



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 6, 2011, at 11:03 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 Norman Dreyfuss. Commissioner Amy Presley joined the meeting at 12:04 p.m., just prior to the lunch recess.

Prior to the meeting, the Board participated with the members of the Prince George's County Planning Board in a Closed Session conference call of The Maryland-National Capital Park and Planning Commission (M-NCPPC) in the third floor conference room, which was convened at 9:10 a.m. and adjourned at 10:13 a.m., followed by an open session conference call from 10:33 a.m. to 11:03 a.m. The official citation and open session report of the Closed Session meeting, and the report of open session actions are included in the M-NCPPC minutes.

Items 1, 14, 11, 12, and 2 through 4, taken up in that order, are reported on the attached agenda.

The Board recessed at 12:06 p.m. for lunch and to take up Items 13 and 15 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 two Closed Sessions:

The Board convened in Closed Session at 12:15 p.m. in the third floor conference room, on motion of Commissioner Dreyfuss, 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 §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 David Lieb and Carol Rubin of the Legal Department; and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board consulted with Legal Counsel on issues related to procedures for reviewing requests for reconsideration in general, particularly in terms of conflicts of jurisdiction when appeals have been filed in tandem with requests for reconsideration, and related to the request for reconsideration of the Board's action on the Hilltop Farm preliminary plan on the afternoon agenda.

The Closed Session was adjourned at 12:42 p.m.

The Board reconvened in Closed Session at 1:05 p.m. at Cubano's Restaurant in Silver Spring, Maryland, 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 §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 one or more specific employees.

In Closed Session, the Board discussed Departmental management issues.

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

The Board reconvened in the auditorium at 2:10 p.m.

Items 5 through 10 are reported on the attached agenda.

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, October 13, 2011, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye
Technical Writer

M. Clara Moise
Technical Writer

Montgomery County Planning Board Meeting
Thursday, October 6, 2011
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

M-NCPPC Closed Session

Pursuant to State Government Article Annotated Code of Maryland 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. Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations. Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(7) to consult with counsel to obtain legal advice

M-NCPPC ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See official citation and open session report in the minutes of The Maryland-National Capital Park and Planning Commission.

M-NCPPC Open Session: Ratification of Closed Session Discussion

Ratification of closed session discussions or decisions pertaining to 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. Ratification of closed session discussions or decisions pertaining to collective bargaining negotiations or matters that relate to the negotiations.

M-NCPPC ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: See report of action in the minutes of The Maryland-National Capital Park and Planning Commission.

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. 220111430, Whitehall Manor](#); R-90 zone; 1 lot; located in the southwest quadrant of the intersection of Durbin Road and Honeywell Lane; Bethesda-Chevy Chase.
Staff Recommendation: Approval

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the Record Plat 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**

Minutes of September 15 and September 22, 2011

BOARD ACTION

Motion: **WELLS-HARLEY/ANDERSON**

Vote:

Yea: **4-0**

Nay:

Other: **PRESLEY ABSENT**

Action: **Approved the minutes of September 15 and 22, 2011, as presented.**

11. [Great Seneca Science Corridor \(GSSC\) Master Plan](#)

Staff Recommendation: Open Stage 1 of the Great Seneca Science Corridor Master Plan for Approval of Development Plans

BOARD ACTION

Motion: **ANDERSON/WELLS-HARLEY**

Vote:

Yea: **4-0**

Nay:

Other: PRESLEY ABSENT

Action: Approved the staff recommendation to open development Stage 1.

Planning Department presented information in support of opening development Stage 1 for the Great Seneca Science Corridor Master Plan and accepting applications for new development in the Life Sciences Center, as detailed in the staff report.

***12. [Preliminary Plan and Preliminary Water Quality Plan 120110080 – 9800 Medical Center Drive](#)**

Request to add 230,929 square feet of Research and Development space on an existing lot approximately 18.14 acres in size in the LSC Zone; south side of Medical Center Drive and the west side of Shady Grove Road. Part of Stage 1 of the Great Seneca Science Corridor Master Plan, Piney Branch SPA

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the staff recommendation to approve with revised conditions, as stated in the attached Board Resolution.

Planning Department staff presented the preliminary plan and preliminary water quality plan for a proposal to add 230,929 square feet of Research and Development space, in addition to the 313,650 square feet of R&D space previously approved, for a total of 544,579 square feet on a recorded lot in the Life Sciences Center, as detailed in the staff report. Staff noted that this is the first application to be reviewed by the Board in development Stage 1 of the Great Seneca Science Corridor Master Plan. A water quality plan is required because the property lies within the Piney Branch Special Protection Area. Staff noted that the applicant requests a 10-year adequate public facilities validity period, which is the longest possible validity period. Staff recommends a 7-year validity period to discourage hoarding of development capacity. Concluding, staff reviewed proposed revisions to the conditions of approval and responded to several issues raised in correspondence.

Mr. Robert Brewer, attorney representing the applicant, concurred in the staff recommendation, as revised, and Mr. Scott Roberts of the applicant company offered comments.

2. Worksession for the Draft Urban Design Guidelines for the Wheaton CBD and Vicinity Sector Plan - POSTPONED

Staff Recommendation: Preliminary Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

3. Worksession for Urban Design Guidelines for the Takoma Langley Crossroads Sector Plan - POSTPONED

Staff Recommendation: Preliminary Approval and Transmittal to Council

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

[4. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan- 2011-3 Category Change Requests \(Administrative Group\)](#)

Staff Recommendation: Transmit Recommendations to the County Executive

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 4-0-1

Nay:

Other: PRESLEY ABSTAINED

Action: Approved the staff recommendations for transmittal to the County Executive.

Planning Department staff presented seven water and sewer category change requests for approval under the administrative process, as detailed in the staff report. Staff noted that the changes fit within established policies and are non-controversial.

Mr. Alan Soukup, County Department of Environmental Protection (DEP), offered comments.

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.

15. Closed Session

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

14. Reconsideration Request for Hilltop Farm, Preliminary Plan No. 120050740

A. Reconsideration Request of Peter Eeg, et al. for Hilltop Farm, Preliminary Plan No. 120050740, MCPB No. 11-48.

B. Reconsideration Request of Boyds Civic Association, et al. for Hilltop Farm, Preliminary Plan No. 120050740, MCPB No. 11-48.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There was no motion to reconsider.

Legal Counsel to the Board presented two submitted requests to reconsider the approval of the Preliminary Plan 120050740 for Hilltop Farm, as set forth in the staff report.

5. Little Bennett Regional Park Day Use Area

*A: [Forest Conservation Plan: PP2012002 - Little Bennett Regional Park Day Use Area](#); Located on the east side of Frederick Road (MD 355) approximately one-half mile north of Comus Road, Agricultural and Rural Open Space Master Plan area.

Staff Recommendation: Approval with Conditions

B: Park Facility Plan: Little Bennett Regional Park Day Use Area; Facility Plan for a new day use area, 65 acres of 137.62 acre site, located on the east side of Frederick Road (MD 355) approximately one-half mile north of Comus Road, Agricultural and Rural Open Space Master Plan area.

Staff Recommendation: Approve Facility Plan and Cost Estimate

BOARD ACTION

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

Vote:

Yea: **A. 5-0**
 B. 5-0

Nay:

Other:

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

B. Approved staff recommendation for approval of the Facility Plan and cost estimate, as discussed during the meeting.

In keeping with the September 22 technical staff report, Parks Department staff and consultants Messrs. Lanshing Hwang, Steven Torgerson, James Cutler, and Ms. Christine Kelley offered a multimedia presentation of the proposed park facility plan for a new day use area consisting of 65 acres of the 137.62 acres Little Bennett Park located on the east side of Frederick Road in the Clarksburg Master Plan area. Staff noted that the proposed area will be designed to emphasize the natural features of the site and the overall amount of proposed forest clearing is very low. There will be a playground facility and a visitors' center building.

Mr. James Cutler, architect for the proposed project, discussed in detail the proposed building architectural features, placement, and construction, and noted that the building will house classrooms and a visitors' center. He also discussed the proposed landscaping plan.

Planning Department staff discussed the proposed forest conservation plan and noted that the plan proposed 0.71 acres of forest clearing and 76.70 acres of forest retention and does not generate planting requirement. Staff added that the proposed plan meets all applicable requirements of the forest conservation law through minimization of forest loss and protection of existing forest.

5. Little Bennett Regional Park Day Use Area

Parks Department Director Mary Bradford offered comments.

The following speakers offered testimony: Mr. Lou Sousa representing Friends of Little Bennett Park; Mr. Jack Cochrane representing Montgomery Bicycle Advocates; and Mr. Henry S. Hamm Jr. of Frederick Road, an abutting property owner.

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

6. Roundtable Discussion

Southern Parks Division Briefing – discussion of Division structure, equipment, operations, methods, and challenges

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Parks Department Southern Region Division Chief regarding the Southern Parks Division structure, staffing, equipment, operations, and challenges, followed by Board discussion and questions to staff.

9. Park Facility Plan: Woodside Urban Facility Plan for Park Renovation

A. Preliminary Forest Conservation Plan: Woodside Urban Park

Staff Recommendation: Approval with Conditions

B. Park Facility Plan: Woodside Urban Park Plan for Park Renovation, 2.34 acres, located at the northwest corner of Georgia Avenue and Spring Street, North & West Silver Spring Master Plan area.

Staff Recommendation: Approve Facility Plan and Cost Estimate

BOARD ACTION

Motion:

A. ANDERSON/PRESLEY

B. ANDERSON/WELLS-HARLEY

Vote:

Yea: A. 5-0

B. 5-0

Nay:

Other:

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

B. Approved staff recommendation for approval of the Facility Plan and cost estimate, as discussed during the meeting.

In accordance with the September 22 technical staff report, Parks Department staff and consultants Messrs. Lanshing Hwang , Steven Torgerson, James Cutler, and Ms. Christine Kelley

offered a detailed multimedia presentation of the proposed park facility plan for the 2.62-acre Woodside Urban Park located at the corner of Woodside Avenue and Georgia Avenue. Staff noted that the facility plan is presented at this time in order to meet the schedule for inclusion of the project in the FY13-18 Department of Parks Capital Improvements Program. The project will cost approximately \$6.5 million to build and about \$17,000 per year in upkeep, and will include an urban streetscape of various grades surrounded by a community garden, tennis courts, picnic areas, a rain garden and benches, slides on one end of the park going from one level of the streetscape to the lower level, and lighting for safety at night. Staff noted that the park is adjacent to the Montgomery County Government Center (Department of Health and Human Services), to the north, a single-family residential neighborhood to the west, transitional mixed-use development to the south, townhouses in the Woodside Station neighborhood and the M-NCPPC Montgomery County Regional Office to the east. The park was originally designed to buffer residential neighborhoods from commercial development and to offer a variety of recreational opportunities. Parks Department staff met with staff from the Montgomery County Department of General Services and the Department of Health and Human Services on May 10, 2010, to discuss the scope of the upcoming park facility plan project and the possibility of coordinating the design for both facilities. Staff also noted that three public meetings were held to receive comments, the last one on July 25, 2011.

9. Park Facility Plan: Woodside Urban Facility Plan for Park Renovation

At the Board’s request, Mr. Don Scheuerman of the Montgomery County Department of General Services offered comments.

Commissioner Anderson noted that he hopes that the plan can be implemented sooner. He also suggested more open sightlines throughout the park to increase safety and questioned the proposed streetscape, which would attract skateboarders.

There followed extensive Board discussion with questions to staff and Mr. Scheueman.

8. Seneca Crossing Local Park

***A. Preliminary Forest Conservation Plan: Seneca Crossing Local Park**

Staff Recommendation: Approval with Condition

B. Park Facility Plan: Seneca Crossing Local Park ; New park located on the south side of Brink Road at the intersection with Ridge Road (MD27), 27.8 acres, RE-2/TDR, Germantown Master Plan.

Staff Recommendation: Approve Facility Plan and Cost Estimate

BOARD ACTION

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

Vote:
Yea: **A. 5-0**
 B. 5-0

Nay:

Other:

Action: **A. Approved staff recommendation for approval of the Forest Conservation Plan, subject to condition, as stated in the attached Board Resolution.**

B. Approved staff recommendation for approval of the Facility Plan and cost estimate, as discussed during the meeting.

In keeping with the September 21 technical staff report, Parks Department staff and Mr. Marc Gionet, consultant, offered a detailed multi-media presentation of the proposed park facility plan for the Seneca Crossing Local Park. Staff noted that the proposed plan was developed after a careful analysis of the site’s features, the recreational and open space needs for this area of the county, and after listening to the community’s suggestions and concerns. Staff noted that Germantown is one of the fastest growing areas in the County and the proposed park facility will meet both passive and active uses. The proposed plan takes into account safety, accessibility, maintenance, and aesthetics. The park is designed to meet the needs of park users and will be an important community gathering place with recreational amenities for the residents of northern Montgomery County.

Mr. Marc Gionet, architect for the project, discussed in detail the proposed building architectural features and placement, and the proposed landscaping plan.

Planning Department staff discussed the forest conservation plan for the proposed park and noted that in addition to preserving the existing forest, the Parks Department plans to plant 1.98 acres of forest along the southern slopes to meet forest conservation requirements, and will supplement this planting with another 3.64 acres to provide forested buffer between the park and the existing community. Staff added that the proposed plan meets all applicable requirements of the forest conservation law through protection of existing forest and minimization of forest loss.

There followed a brief Board discussion with questions to staff.

7. Worksession for Countywide Park Trails Plan Amendment - Objectives, Outreach, & Schedule

The Department of Parks asks the Planning Board to approve the objectives, outreach strategy and schedule for an amendment to the Countywide Park Trails Plan. The amendment will: examine trail corridors in more detail to determine environmental suitability; study trail gaps more closely; and incorporate recommendations from Vision 2030 including but not limited to improving trail access in areas of the County identified as having a lower level of service and designating more natural surface trails as multi-use.

Staff Recommendation: Approval

BOARD ACTION

Motion: **ANDERSON/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: Approved staff recommendation for approval of the objectives, outreach strategy, and schedule for an amendment to the Countywide Park Trails Plan.

Parks Department staff discussed a proposed amendment to the 2008 Countywide Park Trails Plan (CWPTP). Staff noted that the CWPTP established the vision for a robust network of natural and hard surface park trails and non-park bikeway connectors that link trails. It offers recommendations for new trails and trail improvements for eight trail planning corridors. Although the CWPTP has guided park trail planning and alignment decisions for the past thirteen years, resulting in several miles of new hard surface and natural surface trails, Parks Department staff believes the plan needs to be revisited to address needs and concerns related to incorporating the latest thinking on long-range park planning, addressing implementation difficulties, highlighting Master Plan inconsistencies, organizing the plan more logically and strategically, questioning allowable uses, and addressing the role of park trails as recreational versus transportation facilities. This amendment will be the first to comprehensively examine the CWPTP, including the assumptions and recommendations for the specific trail planning corridors. Multiple objectives for this amendment are proposed and are listed in the September 30 technical staff report. Staff added that the staff draft plan is scheduled to be discussed at the Planning Board in April 2012, with the public hearing draft available in June 2012 and worksessions taking place during the summer/fall of 2012, following various public meetings, including meetings with the Trails Working Group, Montgomery County Bicycle Action Group (MCBAG), and Countywide Recreation Advisory Board in November, December 2011, and January 2012.

The following speakers offered testimony: Mr. Jack Cochrane representing Montgomery Bicycle Advocates; Mr. Austin Steo representing the Trail Conservancy; and Mr. Joe Fritsch representing the Mid-Atlantic Off-Road Enthusiasts (MORE).

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

10. Roundtable Discussion

[Subdivision Staging Policy](#) - Discussion of school capacity issue in Northwest cluster.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Planning Department staff followed by discussion and questions to staff.

Following Planning Department staff brief presentation and discussion, the Board instructed staff to prepare an informal letter to the County Council to inform them of a potential change in the school facility payment and moratorium status for the Northwest School cluster.

Mr. Robert Brewer, attorney, offered comments.