



MCPB
ITEM # 9
February 26, 2009

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mark Pfefferle, Acting Chief *MP*
Environmental Planning Division

FROM: Amy Lindsey, Senior Planner
Environmental Planning Division

DATE: February 12, 2009

REVIEW TYPE: Preliminary Forest Conservation Plan No. 08404-MCPS-1
Cabin John Middle School Mandatory Referral

LOCATION: 1071 Gainsborough Road
Potomac, MD

APPLICANT: Montgomery County Public Schools
APPLICANT'S ENGINEER: ADTEK Engineering

The subject plan has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law), the Environmental Guidelines, Noise Guidelines, and other related requirements. The following determination has been made:

RECOMMENDATION: Approval subject to the following conditions:

1. The proposed development shall comply with the staff recommended conditions of approval for the preliminary forest conservation plan, as per the letter dated 2/10/2009. Conditions include, but are not limited to:
 - a. Applicant shall place a Category I conservation easement over all retained and planted forest.

DISCUSSION

Cabin John Middle School is an 18.23-acre existing school located in the Potomac planning area at the corner of Bells Mill Road and Gainsborough Road. A day care

facility is co-located with the middle school and the property is directly adjacent to Bells Mill Elementary School. There is 1.67 acres of forest onsite and numerous large and specimen trees. There are substantial steep slopes on the property. The property is within the Cabin John watershed: a Use Class I/I-P watershed. The proposed plan is to replace the existing school with a new school.

The Board's action on the Preliminary Forest Conservation Plan is regulatory and binding. The Planning Board must act on the Forest Conservation Plan before it finalizes its recommendations on the mandatory referral.

Environmental Guidelines

The applicant submitted and received approval of a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) number 420081030 on March 31, 2008.

Forest Conservation

This property is subject to the Chapter 22A Montgomery County Forest Conservation Law and a Forest Conservation Plan has been submitted for approval. There is 1.67 acres of upland forest in four separate stands on the subject property. The forest is all of moderate priority for retention, with invasive management issues.

0.73 acres of forest will be cleared and 0.94 acres of forest will be retained through the redevelopment of this school. There is a planting requirement of 2.52 acres which will be met through a combination of on-site forest planting and landscape credit and off-site planting or protection. A Category I easement will be placed over all areas of forest retention and planting.

The Forest Conservation Plan also addresses invasive management issues. There is a large stand of ailanthus (tree-of-heaven) that will be eradicated as part of this plan.

Tree Save

There are approximately 21 large or specimen trees on the property, including one tree within 75% of the size of the current County Champion for that species and one tree within 75% of the size of the current State Champion for that species. A mockernut hickory is 28" DBH (diameter at breast height), while the County Champion mockernut hickory is ~ 33" DBH. A Virginia pine is 23" DBH, while the State Champion Virginia pine is 30" DBH. There is no County Champion for this species. The entire critical root zone of both of these trees will be protected. Both the Virginia pine and mockernut hickory will be protected during the construction process. Approximately 8 large or specimen trees will be removed as part of the demolition and construction of the new school.

RECOMMENDATION

Environmental Planning recommends approval of the Preliminary Forest Conservation Plan with the conditions above.



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

February 10, 2009

Montgomery County Public Schools
2096 Gaither Road, Suite 203
Rockville, Maryland 20854
Attn: James Song

Dear Mr. Song:

This letter is to inform you that Forest Conservation Plan MR08404-MCPS-1, Cabin John Middle School, has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law.) The preliminary Forest Conservation Plan, submitted on 1/07/2009 is complete. The plan is recommended for approval, subject to the following conditions:

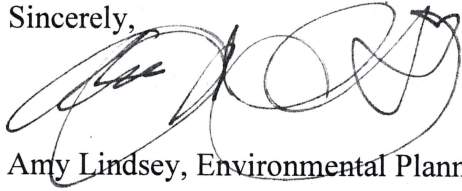
1. The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all conditions prior to Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits:
 - a. Approval of final forest conservation plan consistent with the approved preliminary forest conservation plan prior to any clearing, grading or demolition on the site.
 - b. The final forest conservation plan must identify the off-site planting area used to fulfill the forest conservation requirements.
2. Applicant shall place a Category I conservation easement over all retained and planted forest. The easement will be recorded in the Montgomery County land records.
3. A certified arborist must be present at the pre-construction meeting, during construction, and after construction to oversee specific tree protection measures as identified on the final forest conservation plan.
4. Required site inspections by M-NCPPC monitoring staff (as specified in "Trees Technical Manual").
5. Submittal of electronic version of signed final forest conservation plan to Environmental Planning prior to clearing or grading. Electronic files must have Environmental Planning approval signature, be in PDF format, and be in only one file.
6. A two-year maintenance and management agreement must be reviewed and approved by M-NCPPC staff prior to first inspection of areas planted for forest conservation credit.
7. A copy of the maintenance and management agreement and Category I forest conservation agreement must be kept on-site and given to MCPS maintenance staff to ensure compliance with conditions of the Category I forest conservation easement
8. Limits of disturbance on the final forest conservation plan must reflect the change in retaining wall type along the planting area.
9. Revise the site tabulation on FCP-1 to correctly reflect the plan acreages.
10. Please revise the landscape planting table to show a minimum size of 2 ½" caliper for all

trees used for canopy coverage credit.

11. Please revise signage to read "Forest Conservation Area", not "Woodland Conservation Area".

If you have any questions regarding these actions, please feel free to contact Amy Lindsey at (301)495-2189.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Lindsey", written over a horizontal line.

Amy Lindsey, Environmental Planner

Cc: MR08404-MCPS-1
Mike Norton, michael_norton@nortonlanddesign.com