



Minutes of the Planning Commission Work Session  
April 19, 2023

Approved June 7, 2023

Chairman Peter Nagrod called the meeting to order at 7:30 p.m. This meeting took place via ZOOM videoconference. In attendance were Commissioners Peter Nagrod, Christine Dibble, Jonathan Dail and Robert Johnson, and HPC Commissioner David Stopak.

**Item #1: Approval of agenda**

Christine Dibble moved to accept the agenda. The motion was unanimously approved.

**Item #2. Approval of March 15 meeting minutes**

Peter and Robert suggested that the first sentence of item 5, Survey Areas, be amended to end with "... on how to proceed." All committee members approved the minutes with this revision.

**Item #3. Updates on action items from the March 15 meeting**

- Christine had not yet heard back from Marc Hansen with respect to the possibility of changing our variances to be more flexible.
- An announcement that the Commission is seeking a new PC alternate appeared in the April Bulletin.

**Item #4. Discussion of HPC proposal for preservation/demolition ordinance plan**

The HPC developed this proposal in February. The proposal (a) recommends changes to the current procedures, regulations, and Code of Ordinances; and (b) discusses a new Article XVI, a Preservation Ordinance. At this meeting, we began discussion of (a).

David reminded the group that a structure that contributes to the historic character of the town – a "contributing structure" – is defined as any structure 50 years old or older.

***Process of Reviewing Applications for Permits.*** David and the members of the Planning Commission agreed that the current system of applying for a building permit, and having the HPC review the application for the building permit, works fairly well to ensure the preservation of the exterior architectural features found in the Town and to encourage compatibility with neighboring contributing structures.

David continued by stating that the HPC believes that the current system could be improved if its members could work with homeowners earlier in the process. For example, right now, if a homeowner has submitted final architectural plans and drawings to the Planning Commission, and the HPC recommends changes to those plans, the homeowner may be reluctant to incur further costs to revise them.

The HPC believes that its review should become part of the homeowner's submission to the Planning Commission. This will increase the chance that a homeowner will work with the HPC before final plans and drawings are submitted to the Planning Commission.

**Contingent Reviews.** David also discussed the concept of a "contingent review", which would be conducted by the HPC in a minority of circumstances. In a contingent review, the HPC's recommendations would, instead of being strictly advisory, be formally adopted by the Planning Commission, assuming that the Commission members agree with the recommendations.

Contingent reviews would come into play where a homeowner has requested it, or when the contributing structure at issue is non-compliant or non-conforming. A contingent review might be appealing to a homeowner because it could serve as a way for the homeowner to complete desired upgrades, typically modern amenities such as sufficient space for bathrooms, storage, kitchens, and laundries, without the Town's zoning ordinances prohibiting or restricting the construction of these upgrades.

**ACTION ITEM:** The Planning Commission members expressed support for the changes that David described, but requested that the HPC present specific recommended changes both to [Article VII of the Code of Ordinances](#) and to the [Steps to Obtain a Building Permit described on the Town's website](#).

**Demolition by Neglect.** The group then proceeded to discuss a process for addressing structures in Town that are in danger of being demolished via neglect. **ACTION ITEMS:**

- Christine will talk to the mayor to determine whether he is amenable to the HPC and Planning Commission devising a recommended process for addressing demolition by neglect, and presenting that recommendation to the Town Council.
- Christine will contact the Maryland Municipal League to determine if other municipalities have addressed demolition by neglect.
- David will contact Montgomery County to discuss how the county addresses demolition by neglect.

#### **Item #5. New PC member**

One resident has expressed interest in joining the Planning Commission. **ACTION ITEM:** Peter will work with the mayor to follow up.

#### **Item #6. New business**

Christine reported on the presentation that the Montgomery County Department of Transportation made this month concerning the Washington Grove Connector - Crabbs Branch Way Extension. Christine expressed disappointment that the county has extended the timeline for completion of the shared use path, and is spending funds to complete preliminary designs for the unwanted accompanying roadway.

#### **Adjournment**

The meeting was adjourned at 9:52 pm.

Submitted by Christine Dibble