



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

MCPB No. 17-015
Forest Conservation Plan No. SC2017003
Islamic Society of the Washington Area
Date of Hearing: March 2, 2017

MAR 23 2017

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 22A, the Montgomery County Planning Board is authorized to review forest conservation plan applications; and

WHEREAS, on August 31, 2016, Islamic Society of the Washington Area (“Applicant”) filed an application for approval of a forest conservation plan on approximately 5.28 acres of land located at 2701 Briggs Chaney Road (“Subject Property”) in the Fairland/Colesville Policy Area and Fairland Master Plan (“Master Plan”) area; and

WHEREAS, Applicant’s forest conservation plan application was designated Forest Conservation Plan No. SC2017003, Islamic Society of the Washington Area (“Forest Conservation Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board Staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board dated February 23, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on March 2, 2017, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board approved the Application subject to certain conditions, by the vote certified below.

Approved as to
Legal Sufficiency:

Christina Sount 3/2/17
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Forest Conservation Plan No. SC2017003 on the Subject Property, subject to the following conditions:¹

1. Prior to issuance of the sediment and erosion control permit by the Montgomery County Department of Permitting Services, and at the direction of the M-NCPPC forest conservation inspector, the Applicant must install permanent split rail fencing or equivalent acceptable to M-NCPPC Staff, along the conservation easement boundary where it abuts the onsite parking lot as shown on the approved Preliminary/Final Forest Conservation Plan.
2. Prior to issuance of the sediment control permit by the Montgomery County Department of Permitting Services, and at the direction of the M-NCPPC forest conservation inspector, the Applicant must install permanent conservation easement signage along the perimeter of the Category I Conservation Easement except where it abuts existing Category I conservation easement, or as determined by the M-NCPPC forest conservation inspector. Signs must be installed a maximum of 100 feet apart with additional signs installed where the easement changes direction.
3. The Final Sediment Control Plan must depict the limits of disturbance consistent with the limits of disturbance on the approved Preliminary/Final Forest Conservation Plan.
4. The Applicant must comply with all tree protection and tree save measures shown on the approved Preliminary/Final Forest Conservation Plan. Tree save measures not specified on the approved Preliminary/Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.

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 (except as modified herein), and upon consideration of the entire record, the 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 ensures the protection of environmentally sensitive features.*

A. Forest Conservation

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner, or any successor in interest to the terms of this approval.

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Application is for the construction of a new parking lot on the Subject Property. There are approximately 2.0 acres of forest, a stream, wetlands, and stream buffer on the Subject Property currently protected in a Category I conservation easement. The Application retains all of the forest, there are no forest planting requirements, and there are no impacts proposed to any trees 24" DBH and greater, therefore, no tree variance is required.

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 MAR 23 2017 (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 Commissioner Dreyfuss, seconded by Commissioner Fani-González, with Chair Anderson and Commissioners Dreyfuss, Fani-González, and Cichy voting in favor, and Vice Chair Wells-Harley absent at its regular meeting held on Thursday, March 9, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board