



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

**APPROVED  
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, January 28, 2010, at 8:30 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:00 p.m.

Present were Chairman Royce Hanson, Vice Chair Marye Wells-Harley, and Commissioners Joe Alfandre and Amy Presley.

Item 9, a Closed Session item, was taken up at the start of the meeting.

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 8:30 a.m. in the Chairman's office on motion of Vice Chair Wells-Harley seconded by Commissioner Presley, with Chairman Hanson, Vice Chair Wells-Harley, and Commissioners Alfandre and Presley present and voting in favor of the motion. The meeting was closed under authority of §10-508(a)(9), State Government Article, Annotated Code of Maryland, to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Also present for the Closed Session were Patti Colihan Barney, the Commission's Acting Executive Director; Bill Spencer, Human Resources Director; and Clara Moise of the Commissioners' Office.

In Closed Session the Board received briefing and discussed budget issues.

The Closed Session meeting was adjourned at 8:55 a.m.

The Board convened in the auditorium at 9:00 a.m.

Items 1 through 4 are reported on the attached agenda.

The Board recessed for lunch at 12:15 p.m. and to take up Item 5, a Closed Session item.

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 12:20 p.m. in the third floor conference room on motion of Commissioner Presley seconded by Commissioner Alfandre, with Chairman Hanson, Vice Chair Wells-Harley, and Commissioners Alfandre 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 Associate General Counsels Carol Rubin, Christina Sorrento, and David Lieb; Rollin Stanley, Rose Krasnow, and Cathy Conlon of the Planning Department; and Clara Moise of the Commissioners' Office.

In Closed Session the Board received briefing and advice from Legal staff regarding the Tolling and Extensions of Certain Development Approvals, i.e., Preliminary Plan No. 120050100, Potomac Manors.

The Closed Session meeting was adjourned at 1:05 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 1:38 p.m. with three Commissioners present. Commissioner Wells-Harley left for the day following the Closed Session.

Items 6, 7, and 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 6:00 p.m. The next regular meeting of the Planning Board will be held Monday, February 1, 2010, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise  
Technical Writer

Ellyn Dye  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, January 28, 2010, 8:30 A.M.**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

**9. Closed Session - ADDITION**

Pursuant to Annotated Code of Maryland, State Government Article, Section 10-508(a)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Hermitage Preliminary Plan No. 120080270 - ADOPTION OF MCPB RESOLUTION No. 10-01
2. Washington Adventist Hospital Site Plan No. 82008021A - ADOPTION OF MCPB RESOLUTION No. 10-05
3. Clarksburg Town Center Site Plan 820070220 – ADOPTION OF MCPB RESOLUTION 10-07

**BOARD ACTION**

**Motion:**               1. WELLS-HARLEY/PRESLEY  
                              2. WELLS-HARLEY/PRESLEY  
                              3. WELLS-HARLEY/ALFANDRE

**Vote:**  
      **Yea:**           1. 4-0  
                          2. 4-0  
                          3. 3-0

**Nay:**

**Other:**               3. PRESLEY ABSTAINED DUE TO POSSIBLE CONFLICT  
                              OF INTEREST

**Action:**           Adopted Resolutions cited above.

**B. Records Plats**

**1. Subdivision Plat No. 220091120, Strathmore at Bel Pre**

R-90 zone, 1 lot; located on the west side of Layhill Road (MD 182), 450 feet north of Deckman Lane; Kensington-Wheaton.

*Staff Recommendation: Approval*

**2. Subdivision Plat No. 220100310, Greenway Village**

PD-4 zone, 12 lots, 3 parcels; located in the southwest quadrant of the intersection of Arora Hills Drive and Newcut Road; Clarksburg.

*Staff Recommendation: Approval*

**3. Subdivision Plat No. 220100380, Acorn's Addition to Colesville**

C-1 zone, 1 lot; located in the southeast quadrant of the intersection of Randolph Road and Vital Way; White Oak.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**               PRESLEY/WELLS-HARLEY

**Vote:**  
      **Yea:**           4-0

**Nay:**

**Other:**

**Action:**           Approved staff recommendation for approval of Record Plats cited above.

**\*C. Other Consent Items - ADDITION**

1. Yazdi Property Preliminary Plan No. 120080310 - **ADOPTION OF MCPB CORRECTED RESOLUTION No. 09-142**

2. Germantown Estates Site Plan No. 820090090 - **ADOPTION OF MCPB CORRECTED RESOLUTION No. 09-134**

3. Townhouses at Small's Nursery Preliminary Plan 120070610 – **ADOPTION OF MCPB CORRECTED RESOLUTION 09-155**

**BOARD ACTION**

**Motion:**                    **WELLS-HARLEY/PRESLEY**

**Vote:**

**Yea:**                    **4-0**

**Nay:**

**Other:**

**Action:**            **Approved staff recommendation to adopt corrected Resolutions cited above.**

**D. Approval of Minutes**

Minutes of December 10, 2009

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**            **Approved Minutes of December 10, 2009 as presented.**

**2. Recognition of Commission Employees for Years of Service**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Recognized Commission Employees with 5, 10, 15, 20, and 25 years of service with the Montgomery County Department of Planning.**

**3. University of Maryland Urban Design Student Presentation**

Architecture graduate students present their work on Silver Spring urban design

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received presentation by University of Maryland Urban Design & Architecture graduate students who discussed the results of a recent urban design studio project on downtown Silver Spring.**

Professor Matthew Bell of the University of Maryland School of Architecture, Planning & Preservation, and Architecture graduate students Amanda Ganainis and Maureen McKeron offered a multi-media presentation of their work on Silver Spring urban design, followed by Board discussion and questions.

#### **4. Sectional Map Amendment for the Germantown Employment Area Sector Plan**

*Staff Recommendation: Approval to File*

#### **BOARD ACTION**

**Motion: PRESLEY/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval to file with the County Council the Sectional Map Amendment for the September 2009 Approved and Adopted Sector Plan for the Germantown Employment Area in order to implement the recommendations of the Plan.**

In keeping with the January 13 technical staff report, Community-Based Planning and Development Review Divisions staff discussed the proposal to file a Sectional Map Amendment (SMA) for the Approved and Adopted Sector Plan for the Germantown Employment Area. Staff noted that once a master or sector plan is approved and adopted, a SMA should be filed with the District Court as required by Section 59-H-3.2 of the Zoning Ordinance.

Ms. Barbara Sears, attorney representing Foulger-Pratt Development, LLC, offered testimony.

At the Board's request, Legal Counsel to the Board offered comments.

Staff noted that the SMA will be filed in early February and the County Council will most likely set public hearing for sometime in March. Staff proposes to have the SMA finalized in early May 2010.

Chairman Hanson noted that after the Life Science Center (LSC) zone has been approved, further studies should be carried out and staff should decide whether the college property should be approved.

There followed a brief Planning Board discussion with questions to staff.

#### **5. Closed Session**

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**6. Frederick Road (MD355)/Brink Road Intersection Improvements**

**A. Forest Conservation Plan**

*Staff Recommendation: Approval with Conditions*

**B. Mandatory Referral: MR#2009802**

*Staff Recommendation: Approval with Comments to MCDPS*

**BOARD ACTION**

**Motion:** A. ALFANDRE/PRESLEY  
B. ALFANDRE/PRESLEY

**Vote:**

**Yea:** A. 3-0  
B. 3-0

**Nay:**

**Other:** WELLS-HARLEY ABSENT

**Action:** A. Approved the staff recommendation to approve the Forest Conservation Plan, subject to conditions, as stated in the attached Board Resolution.

B. Approved the staff recommendation to approve the Mandatory Referral, with comments, as stated in the attached Letter of Transmittal.

Transportation Planning staff and Environmental Planning staff presented, respectively, the mandatory referral review and forest conservation plan and requirements for proposed road improvements to re-align and widen the intersection of Brink Road and MD 355, as detailed in the two staff reports. Staff noted that the improvements will be constructed by developers to fulfill requirements associated with the Board's approval of two preliminary plans of subdivision. Staff reported that a variance has been requested as part of the forest conservation plan to remove

three specimen trees. Parks Department staff provided information about the impact of the road improvements on the abutting parkland and recommended mitigation.

The Board discussed various aspects of the project, including the functionality and appearance of the associated stormwater management facility, the desirability of abandoning all or a portion of the section of Brink Road from the new connection to MD 355 to the proposed termination just east of the existing intersection, the length of the sidewalks, and the possible need for a traffic signal at the new intersection.

Ms. Nooshin Amirpour, of the Artery Development Group, responded to questions from the Board.

Mr. Joseph Cheung, County Department of Permitting Services, and Ms. Judy Koenick offered comments on the project.

Staff offered several revisions to existing conditions and new conditions to address issues raised in discussion, which were accepted as part of the motion.

#### **7. Discussion Item: Parks & Recreation 2030 Vision and Strategic Plan – Scope, Outreach, Schedule**

A plan to guide the future development and stewardship of parks and recreation in Montgomery County.

**(Public Testimony will not be taken at this time)**

#### **BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing and discussed.**

Parks Department staff provided opening remarks, and Ms. Anne Miller and Ms. Karon Badaleменти of the consultant company, GreenPlay, presented the proposed approach to developing a joint Department of Parks/Department of Recreation vision and strategic plan for the delivery of park and recreation services in Montgomery County. The 18-month project will assess short-term and long-term needs, level of service capacity and guidelines, performance measures, capital investment priorities, and objectives, strategies, and action steps to address current and future needs.

**8. Roundtable - REVISED**

- 1. Discussion of Montgomery County Biosciences Strategy**
- 2. Gaithersburg West PHED Committee Update**
- 3. Expedited Bill 3-10 Regarding Sidewalk Construction**
- 4. Growth Policy Bill 38-09 Update**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**        **2. By consensus, concurred in the proposed additional language for the transportation section of the Gaithersburg West Master Plan.**

**3. By consensus, concurred in the staff recommendation to support Expedited Bill 3-10 for transmittal to the County Council, with revisions identified in discussion.**

**4. By consensus, concurred in the proposed change to Bill 38-09 for transmittal to the County Council's Planning, Housing, and Economic Development (PHED) Committee, with revisions identified in discussion.**

**1. Discussion of Montgomery County Biosciences Strategy**—Mr. Steve Silverman, Director, Ms. Janis Pitts, and Ms. Corinne Rothblum, of the County Department of Economic Development, presented an overview of the report of the Biosciences Task Force, including challenges, opportunities, objectives, and actions. Ms. Elaine Amir and Mr. David McDonough, representing Johns Hopkins, and Mr. Jonathan Genn, representing the Percontee property adjacent to the Food and Drug Administration in White Oak, participated in the discussion.

**2. Gaithersburg West PHED Committee Update**—Community-Based Planning staff updated the Board on the status of PHED Committee review of the Gaithersburg West Master Plan. Transportation Planning staff presented proposed additional language to the Plan related to consideration of other transportation improvements as alternatives to grade-separated interchanges.

**3. Expedited Bill 3-10 Regarding Sidewalk Construction**—Transportation Planning staff briefed the Board on the Bill, which would eliminate the public hearing requirement under certain circumstances for approval of sidewalks or shared use paths, to expedite the administrative approval process. There was some discussion of ensuring adequate public notice.        **4.**

**Growth Policy Bill 38-09 Update**—Transportation Planning staff presented a draft proposal for changes to Bill 38-09, which relates to the purpose clause and timing of the Growth Policy.