



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

301-495-4616

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, January 8, 2009, at 9:00 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:45 p.m.

Present were Chairman Royce Hanson, Vice Chair John Robinson, and Commissioners Joe Alfandre and Jean Cryor. Commissioner Amy Presley joined the meeting at 9:23 a.m.

Items 1-4, 8, and 6, taken up in that order, are reported on the attached agenda.

The Board recessed at 9:25 a.m. to participate, with the Prince George's County Planning Board, in a teleconference meeting of The Maryland-National Capital Park and Planning Commission to discuss a Resolution, presented by Executive Director Oscar Rodriguez, to designate Inauguration Day, January 20, 2009, as reported on the attached agenda under Item 15.

The Board reconvened at 9:35 a.m.

Items 5, 7, and 9 are reported on the attached agenda. Item 10 was postponed.

The Board recessed at 11:45 a.m. for lunch and to take up Item 14.

In compliance with §10-509(c)(2), State Government Article, Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 11:55 a.m. in the third floor conference room, on motion of Commissioner Robinson, seconded by Commissioner Cryor, with Commissioners Hanson, Robinson, Alfandre, Cryor, and Presley present and voting in favor of the motion. The meeting was closed under authority of §10-508(a)(7), State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice.

Also present for all or part of the Closed Session were Executive Director Oscar Rodriguez; Secretary-Treasurer Patti Barney; General Counsel Adrian Gardner, via teleconference,

and Associate General Counsels Debra Daniel, William Dickerson, David Lieb, Carol Rubin, and Christina Sorrento of the Legal Department; Director Rollin Stanley, Fred Boyd, Neil Braunstein, and Alison Davis of the Planning Department; Michael Riley of the Parks Department; and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board consulted with counsel on issues related to the Park Tax and the preliminary plan for EZ Storage, Item 11 on the afternoon agenda.

The Closed Session was adjourned at 12:25 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 12:35 p.m. with all five Commissioners present. Commissioner Presley left the meeting at 4:30 p.m. during discussion of Item 12.

Items 11 and 12 are reported on the attached agenda.

Item 13 was not discussed.

There being no further business, the meeting was adjourned at 5:45 p.m. There will be a Public Hearing meeting for the White Flint Sector Plan on Monday, January 12, 2009 at 7:00 p.m. in the auditorium. The next regular meeting of the Planning Board will be held Thursday, January 15, 2009, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye
Technical Writer

M. Clara Moise
Technical Writer

Montgomery County Planning Board Meeting
Thursday, January 8, 2009
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

15. Conference Call - The Maryland-National Capital Park and Planning Commission

Approval of Holiday Leave for January 20th

BOARD ACTION

Motion: PARKER/SQUIRE

Vote:

Yea: 10-0

Nay:

Other:

Action: Adopted M-NCPPC Resolution 09-24, as amended.

1. Adoption of Opinions/Resolutions

Group A: Five Commissioners Eligible to Vote [Commissioners Alfandre, Cryor, Presley, Hanson and Robinson]

i) Centerpark, Preliminary Plan Amendment No. 12004018B, ADOPTION OF RESOLUTION No. 09-03

ii) Centerpark, Preliminary Plan Amendment No. 12004018D, ADOPTION OF RESOLUTION No. 09-04

iii) Slater Property, Preliminary Plan No. 120050230, ADOPTION OF RESOLUTION No. 08-164

iv) Stern Property, Preliminary Plan No. 120061180, ADOPTION OF RESOLUTION No. 08-115

BOARD ACTION

Motion: ALFANDRE/ROBINSON

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Adopted the Resolutions in Group A, as noted above.

2. Record Plats

Subdivision Plat No. 220090480, Garrett Park – Section 2

R-90 zone; 1 lot; located on the east side of Kenilworth Avenue, 225 south of Oxford Street; North Bethesda-Garrett Park.

Staff recommendation: Approval

BOARD ACTION

Motion: ROBINSON/ALFANDRE

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the Record Plat cited above.

3. Consent Items

Ratification of the following slate of new Trustees nominated for election to the Board of the Montgomery Parks Foundation:

John Robinson
Jean Cryor
Joe Alfandre
Amy Presley

BOARD ACTION

Motion: ROBINSON/ALFANDRE

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Ratified the slate of new Trustees.

4. Approval of Minutes

- Minutes, MCPB Monday, November 17, 2009
- Minutes, MCPB Thursday, November 20, 2009

BOARD ACTION

Motion: ROBINSON/CRYOR

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved minutes as presented.

**5. Executive's Smart Growth Initiative
(No public testimony will be taken at this time)**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and discussed.

Ms. Diane Schwartz Jones and Mr. David Dise, representing the County Executive, briefed the Board on the County Executive's Smart Growth Initiatives and the associated supplemental appropriation and amendment to the FY09-14 Capital Improvements Program, related to relocation of facilities from the County Service Park on Crabbs Branch Way.

Parks Department and Planning Department staff participated in the discussion.

8. [Shady Grove Implementation Advisory Committee](#)

Appoint new and returning members to 2-yr terms as of January 2009

Staff recommendation: Approve appointments to Shady Grove Implementation Advisory Committee

BOARD ACTION

Motion: ROBINSON/CRYOR

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the staff recommendation to approve reappointment of the existing members, and appointment of Julia Tillery for two-year terms.

6. [Twinbrook Sector Plan](#)

Adoption of the Twinbrook Sector Plan

Staff recommendation: Approve the resolution of Adoption and transmit to the Full Commission

BOARD ACTION

Motion: ROBINSON/CRYOR

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the Resolution of Adoption for transmittal to the M-NCPPC.

7. [Zoning Text Amendment No. 08-17](#)

Introduced by the District Council at the request of the Planning Board: to amend the Zoning Ordinance to revise the boundary of the Wheaton Central Business District consistent with recommendations of the December 9, 2008 approval of an amendment to the Wheaton Sector Plan

*Staff recommendation: Transmit Comments to County Council
(Action required for County Council public hearing of 1/13/09)*

BOARD ACTION

Motion: ALFANDRE/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: ROBINSON TEMPORARILY ABSENT

Action: Approved the staff recommendation, as stated in the attached Letter of Transmittal to the County Council.

9. [Briefing: Update on the Green Infrastructure Functional Master Plan](#)

Presentation and summary of draft Green Infrastructure network map, draft recommendation and strategies based on input from stakeholder groups

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and discussed.

Environmental Planning staff updated the Board on the status of the Green Infrastructure Functional Master Plan, including the scope and objectives of the plan; data collection, mapping, and analysis; and public outreach.

Ms. C.J. Lammers, staff of the Prince George's County Planning Department, also participated in the discussion.

10. POSTPONED - CLOSED SESSION

In accordance with State Government Article, Section 10-508(a)(7), State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice (MPDU/TDR calculations)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This item was postponed.**

14. CLOSED SESSION

In accordance with State Government Article, Section 10-508(a)(7), State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice (Tax Rates)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **Discussed in Closed Session. See official citation and open session report in narrative minutes.**

11. Preliminary Plan No. 120080410, EZ Storage – Sandy Spring

C-2 and Sandy Spring/Ashton Rural Village Overlay zones; 1.8 acres; 1 lot requested; 58,488 square feet of self-storage use, not including an additional 58,488 square feet on two cellar levels; located on the south side of Olney Sandy Spring Road (MD 108) approximately 30 feet west of Bentley Road; Sandy Spring/Ashton

Staff recommendation: Approval with conditions

BOARD ACTION

Motion: ROBINSON/ALFANDRE

Vote:

Yea: 3-2

Nay: CRYOR, PRESLEY

Other:

Action: Approved staff recommendation for approval, subject to conditions, as stated in the attached Board Resolution.

Development Review and Community-Based Planning Divisions staff offered a detailed presentation based on the January 5 technical staff report. Staff noted that the applicant is requesting approval to create one lot for 58,488 square feet of self-storage use, not including an additional 58,400 square feet on two cellar levels on a 1.6-acre property located on the south side of Olney Sandy Spring Road (MD 108), approximately west of Bentley Road in Sandy Spring/Ashton. Staff discussed the Master Plan requirements and noted that the guidelines for the overlay zone are designed to help in deciding the best use for this site.

Mr. Bob Dalrymple, attorney for the applicant, introduced members of the applicant's team and extensively discussed the proposed project. He added that the Master Plan did go to great length to determine what the overlay zone should be, and this is a permitted use in both the overlay zone and the underlying zone. He also added that the applicant does take community outreach very seriously.

The following speakers offered testimony: Ms. Jennifer Fajman of Pond Road; Ms. Michelle Layton of Ednor View Terrace and representing the Sandy Spring Ashton Rural Preservation Consortium (SSARPC); Ms. Robin Ziek of Bentley Road and President of the Bentley Road Civic Association; Mr. Miche Booz of Market Street; Ms. Chandra Kumar of Auburn Village Drive; Ms. Sylvia Bell of Tucker Lane; Ms. Kathy Virkus of Windrush Lane and representing the Sandy Spring Village Homeowners Association; Ms. Beth Garrettson of Bentley Road; Mr. Roger Fajman of Pond Road; Ms. Leslie Cronin of Batchellors Forest Road; Ms. Lonnie Lewis of Auburn Village Drive; Ms. Kathryn Virkus of Windbrush Lane; Mr. Hewitt Herman of Sherwood Mills Court and representing the Auburn Village Homeowners Association; Ms. Joy Turner of Norwood Road and representing the Sandy Spring Civic Association; Mr. Subbash Choxi of Sherwood Mills Court; Mr. Zarni Maung of Auburn Village Drive; Ms. Joanne O'lynn of Sandy Glenn Place; Mr. Kevin Lewis of Auburn Village Drive; and Mr. David Hartge of Haveland Mill Road.

There followed extensive Board discussion with questions to staff, the applicant's representative, and the speakers.

13. Discussion: River Road Water Main Break

Update to Planning Board on Park staff response to River Road Water Main Break and input of sediment to Cabin John Creek

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was not discussed.

12. Purple Line – Draft Environmental Impact Statement/Alternative Analysis

Recommendation on Locally Preferred Alternative

Staff recommendation: Approve recommendation of Medium Investment Light Rail Alternative as the Locally Preferred Alternative for the Purple Line

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and testimony followed by Board discussion. Board action was deferred to next week.

The following speakers offered testimony: Delegate Bill Bronrott of Beech Avenue; Delegate Al Carr of Washington Street; Mr. David Lublin of Willow Lane and representing the Town of Chevy Chase; Senator Richard Mandelino of Bladen Street in Annapolis; Mr. Josh Wright of Maple Avenue in Takoma Park; Ms. Erin Johansson of Wayne Avenue; Dr. David Salzman of Elm Street; Mr. Adam Daniel of Queen Ann Drive; Mr. Byrne Kelly of Circle Avenue; Ms. Casey Watkins of Hanover Street; Ms. Avice Meehan of Jones Bridge Road and representing Howard Medical Institute; Mr. Guled Kassim of Osterport Drive; Ms. Michele

Cornwell of Connecticut Avenue; Ms. Bette Petrides of Oldchester Road; Ms. Casey Anderson of First Avenue; Ms. Pam Browning of Elm Street; Mr. Jonathan Jay of Woodside Parkway; Mr. Mark Korman of Edgemoor Lane; Mr. Hans Riemer of Ritchie Avenue; Mr. Mier Wolf of Lynn Drive; Mr. Harry Sanders of Noyes Lane; Mr. James Clarke of Dundee Road and representing Action Committee for Transit (ACT); Mr. Mark Gabriele of Woodside Parkway and representing the Seven Oaks/Evanswood Citizens Association; Ms. Kristin Schneeman of Kentbury Drive; Mr. Webb Smedley of Second Avenue and representing "Purple Line Now"; Mr. Tony Hausner of Brewster Avenue and representing Indian Spring Citizens Association; Mr. Peter Gray of Brisbane Street; Ms. Ilaya Hopkins of North Chelsea Lane; Ms. Anne Martin of Wisconsin Avenue and representing the Bethesda/Chevy Chase Chamber of Commerce; Mr. Guy Johnson of University Boulevard East; Mr. Wayne Phyllaier of Grace Church Court; Ms. Karen Fitzgerald of Wayne Avenue; Ms. Cheryl Cort of Albermarle Street; Mr. Kevin Alling of 16th Street; Mr. Richard White of Milo Drive; Ms. Judith Nash of Edgevale Court; Ms. Anne Ambler of Kuhl Road; Mr. David Hauck of Holt Avenue; Ms. Maureen Jais-Mick of Exfair Road; Mr. Brent Gilroy of Ellsworth Court; M. Deborah Vollmer of 44th Street; Mr. Kent Holland of Lynwood Place; Ms. Eulois Cleckley of K Street N.W.; Mr. Chris Richardson of Deerfield Avenue; Mr. Gregory Gagarin of Levelle Drive; Mr. Alan Bowser of Deerfield Avenue; Mr. J. West of Geren Road; Mr. John Halpern of Bradford Road; Ms. Jane Gorbaty of Groove Street; Ms. Diane Hibi-no of Parklawn Drive and representing the League of Women Voters; and Mr. Jim Johnson of Flower Avenue.