



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

MCPB No. 17-062  
Site Plan No. 820170020  
Randolph Farms  
Date of Hearing: July 20, 2017

JUL 25 2017

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.1, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect until October 29, 2014, including the zoning then in effect; and

WHEREAS, on December 12, 2016, Winchester Homes ("Applicant") filed an application for approval of a site plan for construction of 104 single-family attached townhomes, including 12.5% MPDUs, private roads and alleys, and a centrally located community recreation area on 8.44 acres of RT-15 zoned land, located at 5020, 5010 and 5100 Randolph Road, at the southeast corner of the intersection of Randolph Road and Putnam Road ("Subject Property"), in the North Bethesda/Garrett Park Master Plan ("Master Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820170020, Randolph Farms ("Site 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 July 7, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 20, 2017, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

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

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Approved as to  
Legal Sufficiency:

  
8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320  
MNCPPC Legal Department  
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820170020 for the construction of 104 single-family attached townhomes, including 12.5% MPDUs, private roads and alleys, and a centrally located community recreation area on 8.44 acres of RT-15 zoned land, subject to the following conditions:<sup>1</sup>

1. Local Map Amendment Conformance

The Applicant must comply with the approved Local Map Amendment G-964, adopted on February 2, 2016, by County Council Resolution No. 18-392.

2. Preliminary Plan Conformance

The Applicant must comply with the conditions of approval for Preliminary Plan No. 120160320 as listed in the Planning Board Resolution No. MCPB 17-017, dated April 6, 2017, unless amended by the Planning Board, and as modified by this Resolution.

3. Final Forest Conservation and Tree Save

a. The Applicant must comply with the conditions of the Final Forest Conservation Plan (FFCP):

- i. Prior to any demolition, clearing, or grading on the Property, the Applicant must record in the Land Records of Montgomery County, a Certificate of Compliance Agreement approved by the M-NCPPC Office of General Counsel for use of a forest mitigation bank to satisfy the applicable forest conservation planting requirement.
- ii. The Sediment and Erosion Control Plan and Storm Water Management Plan must be consistent with the limits of disturbance and the associated tree/forest preservation measures of the FFCP.
- iii. The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP. Additional tree save measures not specified on the FFCP may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

4. Noise Attenuation

- a) Prior to the issuance of the Certified Site Plan, the Applicant must conduct a Phase I noise impact analysis to determine potential noise impacts from roadway noise along Randolph Road. If exterior noise levels exceed the

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<sup>1</sup> For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

maximum allowable for the urban ring (65 dbA) at building faces or, subject to limited exceptions and Staff approval, within the central community recreational area, noise attenuation measures will be required.

- b) Prior to the issuance of the building permit for the first townhouse, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that the building shell for all the impacted units has been designed to attenuate the projected exterior noise levels above 65 dbA to an interior level not to exceed 45 Dba Ldn. The Applicant must construct the units in accordance with these design specifications, and any changes that may affect acoustical performance must be approved by the acoustical engineer in advance of installation.
- c) Prior to the issuance of the building permit for the first townhouse, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that the central recreational area has been designed to attenuate the noise levels as shown on the Certified Site Plan.
- d) After construction is complete and prior to Final Inspection for any of the impacted units, the Applicant must submit to Staff, certification that the impacted units have been constructed in accordance with noise attenuation requirements.

5. Green Area, Facilities, and Amenities

- a) The Applicant must provide a minimum of 2.99 acres of green area (35.4% of the net gross tract area), of which a minimum of 0.65 acres should be configured in a centrally located recreational space as shown on the Site Plan.
- b) On-site amenities including, but not limited to, pedestrian pathways, alleys, and hardscape recreation amenities, and public use space amenities adjacent to each row of townhouse units must be installed prior to Final Inspection for the respective row of units.
- c) The Applicant must install the landscaping associated with each row of townhouse units no later than the next growing season after completion of each row of townhouses and site work.

6. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (MCDHCA) in its letter dated June 2, 2017, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply fully with each of the recommendations

as set forth in the letter, which MCDHCA may amend if the amendments do not conflict with other conditions of the Site Plan approval.

- b) The development must provide 12.5% MPDUs on-site in accordance with the requirements of Chapter 25A.
- c) Prior to issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

#### 7. Recreation Facilities

- a) The Applicant must provide at a minimum the following recreational facilities on-site as shown on the Site Plan:
  - 1 Open Play Area;
  - A Bike System (see conditions under Pedestrian and Bicycle Circulation for more details);
  - A Pedestrian System (see conditions under Pedestrian and Bicycle Circulation for more details);
  - 1 Play Lot with 2 multi-age play structures, one each for 2-5-year-olds, and 5- to 12-year-olds;
  - 7 Picnic/Sitting Areas with 14 benches; and
  - A minimum of six painted pavement games such as four square, hopscotch etc. on the fire access lane as shown on the Site Plan.

#### 8. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, pedestrian pathways, landscaping, hardscaping, recreation facilities, and green areas.

#### 9. Transportation

- a. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way (MCDPS-ROW) in its letter dated May 30, 2017, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply fully with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of the Site Plan approval.
- b. The Applicant must provide Private Roads A & B, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by this Site

Plan within the delineated private road area (collectively, the “Private Road”), subject to the following conditions:

- i. If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel. If there are structures above or below the Private Road, the record plat must clearly delineate the Private Road and include a metes and bounds description of the boundaries of the Private Road.
  - ii. The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
  - iii. Prior to issuance of building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Roads have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
- c. The Applicant must construct all road(s) within the rights-of-way shown on the approved Site Plan subject to the following conditions:
- i. The connection of Putnam Road and Macon Road must be designed and constructed per the typical Montgomery County Road Code Standard MC-2002.01 as modified by the section shown on the Site Plan. All necessary details for this required connection must be reviewed and approved by MCDPS-ROW at the time of ROW permit. MCDPS-ROW may modify any details of this connection if the modifications do not conflict with any other conditions of approval.
  - ii. Private Road A (46-foot-wide right-of-way) must be designed and constructed per the typical Montgomery County Road Code Standard MC-2001.02 as modified by the section shown on the Site Plan;
  - iii. Private Road B (41-foot-wide right-of-way) must be designed and constructed per the typical Montgomery County Road Code Standard MC-2001.01 as modified by the section shown on the Site Plan;

- iv. Private Alleys C, D, E, & F must be designed and constructed per the typical Montgomery County Road Code Standard MC-200.01 as modified by the section shown on the Site Plan.
- d. Prior to the Final Inspection for the last townhouse unit, the Applicant must have all public and private roads, alleys, sidewalks, ramps and cross walks complete and open to the public.

#### 10. Pedestrian & Bicycle Circulation

The Applicant must construct all sidewalks, and bike lane improvements within the rights-of-way shown on the approved Site Plan, subject to the following conditions:

- a) Construct the 8-foot wide separated bike lane with green buffers and a 6-foot wide sidewalk along the frontage of Randolph Road, and transition to a shared-use-path east of the Subject Property frontage to Hunters Lane along Randolph Road as shown on the Site Plan;
- b) Upgrade the substandard sidewalks to be 5-foot wide along the two adjacent roadways of Putnam Road and Macon Road as shown on the Site Plan.
- c) Provide 2 inverted-U bike racks as shown on the Site Plan.

#### 11. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services Fire Department Access and Water Supply (MCDPS FDA&WS) comments, in its letter dated May 15, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations set forth in the letter, which MCDPS FDA&WS may amend if the amendments do not conflict with other conditions of Site Plan approval.

#### 12. Building Height

The maximum height for the townhouse units is 35 feet.

#### 13. Site Design

- a) The exterior architectural character, proportion, materials, and articulation of all buildings must be substantially similar to the schematic elevations shown on the latest Site Plan drawings.
- b) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.

- c) Side elevations of “High Visibility End Units,” as identified in the Site Plan submission must be substantially similar to the schematic elevations shown on the latest Site Plan drawings.

14. Lighting

- a) Prior to issuance of certified Site Plan, the Applicant must provide to Staff a certification from a qualified professional that the exterior lighting conforms to the latest Illuminating Engineering Society of the North American (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for the development of this type. All on-site exterior area lighting must be in accordance with this certification.
- b) Deflectors must be installed on all proposed up-lighting fixtures to prevent excess illumination and glare.
- c) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting residentially developed properties.
- d) All on-site, light fixtures must be full or partial cut-off fixtures.
- e) Streetlights and other pole-mounted lights must not exceed 15 feet in height including the light fixture.

15. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit or sediment control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board. The Agreement must include a performance bond(s) or other forms of surety as required by Section 59-D-3.5(d), or 59.7.3.4.K.4, of the Montgomery County Zoning Ordinance, with the following provision:

- a. A cost estimate of the materials and facilities, which, upon M-NCPPC Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to entrance signage features, plant material, on-site lighting, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, the private roads, private alleys, private sidewalks and paths, private fire hydrant system, and associated improvements.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and release of the surety.

- d. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of each row of townhouse units.

**16. Development Program**

The Applicant must construct the development in accordance with a development program that will be reviewed and approved by M-NCPPC Staff prior to the approval of the Certified Site Plan. The development program must include the following items:

- a. Clearing and grading must correspond to the construction phasing to minimize soil erosion.
- b. The development program must provide phasing of stormwater management, sediment and erosion control, and other features.

**17. Certified Site Plan**

Prior to the approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the stormwater management concept approval letter, development program, Preliminary Plan resolution and Site Plan resolution on the approval or cover sheet(s).
- b. Include table showing conformance with the M-NCPPC Recreation Guidelines on the approval or cover sheet(s).
- c. The sidewalk ramp along Private Alley C must be outside the access easement of Lot 13.
- d. Demonstrate on the Site Plan drawings that no more than three continuous townhouses are located along the same front building line and that the variation in building line is a minimum of two feet.
- e. Delete the proposed handicap ramp for crossing Putnam Road at the intersection of Putnam Road and Macon Road.
- f. Revise note 24 under "General Notes" on sheet 1 to read: "Street trees and street lights will be reviewed and approved by MCDPS-ROW section at the time of ROW permit".
- g. Ensure consistency of all details and layout in the drawings listed below:
  - Site Plan drawings
  - Landscape & Lighting drawings
  - Architectural drawings



- FFCP drawings

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Randolph Farms Site Plan No. 820170020, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered 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 Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

On February 2, 2016, the Montgomery County Council rezoned the Property from the R-60/R-90 Zones to the RT-15 Zone by Local Map Amendment G-964 (Council Resolution 18-392). The application was filed under the standard method of development, which does not require the submission of a development plan. There were no binding elements as a part of the Council's approval of the LMA G-964.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

As conditioned, the Site Plan meets all the requirements of the RT-15 Zone under Section 59-C-1.73 as shown by the development data table, which sets forth the development standards approved by the Planning Board and binding on the Applicant. Specifically, the Application provides density and height within the prescribed limits for the zone, exceeds the minimum required green space and vehicular parking, and provides adequate pedestrian and bike connections as well as landscaping. The Application also meets all applicable setbacks as prescribed in the standard method of development for the RT-15 Zone.

**Data Table**

<b>Development Standards</b>	<b>Required</b>	<b>Approved &amp; Binding</b>
Minimum Tract Area (Section 59-C-1.731.a)	40,000 sq. ft.	8.44 Acres
Green Area (% of tract) (Section 59-C-1.734.b)	30% min.	35.4% (2.99 Acres)
Maximum Density (Section 59-C-1.731.b)	15 D.U./Ac. (109 Du per private covenant)	12.32 D.U./Ac. (104 D.U.)
Minimum building setback from any dwelling unit in a detached house or land classified in a Residential Detached zone. (Section 59-C-1.732.a)	30'	30'
Minimum building setback from any public street (Section 59-C-1.732.b)	20'	20'
Minimum building setback from an abutting lot: Side (end unit) (Section 59-C-1.732.c-1)	8'	8'
Minimum building setback from an abutting lot: Rear (Section 59-C-1.732.c-2)	20'	20'
Maximum Building Height for a Principal Building (Section 59-C-1.732.a)	35'	35'
Maximum Building Height for an Accessory Building (Section 59-C-1.732.b)	25'	25'
Moderately Priced Dwelling Units (MPDU) (Section 59-C-1.74)	Min. 12.5% of total units	12.5% of total units (13 D.U.)
On-site parking spaces (Section 59-C-1.75)	208 (2 Sp./D.U.)	274 (2.63 Sp./D/U.)

**Townhouse Row Design**

As conditioned, the Site Plan meets the design requirements of Sections 59-C-1.722(a) and (b). As shown on the Site Plan, no more than eight townhouses are in any attached row. Before certified site plan approval, the Applicant must demonstrate on the Site Plan drawings that no more than three continuous

townhouses are located along the same front building line and that the variation in front building line is a minimum of 2 feet.

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Buildings and Structures

The townhouses front onto three public streets—Randolph Road, Putnam Drive and Macon Road—with a minimum required setback of 20 feet along each road frontage, creating a safe and inviting public realm. The townhouses are set back a minimum of 20 feet from adjoining lots' rear yards; and a minimum of eight feet from adjoining lots' side yards. Within the site, the townhouses are designed to face onto green areas/open spaces, private roads which will attain the status of public roads, or public streets. All garages have access to alleys.

The locations of the buildings and structures meet all the building setbacks requirements of the Zoning Ordinance and are adequate, safe and efficient.

b. Open Spaces

Section 59-C-1.734.b of the Zoning Ordinance requires that a minimum of 30% of the tract must be devoted to green area. The Site Plan exceeds this requirement by providing 35.4% (2.99 Acres) of the Subject Property as green area, 0.65 acres of which will be provided as a centrally located community recreational space. The open spaces are designed in an adequate, safe, and efficient layout for easy access.

c. Landscaping and Lighting

The Site Plan will enhance the streetscape along Randolph Road, Putnam Road and Macon Road with sidewalks, street lights and street trees. Private Road A and B will have similar streetscaping elements as well. The central gathering space will have a lawn area for outdoor play with generous tree planting and sitting areas. The front yards of all townhomes will be landscaped with shrubs and small plantings. Landscape and lighting, as conditioned, will be adequate, safe and efficient.

d. Recreation Facilities

A centrally located community recreation area will anchor the site, providing a gathering space for the residents. Opportunities for passive recreation use can occur on the various small landscaped/green areas throughout the Property. These landscaped areas will contain pedestrian paths, 1 Play Lot, 2 inverted-U bike racks, 1 Open Play Area, 7 Picnic/Sitting Areas with 14 benches, and a minimum of 6 painted pavement games such as four square and hopscotch on the fire access lane. The total sum of these facilities is consistent with the Planning Board's Recreation Guidelines for a townhouse development and the anticipated demand by population category. Therefore, recreation facilities will be adequate, safe and efficient.

e. Vehicular and Pedestrian Circulation

The Applicant will replace the two existing curb cuts on Randolph Road with one curb cut and replace the existing curb cut on Putnam Road with a new private street connection into the proposed development. The Applicant will connect Putnam Road and Macon Road. Adequate internal circulation will be provided with the following roads:

- A north-south private road into the site from Randolph Road;
- An east-west private road into the site from Putnam Road;
- A series of internal private alleys and sidewalks; and
- A separated bike lane and a shared-use path along Randolph Road.

The Applicant will provide 274 vehicle parking spaces, which exceed the minimum required 208 spaces for the zone. The pedestrian and vehicular circulation to be adequate, safe and efficient.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed townhouses are compatible with the neighboring residential uses in the area, which lie to the north, east and south of the proposed development. They are also compatible with the existing Loehmann's Plaza commercial shopping center, which lies to the west of the Subject Property, in terms of the building height.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

A. Forest Conservation

The Application is subject to the Montgomery County Forest Conservation Law, and a Preliminary Forest Conservation Plan (PFCP) was approved in conjunction with the Preliminary Plan approval on March 16, 2017. There is no forest on the Subject Property. The land use, zoning and net tract area result in an afforestation requirement of 1.29 acres of forest planting. The PFCP included the removal of an existing on-site Forest Conservation Easement of 0.078 acres because this existing easement area did not meet the criteria in the Forest Conservation Law to qualify as forest, and presented a problem for enforcement due to its fragmentary and isolated location. Because the Applicant is fulfilling their forest conservation mitigation requirements off-site, the easement area must be replaced at a ratio of 2:1; therefore, the Applicant will purchase additional forest banking credits equal to planting 0.156 acres of forest. The total forest conservation mitigation requirement is for 1.446 acres of forest planted (1.29 acres of forest planting plus 0.156 acres for replacement of the forest conservation easement), or double that amount of forest preserved in an approved off-site forest bank.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

The PFCP included approval of a variance request to impact the Critical Root Zone (CRZ) of 20 trees that are considered high priority for retention under Section 22A-12(b) of the County code. Thirteen of these trees will be removed; the other seven will be saved.

The applicant is required to extend a shared use path east to Hunters Lane as a condition of Site Plan approval. Disturbance associated with construction of this path will impact the CRZ of a 40-inch red oak tree in the front yard of a neighboring property, which is considered high priority for retention under Section 22A-12(b) of the County code. The tree will be impacted but saved. Therefore, in addition to the variance approved at the preliminary plan

approval for the 20 trees mentioned above, the Final Forest Conservation Plan includes a new variance request to impact the CRZ of this tree. The applicant submitted an amended variance request to include this tree.

This Application will require the removal or CRZ impact to a total of 21 Protected Trees as identified in the Staff Report. On June 15, 2017, the County Arborist issued her recommendations on the variance request and recommended the variance be approved with mitigation. As described in the Staff Report, the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance.

The Board made the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

The CRZ impacts to this tree result from construction of an element required as a condition of site plan approval and would likely be a requirement of any Applicant redeveloping the Subject Property. The impacts to the tree subject to the variance requirement cannot be avoided. Therefore, the granting of this variance is not a special privilege that would be denied to other applicants.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the applicant, but on engineering and site constraints and a condition of Site Plan approval.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is not a result of land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

The affected tree will be saved, and will continue to function intercepting, storing and filtering rainfall. The Application proposes to

meet required stormwater management goals via ESD controls and components, primarily with micro-biofiltration. MCDPS approved the Site Development Stormwater Management Plan in a letter, dated April 20, 2017. Therefore, the Application will not violate State water quality standards or cause a measurable degradation in water quality.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 25 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).

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**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 Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Dreyfuss absent at its regular meeting held on Thursday, July 20, 2017, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board