



Minutes of the Planning Commission
October 4, 2023
Approved November 1, 2023

Because of the Coronavirus pandemic, this meeting took place via ZOOM videoconference. In attendance were Commissioners Sung Chang, Georgette Cole, Jonathan Dail, Sylvie Favret, Robert Johnson, and Peter Nagrod. Also present were HPC Chair Bob Booher, HPC Alternate Marilyn Frey, and several town residents.

Georgette Cole called the meeting to order at 7:32 p.m.

Approval of Agenda: Peter Nagrod moved to approve the agenda. Robert Johnson seconded the motion. Robert requested adding the fence permit for 203 WG Lane even though the deadline had not been met. The application is for one section of fence and will put the fence back on the property of 203 WG Lane. *Approved 5-0, as amended.*

Accessory Dwelling Units – Discussion of Draft Zoning Text Amendment: Georgette Cole gave an introduction and brief history of the concept of an Accessory Dwelling Unit as included in the Town 2022 Comprehensive Plan. The Maryland Department of Planning requires a housing element in the plan. Georgette reviewed the changes in the draft ZTA and asked for comments and questions.

The following information was conveyed to address written submissions.

- Residency requirement: Under Montgomery County licensing the owner must live there in either the primary residence or the ADU.
- Short term rentals: These are not allowed under the MC license.
- WSSC only allows one water meter per residential property, but more than one sewer hookup is possible. The owner can have a separate meter installed for their ADU, but it is not read by WSSC.

The following comments/questions were raised. *Answers given at the meeting are shown in blue text.*

- Where are we in the process? *PC hopes to present it to the Town Council at the November meeting.*
- Would there be another public hearing? *Yes.*
- Would this affect the Historic Register standing? *Not now but perhaps in the future.*
- How do we control scale and its effect on our community? *We hope to have an extra level of review by the HPC. The HPC has also recommended a size restriction.*
- What's the purpose of having setbacks? *To preserve space, privacy, and prevent crowding.*
- Are setbacks a health and safety issue?
- The ADU setback should be based on residential setbacks since they are residences.
- Why is the increase in density considered a good idea?
- Why is this being promoted? *To provide residents with additional flexibility in the use of their property.*

- Discussed types of attached and detached ADUs.
 - Attached ADUs is a better idea.
 - Could we do attached ADUs but not detached?
- How big are the detached ADUs? [This is currently based on lot size. It was pointed out that a modest 2-bedroom, one bathroom, kitchen-dining-living room characteristic of a “mother-in-law suite” is about 500 square feet,](#)
- What does the Maryland Municipal League think about ADUs?
- What are the restrictions on lot size?
- Parking enforcement must be handled in a fair way.
- How will parking restrictions be enforced? [Probably by the Town government.](#)
- Who will inspect the ADUs? [Montgomery County Department of Housing and Community Affairs \(DHCA\).](#)
- Would Montgomery County inspect existing illegal ADU’s? [We can ask them to do so.](#)
- Vacant houses should be licensed.
- How is this different from the Bed and Breakfast proposal which was met with a big “no”?

Craig and Mary Lou English presented schematic plans for an attached ADU which would not change the footprint or enclosed space of their home. They explained the plans and offered to be the Town “guinea pig” for one year.

Georgette Cole thanked everyone for participating in this meeting.

Building Permit Applications:

- 203 Washington Grove Lane – Robert Johnson explained that this permit was for only one side of the fence and would result in the fence location being on the property known as 203 WG Lane. The fence has been on the neighbor’s property for many years. All property corner markers are marked. Robert read his review and made a motion to approve the application. Georgette Cole seconded the motion.

Approved: 5-0.

Public Ways & Property Permits: There were none.

Public Appearances: There were none.

Approval of the Minutes for the September 6, 2023 Meeting: Peter Nagrod moved to approve the September 6, 2023 minutes of the Planning Commission. Robert Johnson seconded the motion. *A misspelling was corrected. Approved: 5-0, as amended. Jonathan Dail abstained having not been at the 9/6 meeting.*

Discuss Amending Article VII Section 6.231(d) to Enable More Location Flexibility For Loading and/or Transfer Activities at The Commercial Corner: Peter Nagrod reported that he was optimistic about scheduling a meeting with Town officials and representatives from the Commercial Corner. The purpose of the meeting is to come to an agreement about types of trash containers and where to locate them. Peter will try to have officials attend the next Council meeting.

Report From Town Council: Peter Nagrod reported the following:

- There was a discussion about what actions to take concerning properties that are vacant. The Council and the Town attorney are getting more involved.
- The Mayor and Council agreed that the RFP for stormwater manager should be written as soon as possible in order to take advantage of federal monies that are available.
- Action on the relocation of a pole in front of 102 Center Street will be deferred. Sylvie Favret stated that she thought the pole looked shorter and straighter.

Gateway Committee: Jonathan Dail reported the last trash clean up went well. Over 40 pounds of trash was collected by approximately eight (8) volunteers. He also reported that signage was finished for Grove Avenue at 4th Avenue and Center Street and Washington Grove Lane. The Committee also discussed the Soltez report.

Other Business: Robert Johnson verified the next steps for the Zoning Text Amendment on the Accessory Dwelling Unit would be to integrate information from this meeting and produce a final draft document to send to the Town Council.

There being no other business, the meeting adjourned at 9:35 pm.

Kathryn L. Lehman, Town Clerk