



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, September 16, 2010, at 9:20 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 10:06 p.m.

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

Items 1 through 8 are reported on the attached agenda.

The Board recessed for lunch at 1:05 p.m. and to take up Items 9, 10, 13, and 20 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 1:12 p.m. in the third floor conference room, on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioner Dreyfuss 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; §10-508(a)(8), to consult with staff, consultants, or other individuals about pending or potential litigation; and §10-508(a)(1), State Government Article, Annotated Code of Maryland, to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of Commission appointees, employees, or officials; or to discuss any other personnel matter that affects one or more specific employees.

Also present for all or part of the Closed Session were Executive Director Patricia Colihan Barney; Holly Sun of the Central Administrative Services; Associate General Counsels Jared McCarthy; Carol Rubin; David Lieb; Derrick Rogers, and Christina Sorrento of the Legal Department; Chuck Kines, Brenda Sandberg, Bill Gries, Mary Ellen Venzke, and Karen Warnick of the Parks Department; Director Rollin Stanley, Alison Davis, Rose Krasnow, Cathy Conlon, and Richard Weaver of the Planning Department; and Clara Moise of the Commissioners' Office.

In Closed Session, the Board received briefings and advice on the Washington Grove on-going litigation and the upcoming Preliminary Plan for Grays Lane scheduled for the afternoon session. The Board also approved Closed Session Minutes, received briefing from the Commission's Executive Director and Central Administrative Services staff, and provided guidance to staff on the upcoming FY12 budget.

The Closed Session was adjourned at 2:50 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 3:00 p.m.

Items 12 and 14 through 17 are reported on the attached agenda.

The Board recessed for dinner at 7:20 p.m. and reconvened in the auditorium at 8:10 p.m. with the same three commissioners present.

There being no further business, the meeting was adjourned at 10:06 p.m. The next regular meeting of the Planning Board will be held Thursday, September 23, 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, September 16, 2010
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Darnestown at Travilah Site Plan 820100070 – ADOPTION OF MCPB RESOLUTION No. 10-112
2. Edgewood Inn Pre-Preliminary Plan 720080220 – ADOPTION OF MCPB RESOLUTION No. 10-49
- 3. Gosnell Property Site Plan 820060240 – ADOPTION OF MCPB RESOLUTION No. 10-118; Adoption deferred until September 23, 2010**
4. Rainbow Drive Sidewalk Construction and Pavement Removal SPA Water Quality Plan MR2010803 – ADOPTION OF MCPB RESOLUTION No. 10-83
5. Thompson Road Connection SPA Water Quality Plan MR2010804 – ADOPTION OF MCPB RESOLUTION 10-82
6. Gottens Good Luck Pre-Preliminary Plan 720090120 – ADOPTION OF MCPB RESOLUTION No. 10-113
7. Darnestown at Travilah Preliminary Plan 120100230 – ADOPTION OF MCPB RESOLUTION No. 10-111
8. Norwood School Amendment to FCP 119980150 – ADOPTION OF MCPB RESOLUTION No. 10-106
9. Calco Fence Preliminary Plan 120070040 – ADOPTION OF MCPB RESOLUTION No. 10-108
10. Finlandia Preliminary Plan 120090320 – ADOPTION OF MCPB RESOLUTION No. 10-105
- 11. Leesborough Limited Site Plan 82004027C – ADOPTION OF MCPB RESOLUTION No. 10-121**
12. Townhouses at Small's Nursery Site Plan 820100060 – ADOPTION OF MCPB RESOLUTION No. 10-90
13. Piedmont Road Preliminary Plan 120090330 – ADOPTION OF MCPB RESOLUTION No. 10-114
14. Shirkey's Addition to Fairland Acres Preliminary Plan 120100110 – ADOPTION OF MCPB RESOLUTION No. 10-116
15. Stanmore Site Plan 820060390 – ADOPTION OF MCPB RESOLUTION No. 10-122
- 16. Snow Hill Farm Preliminary Plan 120070570 – ADOPTION OF MCPB RESOLUTION No. 10-57; Adoption deferred until September 23, 2010**
17. Travilah Fire Station #32 FCP No. MR2010721 – ADOPTION OF MCPB RESOLUTION No. 10-127
18. Travilah Fire Station #32 WQP No. MR2010721 - ADOPTION OF MCPB RESOLUTION No. 10-126
19. Goddard School Forest Conservation Plan S-2759 – ADOPTION OF MCPB RESOLUTION No. 10-80

MCPB, 9-16-10, APPROVED

20. Goddard School Water Quality Plan S-2759 – ADOPTION OF MCPB RESOLUTION No. 10-79
21. Barnesville Oak Farm Preliminary Plan 120090110 – ADOPTION OF MCPB RESOLUTION No. 10-129
22. B.F. Gilberts Subdivision of Takoma Park Preliminary Plan 120090340 – ADOPTION OF MCPB RESOLUTION No. 10-81
23. University Gardens Preliminary Plan 11988225A – ADOPTION OF MCPB RESOLUTION No. 10-97
24. Saints Constantine & Helen Greek Orthodox Church Preliminary Plan 120100240 – ADOPTION OF MCPB RESOLUTION No. 10-123
- 25. Piney Glen Farms (Lot 20) Preliminary Plan 11992012A – ADOPTION OF MCPB RESOLUTION No. 10-103; Adoption deferred until September 23, 2010**
26. Boxwell Property Preliminary Plan 120100210 – ADOPTION OF MCPB RESOLUTION No. 10-100
27. Silver Spring Library Preliminary Forest Conservation Plan ME2010719-DGS-1 – ADOPTION OF MCPB RESOLUTION No. 10-94
28. Montgomery County Animal Shelter Forest Conservation Plan – ADOPTION OF MCPB RESOLUTION No. 10-115
29. Montgomery County Animal Shelter Water Quality Plan – ADOPTION OF MCPB RESOLUTION No. 10-117
30. Small’s Nursery Preliminary Plan 11994011C – ADOPTION OF MCPB RESOLUTION No. 10-91
- 31. Lower Booze Creek Stabilization Forest Conservation Plan MR 2008901 – ADOPTION OF MCPB RESOLUTION No. 10-71; Adoption deferred until September 23, 2010**
- 32. Garrett Park Elementary School Modernization Forest Conservation Plan MR2010701 – ADOPTION OF MCPB RESOLUTION No. 10-92; Adoption deferred until September 23, 2010**

BOARD ACTION

Motion: ALFANDRE/WELLS-HARLEY

Vote:

Yea: 4-0*

Nay:

Other: PRESLEY ABSENT

***CARRIER ABSTAINED FOR RESOLUTIONS NUMBERED 2, 3, 4, 5, 12, 19, 20, 22, 27, 30 ABOVE, BECAUSE SHE WAS NOT PRESENT FOR THE RESPECTIVE HEARINGS. THE VOTE FOR THOSE RESOLUTIONS, THEREFORE, WAS 3-0-1.**

Action: Adopted the Resolutions cited above.

***B. Record Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

***C. Other Consent Items**

1. Extension of the Project Plan Review No. 920070080, Falkland Chase, CBD-R1 zone; 8.99 acres; 61,314 gross square feet of retail, 1,096,443 gross square feet of residential, including 12.5% MPDUs, located at the northeast intersection of East-West Highway and 16th Street; Silver Spring CBD

Staff Recommendation: Approval of the Project Plan Extension

2. Site Plan Amendment Review No. 81995036D, Montrose Crossing, RMX-3C zone; 31.68 acres; amendment to reduce footprint of original Levitz Store from 160,000 square feet to 88,000 square feet, construct Nebel Street extended, landscape and parking modifications; located at the northeast quadrant of the intersection of Rockville Pike and Randolph Road; North Bethesda/Garrett Park

Staff Recommendation: Approval of the Consent Item and Draft Resolution

BOARD ACTION

**Motion: 1. ALFANDRE/DREYFUSS
 2. ALFANDRE/DREYFUSS**

Vote:

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

Nay:

Other: PRESLEY ABSENT

Action: 1. Approved staff recommendation for approval of the Project Plan Extension for Falkland Chase.

2. Approved staff recommendation for approval of the Consent Item for Montrose Crossing Site Plan Amendment Review and of the Draft Resolution, as submitted.

***D. Approval of Minutes**

Minutes of July 8, July 15, July 22, and July 29, 2010.

BOARD ACTION

Motion: WELLS-HARLEY/ALFANDRE

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved Planning Board Meeting Minutes of July 8, 15, 22, and 29, 2010, as presented.

2. Forest Conservation Variance: SC2010014 8809 Chalon Drive, Bradley Hills Grove

Request for a variance under section 22A-21 of the Forest Conservation Law for the impact and removal of specimen trees pursuant, on a recorded single lot, to Section 1607(c) of the Natural Resources Article, MD Ann. Code

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

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

Environmental Planning staff offered a multi-media presentation of a forest conservation variance request for six specimen trees that will be impacted by construction. This request is made under Section 22A-21 of the Forest Conservation Law and staff is not asking for replacement trees.

Mr. Jeff Robertson, engineer representing the applicant, concurred with the staff recommendation.

3. AB 726 Whittier Boulevard Right-of-Way Abandonment

Abandonment of Public Right-of-Way in the northwest corner of the Whittier Boulevard / Wilson Lane (MD 188) Intersection

Staff Recommendation: Transmit Comments Supporting Approval to Montgomery County Department of Transportation

BOARD ACTION

Motion: WELLS-HARLEY/ALFANDRE

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation to transmit comments supporting approval of the proposed Whittier Boulevard Right-of-Way Abandonment, subject to conditions, to Montgomery County Department of Transportation (DOT).

In keeping with the September 3 technical staff report, Transportation Planning staff gave a brief presentation of the abandonment of public right-of-way request for Whittier Boulevard/Wilson Lane (MD 188) Intersection, followed by a brief Board discussion.

4. Preliminary Plan 120100220, Montgomery General Hospital

R-60 zone; 9.67 acres; one lot and one outlot requested for 120,000 square feet of medical office building use; located in the northwest quadrant of Sandy Spring Road (MD 108) and Prince Philip Drive; Olney Master Plan

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: ALFANDRE/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

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

In accordance with the August 23 technical staff report, Development Review staff offered a detailed multi-media presentation of the request to create one lot and one outlot, on a 9.67-acre property for a 120,000 square foot medical office building, located in the northwest quadrant of Sandy Spring Road (MD 108) and Prince Phillip Drive in Olney.

Mr. Jody Kline, attorney representing the applicant, introduced members of the applicant's team, briefly discussed the proposed request, and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and the applicant's representatives.

5. Zoning Text Amendment No. 10-12

To amend the Zoning Ordinance to amend Child Lot Standards in the RDT zone

Staff Recommendation: Transmit Comments to the County Council
(Action Required for County Council Public Hearing of 9/21/10)

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

In keeping with the August 26 technical staff report, Community-Based Planning staff discussed the request to amend the Zoning Ordinance to amend Child Lot Standards in the Rural Density Transfer (RDT) zone sponsored by Council member Knapp. Staff noted that in

May 2010, the Planning Board transmitted a draft Zoning Text Amendment (ZTA) for child lot standards, with a request for introduction to the County Council, after the Ad Hoc Agricultural Policy Working Group and the Planning, Housing, and Economic Development (PHED) Committee had discussed it. Council member Knapp amended the ZTA after consultation with the agricultural community but the ZTA still incorporates significant portions of the original draft ZTA transmitted by the Planning Board.

Staff discussed issues regarding the applicability requirements and exempted lots and parcels; the number and proportion of child lots; the size of child lots; the ownership of child lots; the penalty for violations; and the density and Transferable Development Rights (TDRs) retention, Section 59-C of the Zoning Ordinance.

The following speakers offered testimony: Mr. William Moser of Rochester Drive; Ms. Katherine Sexton of Wisconsin Avenue N.W.; Mr. Stephen Orens of North Washington Street; Mr. Frank Jamison of West Hunter Road; Ms. Dolores Milmoie of Jones Mill Road representing the Audubon Naturalist Society; and Ms. Caroline Taylor representing Montgomery Countryside Alliance.

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

6. Zoning Text Amendment No. 10-08

To amend the Zoning Ordinance to define pet daycare; and to allow pet daycare in certain agricultural zones

Staff Recommendation: Transmit Comments to the County Council
(Action Required for County Council Public Hearing of 9/21/10)

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: ALFANDRE, PRESLEY ABSENT

Action: Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

In keeping with the September 8 technical staff report, Development Review staff presented highlights of the request to amend the Zoning Ordinance to define pet daycare, and to allow pet daycare in certain agricultural zones. Staff noted that the animals will be transported to the site by the daycare provider. Staff noted that in view of the noise impact on existing neighborhoods, staff recommends that the Planning Board not support the proposed Zoning Text Amendment.

The following speakers offered testimony: Ms. Sue Carter of Monroe Street and representing Ms. Tiffany Reynolds; Ms. Anne Stork representing the Sugarloaf Citizens

Association; Ms. Dolores Milmo of Jones Mill Road and representing the Audubon Naturalist Society; and Ms. Caroline Taylor, resident of the Reserve in the Poolesville area and representing the Montgomery Countryside Alliance.

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

7. Zoning Text Amendment No. 10-10

To amend the Zoning Ordinance amend the TMX-2 zone parking provisions for leased office space used by the government

Staff Recommendation: Transmit Comments to the County Council
(Action Required for County Council Public Hearing of 9/21/10)

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: ALFANDRE, PRESLEY ABSENT

Action: Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

Development Review staff offered highlights of the request to amend the Zoning Ordinance to amend the TMX-2 zone parking provisions for leased office space used by the government. Staff noted that the goal of this amendment is to change the 20-year government long-term lease to a 15-year lease instead, as discussed in detail in the September 3 technical staff report.

Ms. Anne Martin and Mr. Greg Trimmer of Wisconsin Avenue offered testimony. There followed a brief Board discussion with questions to staff and the speakers.

8. Zoning Text Amendment No. 10-11

To amend the Zoning Ordinance to make certain administrative and technical modifications and clarifications throughout the Ordinance

Staff Recommendation: Transmit Comments to the County Council
(Action Required for County Council Public Hearing of 9/21/10)

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: ALFANDRE, PRESLEY ABSENT

Action: Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

Development Review Division staff offered a brief presentation regarding the Zoning Text Amendment (ZTA) request sponsored by Council President Floreen, at the request of the ZTA Advisers, to amend the Zoning Ordinance to make various administrative and technical amendments throughout the Ordinance for the purposes of clarifying technical language, providing cost-saving measures, and adding more detail to support existing practices with respect to the Hearing Examiner and the District Council procedures and oral arguments on Local Map Amendments.

9. Closed Session

Pursuant to Maryland State Government Code Annotated Section 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 State citation and open session report in narrative minutes.

10. Closed Session

Pursuant to Maryland State Government Code Annotated Section 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.

11. Closed Session - POSTPONED

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

20. Closed Session

Pursuant to Maryland State Government Code Annotated Section 10-508(a)(13) to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

13. Closed Session

Pursuant to Maryland State Government Code Annotated Section 10-508(a)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of Commission appointees, employees, or officials; or to discuss any other personnel matter that affects 1 or more specific employees

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

12. Preliminary Plan 120070070, 939 Grays Lane

R-90 zone; 2.29 acres; 2 lots and 3 outlots requested; 2 one-family detached residential dwelling units with the potential for 3 additional dwelling units if future septic approvals can be obtained; located on the north side of Grays Lane, 1,000 feet west of Kemp Mill Road; Kemp Mill

Staff Recommendation: Denial

BOARD ACTION

Motion: **WELLS-HARLEY/DREYFUSS**

Vote:

Yea: **3-0**

Nay:

Other: **ALFANDRE, PRESLEY ABSENT**

Action: **Approved applicant’s request for a deferral.**

In keeping with the September 3 technical staff report, Development Review staff offered a multi-media presentation of the request to create two lots and three outlots for two one-family detached residential dwelling units, with the potential for two additional dwelling units if future septic approvals can be obtained, on a 2.29-acre property located on the south side of Grays Lane west of Kemp Mill Road. Staff noted that after review of the proposed request, based on insufficient documentation submitted by the applicant regarding an easement to the existing dirt road, and non-compliance with the subdivision regulations, staff recommends denial of the proposed request.

Mr. Stuart Barr, attorney representing the applicant introduced Mr. Irah Donner the applicant, and Messrs. Joseph Davis and Curt Schreffler, members of the applicant’s team. Mr. Barr discussed in detail the proposed request and disagreed with the staff recommendation of denial.

The following speakers offered testimony: Mr. Mark Friedman of Grays Lane, abutting property owner, and Mr. Pesach Mehlman of Grays Lane,

At the Board’s request, Legal staff to the Board offered clarification and comments.

Following extensive Board discussion, and questions to staff and the applicant’s representative, Mr. Barr requested a deferral.

14. Development Plan Amendment No: DPA-05-2: Branch Banking & Trust Company (BB&T)

Applicant requests Schematic Development Plan Amendment for the property in the C-T zone, located at 2907, 2909 W. University Blvd & 11107 Valley View Avenue, Kensington

(Action Required for Hearing by the Hearing Examiner on 09/24/10)

BOARD ACTION

Motion: **DREYFUSS/WELLS-HARLEY**

Vote:

Yea: **3-0**

Nay:

Other: ALFANDRE, PRESLEY ABSENT

Action: Contrary to the staff recommendation of denial, agreed to recommend approval with additional binding elements identified in discussion, as stated in the attached Letter of Transmittal.

Development Review staff presented the proposed development plan amendment and the associated revised schematic development plan to revise two conditions to remove development limitations and expand the property to include adjacent lot 22, for development of a bank and drive-through, as detailed in the staff report. Staff recommends denial because the proposed development does not fulfill the purpose of the C-T Zone to provide an appropriate transition between a one-family residential area and high-intensity commercial development. In addition, staff finds that the proposal is contrary to the goals and recommendations of the Sector Plan.

Mr. Jody Kline, attorney; Mr. Dick Prosser of the applicant company; Mr. Tim Madden, the landscape architect; and Mr. Joe Davis, the land planner, discussed the proposed development, design elements intended to retain the residential character, the master plan recommendations, and how the development will serve the transitional purpose of the zone.

Mr. Greg Baker, representing the Wheaton Urban District Advisory Committee; Ms. Judy Higgins, representing the Kensington View Civic Association; Ms. Virginia Sheard of Geiger Avenue; and Mr. John Camp, a real estate broker working with the applicant, offered comments.

Mr. Kline offered rebuttal testimony and responded to questions from the Board, including a query from Chair Carrier about additional voluntary binding elements to limit development to what is shown on the schematic development plan and address setbacks and development restrictions along the rear property line.

15. Forest Conservation Plan No. MR2007901 - Long Branch Bridge Stream Valley Park - Trail Bridge and Sidewalk (Limited Amendment)

Limited amendment to change conditions as a result of design and physical constraints

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 3-0

Nay:

Other: ALFANDRE, PRESLEY ABSENT

Action: Approved the staff recommendation.

Environmental Planning staff presented the proposal to delete a condition of the approved forest conservation plan for the Long Branch walkway-bridge and sidewalk. The condition relates to grading and fencing to preserve one and improve conditions for a second tulip poplar tree on the north side of the trail. Staff explained that design changes related to WSSC and ADA requirements prevent compliance with the condition.

Mr. Rick Nelson, representing the Department of Housing and Community Affairs, concurred in the staff recommendation.

16. Mandatory Referral: West Cedar Lane Shared Use Path from Old Georgetown Road (MD187) to Rockville Pike (MD355), MCDOT CIP No. 501000, MR#2010812

Staff Recommendation: Approval with Comments

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: ALFANDRE, PRESLEY ABSENT

Action: Approved the staff recommendation to approve with comments, modified in discussion, as stated in the attached Letter of Transmittal.

Transportation Planning staff presented the mandatory referral review of a proposed shared use path along the southern side of West Cedar Lane, as detailed in the staff report.

Mr. Edgar Gonzalez, Department of Transportation, offered comments and responded to questions from the Board.

Mr. Allen Myers, representing the Maplewood Citizens Association, offered comments.

There followed some discussion of the need for on-street parking, safety concerns related to car doors opening into the bike path area, and the design constraints posed by existing utility poles. In making the motion, Commissioner Dreyfuss supported modifying the alignment of the path, rather than eliminating the parking lane on the north side and realigning the roadway.

17. Roundtable Discussion (postponed from 7/29)

A. BRAC Studies Update

1. MD 355 Crossing at Medical Center Metrorail Station Study

2. Chevy Chase Valley access study

B. Chevy Chase Lake Sector Plan - Transportation Analysis Methodology and Boundaries

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **Discussed and provided guidance to staff as noted below.**

A. BRAC Studies Update

1. MD 355 Crossing at Medical Center Metrorail Station Study—Transportation Planning staff reported that the schedule for selecting one of four alternatives for a project to improve access to NIH across MD 355 for pedestrians and bicycles has been changed, allowing additional time for County Department of Transportation, Transportation Planning staff, and Planning Board review and comment.

2. Chevy Chase Valley access study—Mr. Edgar Gonzalez and Mr. Fred Lees, County Department of Transportation, reported on the findings and recommendations of a study to address access issues raised by the Chevy Chase Valley community at the mandatory referral review hearing on the State Highway Administration’s proposed road improvements at the intersection of Connecticut Avenue and Jones Bridge Road in preparation for traffic increases due to Base Realignment and Closure (BRAC) actions. The primary recommendation includes construction of an extension of a road through North Chevy Chase Local Park. Transportation Planning staff and Parks Department staff raised several issues related to the recommendation, including the need for additional review of the impact to the park.

B. Chevy Chase Lake Sector Plan—Transportation Analysis Methodology and Boundaries—Transportation Planning staff discussed community concerns about the impact of future development in the Chevy Chase Lake Sector Plan area on other intersections to the north and south, and a request to extend the transportation analysis associated with the Sector Plan outside the Plan boundaries along Connecticut Avenue south to Woodbine Street and north to the Beltway. Subsequent requests were received to extend the analysis from Chevy Chase Circle northward to include the Town of Kensington. Staff discussed how the forecast model considers area-wide development and transportation system changes.

In discussion, staff offered a compromise scenario, which the Board accepted, to extend the transportation analysis boundary north to the Beltway and south to Bradley Boulevard.

18. Briefing: Josiah Henson Special Park Master Plan Staff Draft - REVISED

Discuss Josiah Henson Special Park Master Plan Staff Draft, set date for public hearing, and approve park name change.

Staff Recommendation: Approval to Change Park Name from Uncle Tom's Cabin Special Park to Josiah Henson Special Park; Approval to Publish Staff Draft for Purposes of Planning Board Public Hearing, to be Scheduled October 28, 2010
(No Public Testimony Will Be Taken)

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 3-0

Nay:

Other: ALFANDRE, PRESLEY ABSENT

Action: Approved the staff recommendation to approve for publication and schedule the public hearing for October 28, 2010.

Prior to taking up this item, Chair Carrier noted for the record that she lives in proximity to this park and knows the representatives of Luxmanor Citizens Association who are present to testify.

Parks Director Mary Bradford noted that staff is withdrawing the request to rename the park at this time. Staff is conferring with various partners and others who are interested to determine the most appropriate name for the park.

Parks Department staff then presented an overview of the master plan to create the vision for the special park, including planning, design, construction, interpretation, and operation of this highly significant cultural resource, as detailed in the staff report. Staff also discussed the public process and community input, development of a museum, interpretive themes and exhibits, and implementation and project staging of goals and objectives.

Ms. Della Stollsworth and Ms. Paula Bienenfeld, representing the Luxmanor Citizens Association, and Ms. Anita Neal Powell of the Maryland Commission on African American History and Culture offered comments in support of the park.

19. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan - May 2010

Water and sewer category changes

Staff Recommendation: Transmit Recommendations to the County Council

BOARD ACTION

Motion:

- 1. DREYFUSS/WELLS-HARLEY**
- 2. DREYFUSS**
- 2. WELLS-HARLEY/CARRIER**
- 3. DREYFUSS/WELLS-HARLEY**
- 4. WELLS-HARLEY/DREYFUSS**

Vote:

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

Nay: 2. DREYFUSS

Other: ALFANDRE, PRESLEY ABSENT

- Action:**
1. Approved the staff recommendation to deny category change request 07A-TRV-10, Travilah Oak LLC, as stated in the attached Letter of Transmittal.
 2. Motion to approve, contrary to the staff recommendation to deny, category change request 07A-CLO-09, Pullen Property.
FAILED FOR LACK OF A SECOND.
 2. Approved the staff recommendation to deny category change request 07A-CLO-09, Pullen Property, as stated in the attached Letter of Transmittal.
 3. Approved the staff recommendation to deny category change request 09A-TRV-05, Jamshidi & Vafai, as stated in the attached Letter of Transmittal.
 4. Approved the staff recommendation to approve category change request 09A-TRV-06, Hanson Family, as stated in the attached Letter of Transmittal.

Prior to taking up the proposed water and sewer category changes, Mr. Alan Soukup, County Department of Environmental Protection (DEP), provided an overview of the category change process.

Environmental Planning staff presented the four water and sewer category change requests, as detailed in the staff report, and the Board heard testimony and took action on each request in turn. Staff concurred in the recommendation of the County Executive for three of the four category change requests, and recommends against granting unlimited S-3 service to the Pullen property (07A-CLO-09), while the County Executive proposes to make an exception for this property and grant the request.

Mr. Phil Perrine and Mr. Guy Semmes, representing the applicant; Ms. Ginny Barnes, representing the West Montgomery County Citizens Association, the North Potomac Citizens

19. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan - May 2010

Association, the Darnestown Civic Association, and the Montgomery Countryside Alliance; Ms. Susanne Lee of Rockville; and Mr. Sanfred Larson and Mr. Sprigg Lynn of Potomac, offered testimony on category change request 07A-TRV-10, Travilah Oak LLC.

Mr. Soukup offered information and responded to questions from the Board as needed.