



**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 31, 2013, at 9:15 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:45 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioners Casey Anderson, Norman Dreyfuss, and Amy Presley.

Items 1 through 5 are reported on the attached agenda.

The Board recessed for lunch at 12:00 p.m. and to take up Items 11 and 12 in Closed Session.

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 12:30 p.m. in the third floor conference room, on motion of Commissioner Presley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley present and voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(3), to consider the acquisition of real property for a Commission purpose and matters directly related thereto; and §10-508(a)(7), to consult with counsel to obtain legal advice.

Also present for all or part of the Closed Session items were Associate General Counsels Carol Rubin and Sean Dixon of the Legal Department; Director Mary Bradford, Deputy Director Mike Riley, Dan Hertz, and Kate Stookey of the Parks Department; Acting Director Rose Krasnow, Deputy Director Piera Weiss, and Luis Estrada of the Planning Department; and M. Clara Moise of the Commissioners' Office.

In Closed Session, the Board received briefing and discussed the proposed M-NCPPC Headquarters new building in Wheaton, and also discussed the Montgomery County Parks Naming and Sponsorship Policy and provided guidance to staff

The Closed Session was adjourned at 1:55 p.m.

The Board reconvened in the auditorium at 2:15 p. m.

Prior to taking up the afternoon agenda, the Board took action on a revised Board Resolution for Preliminary Plan No. 1-20120180, Mallory Square, as reported under Consent Agenda Item 1. Items 6 through 9 are reported on the attached agenda.

The Board recessed for dinner at 4:25 and reconvened in the auditorium at 6:07 p.m., to hear testimony and receive evidence submitted into the record on Item 10, Long Branch Sector Plan Amendment Public Hearing. A verbatim transcript of this item is on file in the Records Management Office in Silver Spring, Maryland.

There being no further business, the meeting was adjourned at 8:45 p.m. The next regular meeting of the Planning Board will be held Thursday, February 7, 2013, 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 31, 2013**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**Consent Agenda**

**\*A. Adoption of Resolutions**

7100 Wisconsin Avenue Project Plan 920130010, MCPB No. 12-152

**BOARD ACTION**

**Motion:**                   **1. WELLS-HARLEY/DREYFUSS**  
                                  **2. PRESLEY/ANDERSON**

**Vote:**

**Yea:**                   **1. 5-0**  
                                  **2. 4-0**

**Nay:**

**Other:**               **2. DREYFUSS TEMPORARILY ABSENT**

**Action:**               **1. Adopted the Board Resolution cited above.**  
                                  **2. Adopted revised Board Resolution for Mallory Square, Preliminary Plan No. 1-20120180, MCPB No. 12-137.**

Prior to taking up the afternoon session agenda, Legal Counsel to the Board presented revised Board Resolution MCPB No. 12-137 for adoption, as cited above.

**\*B. Record Plats**

**1. Subdivision Plat No. 220130180, Bradley Hills (Revision)**

R-90 zone; 1 lot; located on the west side of Fairfax Road, approximately 875 feet north of Wessling Lane; Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**2. Subdivision Plat No. 220121230, Churchill Town Sector Germantown**

T-S zone; 2 parcels; located on the west side of Father Hurley Boulevard, approximately 500 feet south of Waters Landing Drive; Germantown Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: DREYFUSS/WELLS-HARLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved the Record Plats cited above.**

**\*C. Other Consent Items**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: There were no Consent Items submitted for approval.**

**\*D. Approval of Minutes**

Minutes of December 13, 2012 and December 19, 2012 - **POSTPONED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This Item was postponed.**

**2. Chevy Chase Lake Sector Plan Design Guidelines**

Review of Draft Design Guidelines

*Staff Recommendation: Approve transmittal of draft Design Guidelines to County Council*

**BOARD ACTION**

**Motion: ANDERSON/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to transmit the draft Design Guidelines for the Chevy Chase Lake Sector Plan to the County Council, following a brief Planning Department staff presentation and questions to staff.**

**3. Preliminary Plan 120090300: Boyds Highlands**

Re-subdivide an existing lot into three lots for three one-family detached dwelling units, 11.01 acres, located on the north side of Barnesville Road (MD 117) approximately 950 feet southeast of Slidell Road, RE-2 Zone, Boyds Master Plan

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion: ANDERSON/ PRESLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS TEMPORARILY ABSENT**

**Action: Approved staff recommendation for approval, subject to conditions, and adopted the Board Resolution attached.**

In keeping with the January 18 technical staff report, Planning Department staff discussed the request to re-subdivide an existing lot into three lots, one 5.8-acre lot for an existing single-family dwelling and 2.6-acre for two new one-family detached dwelling units on an 11.01-acre property located on the north side of Barnesville Road in the Boyds Master Plan area. Staff noted that the three

lots will be served by an existing driveway access point from Barnesville Road. Staff also added that the application complies with the Forest Conservation Law and staff has not received any citizens' correspondence regarding this request.

Mr. David McKee, Engineer representing the applicant, offered brief comments, and concurred with the staff recommendation.

**\*4. Preliminary Plan No. 120120270 – Esworthy Estates**

Two lots requested for two, one-family detached dwelling units and one outlot; RE-2 zone; 9.49 acres; located on the north side of Travilah Road, approximately 320 feet west of the intersection with Watertown Court. Potomac Sub-region Master Plan

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion:**                    **ANDERSON/PRESLEY**

**Vote:**

**Yea:**                    **5-0**

**Nay:**

**Other:**

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

In accordance with the January 16 technical staff report, Planning Department staff discussed the request to create two lots for two one-family detached dwelling units and one outlot on a 9.49-acre property located on the north side of Travilah Road in the Potomac Sub-region Master Plan. Staff noted that there is an existing dwelling unit, barn, and sheds on the property, which will be removed. The new lots will use the existing driveway from Travilah Road that is currently shared with one other house on an adjacent un-platted parcel. No forest exists on the property but a variance is required since the project will require that one tree 30 inches in diameter be removed and six other protected trees will be impacted.

Mr. Todd Brown, attorney representing the applicant, introduced Messrs. Kevin Foster, Mark Johnston, and Michael Dyer, members of the applicant's team.

Mr. Joe Welch of Esworthy Road offered testimony.

There followed a brief Board discussion with questions to staff and Mr. Brown.

**5. Sectional Map Amendment: Burtonsville Crossroads Neighborhood Plan**  
Implements the recommendations of the Approved and Adopted Burtonsville Crossroads Neighborhood Plan

*Staff Recommendation: Approve and Transmit Comments to the County Council*  
**(Action Required for County Council Public Hearing of 2/26/2013)**

**BOARD ACTION**

**Motion:**                   **ANDERSON/PRESLEY**

**Vote:**

**Yea:**                   **5-0**

**Nay:**

**Other:**

**Action:**           **Approved staff recommendation to transmit comments on the Sectional Map Amendment for the Burtonsville Crossroads Neighborhood Plan, to the County Council, as stated in the attached transmittal letter.**

Planning Department staff noted that the proposed Sectional Map Amendment implements the recommendations of the Approved and Adopted Burtonsville Crossroads Neighborhood Plan. The Sectional Map Amendment covers approximately 191 acres of the Sector Plan area, with about 72.29 acres proposed for reclassification, and confirms existing zones for about 119 acres. The remaining areas are public rights-of-way. Any comments made by the Planning Board at this meeting will be included in the public record for the February 26 County Council Public Hearing.

**11. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

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**12. Closed Session**

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**6. Department of Parks & Department of Planning Resource Conservation Plan FY14**

Briefing on the energy and utility conservation cost savings by Richard Anderson, President of CQI Associates.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** By consensus, approved the plan for transmittal to the County.

Following introductory remarks by Parks Department staff, Mr. Richard Anderson of CQI Associates made a presentation on the Resource Conservation Plan for FY14 for the Department of Parks and Department of Planning, including energy management, recycling and solid waste management, water conservation, and green parks.



**7. Corporate Park Naming and Sponsorship Policy**

Request for approval of the Corporate Park Naming and Sponsorship Policy to enable Montgomery Parks to establish mutually beneficial relationships with community organizations and area business to help expand, sustain and develop park facilities and programs for residents despite shrinking tax funding.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: WELLS-HARLEY/ANDERSON**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS TEMPORARILY ABSENT**

**Action: Approved the Corporate Park Naming and Sponsorship Policy, as revised.**

Parks Department staff presented an overview of the proposed Corporate Park Naming and Sponsorship Policy, as detailed in the staff report. Staff also presented two amendments to the draft policy.

In discussion, Parks Department staff and Legal Counsel to the Board responded to questions from the Board about how the policy would apply under various scenarios.

**8. Revised Athletic Field Use Permit Policy - POSTPONED**

The Athletic Field Use Permit Policy has been updated to reflect the transition of field permitting to the County's Office of Community Use of Public Facilities and clarify the Department's policy on bulk permitting for leagues, allowable use of synthetic turf fields, the elimination of local park field closure periods, and non-designated use of park fields.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**        **This item was postponed.**

**9.     Roundtable Discussion**

A. Parks Director's Report

B. Quarterly Update: Clarksburg Town Center - Elm Street Development

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**        **Received briefings and discussed.**

**A. Parks Director's Report**—Director of Parks Mary Bradford presented the Parks Director’s Report, highlighting various activities in the parks, including County Council and State General Assembly updates, reforestation project, the new Master Naturalist Training Program in collaboration with the University of Maryland Extension, and the role of the Park Police in assisting with security for the Presidential Inauguration on January 21.

**B. Quarterly Update on Clarksburg Town Center**—Planning Department staff provided an overview of the status of community meetings and revisions to the illustrative site plan for a revised Clarksburg Town Center development by Third Try, LLC. Ms. Kate Kubit, representing the applicant, offered comments and responded to questions. Commissioner Presley recused herself from participating in the discussion.

There followed considerable discussion of the interrelationship between the site plan and the approved compliance plan that resulted from the enforcement process following the findings of violation with the original site plan. There was also some discussion of the role of Planning Department staff in the process of revising the plan prior to formal submission of a final proposed site plan for official review. Staff responded to questions from the Board and provided additional information as needed. Legal Counsel to the Board also participated in the discussion.

**10. Long Branch Sector Plan - Public Hearing**

Public Hearing Draft Long Branch Sector Plan

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Heard testimony and received evidence submitted into the record.**

A VERBATIM TRANSCRIPT OF THIS ITEM IS ON FILE IN THE RECORDS MANAGEMENT  
OFFICE IN SILVER SPRING, MARYLAND.