



**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, November 14, 2013, at 12:04 p.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 9:10 p.m.

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

Items 10, 3, 4, 5, 6, and 8, discussed in that order, are reported on the attached agenda.

The Board convened in Closed Session at 1:17 p.m. in the 3<sup>rd</sup> floor conference room to take up Items 1 and 11, on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley 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 State Government Article Annotated Code of Maryland 10-508(a)(7) to consult with counsel to obtain legal advice.

Also present for the Closed Session were Associate General Counsels Carol Rubin, David Lieb, Megan Chung, and Nicholas Dumais of the Legal Department; Director Gwen Wright and Deputy Director Rose Krasnow of the Planning Department; Director Mary Bradford, Deputy Director Michael Riley, and Mitra Pedoeem of the Parks Department; and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received briefing from Parks Department staff, Planning Department staff, and legal counsel to the Board, regarding the proposed Montgomery County Park and Planning new headquarters building in Wheaton and received advice from counsel regarding the Ganassa property reconsideration request.

Items 2 through 9 are reported on the attached agenda.

The Board recessed for dinner at 3:28 p.m.

The Board reconvened in the auditorium at 6:04 p.m.

Item 9 is reported on the attached agenda.

MCPB, 11-14-13, APPROVED

There being no further business, the meeting was adjourned at 9:10 p.m. The next regular meeting of the Planning Board will be held on Thursday, November 21, 2013, in the Montgomery Regional Office in Silver Spring, Maryland.

Tomasina Ellison  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, November 14, 2013**  
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. 220131480, Edgemoor**

R-60 zone; 1 lot; located on the north side of Moorland Lane, 250 feet west of Exeter Road; Bethesda-Chevy Chase Master Plan.

**Subdivision Plat No. 220140160, Homewood**

R-60 zone; 1 lot; located on the west side of Meredith Avenue, 100 feet south of Blueford Road; Kensington -Wheaton Master Plan.

**BOARD ACTION**

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

**Vote:**

**Yea:**               **5-0**

**Nay:**

**Other:**

**Action:**        **Approved staff recommendation for approval of the Record 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 3, 2013

**BOARD ACTION**

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

**Vote:**

**Yea:**                **5-0**

**Nay:**

**Other:**

**Action:**        **Approved Planning Board Meeting Minutes of October 3, 2013, as submitted.**

**10. Approval of Departmental Budget**

CAS Departments

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by Board discussion, and provided guidance to staff.**

Central Administrative Services (CAS) staff discussed requests for proposed Fiscal Year 2015 (FY15) budget expenditures which include the Department of Human Resources and Management (DHRM), the Finance Department, the Merit System Board, CAS Support Services, Office of Internal Audit, and the Legal Department, as well as the proposed budgets for the Internal Service Funds. Proposed FY15 budgets encompass mandatory operating commitments and work program priorities. Staff discussed each departmental budget request while providing details of how the funds would be used in maintaining daily operations and continued support of existing employment programs.

The Planning Board inquired about safety provisions installed in work facilities and the proposed creation of safety-related positions. Also, the Board instructed staff to separate proposed positions from the request for funding of existing positions. The Board also inquired about the function of the Wellness Coordinator.

Staff briefly discussed activities that the Wellness Coordinator has implemented such as diabetes screening and flu shots.

The Board discussed the fact that Prince George’s County has a separate wellness program while CAS is planning to incorporate the entire Commission into one program. The Board inquired about the need for a full-time Wellness Coordinator and the duplication the CAS program would create for Prince George’s County.

Staff discussed the decrease in requested funding as a result of the streamlining of services and duties of staff.

**\*3. Bounding Bend Residual Preliminary Plan No. 120130030**

Resubdivision of one lot (Parcel 331) and Outlet D into two lots for the construction of one new single-family detached dwelling unit on 1.01 acres of land in the R-90 Zone; located at 7915 Bounding Bend Court, Derwood in the Shady Grove Sector Plan area.

*Staff Recommendation: Approval with conditions and adoption of Resolution*

**BOARD ACTION**

**Motion: DREYFUSS/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of Preliminary Plan for Bounding Bend, subject to conditions, and adopted the submitted Resolution, as attached.**

Planning Department staff discussed a 1.01-acre subject property located on Bounding Bend Court. The applicant is requesting to resubdivide the subject property into two lots for the construction of one new single-family detached dwelling unit. Staff noted that the applicant is requesting a waiver to install sidewalks on each side of the driveway apron of the proposed housing unit because of a lack of sidewalks in the immediate area. The proposed lots are similar in character as existing lots in the surrounding neighborhood. The applicant has submitted the Forest Conservation Plan (FCP) and will meet the planting requirement by planting trees off-site. Staff also noted minor language changes in the Resolution that are not reflected in the staff report.

Mr. Norman Knopf, attorney representing the applicant, agreed with the staff recommendation.

#### **4. Special Exception No. 14-02: International Children’s Center**

Request for a Special Exception for up to 30 children for an existing child day care facility, 15901 New Hampshire Avenue, 2.31 acres, RE-1 Zone, Cloverly Master Plan

(Action Required for Hearing by the Hearing Examiner on December 20, 2013)

*Staff Recommendation: Approval with Conditions*

### **BOARD ACTION**

**Motion: DREYFUSS/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Special Exception for International Children’s Center, subject to conditions, as stated in the attached staff Resolution.**

Planning Department staff offered a multi-media presentation and discussed a 2.31-acre subject property located on New Hampshire Avenue. The applicant has requested a Special Exception to expand the existing licensed childcare facility by increasing the number of children permitted from 12 to a maximum of 30. The applicant is also requesting approval to provide infant care, as well as pre-school and before and after school care, for children attending the local elementary school. The 1,400 square foot daycare will be located on the main level of an existing single-family structure.

Ms. Ellie Salour, the applicant, offered comments and answered questions from the Planning Board.

The Board inquired about the number of children allowed in the center currently, the number of children that play outside, and the history of any neighbor complaints about noise from the children.

The Board advised the applicant that the Special Exception would limit the number of allowed employees to five. The Board advised staff to add a condition to the Resolution that would require the applicant to construct a solid fence around the play area to address possible future complaints of noise.

**5. Board of Appeals No. SE14-01**

7336 Piney Branch Road, R-60 Zone, 0.79 acres, Special Exception for Soraia Leventhal requesting approval of a child care facility for up to 12 children; located at 7336 Piney Branch Road, Takoma Park

**(Scheduled for Hearing Examiner: December 13, 2013)**

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: PRESLEY/ANDERSON**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Special Exception for the child care center, subject to conditions, as stated in the attached Resolution.**

Planning Department staff offered a multi-media presentation and discussed the 0.79-acre subject property located on Piney Branch Road. The applicant is requesting a Special Exception for a child care center that will allow the accommodation of up to 12 children. Staff noted that the applicant is also requesting approval for Saturday operation of a four-hour art class, for a maximum of eight children.

Ms. Soraia Leventhal, the applicant, answered questions from the Planning Board.

Planning staff noted that the property does not have a parking garage, rather a gravel parking pad that can accommodate up to two cars. The subject property is located near a Ride On bus stop which is currently used by program participants.

Legal counsel to the Planning Board advised that the language of Condition 2 be changed to reflect the hours referenced in Condition 3.

The Board inquired about traffic flow to and from the center in the event of inclement weather.

Ms. Leventhal noted that current participants walk to the center.

The Board instructed staff to change Condition 5 to extend the parking time permitted on-site and to extend the Saturday class end-time so that child pickups can be staggered to avoid traffic backups on Piney Branch Road. The Board also instructed staff to clarify changes in the request for Special Exception for the benefit of the Hearing Examiner.

**\*6. Preliminary Plan Amendment No. 11996048A (In Response to a Violation): Greentree Estates, Lot 3**

Modify the Category I Conservation Easement on the property located at 9704 Carmel Court, 0.48 acres, R-200 Zone, Potomac Master Plan

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

**BOARD ACTION**

**Motion: DREYFUSS/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Preliminary Plan, subject to conditions, and adopted the submitted Resolutions.**

Planning Department staff offered a multi-media presentation and discussed a 0.48-acre subject property located on Carmel Court. The applicant is requesting the removal of 884 square feet of Category I conservation easement to satisfy a violation. Staff noted the proposed mitigation of purchasing 1,768 square feet offsite mitigation credit at a Forest Conservation Mitigation Bank and a revision of the record plat to modify the easement. Permanent forest conservation markers will be placed on the subject property to clearly delineate the remaining Category I easement.

Mr. Josh Maisel, engineer for the applicant, offered comments and agreed with the staff recommendation.

The Board noted minor language changes that were required in the Resolution.

**8. Roundtable Discussion**

- Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**



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

Parks Department Director Mary Bradford discussed the November 1, 2013, recognition of Maryland Emancipation Day at Brookside Gardens and noted the actions of a Park Police Officer who successfully rescued a driver from a burning car. Staff also discussed the transmittal of the Fiscal Year 2015-2018 (FY15-18) Capital Improvements Plan (CIP) letter to the County Executive and the possibility that the Hillandale Fire Department may vacate their location at Hillandale Park. Residents of the group home located at Ellsworth Urban Park have expressed concern about future use of the park. During a facility plan public meeting, neighbors surrounding Caroline Freeland Park expressed concern regarding lighting in and around the park.

The Planning Board briefly discussed the agreement between the Parks Department and the Maryland Transit Administration (MTA) regarding the Purple Line and the impact to County parks.

Legal counsel to the Planning Board noted that the Maryland Transit Authority (MTA) has offered to make a presentation regarding the Purple Line alignment however it was unclear as to whether the presentation will be to the Montgomery County Planning Board or to the full County Council.

## **1. 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.**

## **11. 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.

**9. Amendment to the Master Plan for Historic Preservation: M-NCPPC Park Resources – Public Hearing Continued from October 17 and Worksession**

Public Hearing Part 2 and Worksession for Amendment to the Master Plan for Historic Preservation and/or Addition to the Locational Atlas and Index of Historic Sites for 8 M-NCPPC resources:

- Wheaton Youth Center (31/48), 11711 Georgia Avenue;
- Stubbs House (31/3-1) and Stubbs Barn (31/3-2), 2000 Shorefield Road, Wheaton Regional Park;
- Rock Creek Recreation Center (36/90), 7901 Meadowbrook Lane;
- Ken-Gar--Palisades Recreation Center (31/49), 4140 Wexford Drive;
- Pinecrest Recreation Center (32/31), 301 St. Lawrence Drive;
- Viers Mill Recreation Center (31/50), 4425 Garrett Park Road;
- Norbeck Rosenwald School (23/113-2), 4101 Muncaster Mill Road

*Staff Recommendation: Recommend to the County Council the designation of 7 individual sites to the Master Plan for Historic Preservation. Add 7 resources to the Locational Atlas. For one resource, neither add to Locational Atlas, nor recommend Master Plan designation.*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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

The following speakers offered testimony: Ms. Teresa Lachin of Saddle River Drive; Ms. Sharon Ward-Ellis of South Aurora Street; Ms. Marcie Stickle representing the Silver spring Historical

Society; Ms. Fatima Ascobar of Mason Street; Ms. Veronica Funes of Grandview Avenue; Ms. Gloria Amores of Mason Street; Mr. Jesse Jaramillo of Judson Road; Mr. Patrick Braden of Grandview Avenue; Ms. Nohemy Rocha of Grandview Avenue; Mr. Bruce Braden of Grandview Avenue; Ms. Eileen McGuckian of Dinwiddie Drive; Mr. John Honig representing the Montgomery County Commission on Aging; Mr. George French of Albany Avenue; Ms. Nuri Funes of Grandview Avenue; Ms. Angelica Ramirez of Grandview Avenue; Mr. Hugo Sum of Grandview Avenue; Ms. Monica Braden of Grandview Avenue; Mr. Marcos Turcios of Windham Avenue; Ms. Jihan Asher of North Belgrade Road; Ms. Helen Wilkes of Prospect Street; Mr. Mark Pharaoh of Krhum Road; Mr. Paul A. Lofgren representing the Mid-County Recreation Advisory Board; and Mr. M.J. Jardaneh representing the Glenmount Forest Neighbors Civic Association.