

**Agenda for Montgomery County Planning Board Meeting
DECEMBER 19, 2002, 9:30 A.M.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call
Approval of Minutes: September 12, 2002
Commissioners' Reports
Directors' Reports
Reconsideration Requests

GENERAL MEETING (*Third Floor Conference Room*)

- A. Administrative Items
- B. Transfer \$106,739 from Ballfield Lighting PDF #008721 to Ballfield Initiatives PDF #008720 in order to encumber a contract for installation of lights at Wheaton Regional Park Ballfield #3. *Approval*
- C. Policy for Festivals in Parks
- D. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a)(7) (consult with counsel to obtain legal advice) (subject: SoccerPlex)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Mandatory Referral #00814-SHA-1 State Highway Administration (SHA) Congestion Relief Study (CRS)**

Intersection Improvements Veirs Mill Road (MD 586) at Aspen Hill Road.

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Implementation Strategies for Arts and Entertainment Districts**

1) Proposed zoning text amendments to add definitions for arts related land uses, and to permit or allow by special exception home occupations in CBD Zones and certain industrial zones, and 2) additional recommendations

Staff Recommendation: Discussion and Approval to Transmit to County Council and County Executive

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **Little Seneca Creek Stream Restoration, Camp Seneca Special Park**

Stream restoration as mitigation for sediment violation

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Special Exception S-2552: Hotel – Marriott International**

130 suites, 3.83 acres, I-3 Zone, WesTech Business Park, West of Cherry Hill Road and South of Plum Orchard Drive, Calverton

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Mandatory Referral No. 02814-SHA-1: Muncaster Mill Road (MD115)**

From Redland Road to Norbeck Road (MD 28) Contract No. M0910B21

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Preliminary Plan Review No. 1-02043 – Finnegan Farm**

RC Zone; 225.61 Acres; Thirty Two (32) Lots Requested (32 Single Family Detached Dwelling Units) (Twelve (12) Additional Lots Requested -Twenty (20) Lots Previously Approved)

Private Well and Private Septic

Located on the South Side of Berryville Road, Approximately 1,800 Feet South of Kelly Farm Drive

Policy Area: Potomac

Applicant: Porten Companies, Inc

Engineer: Macris, Hendricks & Glascock

Attorney: Linowes & Blocher

Staff Recommendation: Approval, Subject To The Following Conditions.

1. Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
2. Establish a General Public Use Easement on the entire Parcel A, to allow equestrian and pedestrian use of these areas. Said easement to allow the

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3. establishment, marking and maintenance of trails within the easement
Clearly identify the area as a Public Use Easement with appropriate signage at the points of access to Parcel A from the communities common use areas and final access
 4. Natural surface trail connections should be made to the north and south of the property into the Seneca State Park trail system. Trail alignments to be coordinated with State Park staff
 5. Dedication of some portions of the property to the State of Maryland to be added to Seneca State Park should be considered and coordinated with appropriate state of Maryland and State Park staff. Prior to recording of plat applicant and MNCPPC staff to coordinate on the final area of parkland dedication. Record plat to reflect area of dedication
 6. Adjoining property owners have indicated a need for equestrian easements and trails to facilitate connections to the State Park trail system. Staff is researching the locations of these needed easements
 7. Dedication of park area to occur simultaneously with initial recordation of residential lots
 8. All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Potomac Subregion Master Plan unless otherwise designated on the preliminary plan
 9. All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Potomac Master Plan, and to the design standards imposed by all applicable road codes
 10. Record plat to provide for dedication of 80 feet of right-of-way for Berryville Road and 50 Feet for internal road network
 11. Compliance with conditions of MCDPS (Health Dept.) septic approval
 12. Final access and improvements as required to be approved by MCDPWT recordation of plat(s) (or MDSHA prior to issuance of access permits)
 13. This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
 14. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
 15. Other necessary easements

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:**

Action:**7. Preliminary Plan Review No. 1-03018 – Willow Ridge Phase II**

R-200 Zone; 10.07 Acres; Nine (9) Lots Requested (Eight (8) Single Family Detached Dwelling Units and One (1) Existing Horticultural Nursery)

Community Sewer and Community Water

Located on the North Side of Darnestown Road (MD 28), Approximately 900 Feet West of Quince Orchard Road (MD 124)

Policy Area: North Potomac

Applicant: Winchester Homes

Engineer: Loiederman, Soltesz and Associates

Attorney: Miller, Miller and Canby

Staff Recommendation: Approval, Including Waiver of the Minimum Centerline Radii Pursuant to Section 50-26(f) of the Montgomery County Subdivision Regulations, and Subject to the Following Conditions:

1. Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plats or MCDPS issuance of sediment and erosion control permit, as appropriate. (Supplemental forest plantings to be provided on the east side of Carrington Hill Road and approved as part of the forest conservation plan)
2. Any modification to the existing Horticultural Nursery under Board of Appeals Case No S-2070 may require further Planning Board review of Special Exception and/or Preliminary Plan
3. All roads right of way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Potomac Master Plan, unless otherwise designated on the preliminary plan
4. All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Potomac Master Plan, and to the design standards imposed by the applicable road codes. Only those roads expressly designated on the preliminary plan "To be constructed by _____" are excluded from this condition
5. Record plat to show delineation of a Category I conservation easement over the areas of forest conservation
6. Record plat to reflect common ingress/egress and utility easements over all shared driveways
7. Record Plat to reflect all areas under Homeowners Association ownership and Stormwater Management areas
8. Compliance with the conditions of MCDPS stormwater management approval
9. Record plat to reflect note stating that the maintenance and cost of

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- maintenance for all grinder pumps, ejector systems, and pressure sewers located on private property are the responsibility of the individual property owner, not WSSC
 - 10. This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
 - 11. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
 - 12. Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Preliminary Plan Review No. 1-03027 – Valois Property

RE-2 Zone; 2.05 Acres; One (1) Lot Requested (Single Family Detached Dwelling Unit)

Community Sewer and Community Water

Located at the Southern Terminus of Crystal Spring Drive, Approximately 500 feet South of Country View Way

Policy Area: Rural (Sandy Spring – Ashton Vicinity)

Applicant: Thomas and Janet Valois

Engineer: Perrine Planning and Zoning, Inc.

Attorney: Beveridge & Diamond, P.C.

Staff Recommendation: Approval, Subject to the Following Conditions

- 1. Compliance with the conditions of approval of the preliminary forest

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- conservation plan. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit, as appropriate
 - 2. Prior to recordation of plat, submit an engineered sediment and erosion control plan to MCDPS for review and approval
 - 3. Record plat to reflect all existing and proposed utility easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

- 9. The FOLLOWING Record Plats are Recommended for APPROVAL, Subject to the Appropriate Conditions of Approval of the Preliminary and/or site Plans:

NOT AVAILABLE FOR TIME OF PRINTING

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Upper Rock Creek Area Master Plan - Transportation

Worksession #3

Staff Recommendation: No public testimony will be taken at this time.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: