.

**Kemp Mill Shopping Center**

Mr. Adrianvala discussed the Kemp Mill Shopping Center proposed CRT zoning as well as the comparison between the possible development under the existing zoning and recommended CRT zoning. Mr. Adrianvala gave an overview of the potential CRT zoning advantages and presented Staff's proposed additional language for the Kemp Mill Shopping Center.

The Board asked questions regarding maximizing residential development and the phased redevelopment language.

Staff offered comments and responses to the Board's questions.

The Board held further discussion regarding Staff's proposed language for redevelopment of the shopping center and preserving the character of the area. The Board agreed with Staff's proposed additional language.

### **Transportation**

Alex Rixey, Transportation Planner IV, discussed the transportation policy guidance, existing transportation conditions, University Boulevard traffic volumes, 2018-2024 crash data, pedestrian and bicycle conditions along University Boulevard, safe routes to school, transit ridership, and partner agency efforts.

The Board asked questions regarding reasoning for reduced traffic volumes from 2023 to 2024, transit ridership totals, transit ridership targets, how transit ridership is measured, and if transit ridership is viable.

Staff offered comments and responses to the Board's questions.

Hailey Peckett of MCDOT offered comments and responses regarding transit ridership targets, how transit ridership is measured, and transit viability.

### **Recommended Plan Revisions for Transportation**

Mr. Rixey continued by discussing the transportation testimony received and recommended plan revisions. Recommendations discussed with the Board in greater detail including questions and discussion are listed below:

#### **Crash Data**

Mr. Rixey noted technical revisions and proposed language for page 98 of the Draft Plan, and the Board agreed.

#### **Leading Pedestrian Intervals (LPIs) and No Right Turn on Red**

Mr. Rixey discussed Staff's recommended plan revision with additional proposed language for page 120 of the Draft Plan, and the Board held further discussion regarding potential for "no turn on red" anywhere without excluding intersections that may be important in the future.

The Board also asked questions regarding reasoning for not including proposed language for LPIs in all plans, and Staff, including Jason Sartori, Planning Director and Jessica McVary, Planning Supervisor, offered comments and responses to the Board's questions.

The Board requested, and Staff agreed, to revisit the recommendation at a future work session with updated language.

#### **Arcola Avenue Intersections**

Mr. Rixey discussed the concerns regarding Arcola Avenue and read Staff's proposed language for recommended Plan revisions for page 100 of the Draft Plan.

The Board asked questions regarding crash studies/analysis performed at the intersections. Staff and Ms. Peckett of MCDOT offered comments and responses.

The Board agreed with Staff's proposed recommendation.

University Blvd. Lane Repurposing Traffic Effects

Mr. Rixey discussed the University Boulevard lane repurposing traffic effects, concerns with repurposing one vehicular through travel lane per direction, emergency response times, and Town Center Streets Lamberton Drive and Access Road.

The Board asked questions regarding the number of vehicles per hour per lane (vphpl) threshold, vphpl modeling, and level of service.

Staff offered comments and response to the Board's questions.

The Board held further discussion regarding the vphpl modeling for the 2045 Adopted Plan and 2045 Proposed Plan as well as the changes in vphpl and percentage changes in vphpl. Mr. Sartori offered comments regarding the modeling noting the table shown by Staff is a comparison in 2045 to the existing plan and proposed plan. Carrie Sanders, Chief of Midcounty Planning, stated language could be drafted by Staff clarifying the lane repurposing vphpl traffic effects shown in the model as summarized by Mr. Sartori.

Access Road Dedication

Mr. Rixey discussed Staff's recommended plan revision with modifications and additional proposed language for page 43 of the Draft Plan, and the Board agreed with Staff's proposed recommendations.

Four Corners and Neighborhood Street Connections with Redevelopment

Mr. Rixey discussed concerns received for the Four Corners area regarding the near-term recommendations and long-term vision, as well as, the recommendation for the neighborhood street connections with redevelopment.

The Board asked questions regarding whether the Plan will increase or decrease neighborhood street connections.

Staff offered comments and responses to the Board's questions.

Mr. Rixey also discussed Staff's recommended plan revision with modifications and additional proposed language for page 100 of the Draft Plan, and the Board agreed with Staff's proposed recommendations.

Median-Running BRT

Mr. Rixey discussed Staff's proposed language for recommended Plan revision for page 115 of the Draft Plan regarding the exploration of whether a median-running BRT or curb-running BRT approach is appropriate for the University Boulevard corridor.

The Board asked questions regarding responsible party for exploring median-running BRT versus curb-running BRT, party responsible for building median-running or curb-running BRT, and potential funding.

Staff and Ms. Peckett of MCDOT offered comments and responses to the Board's questions.

*MCDOT – Transit Lanes in Four Corners*

Mr. Rixey discussed comments received from MCDOT regarding the Four Corners intersection and stated the Draft Plan concept is the preferred concept. Mr. Rixey also discussed Staff's modifications and proposed language for recommended Plan revisions on pages 105 and 115 of the Draft Plan.

The Board held discussion regarding prioritizing safety, importance of installing sidepaths along both eastbound and westbound directions of University Boulevard, and inclusion of dedicated bus in the long-term comprehensive study of the intersection of University Boulevard and Colesville Road. The Board also asked questions regarding reasoning for a dedicated right turn lane southbound onto Colesville Road.

Staff and Ms. Peckett offered comments and responses to the Board's comments and questions.

The Board suggested Staff continue ongoing conversations with MCDOT regarding recommendations and possible plan revisions regarding the transit lanes in the Four Corners area and revisit the topics at a future work session.

Mr. Rixey continued by discussing MCDOT's comments regarding zoning-transportation nexus, bicycle/pedestrian connections, and bicycle/pedestrian facilities. Lastly, Mr. Rixey gave an overview of Master Plan transportation adequacy metrics, additional transportation analysis, and next steps.

**Item 9. Chaberton Solar Ramiere: Mandatory Referral No. MR2024017 and Forest Conservation No. F20250480 (Public Hearing)**

A. Mandatory Referral No. MR2024017: Proposal to construct a 3 Megawatt (MW) Solar Collection System on approximately 11-acres of a 118-acre property located at 17600 Whites Ferry Road, Poolesville; AR zone; 1980 Preservation of Agriculture & Rural Open Space Functional Master Plan (AROS).

B. Forest Conservation No. F20250480: Recommend approval with conditions.

*Staff Recommendation: Denial of the Mandatory Referral and the transmittal of the comments to the State of Maryland Public Service Commission and approval of the Forest Conservation Plan with conditions.*

M. Beall

**A. BOARD ACTION**

**Motion:** Hedrick/Linden

**Vote:** 3-2

**Other:** Vice Chair Pedoeem and Commissioner Bartley voted nay.

**Action:** Approved the Mandatory Referral with conditions as approved during the meeting, and to transmit comments to the State of Maryland Public Service Commission, the Applicant, County Council, and County Executive, as stated in a transmittal letter to be prepared at a later date.

**B. BOARD ACTION**

**Motion:** Hedrick/Linden

**Vote:** 3-1-1

**Other:** Commissioner Bartley voted Nay and Vice Chair Pedoeem abstained.

**Action:** Approved Staff recommendation for approval of the 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.

Mark Beall, Planner IV, offered comments regarding Chaberton Solar Ramiere. Further information can be found in the Staff Report dated April 14, 2025.

Mr. Beall noted the project is proposed on approximately 11 acres in the southeast corner of the 118-acre property, and most of the unused portion of the property will continue to be farmed. Mr. Beall stated the Applicant is proposing a 3 MW Solar Collection System, a new driveway entrance along Whites Ferry Road at the northeast corner of the property, a fence surrounding the solar compound, and an onsite fire department access road and cistern. The proposed solar arrays are proposed with a tilt to a height of seven-to-nine feet, and the proposed Solar Collection System will be setback a minimum of 50 feet from the closest property lines. Mr. Beall also noted all land used for the proposed Solar Collection System consists of USDA Class II soils, considered prime agricultural soils.

Mr. Beall noted over 140 emails have been received in opposition of the project noting concerns regarding lack of compliance with the AR zone, lack of compliance with the Master Plan, and

location on Class II soils. Patrick Butler, Chief of Upcounty Planning, also noted correspondence received from the Applicant regarding the Applicant's disagreement with Staff's recommendation for a bicycle path frontage improvement along Whites Ferry Road. Mr. Butler noted that staff was removing the suggested condition for the frontage improvement.

Mr. Beall discussed the Final Forest Conservation Plan stating the plan shows no existing forest within the net tract area and no forest clearing, therefore, the application results in no afforestation/reforestation requirement. Mr. Beall also discussed the Adequate Public Facilities (APF), transportation review, and Staff's basis for denial of the Mandatory Referral.

Franciose Carrier of Bregman, Berbert, Schwartz, and Gilday, LLC offered comments on behalf of the Applicant regarding the project including reasoning for the location chosen for the solar array, soil constraints of the property, and agrivoltaics. Ms. Carrier offered further comments regarding the release of a Request for Proposal (RFP) for potential farming prospects and enforcement process should farming not commence.

Ryan Boswell, Vice President of Development of Chaberton Ramiere LLC, offered a multi-media presentation regarding the project, reasoning as to why the site is ideal for community solar, economic impact, and a solar summary for Montgomery County. Mr. Boswell offered further comments regarding number of households benefitting from electricity generated from the project, solar panel installation specifications, agrivoltaics, length of proposed solar panel system, installation specifications, and potential access to the site.

Miles Braxton of Okovate Sustainable Energy continued with the multi-media presentation offering comments regarding Okovate's commitment to agrivoltaics and potential crop production. Mr. Braxton offered further comments regarding solar panel installation.

The Board asked questions regarding how many households would benefit from electricity generated by the project, whether the entire farm consisted of Class II soils, solar panel installation and specifications, potential guarantee for agrivoltaics, length of solar panel system, fencing requirements, access to the site, farming prospects for the site, alternative mitigation measures, and possibility for enforcement if farming does not take place.

Staff, including Jason Sartori, Planning Director, Patrick Butler, Chief of Upcounty Planning, and Emily Vaias, Principal Counsel, offered comments and responses to the Board's questions.

Katherine Griffin of Chaberton Ramiere LLC offered comments regarding enforcement process.

The Board held further discussion regarding agrivoltaics and potential for enforcement if farming does not commence on the site. Mr. Sartori also suggested including an acknowledgement with the transmittal to the Public Service Commission (PSC) noting the Board approved due to Condition 4b requiring farming and potential for enforcement.