

**Agenda for Montgomery County Planning Board Meeting**  
**Thursday, April 15, 2004, 9:30 A.M.**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

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Roll Call Approval of Minutes: December 18, 2003 Commissioners' Reports Directors' Reports Reconsideration Requests	
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1. **Site Plan Review No. 8-04023, Jefferson at Inigos Crossing**

PD-28/R-90 zones; 17.33 acres; 473 multi-family dwelling units, including 53 MPDUs; on Tuckerman Lane, approximately 900 feet west of Rockville Pike (MD 355), North Bethesda-Garrett Park, PA-30.

APPLICANT: JPI

ENGINEER: Loiederman Soltesz Associates

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**2. Forest Conservation Plan for Board of Appeals No. S-2596**

Washington Gas, applicant, to construct a public utility building and structure for the operation of an un-manned natural gas gate station; RE-2 Zone; Parcel N374, located at Rock Creek Regional Park, Rockville.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**3. Board of Appeals No. S-2596**

Washington Gas, applicant, requests a special exception to permit the construction of a public utility building and structure for the operation of an un-manned natural gas gate station; RE-2 Zone; Parcel N374, located at Rock Creek Regional Park, Rockville.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**4. Preliminary Plan No. 1-03092 – Sandy Spring Friends School**

RE-2 Zone; 140.52 acres; one (1) lot requested; private educational institution (previously approved)

Community water and community sewer

Located on east side Norwood Road (MD 182), approximately 3200 feet north of Ednor Road

Policy Area: Cloverly/Norwood

Applicant: Sandy Spring Friends School

Engineer: Patton Harris Rust

**Staff Recommendation:** Approve opinion.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**5. Preliminary Plan No. 1-03103 – Jamison Property**

RDT Zone; 73.14 acres; five (5) lots requested; five (5) one-family detached dwelling units

Private well and private septic

Located on the west side of Darnestown Road (MD 28); approximately 2,500 feet east of Beallsville Road (MD 109)

Policy Area: Darnestown & Vicinity

Applicant: Charles T. & K. B. Jamison

Engineer: Macris, Hendricks & Glascock, P.A.

**Staff Recommendation:** Approval of four lots and one (1) outlot, including three (3) lots proposed pursuant to Section 50-59C-9.74(b)(4) of the Montgomery County Zoning Ordinance (lots for single-family residence for children of the property owner) 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, as appropriate
- 2) Prior to recording of plat(s) applicant to submit an affidavit which states that three (3) lots are being created pursuant to Section 59C-9.74(b)(4) of the Montgomery County Zoning Ordinance. Lot created for the use for a single-family residence by a child of the property owner
- 3) Prior to recording of plat(s) applicant to submit verification that a TDR is available for each single-family residence
- 4) A 25-foot wide Public Use Trail Easement across the property to facilitate equestrian travel between Woodstock Equestrian Park and other equestrian trail systems in the area as per approved Woodstock Equestrian Park Master Plan. Exact location and alignment of easements to be coordinated with M-NCPPC staff and should include sufficient area to allow equestrian use outside the stream buffers
- 5) Trail easement to be identified and marked with appropriate signage by the applicant
- 6) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 7) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 8) Compliance with conditions of MCDPS (Health Dept.) septic approval
- 9) Applicant to dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 10) The term “denied access” is to be placed on the final record plat along the property that abuts MD 28 except at the approved entrance.
- 11) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 12) Prior to recording of plats Planning Board approval of frontage waiver resolution

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**Preliminary Plan No. 1-03103 – Jamison Property (continued)**

- 13) 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
- 14) 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
- 15) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**6. Preliminary Plan No. 1-04026 – Kinzie Property**

RDT Zone; 140 acres; five (5) lots requested; four (4) one-family detached dwelling units and one (1) outlot

Private well and private septic

Located on the southeast side of Sugarland Lane; approximately 1000 feet southwest of Sugarland Road and north of River Road (MD 190)

Policy Area: Poolesville

Applicant: Jane Kinzie

Engineer: Thomas A. Maddox

**Preliminary Plan No. 1-04026 – Kinzie Property (continued)**

**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) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 3) Provide 15' Public Use Trail Easement through the subject property from River Road to Sugarland Road to facilitate local equestrian access to McKee Beshers Wildlife Management Area. Exact alignment and width to be determined in coordination with M-NCPPC staff prior to time of record plat. Easement to be adequately identified and signed to mark its location. Easement to be adequately identified and signed to mark its location
- 4) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 5) Compliance with conditions of MCDPS (Health Dept.) septic approval
- 6) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s) and MDSHA prior to issuance of access permits
- 7) 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
- 8) 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
- 9) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**7. Preliminary Plan No. 1-04021 – Giancola Quarry**

R-200/TDR-8 zone; 5 acres; thirty (30) lots requested; fifteen (15) one-family detached and fifteen (15) attached dwelling units

Community water and community sewer

Located on the north side of River Road (MD 190), northeast of Old Seven Locks Road, south of Shawfield Drive

Policy Area: Bethesda Chevy Chase

Applicant: Giancola Quarry

Engineer: Rodgers Consulting

Attorney: Holland & Knight LLP

**Staff Recommendation:** Approval, including a waiver pursuant to Section 59C-1.395, percentage of one family detached dwelling units required, 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) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 3) The applicant must first obtain a building permit, issued by Montgomery County Department of Permitting Services, for excavation and fill placement. The construction, excavation and fill placement activities will be subject to special inspection/complex structures provisions of the building code.
- 4) The applicant must insure that the adjoining properties are protected from damage in accordance with the provisions of the Montgomery County Code, and that appropriate notices have been sent to the adjoining property owners
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval dated January 26, 2004
- 6) Access to this property is subject to the "Rules and Regulations" of the State Highway Administration with a permit issued (1) one street connection, (typical right-in right-out standard attached) and property frontage improvements. Improvements shall include, but not limited to, an 8 foot bikepath, located from new Seven Locks Road easterly to the beltway ramp (I-495) (to the extent right of way is available), landscaping, stormdrain construction, acceleration lane and deceleration lane
- 7) The term "denied access" is to be placed on the final record plat along the property that abuts River Road (MD 190), except at the approved entrance.
- 8) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s) and MDSHA prior to issuance of access permits
- 9) Final design and improvements to the intersection of Old Seven Locks Road, Shawfield Drive and the site access road is to be approved by MCDPW&T. Any improvements to the right of way are the responsibility of the applicant
- 10) Prior to recording of plat(s) Planning Board approval of frontage waiver resolution

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**Preliminary Plan No. 1-04021 – Giancola Quarry (continued)**

- 11) 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
- 12) Final number, location and orientation of the dwelling units to be reviewed at site plan
- 13) No clearing, grading or recording of plats prior to site plan approval. Site plan enforcement agreements to be approved prior to recording of plats
- 14) Prior to recording of plat submit verification that a minimum of 18 TDR's, dependent on condition # 12 above, have been recorded for the project
- 15) 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
- 16) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**



**8. Record Plats**

**Staff Recommendation:**

The following record plat is recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plans and site plans if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code.

2-04239      Friendship, lots 1-4  
Southwest corner of Darnestown Road (MD28) and Cattail Road  
RDT zone, 4 lots  
Private well, private septic  
Planning Area: Poolesville & Vicinity  
William W. Baker, Applicant

**Staff Recommendation:**

Pursuant to section 50-35A, the following minor subdivision plat is recommended for approval subject to any applicable conditions of previous preliminary plans approvals and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code.

2-04238      Clarksburg Town Center  
Northeast corner of Clarksmeade Drive and Clarksburg Square Road  
RMX Zone, 1 lot  
Community water, community sewer  
Planning Area: Clarksburg & Vicinity  
Terrabrook Clarksburg LLC, Applicant

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**GENERAL MEETING (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)**

A. Administrative Items

B. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a) (1) (Subject: Personnel)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**9. Information Item**

The effectiveness and reliability of stormwater best management practices (BMPs) and imperviousness limits in managing and compensating for the effects of imperviousness. Presentation by Thomas Schueler, Director of Watershed Research and Practice, Center for Watershed Protection.

**Staff Recommendation:** *Discussion.* (No public testimony will be taken.)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**10. Olney Master Plan Public Hearing Draft Worksession No. 7 – Town Center Land Use Issues and Recommendations.**

**Staff Recommendation:** *Discussion.* (No public testimony will be taken at this time.)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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11. **Zoning Text Amendment to limit impervious surfaces in the RDT, Rural, Rural Cluster, RE-2, RE-2C, and RE-1 zones.**

**Staff Recommendation:** Approval for transmittal to Council.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**