




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 2, 2004

TO: Catherine Conlon/ Richard Weaver,
Development Review Division

FROM: Stephen D. Federline, Countywide Environmental Planning 

SUBJECT: Environmental Recommendations for **Pre-Preliminary Plan # 7-03017,**
Stoney Creek Retreats

RECOMMENDATION: Objection to the submission of a preliminary plan.

Countywide Environmental staff does not support either of the alternatives house/lot layouts submitted for review as pre-preliminary plans. Further, staff sees no reasonable alternative which would meet Section 50-32 of the Subdivision Regulations entitled "Special Controls for Environmentally-Sensitive Areas" for protection of steep slopes and stream buffers as defined in the Environmental Guidelines, and protection of priority forest as defined in Chapter 22A, the Forest Conservation law.

BACKGROUND

The property proposed for subdivision is approximately 5 acres zoned RE-2, and located at 11801 Stoney Creek Road, Potomac, Maryland. Stoney Creek Road (a rural rustic road), follows the ridgeline between the Stoney Creek and Sandy Branch watersheds. The two streams confluence downstream of this property into Watts Branch, which in turns enters the Potomac River just above Maryland/WSSC's raw water intakes.

The five acre property is almost totally forested (4.1 acres of high priority forest, or 82% of the site), save the existing home and driveway (see attachment). The site has extremely steep slopes (ranging from 35 to 55 percent between the house and the Sandy Branch stream), and a broad floodplain in the elbow of the stream on the property.

To summarize the features and associated acreages on the site:

Site size:	5.0 acres	100% of site
Stream Buffer: *	4.2 acres	84% of site (* includes floodplain, steep slopes, and most of the existing house)
Steep Slopes:	1.1 acres	22% of site
Floodplain:	2.8 acres	56% of site
Forested Area:	4.1 acres	82% of site (all high priority forest)

ANALYSIS

Notwithstanding the existing house and driveway, built well before environmental guidelines and the forest conservation law were in place, this site is almost totally constrained with environmentally sensitive areas as defined in the Environmental Guidelines and referenced in the Subdivision Regulations Chapter 50-32 1. Eighty-four percent of this site falls within the designated stream valley buffer. This buffer includes the 100 year floodplain (which encompasses 56% of the site), and extremely steep slopes (ranging from 35% to 55%). Onsite forest is high priority by virtue of its location within the stream buffer, and is also a high quality, healthy, mature hardwood forest with few invasives. Retention of the forest is critical on this site since the trees, roots, understory and natural ground cover stabilize the extreme slopes rising from the floodplain. This property lies above the WSSC raw water intake point just downstream where Sandy Branch drains into Watts Branch, and discharges into the Potomac River.

The site contains some area along the roadway which is not located in the stream buffer; however, this area is not available for development. The first 85' (measured from the roadway centerline) makes up the necessary 35' roadway dedication, and the additional 50' front yard setback required in the RE-2 zone. The location of the front yard building restriction line and the edge of the stream buffer are nearly coincident, leaving no room for construction of any new home without significant damage to this fragile ecosystem.

SUMMARY

In summary, the loss of forest and construction of an additional house on steep slopes within the buffer will not protect environmentally sensitive areas, and will result in the loss of high priority forest. Therefore, staff finds that the proposed subdivision is inconsistent with, and contrary to the Environmental Guidelines and Forest Conservation law, and does not meet the objectives set forth in Subdivision Regulations Section 50-32c regarding protection of trees, forest, and environmentally sensitive areas.

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1 Environmentally sensitive areas include floodplains, critical habitats for wildlife and plant species, slopes over 25% or over 15% with highly erodible soils, wetlands, perennial and intermittent streams, and stream buffers.