

# Montgomery's Fix

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**A**S OFFICIALS IN Montgomery County investigate what ails the planning and approval process for developing new neighborhoods, a steady drip of revelations adds to the impression that there's an awful lot that needs to be fixed. The disclosures add impetus to the calls for reform that began after hundreds of houses were built in Clarksburg's town center taller or closer to the street than the county-approved plans permitted. Now comes news that in Bethesda, luxury townhouses also have been built in violation of approved plans, and that a Montgomery County planner (who has since been fired) colluded with developers to dampen public opposition to the violations in Clarksburg. And county officials acknowledge that revelations of further violations may be forthcoming.

The issue here is not fundamentally whether one 53-foot-tall building was supposed to be 45 feet, or whether another is several yards too close to the street. It is whether sound management and procedures are in place in the county's planning, enforcement and oversight agencies, and, if they are not, whether developers are cheating and gaming the system to make an extra buck. It is important that the reviews underway in the county answer those questions; they must also address what has appeared at times to be a rather too cozy relationship between developers and the county staffers responsible for evaluating, overseeing and approving their projects.

Until these issues are resolved a cloud of uncertainty will hang over the county's construction plans. Already, several members of the

County Council are talking about postponing plans to develop the land around the Shady Grove Metro station until the planning kinks are ironed out.

Some of the problems may be easy to mend. It should be relatively simple, for instance, to clarify whether building heights must be listed in feet (which are precise) or stories (which are not); in the past some developers may have used the confusion on that point to their advantage. Planning officials should also be able to tighten up procedures regulating access to and handling of documents, so that they cannot be taken and altered without authorization, as may have happened in Clarksburg. And construction projects should also be more closely monitored to ensure compliance with plans as submitted and approved.

There are signs that the county Planning Board, under Chairman Derick Berlage, is taking the problems seriously and trying to address them. The board is hiring additional staff to review plans, as well as an outside consultant to assess procedures and recommend reforms. Additional checks and balances are being put in place to ensure, at a minimum, that a lone planner's work on a development project undergoes additional review. Other solutions may be tougher to achieve, including one that goes to the heart of Montgomery's woes: encouraging a culture of professionalism in which planning officials recognize that, as public servants, they are not simply fixers for developers but are receptive and responsive to public input — even when it may be nettlesome.