



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, October 16, 2014, at 9:15 a.m., and adjourned at 12:32 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioners Amy Presley and Natali Fani-González. Commissioner Norman Dreyfuss was necessarily absent.

Commissioner Natali Fani-González, the newly appointed Planning Board Commissioner, was sworn in before the start of the meeting.

Items 1 through 4 are reported on the attached agenda.

The Planning Board adjourned at 12:32 p.m., and returned to the auditorium at 2:15 p.m. to attend a reception in honor of Commissioner Natali Fani-Gonzalez' first day on the Planning Board.

Following the reception, the Planning Board attended a training session on the New Zoning Code offered by Planning Department staff.

There being no further business, the meeting was adjourned at 12:32 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 23, 2014, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, October 16, 2014
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **There were no Resolutions submitted for adoption.**

***B. Record Plats**

[Subdivision Plat No. 220131290, Yinger's Addition to Woodfield](#)

RE-2 zone; 2 lots; located on the northwest side of the terminus of Kimblehunt Drive; Damascus Master Plan.

Staff Recommendation: Approval

[Subdivision Plat No. 220140010, Discoverly Hall](#)

CR-zone, 1 lot (2 ownership lots); located on the north side of the intersection of Great Seneca Highway and Key West Avenue; Great Seneca Science Corridor Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: **PRESLEY/WELLS-HARLEY**

Vote:

Yea: **3-0**

Nay:

**Other: FANI-GONZALEZ ABSTAINED
DREYFUSS ABSENT**

Action: Approved staff recommendation for approval of the Records Plats cited above.

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

***D. Approval of Minutes**

Planning Board Meeting Minutes of October 2, 2014

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 3-0

Nay:

**Other: FANI-GONZALEZ ABSTAINED
DREYFUSS ABSENT**

Action: Approved Planning Board Meeting Minutes of October 2, 2014, as submitted.

2. Roundtable Discussion

- Planning Department Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing.

Planning Department Director’s Report – Planning Department Director Gwen Wright briefed the Planning Board on the status of on-going projects, and Master and Sector Plans that Planning staff is working on. Ms. Wright noted that Planning staff will hold a second, and probably final, worksession for the Sandy Spring Rural Village Plan next Thursday, October 23. Planning staff have also scheduled a community meeting for the evening of Tuesday October 21, to discuss the scope of work for the Westbard Plan. Ms. Wright also briefed the Board on the Planning Department’s proposed training program, and the Department-wide training survey on “How Planning Got its Groove Back”, which will help strengthen the Planning Department in a number of ways by creating a more exciting and innovative work environment, and most especially, by focusing on leadership training and succession planning.

There followed a brief Board discussion with questions to Ms. Wright.

***3. [Gough Property, Preliminary Plan No. 120140010](#)** - R-60 zone, 0.71 acres, Proposal for two lots for two one-family detached homes, located on Three Oaks Drive approximately 185 feet northwest of Sligo Creek Parkway, East Silver Spring Master Plan

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 4-0

Other: DREYFUSS ABSENT

Action: Approved staff recommendation for approval, subject to revised conditions during the meeting, and as stated in the attached Resolution.

In keeping with the October 3 technical staff report, Planning Department staff offered a multi-media presentation and discussed the proposed preliminary plan request to create two lots for two one-family detached homes on a 0.71-acre property located on Three Oaks Drive, approximately 185 feet

northwest of Sligo Creek Parkway in the East Silver Spring Master Plan area. Staff discussed the proposed Forest Conservation Plan (FCP) associated with this plan, and noted that the initially submitted FCP for this project showed the entire property as being cleared for a three-lot subdivision. This earlier proposal would have removed all of the existing forest and also caused severe impacts to existing offsite trees located on an adjacent property. The complete removal of the high-priority forest and associated variance trees along with the excessive impacts of other offsite trees was not supported by staff. The property is completely covered with highly erodible soils and contains significant specimen trees and steep slopes of 15 to 25 percent. The existing onsite forest is rated as high priority for retention because it is associated with these environmentally sensitive conditions. The plan also proposes a 17-foot wide, 0.06 acre Category II Conservation Easement along the site's western property line. The Category II easement area will provide a number of benefits, including the protection of existing onsite understory trees, removal of invasive species as noted on the FCP, and placing of supplemental native species. Staff added that the community's opposition to this proposal focuses on proposed forest clearing, soil erosion, stormwater run-off, and change in neighborhood character. Staff also discussed the revised conditions of approval and the applicant's request for a forest conservation variance.

Staff noted that Section 22A-12(b) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone, requires a variance under Section 22A-21 of the Law. An applicant requesting a variance must show that enforcement would result in unwarranted hardship, and provide certain written information in support of the required findings. Staff also noted that as required

***3. Gough Property, Preliminary Plan No. 120140010**

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by Montgomery County Code, Planning staff forwarded the applicant's forest conservation variance to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The County Arborist recommended approval of the forest conservation variance request with the condition that adequate mitigation be provided.

Mr. David Freishtat, attorney representing the applicant, Ms. Beverly Gough, also present, briefly discussed the proposed request and concurred with the staff recommendation. Mr. Freishtat also reiterated the applicant's request for a forest conservation variance.

The following speakers offered testimony: Mr. Herb Kaufman of Sligo Creek Parkway and representing the Seven Oaks Evanswood Citizens Association; Ms. Jean Cavanaugh of Worth Avenue; Ms. Laura Jones of Sligo Creek Parkway; Ms. Karen Kuehl of Manchester Road; Mr. Allan Leventhal of Manchester Road; and Mr. Clay Ramsay of Three Oaks Drive and representing the Three Oaks Homeowners Association.

At the Board's request, Parks Department staff offered comments and noted that after reviewing a proposed acquisition and assessing the property, Parks staff concluded that the property was of minimal interest for park acquisition, and did not meet the criteria for Legacy Open Space designation. The property was found to have minimal potential park stewardship or recreational merit.

At the Board's request, legal counsel to the Planning Board clarified the County's guidelines regarding the stormwater management facility requirements recommended by the Department of Permitting Services (DPS), and the forest conservation guidelines, specifically concerning the removal of specimen trees.

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

4. Greater Lyttonsville Sector Plan -- Briefing

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Planning Department staff offered a multi-media presentation and discussed the latest updates for the Greater Lyttonsville Sector Plan. Staff discussed results of the community workshops; online questionnaires results; outreach activities; market studies; and proposed next steps. Staff noted that community workshops were held on July 15 and September 29, 2014. The workshops focused on identifying strengths, challenges, and opportunities throughout the Sector Plan area, followed by a mapping exercise where attendees were asked to identify districts and neighborhoods, current centers of activity, connectivity issues, and emerging centers of activity. Three online questionnaires were created to reach individuals who were not able to attend the workshops. Planning staff also held a number of outreach meetings during 2014 to educate the public about the Sector Plan process, as well as inject a sense of excitement and fun into planning activities. Two market studies will be conducted for the Greater Lyttonsville Sector Plan area: the 16th Street and Woodside Purple Line Station Market Analysis, and the Brookside Road Corridor Market Study, for which consulting firm Bolan Smart was hired to do a market feasibility analysis of the Brookville Road Corridor, and will evaluate redevelopment scenarios for areas most likely to experience changes due to the Purple Line addition.

Environmental Planning staff discussed the environmental analysis for the area, including the watersheds, the existing tree canopy cover, the impervious areas, stormwater runoffs, and the condition of the existing streams.

Transportation Planning staff discussed the current traffic situation on Brookside Road and the adjacent neighborhoods, connectivity, the proposed Purple Line metro station, on-going and future coordination on various transportations projects in the Sector Plan area with Maryland State Highway Administration and Montgomery County Department of Transportation.

Historic Preservation staff also offered a multi-media presentation regarding the area's history, a survey of designated historic resources, and historic placemaking opportunities.

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4. Greater Lyttonsville Sector Plan, Briefing and Report

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As part of the next steps, Planning staff will draft a vision statement with clear goals, and will be evaluating areas that could be transformed, given the various forms of community feedback received so far, and the market study results.

Staff briefly discussed the following tentative schedule for the Sector Plan report: Market Study Report to be received from Bolan Smart Consultants in December 2014; discussion of a Concept briefing in January 2015; Staff Draft to the Planning Board during spring 2015; Planning Board Draft during summer 2015; and transmittal of the final Planning Board Draft to the County Council during fall 2015.

There followed a brief Board discussion with questions to staff.