



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB  
2/08/02  
Item # 10

**MEMORANDUM**

**DATE:** February 8, 2002  
**TO:** Montgomery County Planning Board  
**VIA:** John Carter, Chief, Community-Based Planning Division  
**FROM:** Judy Daniel, AICP for the Department of Park and Planning

**REVIEW:** Special Exception  
**APPLYING FOR:** Private Club  
**REVIEW BASIS:** Chapter 59, Zoning Ordinance; advisory to the Board of Appeals  
**APPLICANT:** Career Firefighters Association  
**CASE NUMBER:** S-2482

**ZONE:** Rural Density Transfer Zone  
**LOCATION:** 24100 Stringtown Road, Clarksburg Vicinity  
**MASTER PLAN:** Preservation of Agricultural and Rural Open Space

**FILING DATE:** May 29, 2001  
**PLANNING BOARD:** February 14, 2002  
**PUBLIC HEARING:** February 28, 2002 at Hearing Examiner

**STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. The applicant is bound by all submitted statements and plans, as revised.
2. Hours of operation limited to 7:00 am to 10:00 pm Monday through Thursday, 10:00 am to 9:00pm on Sunday, and 10:00 am to Midnight on Friday and Saturday.
3. Special Events Limited as follows:
  - a. No more than 200 events of any size per year
  - b. No more than 2 weeknight meetings per week (Monday – Thursday)
  - c. Only 2 events that exceed 50 people allowed per weekend (Friday – Sunday)
  - d. No outdoor events to be allowed.
4. All events for over 100 people on weekends only.

<u>Event Size</u>	<u>Frequency</u>
up to 100	no more than 125 events per year
up to 150	no more than 50 events per year (Saturday-Sunday)
up to 240	no more than 25 events per year (Saturday-Sunday)
5. Traffic control must be provided for any event for 100 or more.

6. Approval of Final Forest Conservation Plan by M-NCPPC technical staff prior to record plat and the release of sediment and erosion control or building permit, as appropriate.
7. Compliance with Department of Permitting Services (DEP) requirements for stormwater management and sediment and erosion control and approval of stream crossing permits from the Maryland Department of the Environment (MDE) and the Department of Permitting Services (DPS).
8. Modify the grading for the driveway from the entrance to the stream crossing to soften the slopes with more gradual transition to the existing grade at time of subdivision.
9. At least 25 acres be included in the residual farm lot so that it will have a viable potential for continuing agricultural use.
10. Only one of the dwellings on the farm property may be used as a primary dwelling. The second dwelling is limited to use as farm tenant housing or a guest house.

### **Background**

This application was originally to be heard by the Planning Board in September, but was deferred due to an incomplete application. It was rescheduled for December 6, 2001, but was deferred to allow time for the applicant to work with the concerned residents of the surrounding community to see if they could find mutually acceptable terms for the operation of this proposed club. They were then scheduled for the February 7 meeting, but requested a deferral to February 14 to work out final details of their modified site plan and operations plan, and because they were still working with residents of the surrounding area. This application is currently scheduled for a February 28, 2002 public hearing date with the Hearing Examiner.

### **PROPOSAL DESCRIPTION**

This application is for a Private Club for the Montgomery County Career Firefighters Association proposed at 24100 Stringtown Road, bordering the Clarksburg Master Plan area. The Club is to be a location for official meetings, social events, and business meetings.

### **Neighborhood**

The property is surrounded by residential and agricultural land uses – all in the RDT zone. South and east of the subject property is residential in character, primarily the Fountain View subdivision in the Clarksburg Master Plan. Approximately 26 homes in Fountain View and 7 homes on larger lots on the north side of Stringtown are located between Piedmont Road and the subject property. This includes homes located immediately across from the existing entrance to the property. Properties to the north and west beyond the proposed use are more rural in character.

### **Site**

The application is proposed on 55.6 acres of an approximately 75-acre property located on the north side of Stringtown Road approximately 1.5 miles northeast of MD 355 and approximately 3,500 feet from the intersection of Piedmont Road. The property encompasses two parcels,

P960 of 75.13 acres, and P942 of .57 acres within the RDT Zone. This property comprises the Gue Farm, identified as Historic Site # 10/45 on the "Locational Atlas and Index of Historic Sites". Existing structures on the site include two residences and various farm buildings. These improvements are clustered near a driveway along Stringtown Road, approximately 600 feet from the intersection of Kingsley Road. The applicant's submitted application proposed to re-subdivide these parcels into three lots encompassing 55.6 acres for the Firefighters Club in the center of the property, an 8.39-acre residential lot closer to Piedmont Road, and a 9.13-acre lot with the existing buildings nearer to Kingsley Road.

The property is comprised primarily of rolling fields, streambed, and some forest area. The main branch of Little Bennett Creek extends along the south side of Kingsley Road through most of the property. A tributary south of the main branch drains northward into Little Bennett Creek, merging with it approximately 1,100 feet west of Stringtown Road. The high point is located approximately midway along Stringtown Road and the property slopes downward approximately 60 feet to the convergence with the southern tributary to Little Bennett Creek.

### **Application Description**

The intent of the application is to provide a location for the Montgomery County Career Firefighters Association to hold business, civic, social, and recreational events for its members and their guests. The proposed private club facilities include a two-story building with basement, parking for 120 vehicles, and a new driveway from Stringtown Road located approximately 600 feet west of the current driveway. The proposed entry is approximately 2/3 mile from the intersection with Piedmont Road. The club is to be served by a private well and septic system and be able to accommodate groups of no more than 240 people.

**Structure** - A club building of approximately 20,000 square feet is proposed. It would include the club facilities, offices, and storage space. The first floor of the proposed building would have 7,500 square feet, the second floor 5,000 square feet, and a basement with 7,500 square feet. The applicant states that this space is to be used as:

Ballroom/Meeting Room:	6,365 square feet
Foyer/other open space:	13,625 square feet

The first floor will have a large event room, a catering kitchen, a smaller gathering area for small meetings, and a vending machine area. The second floor will include six offices (three for the daily employees and three for small meetings), an anteroom, a staff kitchen, a conference room, and a workroom (files, copying, storage). The stated use for the 7,500 square foot basement is storage. The food preparation equipment of the facility will be limited to the catering kitchen and small staff kitchen, as extensive food preparation on-site is not anticipated.

The proposed building would be located approximately 1,200 feet from Stringtown Road and setback 400 feet from Kingsley Road at the closest point. The building would be located more than 1,200 feet from the southern property line and 550 feet from the western property line. Although the proposed structure is large, because of the depth of the setbacks and the topographic conditions the building would not overwhelm residences in the surrounding area. It is approximately 1,200 feet to the nearest off-site residences.

**Parking** - Parking for 120 vehicles is proposed in three areas, small ones (primarily for staff and deliveries) adjacent to the building, and the main guest parking area southeast of the building accessed via the driveway from Stringtown Road.

Lighting and Landscaping - Lighting is to include 3-foot tall "bollard type" driveway indicators, and 14 foot tall parking lot lights (full-cutoff type). Exterior lighting is only to be used when evening events are scheduled, and will otherwise be triggered by motion sensors (set to avoid being turned on by animals). Landscaping is located primarily around the building, used as screening of the parking area, and to light the driveway. In the interest of limiting the impact of the club lighting on the surrounding area, the applicants have revised their lighting plans to reduce both the number and intensity of fixtures. These modifications include:

- Reduction in bollard lights (used along the driveway) from 89 to 43 fixtures.
- Reduction in directional lighting (used along walkways) from 30 to 24 fixtures.
- Parking lot fixtures changed to a full-cutoff/reflector fixture, and lamp wattage reduced from 150 watt to 100 watt.

The landscaping has also been adjusted to better screen the parking area and reduce the potential for headlight glare into neighborhood areas.

Operations Plan - Use of the club will be for members and their guests, which will include renting the facilities for meetings of non-affiliated groups that are sponsored by members. There are currently 937 members. The applicant states that 30-50 members, guests and employees would use the building on an average daily basis for meetings and social functions. Larger events would be limited to 240 persons due to septic requirements.

There are 3 full time employees proposed, to be supplemented with 3-5 part-time employees on a daily basis. All food service for events will be catered, but snacks and light meals will be provided on site.

The applicants have revised their originally submitted operations plan in response to staff and community concerns regarding the potential number of large events and weeknight events. They have revised the operating hours, limited the number of larger special events, limited the potential weeknight events, and limited the largest functions to weekends only as follows:

Hours of Operation

Office: Monday-Friday 7am-5pm      Events: Monday-Thursday 7am-10pm  
Friday 7am-Midnight  
Saturday 10am-Midnight  
Sunday 10am - 10 pm

Organization Meetings

- a. 1 weekday Board meeting per month for up to 14
- b. 1 weeknight Membership meeting per month for up to 30

Special Events - No more than 200 total special events per year.

- a. No more than 2 events per week after 6pm on Monday-Thursday.
- b. All events for more than 100 people on weekends (Saturday-Sunday) only.

Event Size

up to 100  
up to 150  
up to 240

Frequency

no more than 125 events per year  
no more than 50 events per year (Friday-Sunday)  
no more than 25 events per year (Friday-Sunday)

This differs from the originally submitted plan in the timing and size of events rather than the absolute number of events that may be held at the club. It reduces the potential number of events for up to 240 people from 75 per year to no more than 25 per year. It does not substantially reduce the number of special events being requested.

Primarily the revised operations plan eliminates weeknight events after 10 pm, limits the potential number of weeknight events, and reduces the number of potential very large events on the weekends. The originally submitted Transportation Operational Plan (dated August 13, 2001) indicated a midnight closing time 7 days per week, and the revised operational plan indicates a 10:00 pm closing on Sunday – Thursday.

## **ANALYSIS**

### **Zoning**

Private clubs are permitted in the RDT Zone in accordance with the criteria in Section 59-G-2.42, which indicates the use must conform to the special exception requirements of Section G-2.24. The proposed facility easily meets zoning requirements for height, setback and lot size.

### **Master Plans**

Agricultural and Rural Open Space Master Plan - The property is within the Agricultural and Rural Open Space Master Plan adopted 1980. The master plan is silent on special exceptions, however private clubs are permitted – with a presumption that they do not radically change the character of the surrounding rural area.

The staff does not believe that the proposed use will change the character of the surrounding area, as the area is only partially rural in character. The property borders the suburban Fountain View subdivision, which contains homes on half-acre lots; and the property is approximately 2/3 mile from Piedmont Road, which is the boundary of the Clarksburg Town Center. Thus, this area is on the fringe of the Agricultural Reserve and is in an area that is not wholly rural in character. However, because it is to be located within the RDT Zone the staff believes that the use should be limited in size and impact to a certain.

However, the northern boundary of the Clarksburg Master Plan (adopted June 1994) runs along the south side of Stringtown Road, dipping south along the border of the Fountain View Subdivision. Therefore, traffic and activity at this facility will impact residents of the Clarksburg community – particularly the Fountain View Subdivision residents.

Clarksburg Master Plan - According to the Clarksburg planner (as outlined in an attached memo) the area directly abutting the subject property *"is recommended as a low-density 'edge' transitioning to the rural character of the Agricultural Reserve."* The Clarksburg Master Plan zoning reflects the intent of the master plan to *"cluster more intense uses within the centers of Clarksburg" where there are "roadway and sewer systems to support such uses."* The Clarksburg planner believes the issue of most concern with the use is the level of activity and traffic the facility would generate, stating that the Clarksburg Master Plan *"clearly intended such intense uses to be within areas served by sewer and the arterial roadway system"*, and thus incompatible with the premise of the master plan to *"cluster more intense development into centers rather than to sprawl around the edges of the master plan."*

Rustic Roads Functional Master Plan- Stringtown Road in the area of the subject property was designated a Rustic Road in the context of the Clarksburg Master Plan (approved June 1994), and Kingsley Road was designated an Exceptional Rustic Road in the Rustic Roads Functional Master Plan (approved December 1996). Stringtown Road is described in the Clarksburg Master Plan as being approximately 18 feet wide, with no curbs and slight gravel shoulders and a drainage ditch. The proposed use would have an insignificant impact on Kingsley Road, but Stringtown Road will see an increase in traffic as a result of the proposed use.

-The Rustic Roads Master Plan describes this .61-mile section of Stringtown (between Kingsley and Piedmont) as historically important for connecting the communities of Clarksburg and Damascus. It appears on an 1837 map, making it one of the earliest roads in the county." Its viewshed is described as a "framed country view of rolling hills, farm buildings, and houses...On the left a long view across cultivated fields with a tree-covered ridge in the distance." The summary of criteria evaluated for inclusion of a rustic road note that this section of Stringtown Road is narrow and intended for local use, has outstanding farm and rural vistas, has historic value, and has traffic volume consistent with a rustic road and low accident history.

Low volume has been a very important determinant for Rustic Roads, although that may be changing. The 1996 Rustic Roads Functional Master Plan suggests that an average daily traffic (ADT) volume of less than 3,000 vehicles and 8 or fewer reported accidents in a 5-year period (excluding those where alcohol was a factor) characterize a Rustic Road. Also, the road cannot be widened or otherwise improved to more than 22 feet. If a new use raises the traffic load (and/or the accident level) above that established for a rustic road, the status of this road might eventually have to be reconsidered in the future, although the master plan specifies that this type of factor is not to be used a means to deny a use that would otherwise be approved.

Also, although the south side of this road segment has a clearly suburban residential character, the farm and rural vista along the north side that is a part of the criteria may be endangered by the addition of any non-residential use that creates a significant level of activity. Thus the anticipated additional traffic load, level of activity, and impact on the vistas to the north are factors in considering this use.

The applicant met with the Rustic Roads Advisory Committee on October 25. The Committee did not comment on the land use implications of the proposed use. This reflects the statement on page 5 of the Rustic Roads Master Plan "*The rustic roads designation is not intended to affect the use of adjoining land except in the design of access to subdivision.*" They state in their comments (attached) only that they will need to review the design of the proposed new driveway to ensure that it will not impact the character of Stringtown Road.

The staff does not believe that the vistas along Stringtown Road will be impacted by this use. The club structure should have no more visual impact than a very large home, and it is set well back from the road, backing into a slope. Volume is the characteristic most likely to be impacted by the proposed use so the staff completed an in-depth study of its potential traffic impact. The staff concluded that for the reasons stated in the Traffic Analysis below, the proposed use will not cause the section of Stringtown Road to exceed rustic road traffic volume or safety criteria. Thus this use poses no potential to impact Stringtown's Rustic Road status.

### **Traffic**

In the vicinity of the proposed use, Stringtown Road is designated as a Rustic Road, and Kingsley Road designated as an Exceptional Rustic Road. Piedmont Road, located approximately 2/3 mile from the site, changes in classification from a primary road to a Rustic

Road at its intersection with Stringtown Road; and Stringtown Road west of Piedmont is classified as an Arterial Road. After extensive study, the staff concludes that with the limitations in the statement of operations and the further limitations recommended by the staff, the subject petition will not cause this section of Stringtown Road to exceed rustic road volume or safety criteria, or exceed capacity standards for this road, or detrimentally impact the area transportation network.

Local Area Transportation Review - Based on the operations statement provided, the proposed use will not generate the 50-weekday morning or evening peak hour trips threshold for a traffic study.

Policy Area Review - No staging ceiling capacity has been established for the Rural Policy Area.

Location, Access and Circulation Review - In order to evaluate the traffic impact for this use, the applicant conducted a 24-hour traffic count in November on Stringtown Road in front of the site entrance that showed an average daily traffic (ADT) volume of 764 vehicles and an evening peak hour volume of 70 vehicles, yielding a peak-to-daily ratio (K-factor) of 9.2%, typical for a roadway serving primarily local uses.

The staff estimates that the average daily traffic is based on the revised statement of operations provided on February 6, 2002 (see attached) indicates that the site will generate 152 average daily trips (ADT). With the recommended 200 total events per year limit, the site generated ADT will be 139 daily trips and clearly will not exceed the Rustic Road volume criteria. (See attached Derivation of Average Daily Traffic Volumes)

However, it is important to note that traffic along this road segment is expected to rise significantly due to approved and anticipated growth in Clarksburg. A March 2001 Local Area Transportation Review analysis conducted for the Highlands at Clarksburg development (in the vicinity of the proposed use), forecasts a total background future (*25 year buildout*) traffic volume during the evening peak hour of 316 vehicles on Stringtown Road north of Piedmont Road. Assuming the same 9.2% K-factor, the forecast ADT on Stringtown Road for the buildout period is estimated to be 3,435 vehicles, slightly higher than the Rustic Road Functional Master Plan guidelines.

In addition, the applicant has submitted accident history data from the Department of Public Works and Transportation indicating that for the three-year period from 1998-2000 there were 3 accidents along Stringtown Road in the rustic road segment between Piedmont Road and Kings Valley Road. This accident picture does not indicate unsafe road conditions in the vicinity of the proposed use.

Given the analysis the staff recommends approval of this use with the conditions noted on the attached staff report, and reiterated at the beginning of this report.

### **Landscaping and Lighting**

The staff recommends approval of the revised landscape and lighting plan with a minor adjustment to be completed at time of subdivision. At the request of the staff, and to address community concerns, the applicant reduced the amount and intensity of on-site lighting, particularly in the parking lot area and along the driveway. In addition, the parking lot and driveway lighting will be motion triggered so that it will not be on unless there is an evening event at the club. Overall, the landscaping and site grading have also been revised to present a

more natural and rural setting for the club. The final revised photometric analysis was not available as this report was being completed, so an evaluation of it will be presented at the meeting.

The staff recommends that at time of subdivision review the grading for the driveway from the entrance to the stream crossing be modified to soften the slopes with more gradual transition to the existing grade.

## **Environmental**

Natural Resources - This application is subject to the Forest Conservation Law. The Natural Resources Inventory (#4-01124) has been submitted and approved. A preliminary Forest Conservation Plan has been submitted and approved. The applicant proposes to place approximately 21 acres into a Category I Forest Conservation Easement with roughly 6.5 acres available as an afforestation mitigation bank.

The applicant proposes one stream crossing to gain access to the proposed facility. The crossing will require permits from the Maryland Department of the Environment (MDE) and the Department of Permitting Services (DPS).

The Maryland Department of Natural Resources (MD-DNR) indicated in a letter dated November 27, 2000 that the following two state threatened species are known to exist in the vicinity of this property: the Fringe-tip Closed Gentian (*Gentiana andrewsii*) and the Purple Fringeless Orchid (*Platanthera peramoena*). After further investigation, it has been determined that the Gentian is not found on site due to the lack of calcareous soils; and the environmental technical staff visited the site in July 2001 and determined that the Purple Fringeless Orchid species was not within the proposed limits of disturbance (LOD).

Stormwater Management - The site is located within the Kingsley tributary of the Little Bennett watershed, designated Use III-P by the State. The *Countywide Stream Protection Strategy* (CSPS) assesses the Kingsley tributary as having good stream and good habitat conditions, labeling it as a Watershed Preservation Area.

A stormwater management concept plan has been submitted to the Department of Permitting Services, however, it has not yet been approved. Because we do not know how stormwater will be treated we cannot accurately establish the LOD. Thus, any site changes from the stormwater management plan will result in another site visit to determine overall impact as well as the potential threat to the Purple Fringeless Orchid. However, this can, and is more appropriately done at time of subdivision, the final regulatory step is required for this use.

Conditions - The staff recommends **approval** of the application with the following conditions that must be completed at time of subdivision:

1. Approval of Final Forest Conservation Plan by M-NCPPC technical staff prior to record plat and the release of sediment and erosion control or building permit, as appropriate.
2. Compliance with Department of Permitting Services (DEP) requirements for stormwater management and sediment and erosion control.



3. Approval of stream crossing permits from the Maryland Department of the Environment (MDE) and the Department of Permitting Services (DPS).

### **Subdivision**

The Development Review staff has commented that when this proposal was submitted as a pre-preliminary subdivision plan, it seemed to indicate less traffic impact than is now indicated within the special exception application. They reaffirmed the request for additional traffic impact analysis to address the impact of the proposed level of use on the local road network. Also, if the special exception is approved, a preliminary plan of subdivision will be required subject to all provisions of the Subdivision Regulations.

### **Historic Preservation**

The Historic Preservation staff reviewed this proposal in regard to its impact on the historic Gue Farm and associated buildings on the property. The farm buildings on this property include a 19<sup>th</sup> century log house and bank barn, and an early 20<sup>th</sup> century bungalow and dairy barn. The applicant's original proposal was to include all the farm buildings on a 9-acre lot, retain 55.6 acres for the firefighters club, and create an additional 8-acre building lot. The staff strongly recommended that at least 25 acres be included in the residual farm lot so that it will have a viable potential for continuing agricultural use. This is the established minimum size for a farm within the Agricultural Reserve. The staff recommends that the land along Kingsley Road be included with the property containing the historic structures, which would expand it to approximately 25 acres.

Again, in response to these concerns, the Firefighters revised their subdivision plans to reflect a 25 acre lot with the historic structures, and they have reduced the building lot to 5 acres, which also reduces the lot for the club to approximately 45 acres.

### **Compliance with Specific and General Special Exception Provisions**

At this time, as noted in the attached review, the application does not meet the special exception criteria for the use.

### **Citizen Concerns**

The applicants have met with the Clarksburg Civic Association twice, and the staff has received a resolution from the area residents (attached) expressing their concerns with the application. The Association states in their resolution (approved on a 10-9 vote) that the primary basis of their concern is the potential for problems related to the number of and size of events that would be held at night and on weekends – given the character of Stringtown Road and the intended nature of Rustic Roads. Several area residents are also particularly concerned with the potential for alcohol use at the club.

The staff also received a number of individual calls from area residents expressing concern with the application, and a letter of opposition is attached.

On Tuesday, January 15, the staff met with the area residents and the applicant to see if there was any mutually acceptable level of activity. The results of that meeting were inconclusive, and although the applicants and the residents continued to talk, no mutually acceptable agreement has been reached. The staff was informed this week that no mutually agreeable level of activity has been reached, and the area residents are planning to hire an attorney to represent their interests in this application. From listening at the meetings and talking to area residents it appears that their greatest concerns are related to the number of meetings and events to be held, the size of the events, and the potential impact of events involving social

drinking. They generally do not wish to see a private club, or any other use that brings a significant level of activity and traffic in their neighborhood, which has heretofore been very quiet and peaceful.

### **INHERENT/NON-INHERENT**

Activity, traffic, and lighting are the inherent characteristics of potentially greatest concern for a social club. The amount of additional traffic and activity (often on weekends) it could generate along a narrow Rustic Road bordering a single-family subdivision necessitated a detailed review of traffic impact. Some additional traffic is inherent for the type of use proposed, but the amount of traffic is non-inherent, because it varies with the frequency and size of meetings to be held. In this instance, as discussed in the Traffic Analysis, the level of traffic was not found to be a problem, and its potential impact has been further adjusted by reducing the size of meetings and events. On-site lighting was also modified to reduce impact on the surrounding community.

### **CONCLUSION**

The Career Firefighters is a group that deserves community support – but the proposed use is one that should ideally be located where there are minimal traffic, safety, and operational concerns. Because of these concerns, the staff met with the applicants last fall and suggested several alternate sites in the Clarksburg area. They chose not to pursue those suggestions, presumably due to financial limitations. After substantial review and evaluation, and subsequent modifications to the original application by the applicant, the staff believes that the application should be approved as modified and with several additional conditions.

Traffic - The traffic issues associated with this application that concerned the staff relate primarily to its location along a Rustic Road. However, although this road has a Rustic designation it is on the border of a high growth area within the Clarksburg Master Plan, it borders a residential subdivision, and is only approximately 2/3 mile from the intersection where Stringtown will become an arterial road. Thus while its designation is Rustic, the character of the road and the area is not wholly rural. However, the use necessarily proposes additional traffic and activity that will cause disruption to the residents of the adjoining subdivision.

If this use were being proposed at the nearby intersection of Piedmont and Stringtown Roads there would be fewer community concerns related to its operation. However, because of the potential for traffic safety issues, as well as the potential for disruption to the adjoining neighborhood, it was important to know the full traffic implications of the proposed use. After an in-depth review by the transportation staff, it now appears that with the conditions proposed, the amount of traffic generated is not a substantive transportation issue. Essentially they conclude that this segment of road will see a large increase in traffic over the next decade due to overall growth in the Clarksburg area, and the amount of traffic that this use will generate will not impose a significant additional burden. Further, the amount of additional traffic the use will generate will not impact the Rustic Road status of Stringtown.

Master Plans - The situation of a use being poised on the border of two master plans presents a special type of conundrum; particularly in a case like this. The Clarksburg planner has stated that the use at this location will be detrimental to the intent of the Clarksburg Master Plan, yet it is not within that master plan. From the viewpoint of the Agricultural and Rural Open Space Master Plan, special exceptions are to be considered on their merits in the zone, but not to cause excessive detriment to the intended character of the zone.

This is a property that is extremely unlikely to stay in full agricultural use due to its immediate proximity to the rapidly expanding community of Clarksburg. The use is allowed in the zone, and there are other private clubs in the RDT Zone. Additionally, this area overlooks a half-acre lot residential subdivision, and is less than a mile from the burgeoning Clarksburg Town Center. From that view, it is a good location for a club site, and certainly far better than one further out in the rural area, removed from major roads.

With the need to balance these conflicts, the staff has recommended approval of the use because the applicant has modified their request to provide limits on the operating hours, limit the number of large events, and limit the number of weeknight events. The staff believes that these limitations, and those proposed by the staff below will allow a club of the proper scale and level of activity appropriate for a "border" rural/suburban area.

The staff is not as deeply concerned with further curtailing the absolute number of allowed events per year, because we believe that the impact of the use is more greatly related to the size of the events and the number of affected weeknights, and weekend days or nights.

Operational Elements - The staff finds most elements of the submitted operational plan to be acceptable. However, the staff has spent a considerable time evaluating the number of meetings proposed and the number of people allowed to attend events in relation to the location proposed for this use. The staff believes that of all the operational elements, the special events will cause the most disruption to the community.

The plan submitted indicates no more than 200 special events per year. The staff does not consider this to be an excessive number of events for the club – particularly with the proposed limitations on the number of large events. With the limitations proposed, there would be no more than two weeknight events per week, and none of the weekday or weeknight meetings would be for more than 100 people. Further, the change in operating hours to 10:00 pm on weeknights and Sunday night will ensure limited disruption for families in the immediate area.

However, the proposed plan would still mean a potential for up to three or even four large meetings every weekend. The staff believes that this number of meetings would be unnecessarily disruptive in an area that has previously been suburban and rural in character. The staff believes that there should be a limit on the number of large weekend events allowed for the proposed use at this location as an accommodation to the existing community.

The staff also believes that the absolute number of events and meetings should be limited to 200 per year – thus including the proposed Board and membership meetings in that total. Again, if the intent is to limit weeknight impact on the surrounding area, leaving these monthly meetings out of the total means that there is actually the potential for 3 meetings per week twice a month, which could become a burden on the community.

Therefore, the staff recommends the following additional conditions for approval of this use:

1. No more than two large events (100 or more people) allowed on any one weekend.
2. The 200 total allowed events per year to include the monthly membership and Board meetings.

The staff has recommended these limitations because of a belief that the Fire Fighters Association desire for a club site must be weighed against the probable intent of the Clarksburg and Agricultural and Rural Open Space Master Plans for private clubs in this type of location to

be smaller scale in level of activity. The location along a Rustic Road that serves as a buffer between the suburban character of the Fountain View subdivision and the rural character of the Agricultural Reserve should be more limited than a facility in a more central location.

The staff recommends **approval** of the use with the conditions noted above and at the beginning of this report. The staff believes that the activity level from this use will cause some change to the character of this border suburban/rural area, but as an isolated issue the staff does not believe it should be sufficient to deny the use.

## Attachments

**Special Exception Requirements**  
**Sec. 59-G-1.2. Conditions for granting.**

**59-G-1.21. General conditions.**

(a) A special exception may be granted when the board, the hearing examiner, or the district council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

- (1) Is a permissible special exception in the zone.

*The property is zoned RDT, which permits a private club as a special exception.*

- (2) Complies with the standards and requirements set forth for the use in division 59-G-2.

*The proposed use complies with the criteria of section 59-G-2.24.*

- (3) Will be consistent with the general plan for the physical development of the district, including any master plan or portion thereof adopted by the Commission.

*The Agricultural and Rural Open Space Master Plan is silent on special exceptions, deferring to the Zoning Ordinance. However, the intensity of the proposed use is recommended to be limited due to conflict with the adjoining existing neighborhood.*

- (4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

*The proposed building is large, but not out of scale with the size of the proposed property, and there are no traffic concerns. However the staff has recommended limits on the size of weekend meetings and the number of meetings allowed on weekends.*

- (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

*Since most of the activity proposed will occur indoors and proposed lighting will be restricted to the immediate vicinity of the proposed building, driveway and parking area, the use should not have any of these negative impacts.*

- (6) Will not, when evaluated in conjunction with existing and approved special exceptions in the neighboring one-family residential area, increase the number, intensity or scope of special exception uses sufficiently to affect the area adversely or alter its predominantly residential nature. Special exception uses in accord with the recommendations of a master or sector plan are deemed not to alter the nature of an area.

*The use would not significantly alter the low-density residential/ rural character of the area.*

- (7) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area.

*Staff evaluation finds no adverse impact of safety, security or morals*

- (8) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. If the special exception use requires approval of a preliminary plan of subdivision in accordance with chapter 50 of this Code, title "Subdivision of Land," the adequacy of public facilities will be determined by the Planning Board at the time of subdivision approval. In that case, the Board of Appeals must include such Planning Board approval as a condition of the grant of the special exception.

*If this special exception request is approved, subdivision of the property will be required and adequacy of public facilities will be determined during that process.*

### **Specific Conditions**

**Sec. 59-G-2.42. Private clubs and service organizations.** See section 59-G-2.24

### **Sec. 59-G-2.24. Golf courses and country clubs.**

The Board may authorize a golf course, country club, private club or service organization including community buildings, upon a finding that the proposed use will not adversely affect surrounding residential and agricultural uses because of noise, traffic, number of people or type of physical activity; provided, that the following standards and requirements can be met:

- (a) The provision of food, refreshments, and entertainment for club or organization members and their guests may be allowed in connection with such use, provided the availability of such services is not reasonably expected to draw an excessive amount of traffic through local residential streets.

*The proposed use is not on a street with a local road classification, but on a Rustic Road; which functions as a rural primary road. During normal day-to-day operations, the proposed club would generate a minimal amount of traffic – however the club is proposing a significant level of weekend (Friday-Sunday) activity. After study, the amount of traffic proposed was not found to be at a level that would be inappropriate for a Rustic Road. In addition, the staff has proposed additional limits on the size of events, and number of events allowed to further limit the impact of club activities on existing area residents.*

- (b) All buildings shall conform to the height, coverage, and setback regulations of the zone in which they are located; and all facilities shall be so located as to conform to other special exception standards.

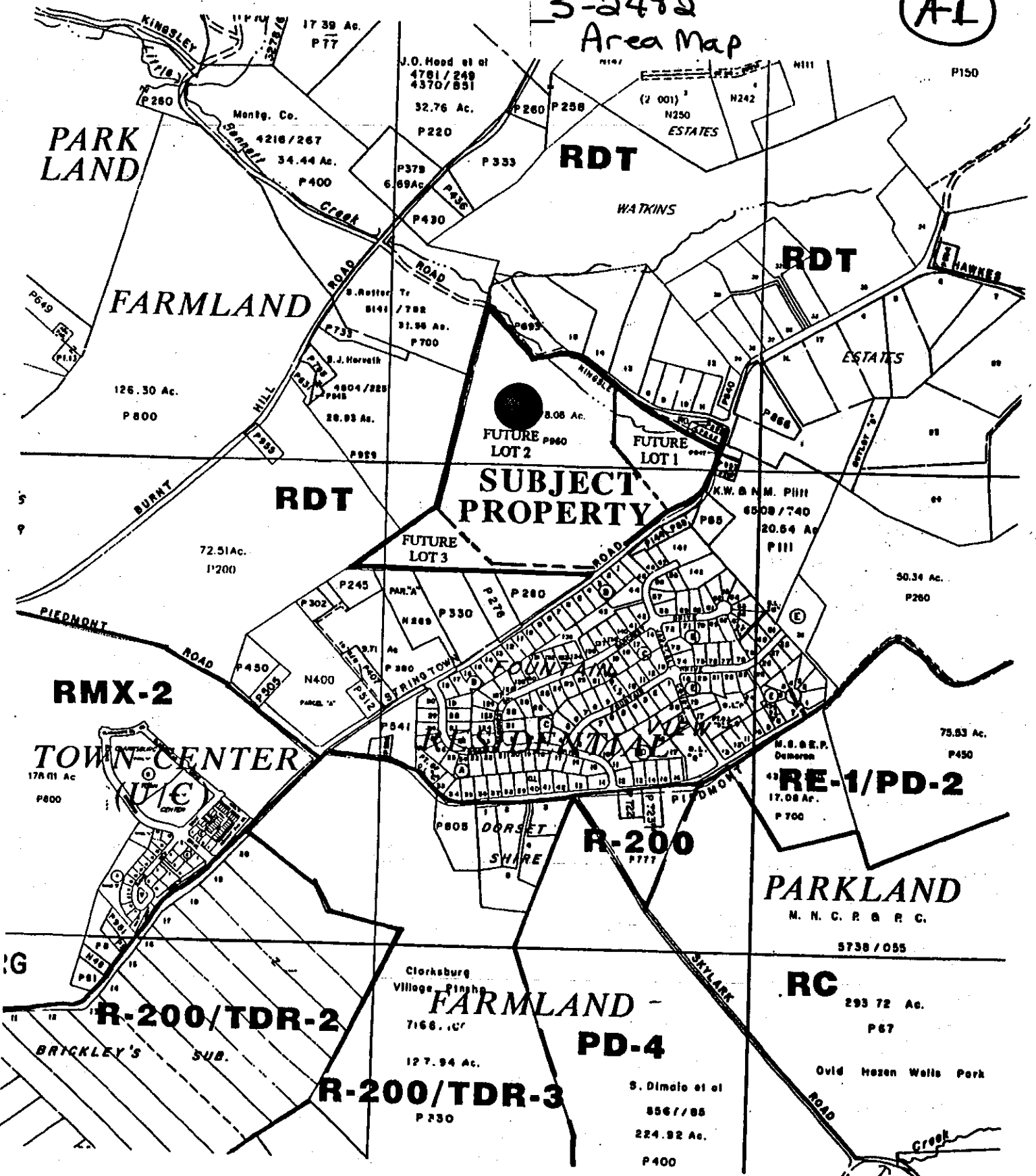
*The proposed club building will meet the development standards of the RDT Zone for lot size, lot width, setbacks, lot coverage, and building height.*

- (c) All outdoor lighting shall be located, shielded, landscaped or otherwise buffered so that no direct light shall constitute an intrusion into any residential area.

*Outdoor lighting is proposed to be limited to the building area and adjacent parking lot, with low-level lighting along the entry drive. Light fixtures will be shielded to protect spillage to the area surrounding the property and will be further screened by proposed landscaping and distance from the property boundaries.*

S-2482  
Area Map

AL



EXISTING ZONING & LAND USE

PERRINE PLANNING & ZONING, INC.

CAREER FIRE FIGHTERS ASSOC., INC. SPECIAL EXCEPTION

VICINITY MAP FOR  
**FIRE FIGHTERS**

-5-2482

-A-2



Map compiled on November 27, 2001 at 9:58 AM | Site located on base sheet no - Z33NW12 | Data of Orthophotos - March 1998 | Orthophoto Images Licensed from WARGM LLC.

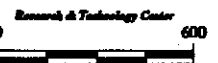
**NOTICE**

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



1 : 7200

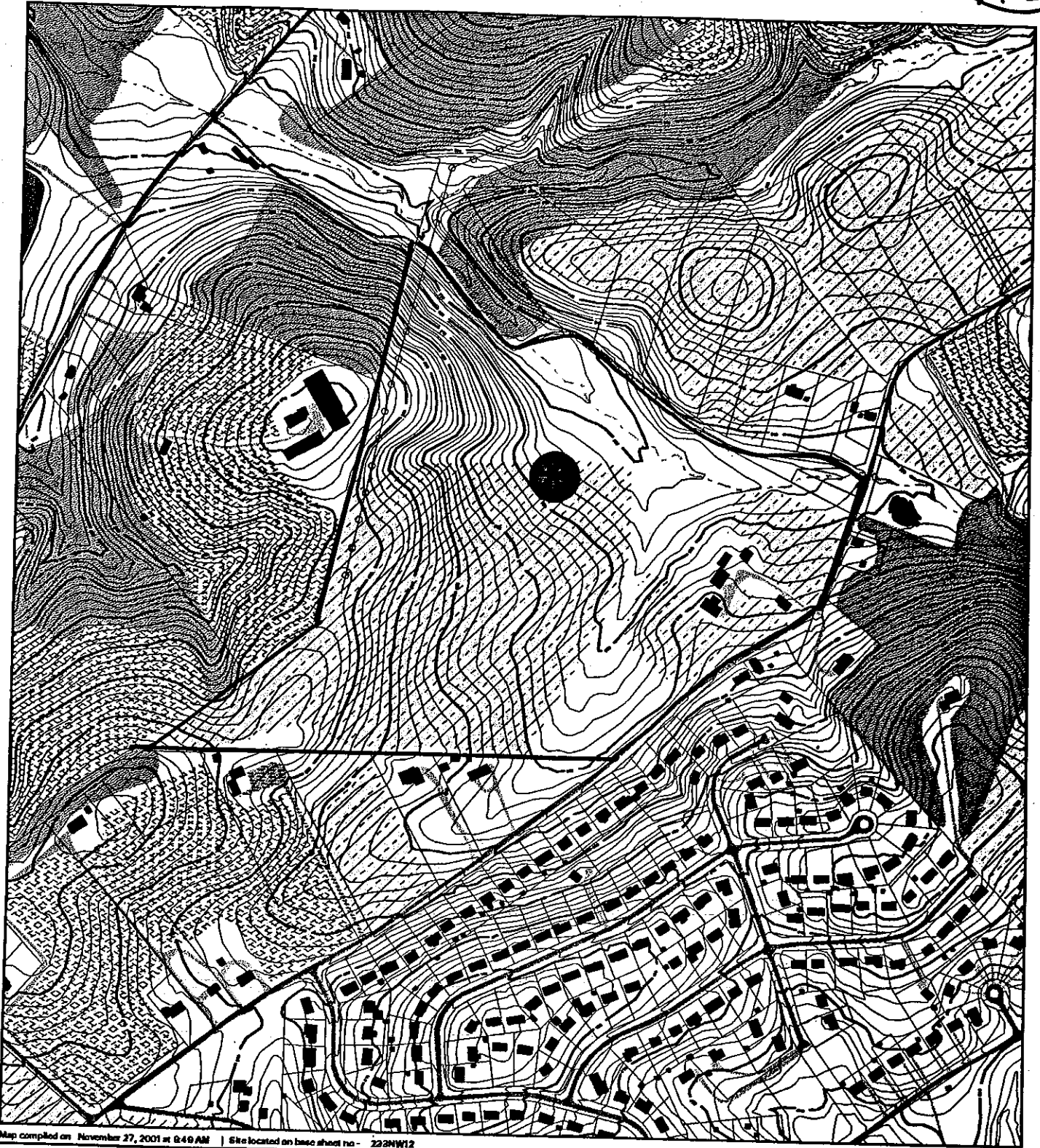
**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

1707 Georgia Avenue - Silver Spring, Maryland 20910-3700



VICINITY MAP FOR  
**FIRE FIGHTERS**

A-3



Map compiled on November 27, 2001 at 8:49 AM | Site located on base sheet no - 222NW12

**NOTICE**

The planimetric, property and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

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Key Map



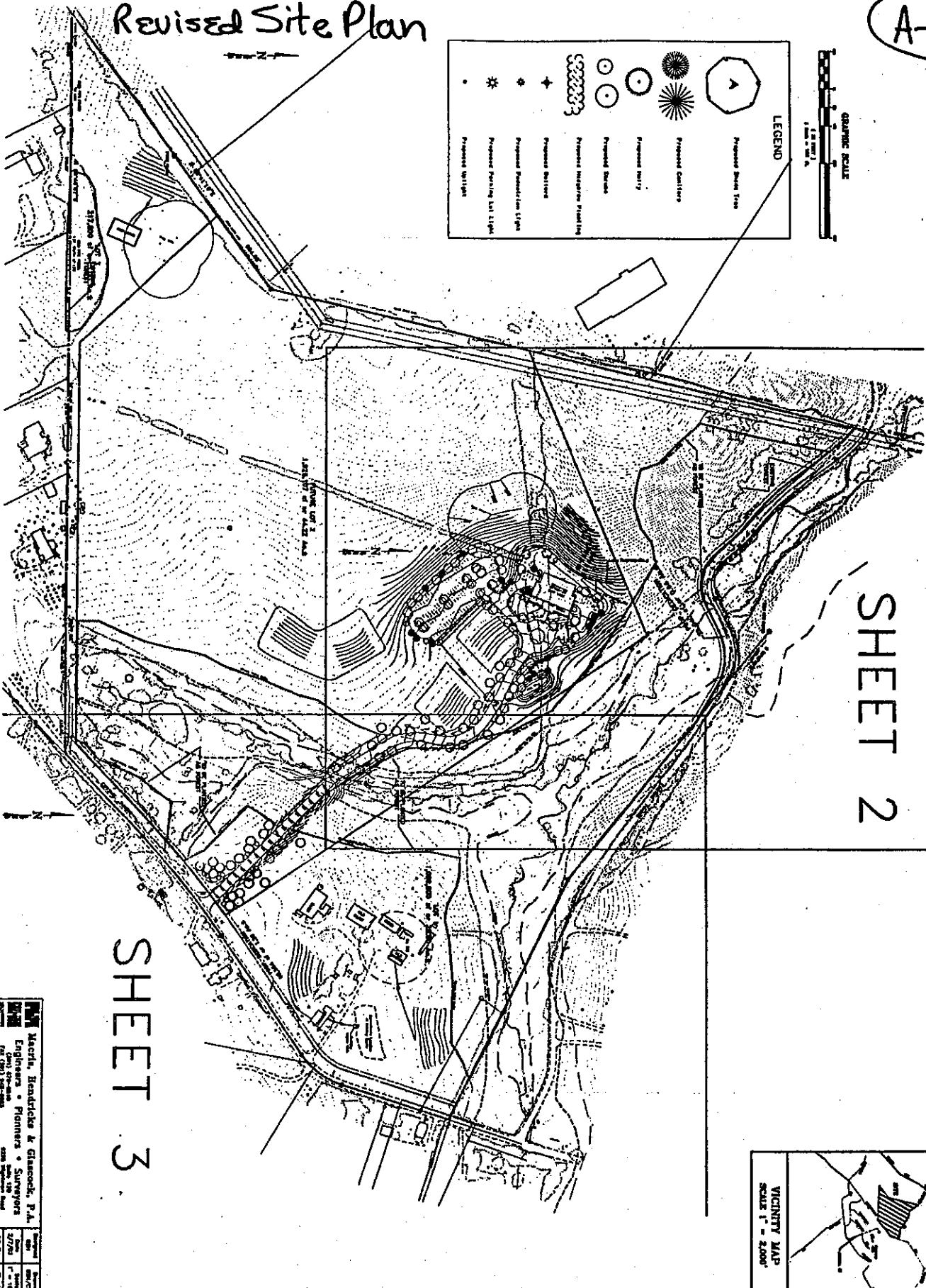
1:7200

**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue - Silver Spring, Maryland 20910-6370

# Revised Site Plan

**LEGEND**

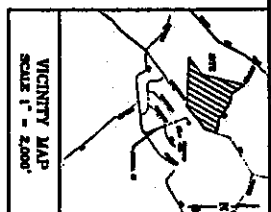
- Proposed Stone Tree
- Proposed Canopies
- Proposed Entry
- Proposed Benches
- Proposed Pedestrian Pathway
- Proposed Walkways
- Proposed Production Sign
- Proposed Parking Lot Light
- Proposed Utility



SHEET 2

SHEET 3

**DM** Martin, Hendricks & Glascock, P.A.  
**DM** Engineers • Planners • Surveyors  
 24100 Stringtown Road  
 Clarksburg, MD 20871  
 Phone: 301-746-1100  
 Fax: 301-746-1101  
 www.dmgpa.com



L-1  
 1" = 100'

**LANDSCAPE AND LIGHTING PLAN  
 FOR SPECIAL EXCEPTION  
 FUTURE LOT 2**


20207-01

**MONTGOMERY COUNTY  
 CAREER FIREFIGHTERS UNION OFFICE**  
 24100 STRINGTOWN ROAD  
 CLARKSBURG, MD 20871



# Lighting Fixtures

A-5

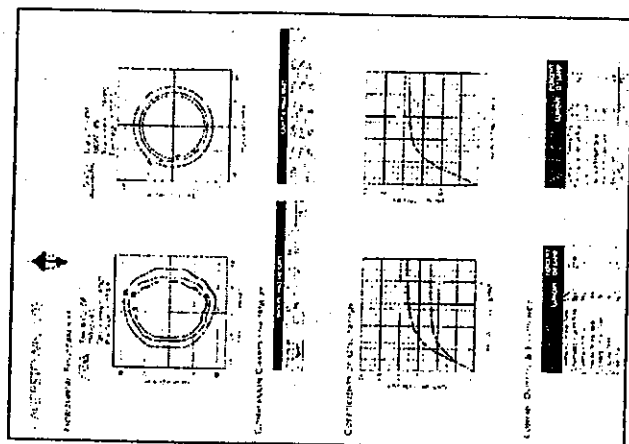
**Montgomery County**  
**CAREER FIREFIGHTERS UNION OFFICE**  
 24100 STRINGTOWN ROAD  
 CLARKSBURG, MD 20871

20207-01

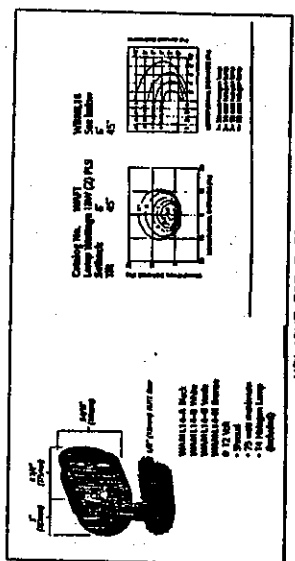
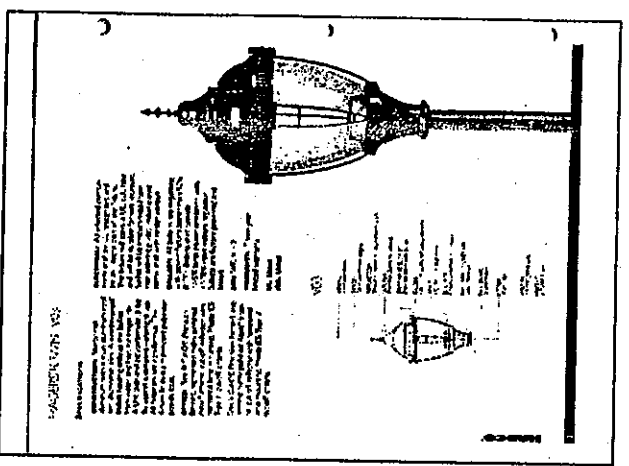
LANDSCAPE AND LIGHTING PLAN  
 FOR SPECIAL EXCEPTION  
 FUTURE LOT 2

AS NOTED  
 1-6

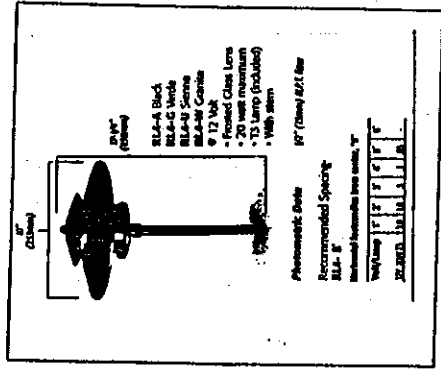
**Macris, Hendricks & Glascock, P.A.**  
 Engineers • Planners • Surveyors  
 10000 Macmillan Road  
 Columbia, MD 21046  
 410-326-1000



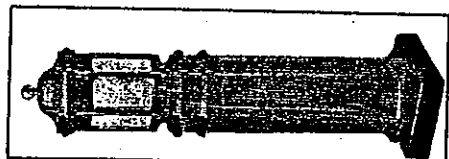
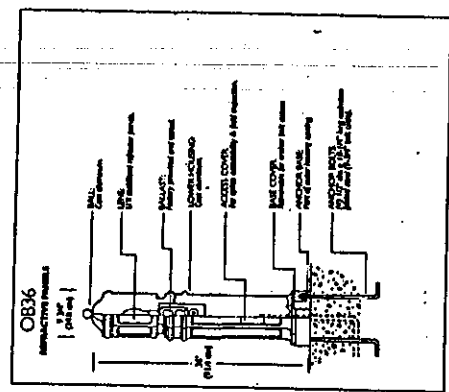
**PARKING LOT LIGHT**  
 Fixture Dimensions: 29.5" H x 16.5" W  
 Lamp: 100 Watt, Metal Halide  
 Finish: Black  
 Pole: 14" Aluminum Pole  
 Total Fixtures: 14



**UPLIGHT FOR ENTRY SIGN**  
 Will include Barn Doors  
 Lamp: 20 Watt T  
 Total Fixtures: 2



**PEDESTRIAN LANDSCAPE LIGHT**  
 Lamp: 20 Watt T max. or 12 V  
 Total Fixtures: 24



**REFRACO**

REFRACTOR PANELS	QUANTITY	REMARKS
28 W Fluorescent w/ refractor panels	41	

**BOLLARD**  
 Lamp: 28 W Fluorescent w/ refractor panels  
 Total Fixtures: 41

# Revised Operations Plan

(A-6)

**REVISED TRANSPORTATION OPERATIONAL PLAN  
FOR MONTGOMERY COUNTY CAREER FIREFIGHTERS ASSOCIATION, INC.  
SPECIAL EXCEPTION CASE NO. 2482**

**1. Hours of Operation**

**a. Offices**

Monday - Friday 7:00 a.m. - 5:00 p.m.  
3 employees - ADT for offices use - 15  
(3 peak hour trips)

**b. Events**

Sunday	10:00 a.m. - 10:00 p.m.
Monday - Thursday	7:00 a.m. - 10:00 p.m.
Friday	7:00 a.m. - 12:00 a.m.
Saturday	10:00 a.m. - 12:00 a.m.

**2. Organization Meetings**

**a. One Board meeting per month approximately 14 people  
7:30 a.m. last Monday per month**

**b. One Membership meeting per month approximately 20-30  
members, more for an issue of special interest.  
After 6:00 p.m. second Tuesday per month**

**3. Special Events: 200 per year:**

**a. Monday - Thursday - no more than 2 events per week after  
6:00 p.m.**

**b. 25 events up to 240 people - Friday - Sunday only  
(max 240 trips/event)**

**c. 50 events up to 150 people - Friday - Sunday only  
(max 240 trips/event)**

**d. 125 events up to 100 people - Sunday - Saturday  
(max 200 trips/event)**

(This Operational Plan supersedes the Transportation Operational Plan dated August 13, 2001)

February 6, 2002

**TRANSPORTATION OPERATIONAL PLAN  
FOR  
MONTGOMERY COUNTY CAREER  
FIREFIGHTERS ASSOCIATION, INC.**

- 1) Open Monday through Friday 7 AM to 5 PM; evening 6 PM to 12 AM.
- 2) Open Saturday and Sunday 10 AM to 12 AM.
- 3) Weekday 7-9 AM and 4-6 PM trips expected to be limited to three peak hour trips for the 5,000 sq.ft. office building to accommodate 3 employees. One time/month up to 14 people could attend a Board Meeting (7:30 AM) (Last Monday each month).
- 4) Monthly membership meeting second Tuesday 20-30 members (60 daily trips).
- 5) One daily event/week (between 9 AM – 5 PM) and one evening function/week (6 PM – 12 AM) up to 100 persons/event (200 daily trips).
- 6) On weekends (non-peak hour conditions) events, parties, functions could occur with up to 120 cars in and 120 cars out (240 persons). It is expected that up to 75 such events could occur annually.
- 7) ADT Weekday 15 trips for office use
- 8) ADT Weekend 240 "function" uses (75 events per year)  
173 trips/day (average weekend day)  $(240 \div 75 \div 104 = 173)$

*The Traffic Group, Inc.*

8/13/01

# Derivation of ADT Volume

(A-8)

2/8/02 11:44 AM

## ATTACHMENT 1

Derivation of Average Daily Traffic Volumes  
 Stringtown Road North of Piedmont Road  
 Special Exception Case # S-2482  
 Montgomery County Career Fire Fighters Association, Inc.

REFLECTING APPLICANT'S FEBRUARY 6, 2002 STATEMENT OF OPERATIONS, WITH 200 MEETING CAP EXPANDED TO COVER ALL EVENING MEETINGS

Daily Trip Generation With 200 event cap (see note #3)				
Events per Year	Trips per Event	Event Frequency Ratio	Average Daily Trips	
		(see note #1) (see note #2)		
12	28	0.033	1	
12	60	0.033	2	
25	480	0.068	33	
50	300	0.137	41	
101	200	0.277	55	
200			139	

Daily Trip Generation For individual events				
Events per Year	Trips per Event	Event Frequency Ratio	Average Daily Trips	
		(see note #1) (see note #2)		
12	28	0.033	1	
12	60	0.033	2	
25	480	0.068	33	
50	300	0.137	41	
125	200	0.342	68	
224			152	

Scheduled Event	employees	trips per employee	trips per attendee	Average Daily Trips
<b>Daily Office Function</b>				
1. General Office building (ITE Land Use 710) weekdays	3	3.32		7
<b>Meetings and Events (subject to 200 / year cap)</b>				
2a. Board meeting last Monday per month	14	2		1
2b. Monthly membership meeting	30	2		2
3b. Weekend function < 240 attendees (25 per year)	240	2		33
3c. Weekend function < 150 attendees (50 per year)	150	2		41
3d. Other function < 100 attendees (125 per year)	100	2		68
<b>Site generated traffic subtotal</b>				<b>152</b>

Notes:

- The event trip generation rates are conservative, assuming:
  - The number of attendees who will carpool will more than offset trips made by event producers (e.g. coordinators, caterers, etc.)
  - All site trips are to and from the south along Stringtown Road
  - All events will have the maximum number of attendees allowed
- The event frequency is calculated by dividing the number of events per year by 365 days per year. The office function is assumed to occur 5 days out of 7 for an event frequency of 0.714
- Staff assumes the association will continue to hold both types of monthly meetings. The remaining 176 meeting "slots" are conservatively assumed to be the largest type of meetings permitted.

Rustic Roads Committee  
Letter



A-9

RUSTIC ROADS ADVISORY COMMITTEE

November 7, 2001

John F. McCabe, Jr.  
Chen, Walsh, Tecler & McCabe, L.L.P  
200 Monroe Street, Suite 300  
Rockville, MD 20850

Re: Montgomery County Firefighters Union Office  
Special Exception S-2482

Dear Mr. McCabe:

I am writing on behalf of the Rustic Roads Advisory Committee (RRAC) with regard to the Special Exception Site Plan and Transportation Operation Plan forwarded to me on October 8, 2001 for their review.

The RRAC reviewed the plans at their meeting of October 25, 2001. They do not have any objection to the proposed development but will want to review more detailed plans of the proposed driveways on Stringtown Road when available. The rustic road character and any special features must be maintained. For your information, Kingsley Road is classified as an "Exceptional Rustic" road, and as such requires an 80 foot right-of-way; Stringtown is "Rustic" and requires a 70 foot right-of-way.

We appreciate the opportunity to review this plan.

Sincerely,

Sarah R. Navid, Staff Coordinator  
Rustic Roads Advisory Committee

sm\firefighters.doc

Department of Permitting Services

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850-4166 • Voice 240/777-6298, FAX 240/777-6296

November 28, 2001

## Memorandum

To: Judy Daniels, Rural Community Area  
From: Karen Kumm Morris, Clarksburg Planner  
Subject: Montgomery County Career Firefighter's Private Club, S-2482

---

The proposed Firefighter's Private Club directly abuts the planning boundary of the Clarksburg Master Plan on the eastern edge of Clarksburg along Stringtown Road. An existing residential community of Fountain View lies across Stringtown Road directly to the south of the subject property. Needless to say, the convention center will have an affect upon the character, activity and traffic within the Clarksburg community.

### Master Plan Recommendations

The Ridge Road Transition Area which directly abuts the subject property is recommended as a low residential density "edge" transitioning to the rural character of the Agricultural Preserve. The area is zoned primarily as Rural Density Transfer (1 du/25 ac) and Rural Cluster (1 du/5 ac). Stringtown Road is recommended as a Rural Rustic Road and intended to remain unaltered in order to preserve the rural characteristics of the roadway.

The Master Plan zoning reflects the intent of the master plan to transition low densities to the Agricultural Preserve and thus cluster more intense uses within the centers of Clarksburg. The Town Center and Transit Corridor District are zoned for denser, mixed use development and have the roadway system and sewer system to support such uses.

### Concerns and Issues

The plan proposes to construct a 20,000 square foot, 2 story building to function as a social hall for the Professional Firefighter's Association. The size of building, 120 feet by 70 feet, results in a very large building more commonly found within commercial centers than located in rural settings. However, the more important issue is the level of activity and traffic generated by such a proposal.

The proposal indicates that 900 members will have access to this facility. The applicant has stated that weekend events will be limited to 75 per year and that typically 100 people will visit the facility per week. The Clarksburg Master Plan clearly intended such intense uses to be within areas served by sewer and the arterial roadway system. This proposal seems incompatible with the whole premise of the master plan that is to cluster more intensely used development into centers rather than to sprawl around the edges of the master plan.



The traffic generated by the proposal is a major concern especially given the Rustic Road designation of Stringtown Road. The road is intended by the Master Plan to remain a low volume, scenic rustic roadway. Currently, it is experiencing a great deal of traffic further from the east, Damascus and Frederick County, as drivers attempt to find alternative routes from MD 27 to I-270. Safety and traffic volume are major concerns. The Transportation Division staff memo has more detailed analysis of these traffic concerns.

### **Community Concerns**

The Clarksburg Planning Committee and Civic Association have both reviewed and expressed concerns with the proposal. Also, Fountain View, the community that is most affected by the proposal is generally not supportive. The primary concerns are traffic generation and traffic safety along Stringtown Road, level of activity/number of events, hours of operation, amount of light pollution in an area known for its "dark skies", and noise generated from the amount of traffic.

### **Staff Recommendation**

The proposed plan is not consistent with the intent of the Clarksburg Master Plan on the basis of intensity of use and level of traffic as discussed above. The proposal creates a level of activity beyond the "edge" of Clarksburg that was never intended by the master plan. Therefore, staff recommends DENIAL of the proposed special exception. Staff has met with the applicant and suggested other sites closer within Clarksburg that would not have such associated issues. However, these other potential locations are more expensive land due to the zoning.

2 November 2001

From: Clarksburg community and surrounding areas

To: Board of Appeals Chairman, Don Spence  
100 Maryland Avenue  
Rockville, Maryland 20850

Planning Board Chairman, Art Holmes  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RECEIVED  
011838  
NOV 28 2001

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Re: Montgomery County Fire Fighters Union Hall

Location: 78 acre lot near corner of Stringtown Road and Kingsley Road

The following Clarksburg community and surrounding area residents are petitioning the Board of Appeals Chairman, Don Spence to deny the proposal of the Montgomery County Fire Fighters Union Hall based on the following main concerns:

- **TRAFFIC** – We feel the increase in the amount of traffic due to number of events and possible magnitude of the events proposed at the site would produce a dangerous element in our community. Stringtown Road is a rural rustic road that we strongly feel could not safely support the large volume of traffic that would result from such a site.
- **LIGHTING** - We also believe that the lighting proposed for this site would be intrusive to the surrounding houses and the community. Many of the residents along Kingsley, Stringtown and in Fountain View have properties that are the same or higher in elevation than the proposed site. Any lighting would be an invading factor to their properties. We value the "country" atmosphere that our community has left us, via the master plan (1994 copy), and the darkness at night is a contributing factor in creating and keeping that atmosphere.
- **NOISE & ISSUANCE OF A LIQUOR LICENSE** – Our community appreciates the quietness of Clarksburg and we fear the events that could be held at the proposed site (i.e., weddings, retirement parties, etc...) could ultimately have the capability to be loud. We are also greatly concerned with the proposal to have the site be issued a liquor license. The potential is there for many unsafe conditions when alcohol is added. The driving conditions alone, (i.e., weather, width of the road, and speed) increase the dangers for the community. When alcohol is factored into this already risky equation the results could be tragic.

PETITION AGAINST M.C. FIREFIGHTERS  
UNION HALL

Cecil A. Holsinger Cecil A. Holsinger  
11925 Hawkes Rd  
Clarksburg MD

WILLIAM A. ALLEN William A. Allen  
24500 STRINGTOWN RD  
CLARKSBURG MD 20871

Dorlene Allen Dorlene Allen  
24500 Stringtown Rd  
Clarksburg, Md 20871

PINE & LYNDA DILLON  
12217 KINGSLEY RD  
CLARKSBURG MD 20871

*[Signature]*

SUGAN M. SMITH  
23941 STRINGTOWN ROAD  
CLARKSBURG, MD 20871

*[Signature]*

MARY E. FUSCO  
23937 STRINGTOWN RD  
CLARKSBURG, MD 20871

*[Signature]*

PETITION AGAINST M.C. FIREFIGHTERS  
UNION HALL

Linda Pierce  
23932 Janbeall Ct  
Clarksburg MD 20871

Linda Pierce

David S. Roberts  
23936 Janbeall Ct  
Clarksburg MD 20871

David S. Roberts

SUSAN C. ROBERTS  
23936 Janbeall Ct.  
Clarksburg, Md. 20871

Susan C. Roberts

Kirk J. Holub  
23933 STRINGTOWN Rd  
CLARKSBURG, MD 20871

Kirk J. Holub

NAME + ADDRESS:

27

Jerry Richard Clarksburg

28

Chin Cavell Clarksburg

29

Jesse Herring, Hattstown

30

Suevely Whipps Stringtown Rd

Suevely Whipps

PETITION AGAINST M.C. TRUSTEES  
UNION HALL

MARK AMBUEHL                      *Mark Ambuhl*  
23910 STRINGTOWN RD  
CLARKSBURG

\* Christine Noall                      *Christine Noall*  
23825 Stringtown Rd.                      301-540-1375  
Clarksburg, MD 20871

Beth Herring                      *Beth Herring*  
12211 Kingsley Rd.  
Clarksburg, MD 20871

Bill Herring                      *Bill Herring*  
12211 Kingsley Rd.  
~~Bill~~ Clarksburg, MD 20871

Mark Myers                      *Mark Myers*  
24015 Stringtown Rd  
Clarksburg, Md 20871

*Bill Herring*

PETITION AGAINST M.C. FIRE FIGHTERS  
UNION HALL

Barbara Watkins 1 *Barbara Watkins*  
301-428-0070

11610 Piedmont Rd  
Clarksburg, MD 20871

TARRA L. Pumphrey  
24101 Stringtown Rd  
Clarksburg, MD 20871

*Tarra L. Pumphrey*  
301-916-1214

KEVIN POMPHEY  
24101 STRINGTOWN RD  
CLARKSBURG MD

*Kevin Pumphrey*  
301 916 1214

Charles Allen Gorday, Jr.  
23905 Stringtown Rd  
Clarksburg, MD.

*Charles Allen Gorday, Jr.*

JANE BRANSKI  
23901 STRINGTOWN RD  
CLARKSBURG MD

*Jane Branski*

FREDO BRANSKI  
23901 STRINGTOWN RD  
CLARKSBURG MD

*Fred Branski*

PETITION AGAINST M.C. FLETCHER'S  
UNION HALL

Jean Davison  
23805 Stringtown Rd  
Clarksburg, Md 20871  
301-601-0151

Karen Wilson  
23813 Stringtown Rd  
Clarksburg, MD 20871  
301-916-2062

James M. Wilson  
23813 Stringtown Road  
Clarksburg MD 20871  
301-916-2062

J. V. Evans

DR. JOHN V. EVANS  
24401 STRINGTOWN RD  
CLARKSBURG, MD 20871  
301-253-1847

Carol A. Evans  
24401 Stringtown Rd  
Clarksburg, MD 20871  
301-253-1847

Carol Evans



# Comments Concerning a Special Exception for Montgomery County Career Firefighters Union Hall in Clarksburg

## November 2001 Community Meeting

A community meeting was held with representatives of the firefighters' union in November to discuss their plans to build a union hall on Stringtown Road in Clarksburg. The union is in the process of applying for a special exception to build a private club on the site. The meeting was held to discuss the impact of the hall on the local community and to see whether local residents and the union could reach some agreement as to the type and use of the proposed facility.

Their initial plan included a two-story structure that would contain a banquet hall with a 240 guest capacity. Operating hours would extend until midnight. The facility would have a liquor license. The discussion of the number of events to be held at the facility was difficult to follow. It seemed that approximately 240 events would be held each year.

The proposed facility would be built in a quiet, residential area. The consensus of the community seemed to be that the facility, as proposed, would fundamentally alter the nature and character of the community -- a community that most residents moved to in order to get away from all of the activity closer to Washington DC.

The specific concerns of the community included the following:

**Alcohol** -- Stringtown is a single lane road with many turns and bends near the site of the proposed union hall. There are no street lights or shoulder markers near the site. Residents were concerned that the many events (wedding receptions, retirement dinners, etc.) at which alcohol could be served (as many as 225) would lead to hazardous driving and many accidents on a poorly lit, scarcely marked residential roadway. Residents were concerned about the safety of children as they egress from school buses in the afternoon and early evening. Additionally, residents were concerned that beyond specific scheduled events, the facility would be available for members to use as a gathering place and that alcohol consumption could take place at the facility on a daily basis.

**Traffic** -- Stringtown has been designated as a "rustic road." With the potential for 249 events a year, the increased traffic on Stringtown road would substantially alter the character of the road. Additionally, the driveway to the facility enters the roadway in a location where Stringtown is only a single lane (i.e. there are no lane markers and the road is not wide enough to accommodate two lanes of traffic). The increased traffic during events would lead to hazardous driving conditions in the vicinity of the union hall.

**Noise** -- The facility is designed such that the banquet hall includes a number of French doors opening onto a large patio area. Residents were concerned that during summertime months, these doors could be opened and events would spill onto the patio area. A patio in a quiet, rustic environment during the summer months is quite inviting for guests at a wedding reception or a retirement banquet. The noise generated

by these people in addition to the noise from bands or DJs at wedding receptions or retirement parties would reverberate through the valley in which the proposed facility would be built. This noise would fundamentally change the quiet, rustic atmosphere in the community. Additionally, residents thought that allowing events to extend until midnight was inconsistent with the residential area in which the facility would be built. The area is populated by many families with small children, and nearby residents are often asleep before 11:00 PM.

**Lighting** – The design of the light fixtures was such that the throw of the light was directed sideways as well as towards the ground. Thus, neighbors would be exposed to direct light from the fixtures positioned on the driveway and in the parking lot. The design included trees around the parking lot to shield this light. The deciduous trees called for in the plan, however, would not provide screening in the winter months.

**Number and Size of Events** – Residents were concerned that with the potential for 240 events per year, the facility would be in almost daily operation. Additionally, the 75 event weekend limit would mean that events could be held on three of every four weekend days or evenings. In the opinion of the community, this high operational tempo, in conjunction with the disruptions and potential hazards that each event would bring (as outlined above), would substantively alter the rustic, residential nature of the community.

## **15 January Community Meeting**

A second community meeting was held in Clarksburg on 15 January to discuss any proposed changes to the design or use of the facility proffered by the Union and their representatives, and to see whether the Union and the community could reach some agreement about the facility.

The Union representative addressed the community's concerns as follows:

**Alcohol** – The attorney for the Union stated that he understood the community's concern about alcohol and the possibility of intoxicated drivers on the narrow, rustic roads of Clarksburg. He said that people are much more conscious about not driving drunk today than they were 30 years ago. He indicated that therefore, while he understood the concern, drunk driving would not be a big problem. The Union also confirmed that there was never any intention to allow alcohol consumption on the premises outside of specific scheduled events. Members would not be able to use the facility as a social gathering place.

**Traffic** – The Union attorney indicated that they had done a traffic survey of the area. The survey concluded that the additional traffic generated by the union hall would not increase the road usage beyond the limit for a rustic road designation.

are walking home from school and mothers are pushing their strollers would help to ensure that the safe character of our community is maintained. Given that the firefighters have chosen a residential area populated by young children as the site for their hall, this accommodation should be acceptable.

#### **Noise -**

**1. End hours of operation at 9:00 PM.** In other words, the firefighters would have to end their events no later than the noise ordinance says that quiet hours begin in the community. As private residents we are required to ensure that our activities are restrained after quiet hours begin, or be subject to fines and police visits. The firefighters should be able to meet the same requirement. This restriction would be a reasonable accommodation given that the firefighters have chosen a residential area populated by children for their facility.

**2. Incorporate engineering and procedural controls to ensure that events cannot extend onto the proposed patio.** This requirement could be achieved through some simple changes to the facility rules and design. First, the patio itself could be eliminated from the plans. If the firefighters will not eliminate the patio, they could eliminate the French doors leading to the patio. On a nice summer day, the prospect of throwing the French doors open and extending an event onto the patio would be awfully inviting. Replacing the doors with windows extending across the back wall would eliminate the temptation to include the patio in an event, while still not substantially changing the open atmosphere in the hall that the French doors create. Finally, rules and engineering controls could be incorporated to prohibit noise-making equipment or amplification systems (i.e. musical instruments, public address systems, speakers, etc.) from being utilized on the patio or anywhere outdoors. The firefighters chose a site in a quiet, residential community for their hall. It is reasonable for the community to expect that they incorporate some simple controls to limit the noise they will create in the neighborhood they are joining.

#### **Lighting -**

**1. Ensure that none of the residential properties is exposed to direct light.** All light fixtures should be fitted with shades that direct the light towards the ground. No exterior light bulb should be visible from any other property. Choosing to join a community with many small children obligates the firefighters to consider the impact that their design will have on the neighborhood's rest cycle.

**2. Ensure that all exterior lights are turned off no later than a half hour after the end of the last event of the day.** Turning off the lights after events are completed will ensure that residents are not subject to light pollution any more than is necessary to ensure the safety of the firefighters and their guests.

**Size and Number of Events - Restrict the number of non-union events to no more than 150 per year.** The current proposal calls for 231 evening events per year. This amounts to two events in every three days. The firefighters must appreciate that they are moving into a residential area. Residents should be able to expect that the character of the community will not be substantively altered by the addition of the firefighters' hall. Two weekday events and one weekend event per week provides the

**Noise** – The union representative indicated that parties would not extend outside onto the patio. Operating hours would be changed so that weekday events would end at 11:00 PM. Weekend operating hours would still extend until midnight.

**Lighting** – Revised plans showed that the light screening plan had been modified to include evergreens around the facility's parking lot. These evergreens would screen the parking lot lighting year round. There was not a revised lighting plan available for review.

**Number and Size of Events** – The union's representative proposed having 231 events each year. Weekend events would include 25 with a maximum of 240 guests and 50 with a maximum of 150 guests. Again, the numbers presented by the firefighters were difficult to follow and did not seem to add as they suggested.

## **Conclusion**

The undersigned believe that the proposed Union hall will fundamentally alter the nature of the quiet, rustic community in which we live. We chose to live in Clarksburg because it is far away from the types of events that will be held at the proposed hall, and wish that the firefighters would find a site in a community more consistent with their needs. There are many acres of undeveloped commercial real estate throughout Montgomery County, and even in Clarksburg. No one wants to deny the firefighters their union hall. We just do not want to see the changes that it will bring to our quiet, safe community, and hope that they would consider another site in a non-residential area.

We do understand, however, that there is a possibility of their special exception being granted. We would like to ensure that if the hall is built, it changes the basic character of our community as little as is reasonably possible. We appreciate the firefighters' latest proposal to use evergreens for light screening, reduce their hours of operation by one hour on weekdays, and slightly reduce the number of events. We are disappointed, however, that the Union has not done more to try to allay our concerns. We still believe that even with this revised proposal, the union hall would disrupt the quiet, safe, and peaceful character of our community in an unacceptable way. We hope the firefighters understand that they are asking to join our community. As a good neighbor, they are obliged to consider the character of the community in planning the design and operation of their facility.

In an attempt to be constructive, we would like to offer some suggestions for changes that we think would reduce the negative impact on the neighborhood:

**Alcohol** – Prohibit alcohol use on weekdays (except holidays) before 6:00 pm. This restriction would help to ensure that the many small children in the neighborhood could get home from school and that school buses will have cleared the area before alcohol is served in the proposed hall. Mothers could continue to walk their children in strollers on the narrow roads without worrying about whether the oncoming driver was drinking at a daytime hall event. Ensuring that guests who have consumed alcoholic beverages are not negotiating the narrow, winding roads at the same time that children

firefighters with many opportunities to raise revenue while not unduly burdening the community with daily noise and events.

We believe that these would be reasonable accommodations for the firefighters to make considering the quiet, residential community that they have asked to join. Accepting these suggestions would be a showing of good faith by the firefighters, and would help in getting their relationship with their new community moving in the right direction.

If these modifications are unacceptable to the Union, we hope that they will consider finding another site – a site in a community whose character is more amenable to the type of facility and the types and numbers of events that they envision. Additionally, if the Union will not accept these suggestions, we ask that their request for a special exception be denied, for their current proposal would change the character of the community in a way that we think is unreasonable. Their refusal would indicate that they are not willing to make reasonable accommodations to maintain the quiet, residential character of the community that they have asked to join. It would demonstrate that they are not the kind of neighbor who would fit into our community, and certainly not the kind of resident for which we would make a special exception.

(A-13)

From: Paul and Mary Majewski [pmajewski@att.net]  
Sent: Thursday, November 29, 2001 11:03 PM  
To: Daniel, Judy  
Subject: I am opposed to the FireFighters hall special exception

Judy -

I have followed the effort of the Fire Fighters union to obtain a special exception on Stringtown Road in Clarksburg. There are many reasons why this special exception is a mistake:

- traffic on the rustic and exceptional rustic roads there;
- the loss of agricultural reserve land;
- the noise at late hours;
- the cheapening of the zoning; (ie, Why zone land and then change its use so drastically? Residents were expecting the zoning to reflect its use.);
- the liquor license on the RDT land in combination with the above;
- the car headlights that shine in the direction of residences. (And I find the union's planners' amendment to their plan faulty - it states that the length of the high beams is 100', which my amateur test shows to be off by a factor of 10.)

Personally, I oppose it because they don't need to have a big hall in the country. Their president John Sparks said a year or so ago that there might be 3 big events a year. Neighbors told me "Right! They are going to build a hall and leave it empty!" I was open minded until I received a copy of the Transportation Operational Plan. The late hours, amount of parking lots, and number of events is staggering.

Finally, if political or sentimental feelings prevail and the exception is granted, the Transportation Operational Plan surely must limit them to 9pm, 12 big events a year, 40 car parking spots & 3 bus parking spots.

Please relay this message to Arthur Holmes and Don Spence.

Also, I would like to testify at the Dec. 6 meeting.

- Paul E. Majewski  
12233 Piedmont Road  
Clarksburg MD 20871-9329  
[pmajewski@att.net](mailto:pmajewski@att.net)

cCa

Clarksburg Civic Association  
P.O. Box 325  
Clarksburg, Maryland 20871-0325

12/6  
#3

A-14

December 1, 2001

Chairman Arthur Holmes  
Montgomery County Planning Board  
Montgomery County Department of Park and Planning  
The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

RECEIVED  
DEC 04 2001

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Chairman Holmes:

This is the testimony from the Clarksburg Civic Association (CCA) concerning Board of Appeals Petition No. S-2482 (Special Exception).

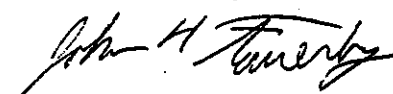
The CCA held its November members meeting on Monday November 26, 2001. At this meeting we held a lengthy discussion about the Montgomery County Career Fire Fighters Association, Inc. proposal about a Private Club special exemption to be located on the 75 acre property on the corner of Stringtown Road and Kingsley Road. The CCA passed the following resolution:

**Resolution Against the Private Club**

Whereas the Montgomery County Career Fire Fighters Association, Incorporated (The Association) is proposing a Private Club,  
Whereas the proposed Private Club is to be located on Stringtown and Kingsley Roads,  
Whereas Stringtown Road is a rural rustic road,  
Whereas Kingsley Road is an exceptional rural rustic road,  
Whereas rural rustic roads are typically for low volume traffic,  
Whereas The Association is proposing a maximum of 75 weekend events per year with a maximum of 120 cars arriving and leaving,  
Whereas the outdoor lighting may cause light pollution,  
Whereas evening events may not get over until midnight,  
The position of the CCA is to recommend against The Association's Private Club.

The vote for the above resolution was 10 for and 9 against.

John H. Fauerby



Vice President of the CCA



Clarksburg Civic Association  
P.O. Box 325  
Clarksburg, Maryland 20871-0325

cc: Honorable Nancy Dacek, Montgomery County Council  
Judy Daniel, MNCPPC Area 7 Rural Montgomery Team Leader  
Steve Howie, CCA President  
Karen Kumm, MNCPPC Interim Clarksburg Planner  
Paul Majewski, CCA Secretary  
Malcolm Shaneman, MNCPPC Development Review  
Richard Strombotne, CCA Executive Committee



A-15

January 16, 2002

**From:** Clarksburg Residents and Community

**To:** Planning Board Chairman, Art Holmes  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board of Appeals Chairman, Don Spence  
100 Maryland Avenue  
Rockville, MD 20850

**Re:** Montgomery County Fire Fighters Union Hall

**Location:** 78-acre lot on corner of Stringtown Road and Kingsley Road

**Ref (a)** Petition submitted November 2, 2001

In our continued support of the petition for denial submitted on November 2, 2001, reference (a), we clearly and strongly object to the M.C. Fire Fighters Union Hall proposal based on the following:

• **INTENDED USE:**

In as much as the M.C. Fire Fighters have applied for a special exception to attain approval of their proposal it is certainly not consistent with the intended use of this agriculture site in question according to the Rural Area Master Plan and the Clarksburg Master Plan.

• **TRAFFIC, SAFETY, AND ALCOHOL ISSUES:**

The increase in traffic produced from this proposed site would be too great in respect to the rural/rustic character of Stringtown Rd and Kinsley Rd., which would intensify the safety issues not only for motorists but for

pedestrians as well. We as residents want to protect the categorization of these roads and keep unsafe traffic possibilities to a minimum.

We question the results of the recent traffic survey that was conducted. The overall pattern of the flow of traffic, in conjunction with the Clarksburg Master Plan, regarding alternate routes to Ridge Rd indicate that the optimal route for traffic resulting from Terrabrook, would be Piedmont Rd. not Stringtown Rd.

Furthermore, the policy of the Clarksburg Master Plan regarding traffic is that the growing community is to be a comprehensive transit system, which would reduce dependence on the automobile therefore reducing some concerns on Stringtown Rd.

Thus our conclusion that the majority of traffic from Terrabrook and other proposed developments would choose the route via Piedmont which would leave the increase in traffic a direct result of the Union Hall.

The Union Hall is not transit serviceable, which is clearly against the policy of the Master Plan. Considering the results of the current traffic census stating that the Union Hall traffic is within the "number" allowed does not convince the community that this statistic is a safe assumption based on the character of Stringtown Rd and Kingsley Rd.

With the above mentioned concerns brought forth by the community one additional item of great worry is that of the Fire Fighter's request for an alcohol license.

Traffic issues stand alone as far as safety goes for our community and to add alcohol to the equation only amplifies our objection. With the number of events that could include alcohol and the number of attendees proposed the possibilities of unsafe driving conditions resulting from this Union Hall are unacceptable.

- **LIGHTING AND NOISE:**

**Lighting** - The lighting proposed for this site and from the vehicles would be intrusive to the surrounding houses and the community. Many of the residents along Kingsley, Stringtown and in Fountain View have properties that are the same or higher in elevation than the proposed site. Any lighting would be an invading factor to their properties. We value the "country" atmosphere that our community has left us, via the Clarksburg Master Plan (1994), and the darkness at night is a contributing factor in creating and keeping that atmosphere.

**Noise** - Our community appreciates the quietness in our area and we fear the events that are proposed (i.e., weddings, retirements, parties, etc.) could ultimately have the capability to be loud and disturbing. Given the lay of the land noise pollution is a relative concern. The noise ordinance for our area is no noise after 9:00pm enforced by the Montgomery County Police Department. We are only asking that the Fire Fighters abide by the same laws as the community is held to.

All of the issues stated above were brought to the attention of the M.C. Fire Fighters at the meeting of November 1, 2001. The Fire Fighters and their representatives were given an opportunity to present a revised proposal that would address and provide compromises regarding our concerns. The subsequent meeting of January 15, 2002 resulted with no significant compromises from the Fire Fighters at all. The community discussed a variety of reasonable suggestions and presented them to the Fire Fighters and their representatives to no avail.

Therefore, we submit our request that the M.C. Fire Fighter's Union Hall proposal be denied.

If the Board chooses to proceed against the policies of the Master Plan(s) and the concerns of the community we request the following conditions be enforced upon approval of the Fire Fighter's proposal in regards to:

**PROPOSED ENFORCABLE CONDITIONS -**

**INTENDED USE:**

**BUILDING STRUCTURE** - We propose that the structure itself is oversized (i.e., a full second floor is not necessary based on the number of employees and usage) therefore we request the condition be set forth to downscale the existing 12,000 structure significantly to include reduction in size of the ball/dining room.

**NUMBER OF EVENTS - Annually – No more than:**

**Weekdays – (Monday through Thursday)**

12 Weekday Events of up to 14 people  
12 Weekday Events of up to 30 people  
26 Weekday Events of up to 50 people

**Weeknights – (Monday through Thursday)**

26 Weeknight Events of up to 50 people

**Weekends – (Friday through Sunday) -**

35 Weekends (Days or Nights) Events of up to 100 people

**HOURS OF OPERATION:**

**Weekdays (Monday through Thursday)**

7:00am to 8:00pm

**Weekends (Friday through Sunday)**

7:00am to 9:00pm

**ALCOHOL USAGE:**

We strongly object to an alcohol license being issued but if approved -  
No alcohol until after 6:00pm weekdays (Mon – Thur)  
No alcohol until after 5:00pm weekends (Fri – Sun)

**PARKING:**

Lot size be decreased to 60 parking spaces

**LIGHTS:**

Lights be diminished from driveway – (Stringtown has no lights – vehicle lights are ample enough to drive on the road they are ample enough to drive up the driveway)

Parking lot area lights be reduced in number and previous light pollution concerns met (wattage, light spread, etc.).

Lights to be a timer if need be to insure “lights out” by designated time

**NOISE:**

Absolutely no outside events and stipulations regarding noise level at events

**LANDSCAPING:**

Increase in number of Evergreens and meet previous concerns addressed.

In conclusion we ask for your understanding in our position. We do value the Fire Fighters and all they have done and can appreciate their desire to have such a site but agree that there are much more suitable areas for this proposed Union Hall than in an agriculture preserve located in a residential community.

With all sincerity,

The Clarksburg Community

