



**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, June 28, 2012, at 9:11 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 7:00 p.m.

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

Prior to taking up the morning agenda, the Board presented a Resolution acknowledging the long career with the Planning Department, and the many contributions to planning in Montgomery County, of William R. Barron, in honor of his retirement from the Commission tomorrow.

Items 1 through 4 are reported on the attached agenda.

The Board recessed for lunch at 12:37 p.m. and to take up Items 8 through 10 and 13 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 12:58 p.m. in the third floor conference room, on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Presley present and voting in favor of the motion, and with Commissioner Dreyfuss absent. The meeting was closed under authority of the 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; §10-508(a)(7), to consult with counsel to obtain legal advice; and §10-508(a)(8), to consult with staff, consultants, or other individuals about pending or potential litigation.

Also present for all or part of the Closed Session were General Counsel Adrian Gardner and Associate General Counsels David Lieb, Derrick Rogers, and Carol Rubin of the Legal Department; Director Mary Bradford, Deputy Director Mike Riley, Bill Gries, John Hench, April O'Neal, Dominic Quattrocchi, and Brenda Sandberg of the Parks Department; Deputy Director Piera Weiss of the Planning Department; and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board discussed the proposed designation as Legacy Open Space Natural Resource Areas of properties for addition to the Upper Paint Branch Stream Valley Park and the Hoyles Mill Conservation Park, and their proposed acquisition; discussed pending litigation related to the

Board's action on the First Baptist Church of Wheaton plans; and consulted with counsel for legal advice with regard to a hearing before the Commission Merit Board related to employment issues raised by a former employee, and the possible ramifications thereof.

The Closed Session was adjourned at 1:40 p.m.

The Board reconvened in the auditorium at 2:00 p.m.

Items 11, 12, 5, 3, 6, and 7, taken in that order, are reported on the attached agenda.

Commissioner Anderson left the meeting at 5:50 p.m. during discussion of Item 7.

There being no further business, the meeting was adjourned at 7:00 p.m. The next regular meeting of the Planning Board will be held Thursday, July 12, 2012, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye  
Technical Writer

M. Clara Moise  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, June 28, 2012**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Clarksburg Fire Station FCP MR2012001 – MCPB No. 11-86
2. Clarksburg Fire Station WQP MR2012001 – MCPB No. 11-87
3. White’s Farm Germantown SRW201202 – MCPB No. 11-88
4. Seneca Meadows Corporate Center FCP 11998004B - MCPB No. 11-89
5. Cabin Branch Winchester I 82006029A – Corrected MPCB No. 11-125
6. Cabin Branch Winchester II 820110080 – MCPB No. 11-126

**BOARD ACTION**

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

**Vote:**  
    **Yea:**               **A. 3-0**  
                              **B. 4-0**

**Nay:**

**Other:**               **A. WELLS-HARLEY TEMPORARILY ABSENT;**  
                              **DREYFUSS ABSENT**  
                              **B. DREYFUSS ABSENT**

**Action:**           **A. Adopted the Board Resolutions cited above as items 1-4 and 6, with revisions distributed by staff.**  
                          **B. Adopted corrected Board Resolution MCPB No. 11-125 for Cabin Branch Winchester I 82006029A, cited as item 5, above, with additional revisions.**

The Adoption of Resolutions portion of the Consent Agenda was taken up separately from other sections of the Consent Agenda, following discussion of Item 2.

At the request of Commissioner Presley, Corrected Board Resolution MCPB No. 11-125, for Cabin Branch Winchester I 82006029A, cited as item 5, above, was removed from the Consent Agenda, and Planning Department staff and Legal Counsel to the Board responded to questions on that Corrected Resolution.

**\*B. Record Plats**

**1. Subdivision Plat No. 220110030, Rock Creek Palisades, Section 5;** R-60 zone, 7 lots & 2 parcels; located in the northwest quadrant of the intersection of Connecticut Avenue (MD185) and Wexford Drive; Kensington-Wheaton Master Plan.

*Staff Recommendation: Approval*

**2. Subdivision Plat No. 220110830, Springwood;** R-200 zone, 1 lot; located on the south side of Randolph Road, approximately 550 feet east of Springtree Drive; White Oak Master Plan.

*Staff Recommendation: Approval*

**3. Subdivision Plat No. 220120620, Littonville;** I-1 zone, 1 lot; located on the eastern side of Brookville Road, approximately 100 feet northeast of Lyttonsville Place; North & West Silver Spring Master Plan.

*Staff Recommendation: Approval*

**4. Subdivision Plat No. 220121060, Montgomery Community College – Germantown Campus** LSC zone, 1 parcel; located on the east side of Observation Drive, approximately 1,200 feet north of Middlebrook Road; Germantown Employment Area Sector Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**                    **A. WELLS-HARLEY/PRESLEY**  
                                     **B. ANDERSON/WELLS-HARLEY**

**Vote:**  
    **Yea:**                    **A. 4-0**  
                                     **B. 4-0**

**Nay:**

**Other:**                    **DREYFUSS ABSENT**

**Action:**                    **A. Approved the Record Plats listed as items 1, 3, and 4, above.**  
                                     **B. Approved the Record Plat for Springwood, listed as item 2, above.**

The Record Plat for Springwood, listed as item 2, above, was removed from the Consent Agenda at the Chair’s request, and Planning Department staff responded to questions from the Board, based on concerns raised in correspondence, related to the size of the proposed House of Worship, the number of trips generated, forest conservation, and stormwater management. The Board directed staff to draft a letter of response to the sender.

**\*C. Other Consent Items**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**       **There were no Other Consent Items.**

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**\*D. Approval of Minutes**

Minutes of May 3, 2012

**BOARD ACTION**

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

**Vote:**

**Yea:**               **4-0**

**Nay:**

**Other:**           **DREYFUSS ABSENT**

**Action:**       **Approved the Minutes of May 3, 2012, as presented.**

**2.       Public Hearing Subdivision Staging Policy**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received testimony on the draft Subdivision Staging Policy and discussed.**

Following a brief overview by Planning Department staff, the Planning Board received testimony and discussed various issues pertaining to the Subdivision Staging Policy with Mr. Robert Harris, attorney; Mr. Steve Elmendorf, attorney representing Percontee, Inc.; Mr. Jonathan Genn of Silver Spring; Mr. Robert Kaufman, representing the Maryland-National Capital Building Industry Association; and Mr. Steve Robins, attorney.

Mr. Glenn Orlin, County Council staff, participated in the discussion, which included various fee mechanisms and providing infrastructure to support development.

**3. Roundtable Discussion**

A. Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received the Parks Director's report and offered guidance on the issue of fees for individual naming rights for facilities in parks.**

Director of Parks Mary Bradford reviewed the highlights of her distributed Parks Director's report, adding a brief report of a meeting yesterday with representatives of Montgomery Soccer, Inc. (MSI) and Councilmember Roger Berliner and his staff to discuss new locations for rectangular fields in parks. Ms. Bradford thanked Commissioner Anderson for participating in the meeting.

On a separate issue, Ms. Bradford noted that there has been some controversy and pressure on staff related to the fees for individual naming rights for facilities in parks. She noted that the Board approved a schedule of fees and a civic group in Olney is vociferously opposing the requested fee, although the fee has been discounted to an amount that will merely cover Parks Department costs.

There followed considerable discussion of the issue, and the Board supported the staff in assessing the identified fee, noting particularly the current budget constraints and the Council's mandate that the Parks Foundation must cover its operating costs.

**4. Public-Private Partnership Proposal: Wall Park Dryland Diving Training Facility**

Staff and applicant will present a public-private partnership project proposal to the Planning Board for review and approval. The proposed project would repurpose underutilized handball courts and convert them into a dryland diving training facility to support the growing aquatics programs currently offered at the Shriver Aquatic Center by the Montgomery Dive Club, a contractor with the County's Department of Recreation.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: WELLS-HARLEY/CARRIER**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved the staff recommendation to enter into the proposed public-private partnership with Montgomery Dive Club to repurpose the underused handball courts at Wall Park and convert them into a dryland diving training facility.**

Following introductory remarks by Parks Department staff, Mr. Doug Beavers of Montgomery Dive Club presented a proposed public-private partnership that would repurpose underutilized handball courts at Wall Park and convert them into a dryland diving training facility to support the growing aquatics programs currently offered at the Shriver Aquatic Center by the Montgomery Dive Club. Mr. Beavers noted that the facility will support Olympic training.

Mr. Benjamin Bishop of Silver Spring; Mr. Christopher Caruso of Potomac; Pastor Jan Lookingbill of Bethesda; Mr. Michael Becker of Potomac; and Ms. Kali Becker of Potomac offered comments.

There followed considerable discussion of the actual amount of use of the handball courts, the need to renovate the Olney Manor handball courts, and the demand for the proposed training facility.

**8. Closed Session (Deferred from 5/24/12)**

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 official citation and open session report in narrative minutes.

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**9. 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 official citation and open session report in narrative minutes.

**10. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(8) to consult with staff, consultants, or other individuals about pending or potential litigation

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**



**Other:**

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

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**13. 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 official citation and open session report in narrative minutes.

**11. Upper Paint Branch Stream Valley Park**

Authorization to acquire 2.4 acres, more or less, improved, from Michael K. Lindley at 15210 Peach Orchard Road, Silver Spring, Maryland 20905.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** WELLS-HARLEY/PRESLEY

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** DREYFUSS ABSENT

**Action:**        **Approved staff recommendation for approval and adopted the submitted Resolution.**

**12.     Hoyles Mill Conservation Park**

Authorization to acquire 2.0 acres, more or less, improved from Howard C. Talley at 15451 Hoyles Mill Road, Boyds, Maryland 20841

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**                **ANDERSON/WELLS-HARLEY**

**Vote:**

**Yea:**                **4-0**

**Nay:**

**Other:**                **DREYFUSS ABSENT**

**Action:**        **Approved staff recommendation for approval and adopted the submitted Resolution.**

**5.       Worksession No. 1: Burtonsville Crossroads Neighborhood Plan (Commercial Areas)**

*Staff Recommendation: Review the Public Testimony and Staff Response*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**        **Received briefing followed by Board discussion.**

Planning Department staff discussed the public testimony received on the Burtonsville Crossroads Neighborhood Plan and the staff response. Staff also discussed the recommendations for the

existing commercial areas, for which the testimony from residents and property owners provides a clear agreement on the following key elements: allowing residential development in the existing commercial core, supporting redevelopment of the Burtonsville Crossing Shopping Center site, improving the character of MD 198 as a main street, providing a new grid of local streets including a loop road, supporting local businesses that are unique to Burtonsville, and providing public gathering spaces and recreation areas as part of a new public green.

**3. Roundtable Discussion—continued**

B. Planning Director's Report (note Chevy Chase update)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**B. Planning Director's Report (note Chevy Chase update) -** Acting Planning Director Rose Krasnow updated the Board on a number of meetings attended by Planning Department staff regarding on-going Master Plans. Ms. Krasnow briefed the Board on the Chevy Chase Lake Master Plan and noted that staff was invited to a community meeting to discuss issues related to the Master Plan and added that the draft plan will be before the Board in two weeks. Ms. Krasnow also discussed issues raised during community meetings for the White Oak Master Plan, and informed the Board that the initial report on streamlining the project review process prepared in collaboration with the Department of Permitting Services (DPS) and other county agencies will be presented to the Board in September. Ms. Krasnow also reported briefly on the success of the staff picnic held last week in Hanson Park outside of the MRO building and thanked Chair Carrier for her participation.

**6. Minor Master Plan Amendments**

Overview of submittals received to date and discussion of staff's recommendation for one item to be recommended for assignment to the work program by the County Council.

A. Pooks Hill Marriott Property (Capital Beltway/Rockville Pike) in Bethesda/Chevy Chase Plan – Area 1

B. Halpine Properties (Twinbrook Parkway/Veirs Mill Road) in North Bethesda Master

Plan – Area 2

C. Sandy Spring (Sandy Spring Village Center) in Sandy Spring/Ashton Master Plan – Area 3

*Staff Recommendation: Approval of Staff's Recommendation for Transmittal to Council*

**BOARD ACTION**

**Motion:**                    **ANDERSON/WELLS-HARLEY**

**Vote:**

**Yea:**                    **4-0**

**Nay:**

**Other:**                    **DREYFUSS ABSENT**

**Action:**            **Approved staff recommendation for approval of the three minor Master Plan Amendments cited above and transmittal to the County Council.**

Planning Department staff offered a multi-media presentation discussing the goals of the minor Master Plan amendments. Staff noted with Master Plans typically updated once every two decades or so, residents, community groups, and property owners until now have been forced to wait many years to bring about small changes to plans for their neighborhoods. To address community needs, a compressed process has recently been developed to achieve minor Master Plan amendments more quickly, and property owners and community groups in Montgomery County were invited to submit online applications to be considered by the Planning Board and the County Council. Three applications were reviewed by the Board, Pooks Hill Marriott property located at the Rockville Pike interchange with I-495, the Halpine properties located near the Twinbrook Metro station on Twinbrook Parkway, south of Veirs Mill Road, and staff also prepared and recommended a third application for the Sandy Spring Village area, for which staff believes a minor plan amendment would help implement recommendations from that effort. Staff noted that the Pooks Hill property is ranked first because of the public benefits associated with added housing, the reuse of currently under-utilized parking lots, its proximity to transit, and the limited scale of the study area. Staff plans to begin work on this amendment as early as September 2012. Sandy Spring is recommended because of the potential for implementing recommendations from previous planning efforts, and enhance community character and business opportunities. Due to staff workload, this plan amendment would begin in early 2013. It

**6.     Minor Master Plan Amendments**

**CONTINUED**

is more difficult to consider a minor amendment for the Halpine properties due to current capacity issues associated with the Veirs Mill/Twinbrook Parkway intersection, which will require significant transportation analysis. Staff recommends that the Halpine properties minor plan amendment be discussed as part of the Semi-Annual discussion with the County Council, including options on how to best bring forwards concentrated planning efforts for this important area.

The following speakers offered testimony: Ms. Anne Mead, attorney representing Halpine Park LLC; Mr. Doug Wrenn of Century Boulevard; Ms. Tedi Osias representing the Housing Opportunities Commission; Mr. Robert Knopf, Mr. Troy Balkema; and Mr. Jody Kline, attorney.

There followed extensive Board discussion with questions to staff and some of the speakers.

**7. Worksession: 2012 Park, Recreation, and Open Space (PROS) Plan**

Review Public Hearing and Planning Board comments related to the Draft 2012 PROS Plan and discuss staff recommended changes to the document.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by Board discussion.**

Parks Department staff offered a multi-media presentation of the comments and issues raised during the Planning Board hearing on May 24. Staff noted that there is public support for the recommendation to provide green spaces, and urban parks. Staff agrees with the Planning Board and the community's recommendation that there be two categories of urban parks, those that serve the Central Business Districts and those that serve neighborhoods. Staff also requested that the Planning Board allow for additional public comments, giving priority to persons who did not testify on May 24 and to defer discussion of the comments on Agriculture until the July 19 worksession.

At the Board's request, Parks Department Director Mary Bradford offered comments.

The following speakers offered testimony: Ms. Bonnie Bell representing the Coalition for Seneca Creek Greenway Trail; Ms. Cathy Wiss representing the Audubon Naturalist Society; Ms. Diane Cameron of Edgewood Road; Ms. Ginny Barnes representing the West Montgomery County Citizens Association; Ms. Nicole Condon of Crabapple Lane; and Ms. Jill Phillips of Brickyard Road.

There followed extensive Board discussion with questions to staff and the speakers.