

2022 0330 PC Response to written public comments on the 2022 Comprehensive Plan

The Planning Commission appreciates the submission of testimony from many Town residents. The document is long and complex and the fact that these residents cared about it enough to submit their thoughtful feedback is heartening. We have thanked all of them for their public spirit and participation.

It is important to remember the Washington Grove Comprehensive Plan is broad and flexible in its nature. The Planning Commission considers it planning guidance, not to be regarded as a planning mandate. The decisions about what to do will be made by the Town Mayor and Town Council reflecting the needs and wants of the Town residents at any given point in time.

Written Comments by date submitted:

2021 0727 Marc and Peggy Hansen

- 1) Commercial Corner. Adding the possibility of an eating and drinking establishment is unwise. They observe, correctly, that the Town has a very poor track record for enforcing ordinances. Nor is the Town protected by the “special exception” process as the Board of Zoning Appeals cannot deny a special exception based on the “inherent effects” associated with a particular use. These inherent effects would include consideration of odors, food waste, and traffic.
- 2) They state the 2009 Master Plan recommendation for a business improvement tax district should be retained.
- 3) They are strongly opposed to the adoption of a Historic Preservation ordinance. They feel it would stifle the eclectic nature of the Town and that it imposes an unacceptable involuntary financial burden on the homeowners. They suggest instead a historic preservation easement program in which a homeowner can sell a historic preservation façade easement to the Town.

The Planning Commission discussed the new Commercial Corner proposals at length. The new recommendations were added to provide more future flexibility when it might be needed. The comment regarding the difficulty of using the special exception process for this purpose, however, has merit. A cautionary note regarding this limitation of the special exception process has been added to Section 8.2 b so it is given due consideration if/when needed. The 2009 recommendation for a business improvement tax district adds flexibility and is now retained in Section 8.2 as 8.2d.

(2009 MP 8.2 reads “Create a special Tax District for commercial properties to fund, in conjunction with general tax funds, improvements that will reduce the impervious area of the corner, create and maintain more green space improved with appropriate plantings creating a more park/residential setting, improve and maintain the façade of the commercial structures, and improve traffic/pedestrian safety in and around the corner.”)

The Historic Preservation Ordinance is retained as a potential tool for protecting the historic integrity of the Town. This does not mean it is the only tool for such preservation. The Historic Preservation Easement is another useful tool and has been added as a recommendation for Town consideration. See also the letter from the Chair of the Historic Preservation Commission which addresses the Hansen's concerns. The Planning Commission agrees that we should not close the door on consideration of tools to help the Grove plan and manage its future. It will be up to the Town to decide what it wants to do.

2022 0216 Jane Seegal (written version sent in after the public hearing)

- 1) How is mansionization being addressed? Once someone tears down a house and prepares to build a monstrosity, we may not be able to do anything.
- 2) She stated she hopes the Town will move to limit propane tanks.
- 3) She couldn't figure out what the last sentence of the paragraph about the Emory Grove community meant.

The concern regarding destruction of historic properties and the building of very large houses instead has been a subject of discussion for many years now. The main tool to date occurs during "infill" when subdivision occurs. Then the Planning Commission has the ability to ask for extra compatibility as recommended by the HPC review. Such recommendations occur in 2.1.4 a and b (Subdivision and Growth Management) Additional recommendations occur in Section 9.3 b and c (Character and scale of homes), 9.4 a, c and e (Protecting and Preserving Washington Grove's Historic Character), 9.6 a, b and c (Town Neighborhoods), 9.7 a, b and c (Infill Development and Redevelopment). In Section 12.7 d the possibility of an enhanced HPC role in the building permit process is suggested. The importance of an ordinance/s to control demolition is brought up several times.

The Town follows Montgomery County regulations concerning the use and placement of propane tanks.

The Emory Grove paragraph Jane refers to is on page 125. The paragraph is the third one. The information comes from the Racial and Social Equity Committee. The last sentence has been slightly modified to increase its clarity.

2022 0216 John McClelland (Verbal at the public hearing) He said he would submit written testimony and that can be dealt with when it happens.

- 1) He stated that in CP Section 12.3 it is statistically inaccurate to compare Washington Grove (220 acres, about 500 residents) to Montgomery County (320,000 acres, 1.062 million residents). To draw correlations is crazy.

- 2) In the historical section on the racially motivated deed covenants, he'd like to see a more positive tone. The language is very "broad brush" here and to apply it to all residents is unfair.
- 3) Finally, he is concerned about the focus on racial diversity only. What about religion, sexual orientation, gender, political thought, disabilities, and educational level?

Although it is statistically a stretch to compare a small town like Washington Grove to Montgomery County as a whole, the Planning Commission is confident readers will take that fact into account.

The historical section, especially when dealing with the racially motivated restrictive covenants, is frank in delineating the history of this in Washington Grove. In the current political climate, which encourages acknowledging such institutional racism, the Comprehensive Plan seeks to appropriately acknowledge what happened and to move forward. The Plan emphasizes that the Town as a whole is expanding its views and reaching out to new residents, regardless of their background. As stated on page 125, we seek to be "a community with a commitment to encourage and welcome new residents and neighbors, broadening the opportunities for sharing the historic and cultural resources, and the natural environment of Washington Grove, as well as inviting and supporting individuals to share their ethnic, cultural, religious, and family traditions and practices." The Planning Commission feels the section is positive overall and forward-looking.

Comments received from March 13 onward

0313 RASEC

They suggest revision of the following ordinances to facilitate the move toward use of ADUs. No suggestions for revision are given. [NOTE: this suggestion is identical to the one made by Barbara Raimondo, logical since she is the RASEC liaison. See below.](#)

4.2 Definitions of Dwelling and Dwelling Unit

6.1 Accessories to Principal Use

7.2 Use Regulations

0313 Woods Committee

This is testimony supporting the recommendation to change the FR (Forest and Recreation) Zone to FP (Forest Preserve) Zone.

They offer two minor word edits correct inaccurate language. [Accepted.](#)

0315 Barbara Raimondo; in response to PC discussion at the 3/16 work session Barbara submitted an updated version 2 (V2) on 0321 which was used for the CP additions.

Barbara addresses three areas:

Clarifying terminology regarding forest zoning: [Barbara, Christine, Pat and Joan have assembled language for this proposal. See separate attachment. Accepted.](#)

Section 3.3 Walkway/Bikeway Connection: Barbara states this section needs updating and offers a draft to replace the current section with as well as updating the recommendations. A similar update on this subject is suggested under Sec 10 Interjurisdictional Issues. [V2 accepted.](#)

ADUs: Barbara observes that although the CP states in several places the Town supports ADUs there is a dearth of specific zoning changes suggested to accomplish this. She offers several Zoning ordinances which she suggests could be addressed. These are the same ones cited by RASEC (above). [The Planning Commission feels it will be more efficient to propose ordinance changes when the process to adopt ADUs is started. Barbara's language from V2 was used in Section 12 \(Housing\).](#)

0316 Kathy Lehman

Kathy states that she sees no good reason to change the FR zone to FP.

0316 David Cosson

David sent a 4-page detailed list of his edits. [The PC response to each suggestion is contained in a PDF dealing with each suggestion in order.](#)

0325 Forest Zoning Workgroup: Christine Dibble, Pat Klein, Joan Mahaffey, Barbara Raimondo

New language for Section 1.3 FR Zone and all associated recommendations. [Accepted](#)