

Montgomery County Planning Board

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 23-024

Preliminary Plan No. 120200030

Addition to Ray's Adventure

Date of Hearing: March 30, 2023

APR 25 2023

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on December 1, 2021, Alejandro Martinez ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create two (2) lots on 1.56 acres of land in the R-200 zone, located about 320 feet south of Log House Road on Woodfield Road at 24320 Woodfield Road ("Subject Property"), in the Damascus Policy Area and 2006 *Damascus Master Plan* ("Master Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120200030, Addition to Ray's Adventure ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated March 18, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 30, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Pedoeem, seconded by Commissioner Hedrick, with a vote of 5-0; Chair Zyontz, Vice Chair Piñero, Commissioners Bartley, Hedrick, and Pedoeem voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120200030 to create two (2) lots on the Subject Property, subject to the following conditions:¹

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

GENERAL APPROVAL

1. This Preliminary Plan is limited to two (2) lots for two (2) single-family detached dwelling units.

ADEQUATE PUBLIC FACILITIES

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

PLAN VALIDITY PERIOD

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated February 27, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
 5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
 6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated August 25, 2020 and reconfirmed in a letter dated February 23, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letters, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
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7. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated February 19, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

ENVIRONMENT

8. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
9. The Applicant must comply with all tree protection and tree save measures shown on the approved Preliminary/Final Forest Conservation Plan ("FCP"). Tree save measures not specified on the FFCP may be required by the M-NCPPC Forest Conservation Inspection Staff.
10. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
11. Before the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must:
 - a) Install permanent conservation easement signage along the perimeter of the conservation easement on the adjacent property to the southeast as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
 - b) Submit the forest conservation fee-in-lieu payment to the M-NCPPC Planning Department for the 0.26 acres of afforestation/reforestation requirement.
 - c) Execute a five-year Maintenance and Management Agreement ("MMA") in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all variance tree mitigation plantings credited toward meeting the requirements of the FFCP. The MMA includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff.
 - d) Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the variance mitigation trees and maintenance, including invasive species management controls, credited toward meeting the requirements of the FCP.

12. Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services ("MCDPS") for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings on the Subject Property as shown on the approved FCP. The variance tree mitigation plantings must be a minimum size of 3 caliper inches totaling 16.25 caliper inches, as shown on the approved FCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.
13. Before Certified FCP set submittal, the Applicant must address all revisions requested on the FCP submitted for review on February 10, 2023 in e-Plans.

TRANSPORTATION

14. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a) All land necessary to accommodate forty feet (40 ft) from the existing pavement centerline along the Subject Property frontage for Woodfield Road (MD 124).
15. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of the MDOT SHA to ensure construction of an 11-foot wide sidepath along the Property frontage on Woodfield Road (MD 124).
16. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements to ensure construction of an 11-foot-wide shared use path through Lot 1 and Lot 2 to provide a connection between Woodfield Road and Bush Hill Road.
17. Before release of the first use and occupancy permit, the Applicant must construct an 11-foot-wide shared use path on Lot 1 and Lot 2 to provide a connection between Woodfield Road and Bush Hill Road as shown on the certified preliminary plan. The path must have a no motor vehicle sign at both ends of the trail as well as a bollard or similar feature as required by DPS to prevent motor vehicle access.
18. Before approval of the right-of-way permit, the Applicant must coordinate with MCDPS to determine whether the required 11-foot wide sidepath between Woodfield Road and Bush Hill Road will be maintained by the County or privately maintained. If the sidepath is maintained by the County, the path must be lit, and a public improvement easement (PIE) shall be required and shown on the Record Plat. If declined by the County, the Applicant must produce a maintenance and liability agreement for the homeowners to maintain the trail in perpetuity.

RECORD PLATS

19. There shall be no clearing or grading of the site before recordation of plats.

EASEMENTS

20. The record plat must show necessary easements.
21. The record plat must reflect a common use and access covenant for the benefit of the public over all trails, sidewalks and paths not included in a public right-of-way or private street parcel. The covenant must be in a form approved by the M-NCPPC Office of the General Counsel and recorded among the Montgomery County Land Records.

CERTIFIED PRELIMINARY PLAN

22. The certified Preliminary Plan must contain the following notes:
 - a) *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
 - b) *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times.*
23. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a) Include Resolution and agency approval letters on the approval or cover sheet(s).
 - b) Include the approved Fire and Rescue Access plan in the certified set.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon

consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The Preliminary Plan meets all applicable sections of Chapter 50, Subdivision of Land. The layout of the subdivision, including its size, shape, orientation, density of lots, and location and design of roads is appropriate for the residential use and single-family detached development contemplated in the R-200 zone.

The block design is existing and appropriate for the proposed development and use. The length, width and shape of the block are compatible with the development patterns in the vicinity, including properties and block designs. Both proposed lots have right-of-way frontage on different roadways. Lot 1 has frontage along Woodfield Road and will use the existing driveway access, which currently serves one single-family detached unit. Lot 2 fronts a hammerhead intersection between Bush Hill Road and Hickory Spring Lane, which as conditioned, provides adequate access to Lot 2. A roadway connection between Bush Hill Road and Hickory Spring Lane was considered and deemed infeasible because the 60-foot right-of-way dedication would have unreasonably compromised the ability to subdivide the Property into two or three lots and meet the development standards for single-family detached units. Additionally, the existing roads are adequate to support the Application and no additional roadways are required. Therefore, to improve pedestrian and bicycle connectivity as recommended by the Master Plan, the proposed shared-use path through the Property is necessary to connect with the existing sidewalk and sidepath network.

The Preliminary Plan proposes two lots for single-family detached units. Lot 1 has a minimum lot area of 36,588 square feet and Lot 2 has a minimum lot area of 31,438 square feet. Lot 1 is trapezoidal in shape with a minimum width of 163 feet at the front building line. Lot 2 is rectangular in shape with a minimum width of 184 feet at the front building line. Pursuant to the R-200 requirements, the Project exceeds the minimum required lot area of 20,000 square feet and minimum lot width of 100 feet at the front building line. All lots will have access to public roads. The size and dimensions of the lots are appropriate for the location and single-family detached development. The Preliminary Plan does not propose any flag lots. The size, width, shape, and orientation of the proposed lots are appropriate for the zone, location and residential use proposed. As shown in Preliminary Plan drawing and Table 1, the proposed lots comply with the development standards for R-200 standard method of development.

Table 1: Data Table for R-200 Zone, Standard Method, Section 59.4.4.7.B

Development Standard	Permitted/Required	Proposed/Provided Lot 1	Proposed/Provided Lot 2
Minimum Lot Area for Zone	20,000 square feet	36,588 square feet ²	31,438 square feet ²
Minimum Lot Width at Front Building Line	100 feet	163 feet	184 feet
Maximum Density	2.17 (units/acre)	1.28 (units/acre)	
Minimum Lot Width at Front Lot Line	25 feet	Must meet minimum	
Maximum Lot Coverage	25 percent	Must not exceed maximum	
Minimum Front Setback	40 feet	Must meet minimum	
Minimum Side Setback	12 feet	Must meet minimum	
Minimum Sum of Side Setbacks	25 feet	Must meet minimum	
Minimum Rear Setback	30 feet	Must meet minimum	
Maximum Height	45 feet	Must not exceed maximum	
Site Plan Required	No	No	

2. The Preliminary Plan substantially conforms to the Master Plan.

a) Land Use

The Property is located in the Town Neighborhood transition area of the 2006 *Damascus Master Plan* which provides a residential density of two to six dwelling units per acre. The Application is supported by the existing R-200 zone and does not conflict with the general recommendations provided for the Town Neighborhood area. The Application substantially conforms with the 2006 *Damascus Master Plan* general recommendations, including incorporating a variety of housing types and expanding the pedestrian and bicycle path networks.

b) Environment

There are no specific Master Plan environmental recommendations that would apply to the Property.

c) Transportation

There are no specific Master Plan transportation recommendations that would apply to the Property. However, as discussed below, general

² The lot will exceed the minimum lot area for the zone; actual lot size may be adjusted during final record plat review.

recommendations include community-wide goals to improve pedestrian and bikeway systems throughout Damascus. Therefore, as shown on the Preliminary Plan drawing, the Application will provide an 11-foot wide sidepath along Woodfield Road, and to provide a pedestrian and bicycle connection between Woodfield Road and Bush Hill Road, an 11-foot wide shared-use path is provided along the eastern Property line.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

As conditioned, adequate public facilities exist to support and service the Property in accordance with Section 50.4.2.D of the Subdivision Regulations.

TRANSPORTATION

Adequate public facilities exist to support and service the Property in accordance with Section 50.4.3.J of the Subdivision Regulations. The Property is located in the Damascus Policy Area, which is categorized as a Green Policy Area under the *2020-2024 Growth and Infrastructure Policy* (GIP). As demonstrated in the Applicant's traffic exemption statement, dated January 26, 2023, the proposed Application for two single-family detached homes (one net-new home) is exempt from completing a Transportation Impact Study because the Application will not generate 50-weekday net-new person peak-hour trips. Therefore, the Local Area Transportation Review (LATR) analysis is satisfied with the transportation exemption and no further evaluation is needed. Roads and transportation facilities are adequate to support the Application.

The Subject Property is located along Woodfield Road (MD 124), classified by the 2021 *Complete Streets Design Guide* as an Area Connector. The *Master Plan of Highways and Transitways* additionally recommends an 80-foot total right-of-way for the road. The Applicant will ensure dedication of 40 feet of right-of-way as measured from the existing pavement centerline along the Subject Property frontage for Woodfield Road to comply with the master-planned width of the right-of-way. While Lot 1 will be accessed from Woodfield Road, Lot 2 will be accessed to the southeast from Bush Hill Road, a secondary residential street. Near Woodfield Road, the sidepath connects with a new shared use path being constructed as described below. No additional right-of-way dedication is required for Bush Hill Road.

The Applicant will construct an 11-foot wide sidepath along Woodfield Road as recommended in the 2018 *Bicycle Master Plan*. Additionally, the Applicant will construct an 11-foot-wide asphalt path through Lot 1 and Lot 2 to connect Bush Hill Road with Woodfield Road, addressing Staff's concern that the neighborhood at present has insufficient bike and pedestrian connectivity to Woodfield Road, particularly to Ride On transit service on that road. Signage will be provided to

prohibit vehicular usage of the path. Additionally, there is adequate separation between the Lot 1 driveway and the sidepath to limit conflicts with motor vehicles. A public access and improvement easement will contain the path to accommodate public bike and pedestrian movement. Long term maintenance of the path will be determined at the time of the approval of the site access permit.

SCHOOLS

The Project is served by Woodfield Elementary School, John T. Baker Middle School, and Damascus High School. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 2.

Table 2: Applicable FY2023 School Adequacy
Projected School Totals, 2026

School	Projected School Totals, 2026				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Woodfield ES	365	381	104.4%	-16	No UPP	69	86	112
John T. Baker MS	746	830	111.3%	-84	No UPP	42	67	178
Damascus HS	2,007	1,464	72.9%	+543	No UPP	723	945	1,246

The school adequacy test determined the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, Woodfield Elementary School, John T. Baker Middle School and Damascus High School do not require any UPP as identified in Table 2. If the Project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required. With a net of one single family detached unit that is not age-restricted, the Project is estimated to generate the following number of students based on the subject Property's location within a Turnover Impact Area:

Table 3: Estimated Student Enrollment Impacts

Type of Unit	Net No. of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	1	0.185	0.185	0.108	0.108	0.154	0.154
SF Attached	0	0.225	0.000	0.123	0.000	0.159	0.000
MF Low-rise	0	0.107	0.000	0.058	0.000	0.070	0.000
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
TOTALS	1	-	0	-	0	-	0

As shown in Table 3, on average, this Application is estimated to generate zero (0) elementary school students, zero (0) middle school student and zero (0) high school students. The number of students generated does not exceed the adequacy ceilings identified for each school in Table 2, therefore no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

OTHER FACILITIES

All other necessary public facilities and services are available and adequate to serve the proposed lots. The Property is within the W-1/S-1 water and sewer service categories and will utilize public water and sewer service. Adequate fire department access and water supply are provided as noted in a letter dated February 19, 2023, by MCDPS.

Adequate electric and telecommunications services are available to serve the Property. Other public facilities and services, such as police stations, fire stations, and health services are currently operating within the standards set by the *2020-2024 Growth and Infrastructure Policy*.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Applicant submitted a Preliminary/Final Forest Conservation Plan ("FCP"). The Subject Property is zoned R-200 and is assigned a Land Use Category of Medium Density Residential ("MDR") as defined in Section 22A-3 of the Montgomery County Forest Conservation Law ("FCL") and in the Land Use Table of the Trees Technical Manual. This results in an afforestation threshold of 20 percent (20%) and a conservation threshold of 25 percent (25%) of the Net Tract Area. The tract area for forest conservation purposes includes the 1.65-acre Subject Property plus 0.18 acres of offsite disturbance associated with this Application, for a total net tract area of 1.74 acres. There is no existing forest on the Subject Property. This results in a total afforestation requirement of 0.26 acres. As conditioned, the Applicant will meet this requirement by making a fee-in-lieu payment.

B. Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise, such resources must be left in an undisturbed condition. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

This Application requires the removal of one (1) Protected Tree. The Applicant submitted a variance request letter dated February 8, 2023 for the removal of one Protected Tree for the construction of the proposed house on Lot 1. Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made for a variance to be granted.

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of their property.

In this case, the unwarranted hardship is caused by the existing site conditions, the location of the Protected Tree on Lot 1, the setback requirements in Sec. 4.4.7 and the established building line in Sec. 4.4.1 of the Zoning Ordinance. Tree No. 55 is located approximately in the middle of Lot 1 and centrally located within the developable portion of the lot. The front setback and the established building line necessitate the location of the home toward the front of the lot and put the home on top of Tree No. 55. In addition, there is virtually no practical location within the developable area on the lot that would prevent the removal of Tree No. 55. Therefore, there is a sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to use the Subject Property for the approved residential use for one house, which is a reasonable and significant use of the Property.

The Board makes the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

Granting the variance to allow the removal of Tree No. 55 will not confer a special privilege on the Applicant, as the impacts are due to necessary development requirements of the Property. The removal of Tree No. 55 is due to the location of the tree within the construction area of the proposed house on Lot 1 resulting in 100 percent impacts to this tree's critical root zone. The removal of this Protected Tree is necessary due to the zoning and setback requirements limiting the location of the proposed house on Lot 1 resulting in the necessary removal of Tree No. 55. Therefore, the granting of this variance is not a special privilege that would be denied to other applicants.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based on existing site conditions, the location of the Protected Tree and the requirements of the Zoning Ordinance that drive the location of the proposed house on Lot 1.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the existing conditions and the proposed improvements, and not as a result of land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

The Protected Trees requested for removal are not located in an environmental buffer or special protection area. This approval is conditioned on mitigation that approximates the form and function of the trees removed. Therefore, their removal will not violate State water quality standards or cause measurable degradation in water quality. The Protected Tree being impacted will remain to provide the same level of water quality protection as it currently provides.

The Board approved the replacement of the Protected Tree at a ratio of approximately one-inch caliper for every four inches removed. As

conditioned, the variance tree mitigation plantings must be a minimum size of 3 caliper inches totaling 16.25 caliper inches, as shown on the approved FCP.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

This finding is based upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards.

The Application received an approved stormwater concept plan from the MCDPS, Water Resources Section on August 25, 2020, and was reconfirmed in a letter dated February 23, 2023. The Application will meet stormwater management goals through the use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) using drywells and landscape infiltrations. The Project meets all requirements of Chapter 19.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.*

The Applicant has no actual notice or constructive notice of a burial site; and the Property is not included in the Montgomery County Cemetery Inventory

7. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied*

There are no other applicable provisions that are specific to the Property or necessary for approval of the subdivision.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for three years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G, and that before the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

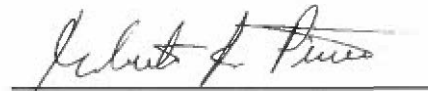
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is APR 25 2023 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Commissioner Pedoeem, with a vote of 4-0; Vice Chair Piñero, and Commissioners Bartley, Hedrick, and Pedoeem, voting in favor of the motion, Chair Zyontz necessarily absent, at its regular meeting held on Thursday, April 13, 2023, in Wheaton, Maryland and via video conference.



Roberto Piñero, Vice Chair
Montgomery County Planning Board