

**Agenda for Montgomery County Planning Board Meeting**  
**Thursday, June 17, 2004, 9:30 A.M.**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

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| Roll Call<br>Approval of Minutes: January 29, 2004<br>Commissioners' Reports<br>Directors' Reports<br>Reconsideration Requests |  |
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**GENERAL MEETING** (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)

- A. Administrative Items
- B. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (3)*  
*(consider acquisition of real property for a public purpose)*
- C. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (3)*  
*(consider acquisition of real property for a public purpose)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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1. **Authorization to acquire 26.0 acres, more or less, improved, from the Estate of Harry Dunbar Darby**

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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2. **Authorization to acquire 81.2 acres, more or less, unimproved, from Stewart, Bravo, Greenberg Partnership**

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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3. **Annual Growth Policy**

Review of changes that will go into effect on July 1, and results of school test based upon the adopted FY2005-2010 Capital Improvements Program

**Staff Recommendation:** Adoption of School test results.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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4. **Proposed Employer-Assisted Housing Program**

Workforce Housing Opportunity on Park Property

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**5. Local Map Amendment No. 817**

Noyes Lane, LLC, applicant, requests reclassification of 4.02 acres of land from the R-60 Zone to the RT-12.5 Zone for 27 townhouse units and to maintain three existing detached single-family residences; located at Georgia Avenue and Noyes Drive, Silver Spring

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**6. Mandatory Referral No. 04802-DPWT-1**

**Burtonsville Access Road from Burtonsville Elementary School Access Road to MD 198 (Spencerville Road), CIP Project No. 509337**

**Staff Recommendation:** Approval with comments.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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7. **Legacy Open Space Recommendations for New Sites and Reclassification of Class III sites in the Paint Branch Watershed**

Recommend the addition of two sites to Legacy Open Space, out of 5 sites studied

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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8. **Preliminary Plan No. 1-03104 – Heller Property**

R-90 Zone; 1.03 acres; three (3) lots requested; three (3) single-family detached dwelling units

Community water and community sewer

Located on the west side of East Randolph Road, approximately 350 feet southwest of the Broadmore Road and Appleby Drive intersection

Policy Area: Fairland/White Oak, PA-33

Applicant: Heller Realty, LLC

Engineer: Loiderman Soltesz Associates

Attorney: Lerch Early & Brewer

**Staff Recommendation:** Approval, subject to 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

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**Preliminary Plan No. 1-03104 – Heller Property (continued)**

- 2) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 3) Compliance with the conditions of approval of the MCDPS stormwater management approval dated May 12, 2004
- 4) Compliance with conditions of MCDPWT letter dated, September 15, 2003, unless otherwise amended
- 5) Record plat to reflect dedication 40-feet from the centerline of East Randolph Road
- 6) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s) (or 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) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

9. **Preliminary Plan No. 1-04052 – Liberty Mill**

R-200 Zone; 1.50 acres; three (3) lots requested; three (3) single-family detached dwelling units

Community water and community sewer

Located on the west side of Liberty Mill Road, approximately 100 feet northeast of Duchin Road

Policy Area: West Germantown

Applicant: Wolfarth Construction

Engineer: APEX Engineering

**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 dedication of all road rights-of-way, by the applicant, as shown on the approved preliminary plan
- 3) Compliance with the conditions of approval of the MCDPS stormwater management approval January 30, 2004
- 4) Compliance with conditions of MCDPWT letter dated, May 7, 2004, unless otherwise amended
- 5) Record plat to reflect a Category I easement over all areas of forest conservation
- 6) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval
- 7) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 8) 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
- 9) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

10. **Pre-Preliminary Plan No. 7-04061 – Chevy Chase Section 8**

R-60 Zone; .565 acre; two (2) lots requested; two (2) one-family residential dwelling units

Community water and community sewer

Located on the north side of Leland Street, approximately 150 feet south of Oakridge Land

Policy Area: Bethesda Chevy Chase

Applicant: Pat Keating

Engineer: CAS Engineering

**Staff Recommendation:** No objection to the submission of a Preliminary Plan Application, pursuant to Chapter 50-33A of the Montgomery County Code

**\*\*\*\*\*See Discussion in Staff Report \*\*\*\*\***

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**



**11. 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.

2-04275      Mountain View Estates  
North of Viewside Drive, approximately 500 feet east of Norman Drive  
R-200 Zone, 2 lots  
Community water, community sewer  
Planning Area: Darnestown  
Thomas and Victoria Smith, Applicant

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**12. Randolph Road Facility Planning Phase I Recommendations**

**Staff Recommendation:** Transmit comments to the Department of Public Works and Transportation.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**13. Montrose Parkway East Facility Planning Phase I Recommendations**

**Staff Recommendation:** Transmit comments to the Department of Public Works and Transportation. (Public testimony will be limited to 1 hour)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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