

JAN 23 2012



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

**MCPB No. 11-95**  
**Forest Conservation Plan No. PP2012001**  
**Seneca Crossing Local Park**  
**Date of Hearing: October 6, 2011**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Chapter 22A, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review forest conservation plan applications; and

WHEREAS, on August 1, 2011, the Montgomery County Department of Parks of the Maryland-National Park and Planning Commission ("Applicant"), filed an application for approval of a forest conservation plan on approximately 27.8 acres of land located south of Brink Road on the east side of Ridge Road ("Property" or "Subject Property"), in the Germantown ("Master Plan") area; and

WHEREAS, Applicant's forest conservation plan application was designated Forest Conservation Plan No. PP2011001, Seneca Crossing Local Park ("Forest Conservation Plan" or "Application")<sup>1</sup>; and

WHEREAS, Staff issued a memorandum to the Planning Board dated September 21, 2011, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staff of other governmental agencies, on October 6, 2011, the Planning Board held a public hearing on the Application (the "Hearing"); and

<sup>1</sup> Generally, the Board will review the preliminary Forest Conservation Plan and set forth conditions under which the Staff can approve the final Forest Conservation Plan without further Board action. Therefore, for purposes of this Resolution, whether or not indicated, the Board's action is with regard to the preliminary Forest Conservation Plan.

Approved as to  
Legal Sufficiency:

A handwritten signature in black ink, appearing to read "Amy M." followed by the date "1/12/12".

8787 Georgia Avenue, Suite 200, Spring, Maryland 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

**MNCPPC Legal Department**  
**www.MCParkandPlanning.org E-Mail: mcp-chairman@mnccp.org**

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 6, 2011, the Planning Board approved the Preliminary Forest Conservation Plan on a motion of Commissioner Wells-Harley, seconded by Commissioner Anderson, with a vote of 5-0; Commissioners: Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley all voting in favor.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 22A, the Planning Board APPROVED Preliminary Forest Conservation Plan No. PP2012001 on the Property, subject to the following condition:

1. Provide a Final Forest Conservation Plan consistent with the preliminary Forest Conservation Plan for review and approval prior to any land disturbance.

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as presented at the Hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference; and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and the protection of environmentally sensitive features.*

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Planning Board in this matter, and the date of this Resolution is JAN 23 2012 (which is the date that this Resolution is mailed to all parties of record); and

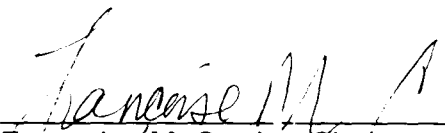
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley present and voting in favor of the motion at its regular meeting held on Thursday, January 19, 2012, in Silver Spring, Maryland.

  
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Françoise M. Carrier, Chair  
Montgomery County Planning Board