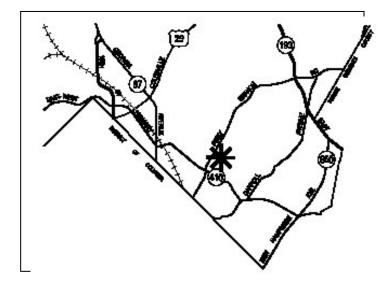
MCPB Item No. Date: 9/13/18

Takoma Park Middle School, Preliminary Forest Conservation Plan, MR2018036

TS	Tina Schneider, Area 1 Division, Tina.schneider@montgomeryplanning.org, 301.495.2101
$\mathcal{M}$	Michael Brown, Planning Supervisor, Area 1 Division, Michael.Brown@montgomeryplanning.org, 301.495.4566
	Mark Pfefferle, Interim Chief, Area 1 Division, Mark.pfefferle@montgomeryplanning.org, 301.495.4730

Description Completed: 8/31/18

- Preliminary Forest Conservation Plan associated with the Takoma Park Middle School additions;
- Located at 7611 Piney Branch Road, Takoma Park, Maryland;
- 18.10-acre site zoned R-60 in the 2000 Takoma Park Master Plan area;
- Applicant: Montgomery County Public Schools;
- Acceptance Date: June 13, 2018.



### Summary

 This Preliminary/Final Forest Conservation Plan accompanies Mandatory Referral MR2018017 discussed in a separate staff report.

### Staff recommends approval with conditions.

The Applicant proposes to:

- Preserve 1.82 acres of forest; clear 0.21 acres of forest; re/afforestation required, 1.11 acres; onsite reforestation provided, 1.17 acres;
- Remove one specimen tree with impacts to the critical root zones of 5 specimen trees requiring a variance, per Section 22A-12(b)(3);
- Plant (4) 3-inch caliper canopy landscape trees as mitigation for the loss of one 49-inch specimen tree.

Pursuant to Chapter 22A of the County Code, the Board's actions on Forest Conservation Plans are regulatory and binding.

### Recommendation and Conditions of Approval

Staff recommends approval of Preliminary/Final Forest Conservation Plan MR2018036, subject to the following conditions:

- The Applicant must record a Category I Conservation Easement of 2.99 acres, as shown on the Approved Preliminary Forest Conservation Plan. The Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed prior to the start of any demolition, clearing, or grading on the Subject Property, and the Liber Folio for the easement must be referenced on the record plat.
- 2. The Applicant must plant 1.17 acres of forest on the Takoma Park Middle School property to be included in the total area of the Category I Conservation Easement.
- 3. The Applicant must plant all reforestation and landscape credit areas within one year of construction completion.
- 4. The Applicant must prepare a Final Forest Conservation Plan, which must show the planting of four (4), 3-inch caliper native shade trees as mitigation for the loss of one 49-inch specimen tree requiring a variance. The trees must be planted within one year of construction completion. All trees must be planted outside of the Category I Conservation Easement. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC forest conservation inspector.
- 5. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the approved Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
- 6. The Applicant must install permanent Conservation Easement signage along the perimeter of the conservation easements.
- 7. The Applicant must submit a forest conservation maintenance and management agreement and have it approved by the Planning Department prior to any demolition, clearing, or grading on site.
- 8. The Final Sediment Control Plan must depict the limits of disturbance (LOD) identical to the LOD on the approved Final Forest Conservation Plan.
- 9. The Final Forest Conservation Plan must be amended to address outstanding items and be consistent with the approved Preliminary Forest Conservation Plan.

### PROJECT DESCRIPTION

Montgomery County Public Schools (MCPS) has submitted a mandatory referral for the expansion of the existing Takoma Park Middle School. The project will include the construction of two additions to be built in two phases. The project requires the removal of 0.21 acres of forest due to construction needs, stormdrain lines, and stormwater outfall repairs. One specimen tree will be removed for the phase II of the expansion of the school.

### Site Description

The Takoma Park Middle School at 7611 Piney Branch Road is seated on 18.10-acres owned by the Montgomery County Board of Education. The site contains an existing school, associated parking lots, athletic fields, play areas, and a portion of a linear stream valley park and forest. The site is in a residential neighborhood with single family residential (R60) properties on three sides. Two connecting parks abut the school: to the south adjacent to the tennis courts the City of Takoma Park owns a 2.29-acre parcel called Hefner Park; to the southeast is Takoma-Piney Branch Park owned by the Maryland National Capital Park and Planning Commission. Access roads to the school are Piney Branch Road to the north and Grant Avenue to the southwest. Travis Drive, a paper road runs along the south side of the property.



Figure 1: Vicinity Map

The site is located in the Sligo Creek watershed with a Use I Water Category. A channelled unnamed tributary runs along the eastern border of the property and daylights approximately 120-feet before leaving the site.

### **ANALYSIS**

### **Environmental Guidelines**

Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD #420180710) (Attachment 1) for the school site on 12/1/2017. Of the 18.10 acres of land, 2.03 acres are contiguous forest associated with adjacent parkland. There is an unnamed channelized stream along the eastern side of the property that daylights approximately 120 feet prior to leaving the site. There are no wetlands on the site.

### Forest Conservation

The site is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) and the Applicant has submitted a Preliminary Forest Conservation Plan (Attachment 2) in conjunction with the Mandatory Referral Plan. The site includes 2.03 acres of existing forest onsite containing a mix of deciduous hardwoods dominated by sycamore, sliver maple, and tulip poplar. The forest is dappled with large specimen trees throughout. The forest is considered a moderate priority for retention. The Applicant proposes to clear 0.21 acres of forest and retain 1.82 acres of forest. Most of the forest removal is to accommodate the construction needs of the Phase II addition on the southeastern side of the existing school. Additional clearing is needed for the repairs of the stormwater discharge facility along the eastern property border. As mitigation for forest removal the Applicant will plant 1.17 acres of forest which will sizably increase the size of the onsite and offsite linear contiguous forest associated with the adjacent parkland. The total forest area including the afforestation area to be put into a Forest Conservation Easement for protection is 2.99 acres.

### Forest Conservation Variance

Section 22A-12(b) (3) of Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. The law requires a variance to impact trees that: measure 30 inches or greater diameter at breast height (DBH); are part of a historic site or designated with a historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to these trees, including removal or disturbance within the tree's critical root zone (CRZ), requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law.

### Variance Request

Pursuant to Section 22A-21 Variance provisions of the Montgomery County Forest Conservation Ordinance the Applicant submitted a variance request on June 6<sup>th</sup>, 2018, which was revised on August 21, 2018 for the impacts to specimen trees (Attachment 3). The revision requests removal of one specimen tree (49-inch mulberry) with impacts to the critical root zones of 5 specimen trees. The original application requested the removal of two specimen trees but impact reductions measures requested by the City of Takoma Park were taken allowing for the preservation of one additional

specimen tree. Details of the protected trees to be removed and impacted are provided in Figure 2 and Table 1.

### Unwarranted Hardship for Variance Tree Impacts

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state will result in unwarranted hardship. The requested variance is necessary due to the construction needs of the proposed middle school expansion and the repairs to the existing stormwater outfalls. The landscape grading has been minimized around the school to reduce impacts and save specimen trees. Forest impacts have been reduced to the extent possible while still providing the repairs and restoration needed for the stormwater outfalls. Leaving the requested trees in an undisturbed state would result in an unwarranted hardship because the Applicant would not able to expand the school as needed nor repair and replace the stormwater management outfalls. One specimen tree is proposed for removal.

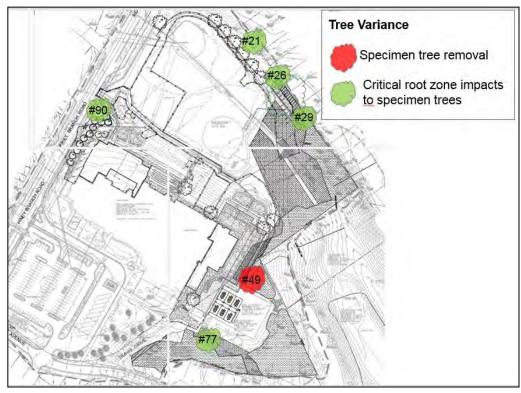


Figure 2: Variance Tree Impacts

Table 1: Variance Tree Table

ID	Species	Size	Condition	Notes
21	White oak	43"	Good	Impacts only
26	Locust	33"	Poor	Impacts only
29	White Oak	44"	Good	Impacts only
49	Mulberry	49"	Poor	Removal
77	Mulberry	32"	Poor	Impacts only
90	Tulip poplar	30"	Good	Impacts only

**Variance Findings** - Based on the review of the variance request and the proposed Preliminary Forest Conservation Plan, staff makes the following findings:

1. Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

Granting this variance will not confer a special privilege on the Applicant as disturbance of the specified trees is a result of the need to build a new school facility and associated stormwater management improvements. The size and configuration of the school preclude alternative site designs that would allow the variance trees to remain undisturbed. The Applicant has met with the City of Takoma Park arborist to consider alternatives to minimize impacts and provide maximum tree protection measures.

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 that are the result of actions by the Applicant. The variance is necessary due to the constraints of site, the requirements of the construction for the new additions and necessities for circulation and stormwater management. The Applicant has designed the proposed school to minimize forest and removal.

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

The requested variance is a result of the impacts by the proposed layout of the school facility, and not a result of land or building use on a neighboring property. The impact to the trees is the minimum disturbance necessary to construct the proposed additions associated upgrades to meet the needs of the growing student population and curriculum.

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

The site will be developed in accordance with the Maryland Department of the Environment criteria for stormwater management, including the provision of Environmental Site Design to protect natural resources to the maximum extent practicable. Water quality should improve with the proposed development and State water quality standards will not be violated. The proposed work will include the construction of two bioretention areas to treat the runoff from the new additions. Upgrades to the stormwater outfall will be made, and the planting of 1.17 acres of forest will occur. As replacement for the loss of the 49-inch Morus (mulberry) tree, the Applicant will plant 4 canopy trees 3-inches in diameter or greater. The intent is to replace the form and function of the variance tree proposed for removal. These measures are provided to improve water quality and the health of the associated community.

### Mitigation for Trees Subject to the Variance Provisions

The Applicant is requesting a variance to remove one specimen tree with impacts to the critical root zones of 5 additional specimen trees. Mitigation is required at a rate of 1" caliper per 4" DBH removed,

using a minimum 3" caliper native shade tree. The Applicant will plant (4) 3" caliper trees, which will be shown on the Final Forest Conservation Plan.

### **County Arborist's Recommendation on the Variance**

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The County Arborist has reviewed the variance request and recommended approval with mitigation (Attachment 4).

### Variance Recommendation

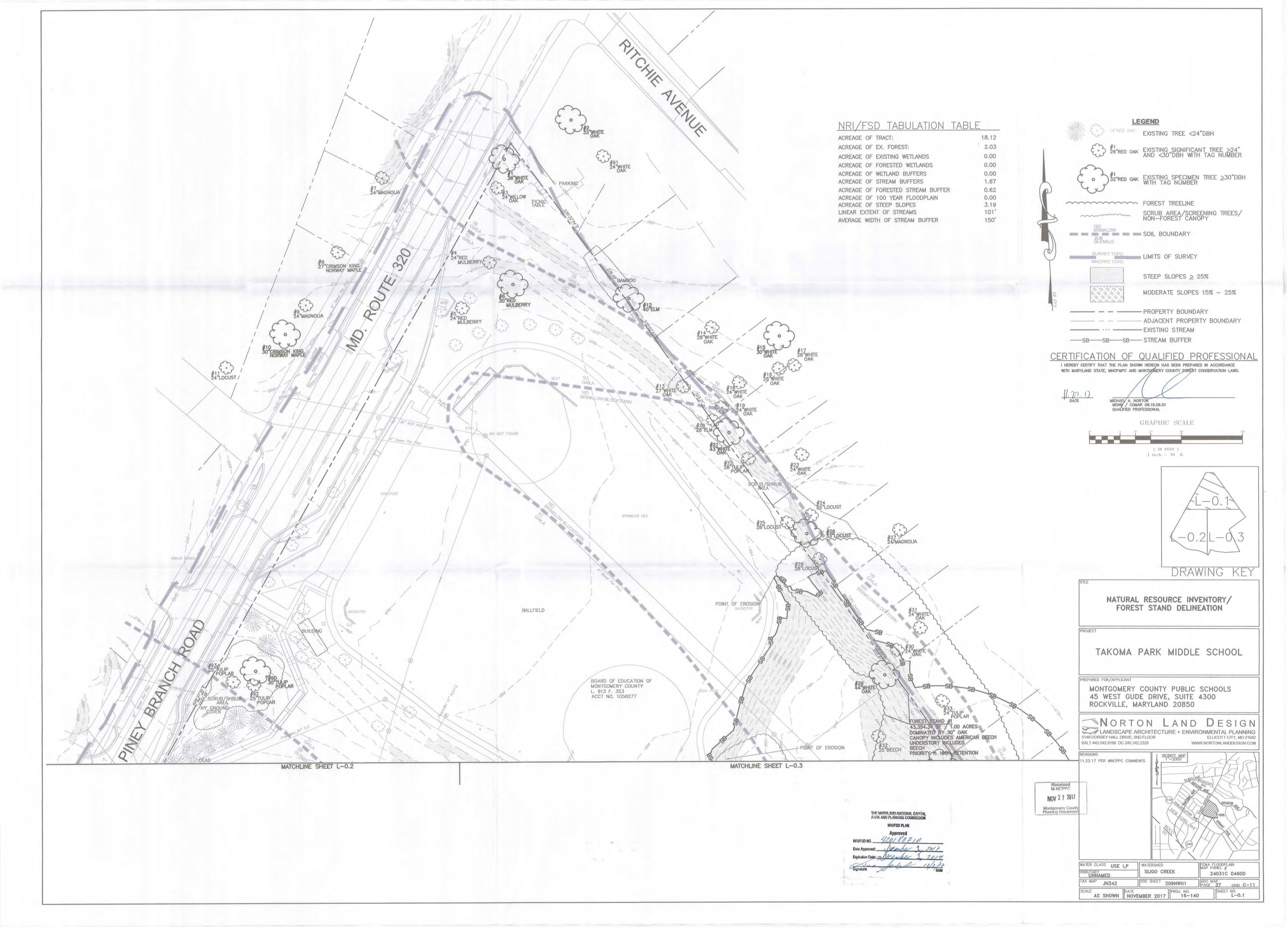
Staff recommends that the variance be granted.

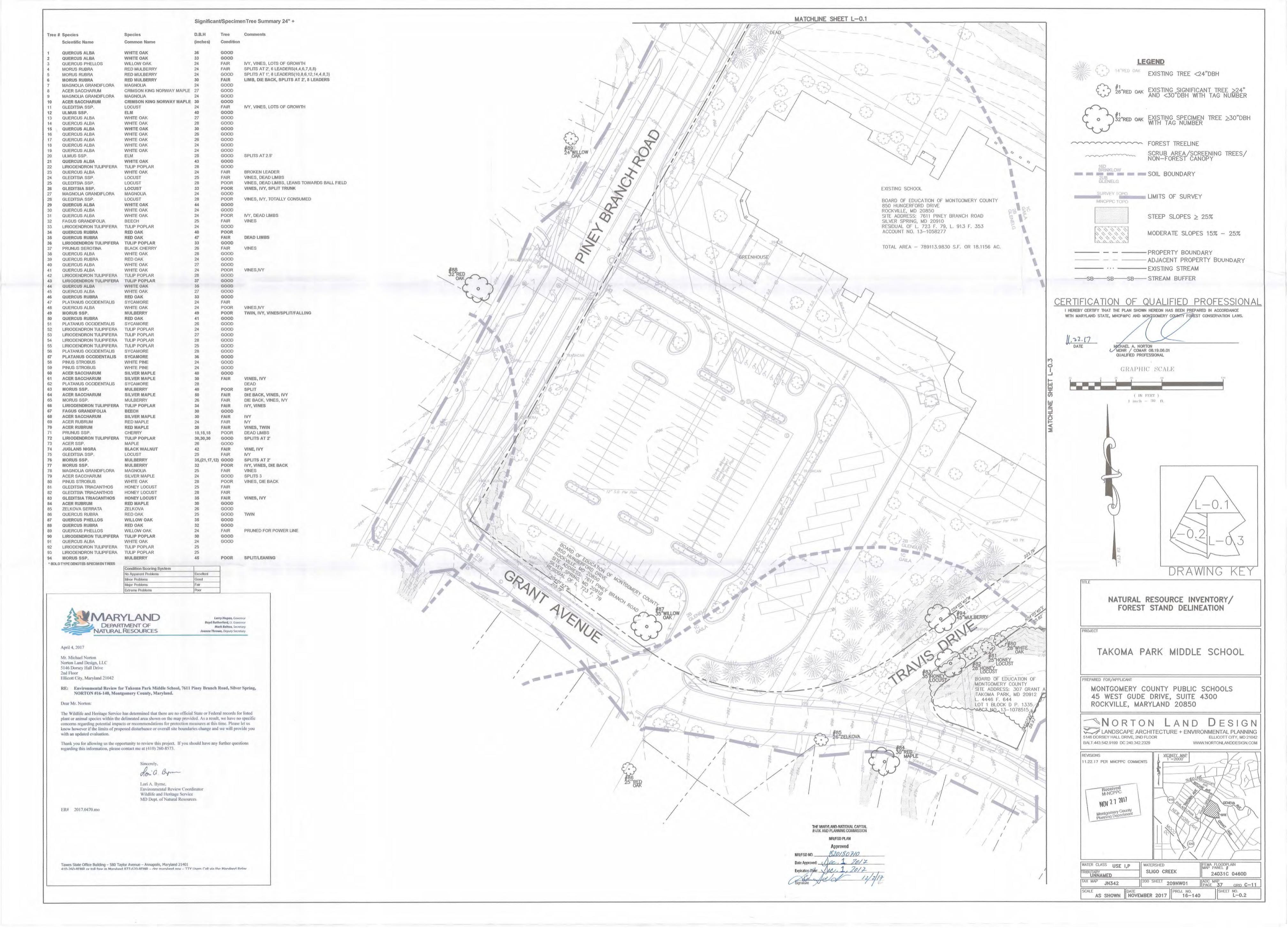
### CONCLUSION

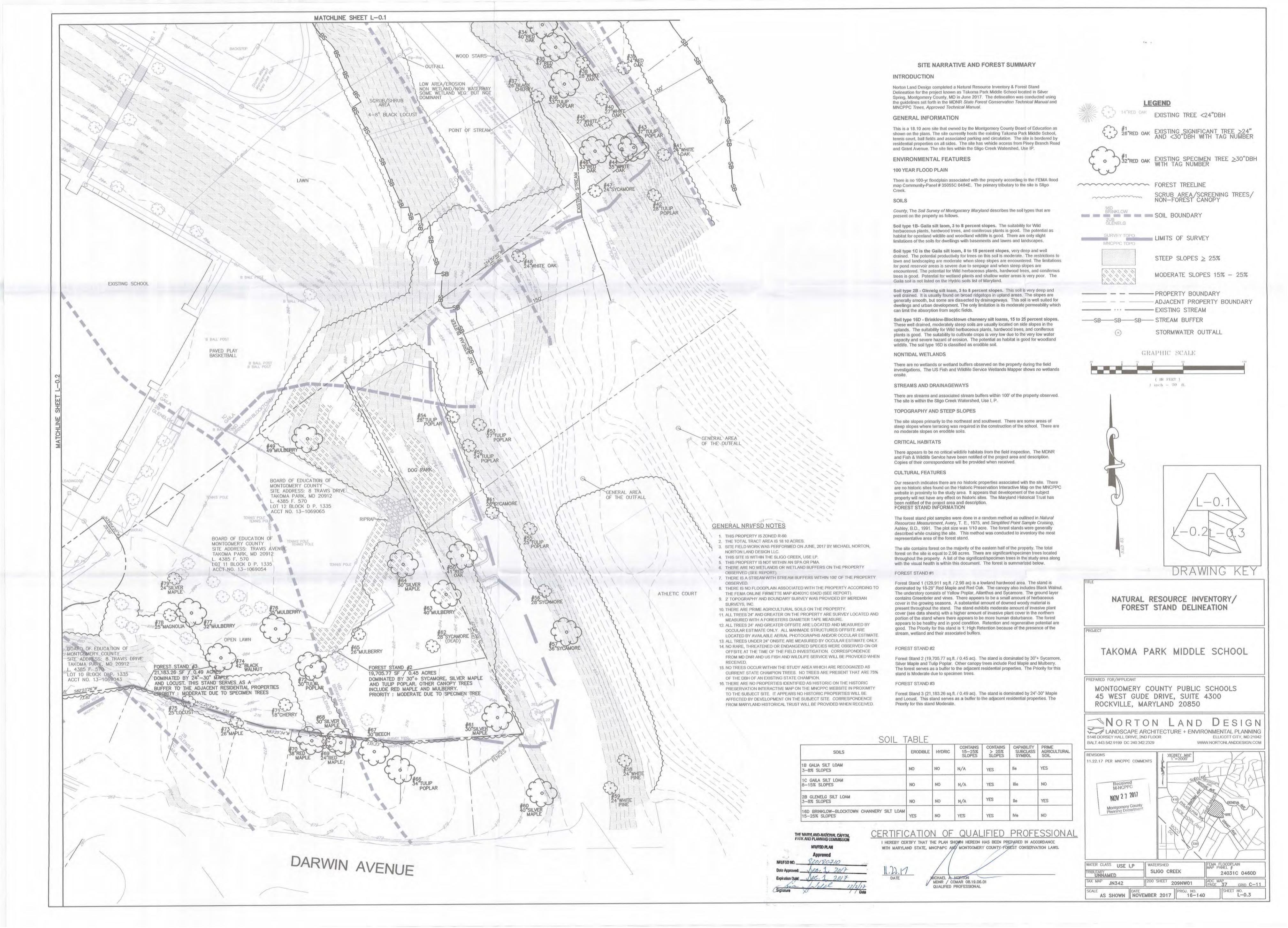
Staff concludes that the proposed Preliminary Forest Conservation Plan meets the requirements of Chapter 22A Forest Conservation Law. Staff therefore recommends that the Planning Board approve the Preliminary Forest Conservation Plan and associated variance, with the above conditions.

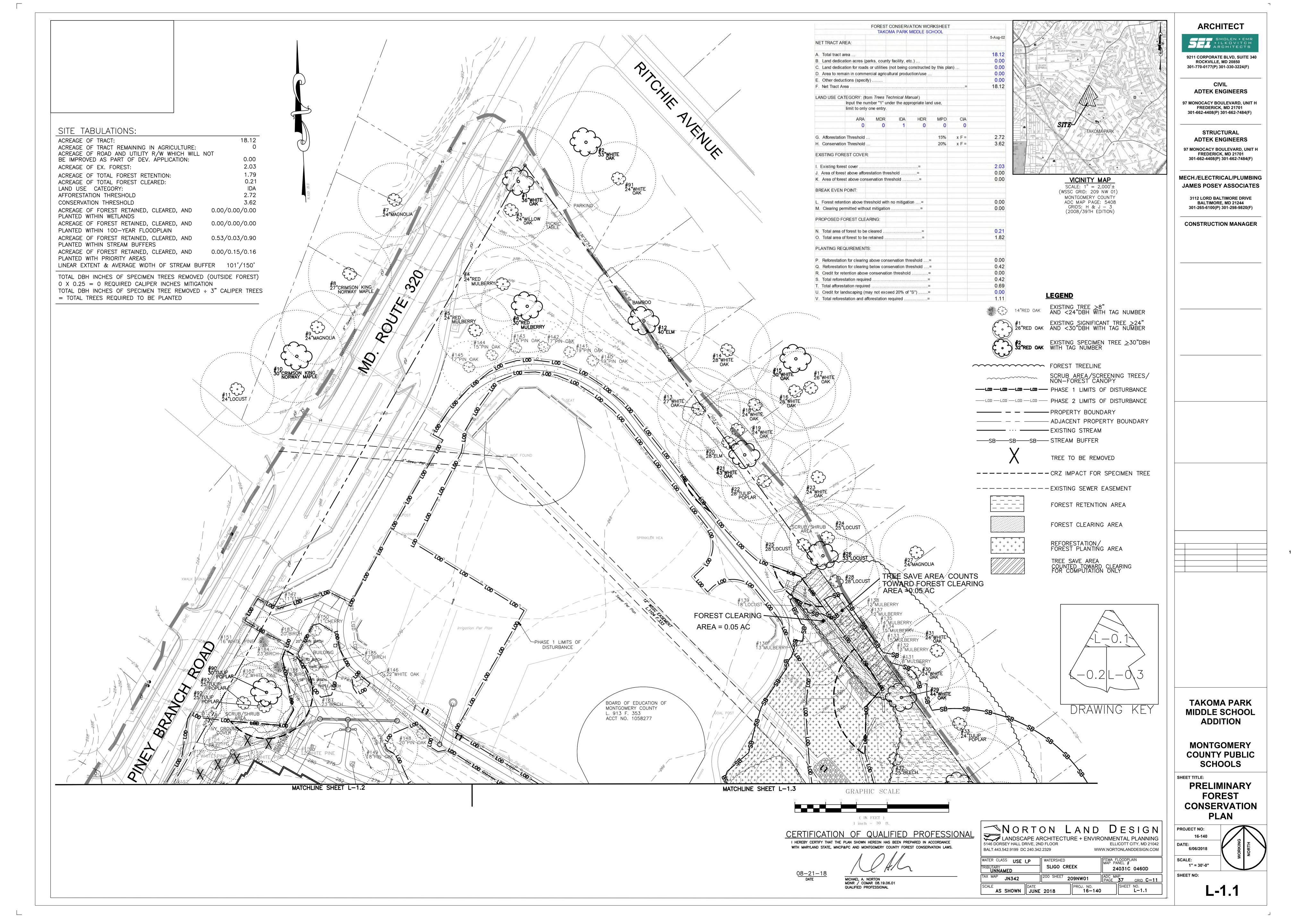
### Attachments

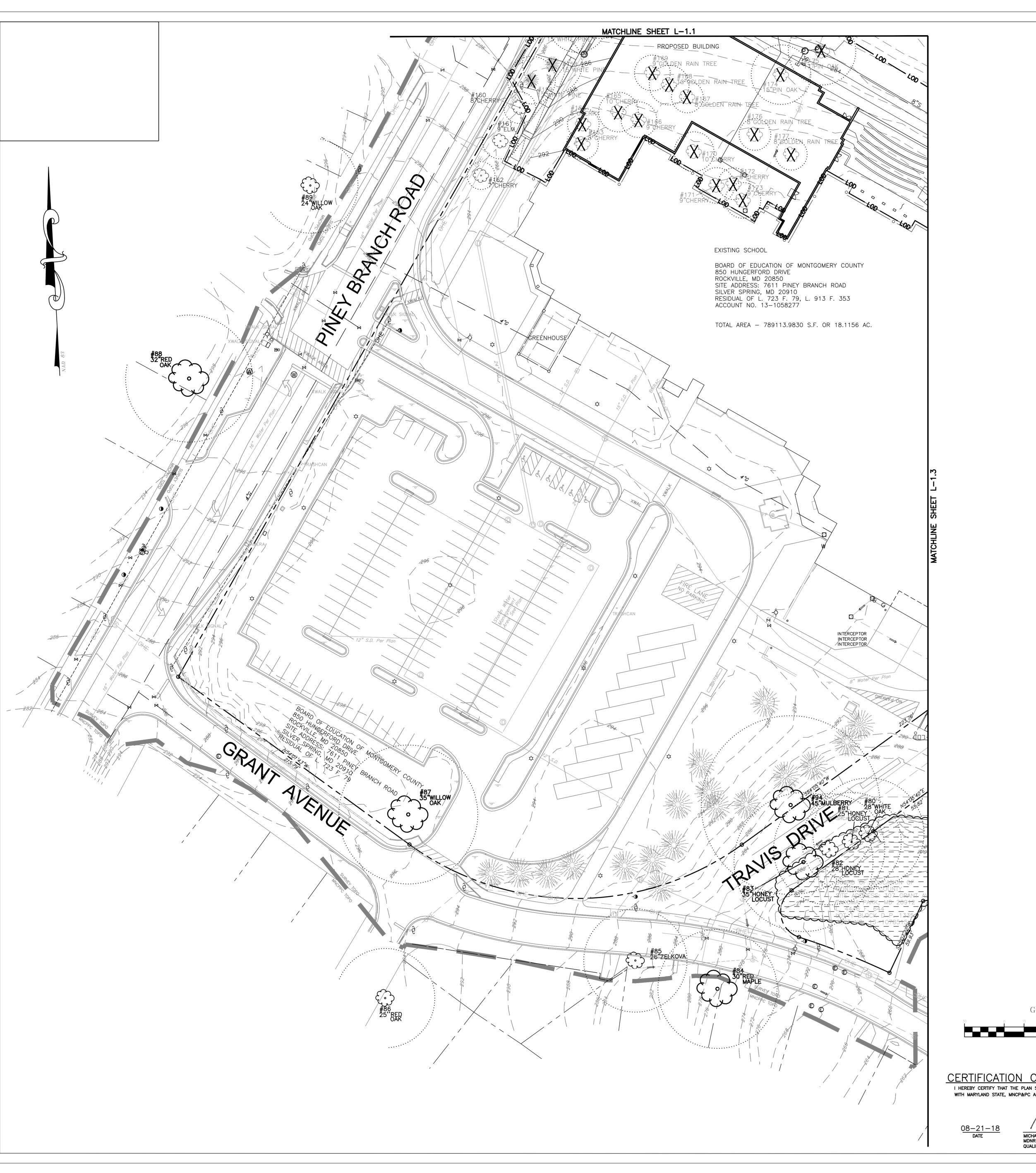
- 1. Approved Natural Resource Inventory
- 2. Preliminary Forest Conservation Plan
- 3. Variance request

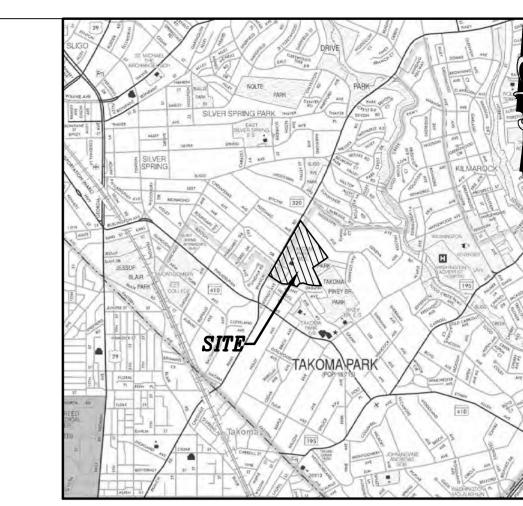




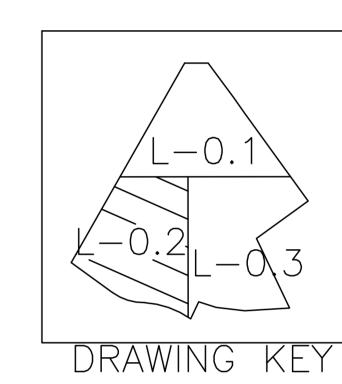




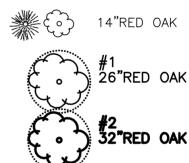




VICINITY MAP SCALE:  $1" = 2,000' \pm$ (WSSC GRID: 209 NW 01) MONTGOMERY COUNTY ADC MAP PAGE: 5408 GRIDS: H & J - 3 (2008/39TH EDITION)



## **LEGEND**



EXISTING TREE >8"

AND <24"DBH WITH TAG NUMBER #1 EXISTING SIGNIFICANT TREE >24" 26"RED OAK AND <30"DBH WITH TAG NUMBER

#2 EXISTING SPECIMEN TREE ≥30"DBH WITH TAG NUMBER

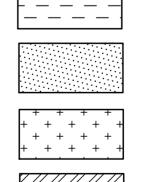
FOREST TREELINE

— LOD — LOD — LOD — PHASE 2 LIMITS OF DISTURBANCE - ADJACENT PROPERTY BOUNDARY

EXISTING STREAM ——SB—— STREAM BUFFER

TREE TO BE REMOVED 

----EXISTING SEWER EASEMENT

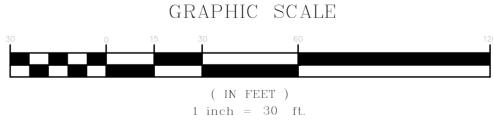


FOREST RETENTION AREA

FOREST CLEARING AREA

REFORESTATION/ FOREST PLANTING AREA

TREE SAVE AREA COUNTED TOWARD CLEARING FOR COMPUTATION ONLY



CERTIFICATION OF QUALIFIED PROFESSIONAL WITH MARYLAND STATE, MNCP&PC AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

MICHAEL A. NORTON MDNR / COMAR 08.19.06.01 QUALIFIED PROFESSIONAL

<u> N</u> ORTON I	LAND	DESIG	3 N
LANDSCAPE ARCHITECT	URE + ENVIRONI	MENTAL PLAN	NING
46 DORSEY HALL DRIVE, 2ND FLOOR		ELLICOTT CITY, ME	21042
ALT.443.542.9199 DC 240.342.2329	WWW.N	ORTONLANDDESIG	N.COM

VATER CLASS USE I,P RIBUTARY UNNAMED	WATERSHED SLIGO CRE	EK	MAP PA	LOODPL NEL # 4031C	0460D
AX MAP JN342	200 SHEET <b>2</b> 0	09NW01	ADC MA	\P <b>37</b>	GRID C-11
AS SHOWN DATE	2018	PROJ. NO. <b>16-140</b>		SHEET	NO. L-1.2

**ARCHITECT** 

9211 CORPORATE BLVD, SUITE 340

ROCKVILLE, MD 20850 301-770-0177(P) 301-330-3224(F)

ADTEK ENGINEERS

FREDERICK, MD 21701 301-662-4408(P) 301-662-7484(F) STRUCTURAL

97 MONOCACY BOULEVARD, UNIT H

**ADTEK ENGINEERS** 97 MONOCACY BOULEVARD, UNIT H FREDERICK, MD 21701 301-662-4408(P) 301-662-7484(F)

MECH./ELECTRICAL/PLUMBING

BALTIMORE, MD 21244

301-265-6100(P) 301-298-9820(F)

JAMES POSEY ASSOCIATES 3112 LORD BALTIMORE DRIVE

CONSTRUCTION MANAGER

**TAKOMA PARK** MIDDLE SCHOOL **ADDITION** 

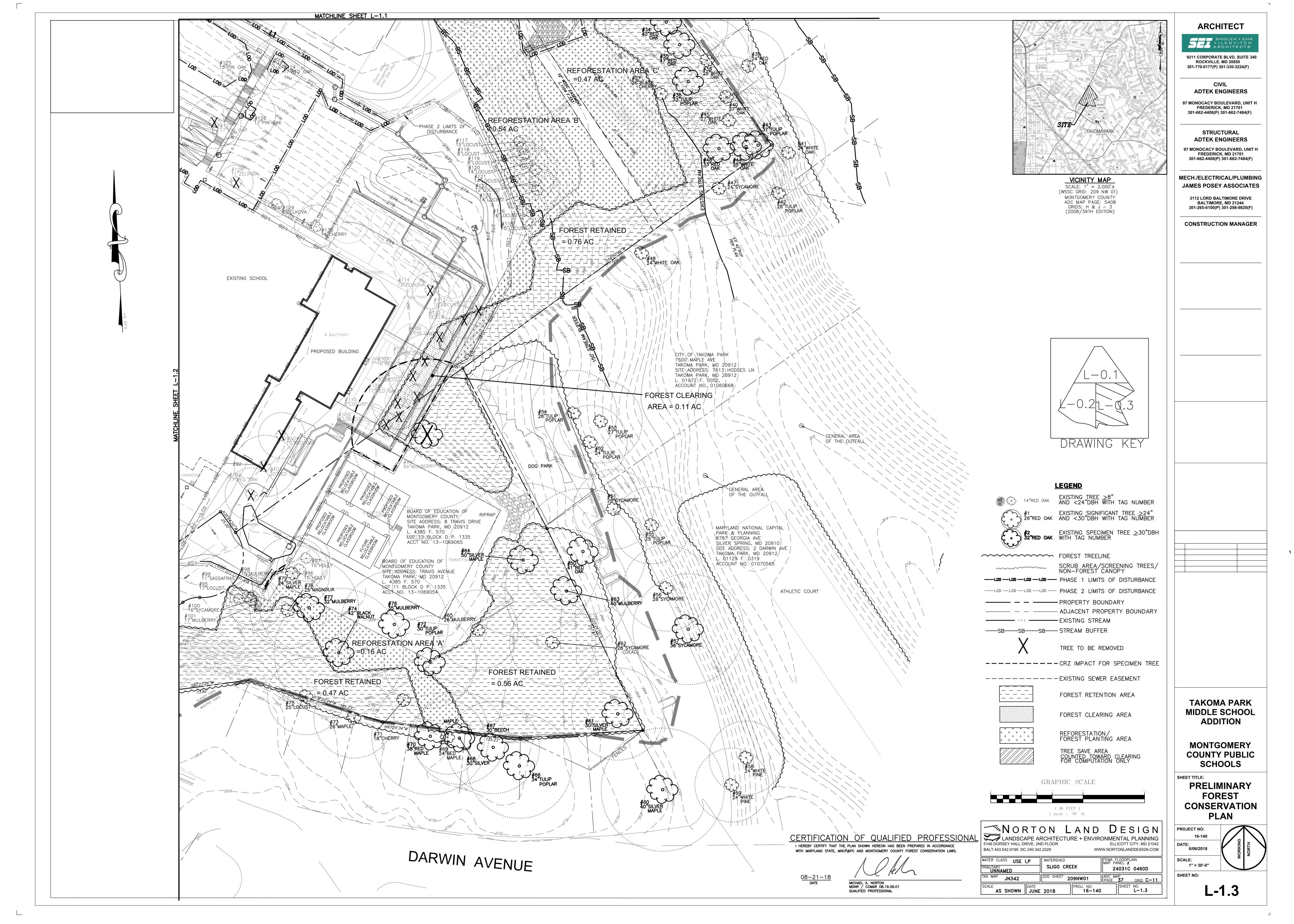
**MONTGOMERY COUNTY PUBLIC** SCHOOLS

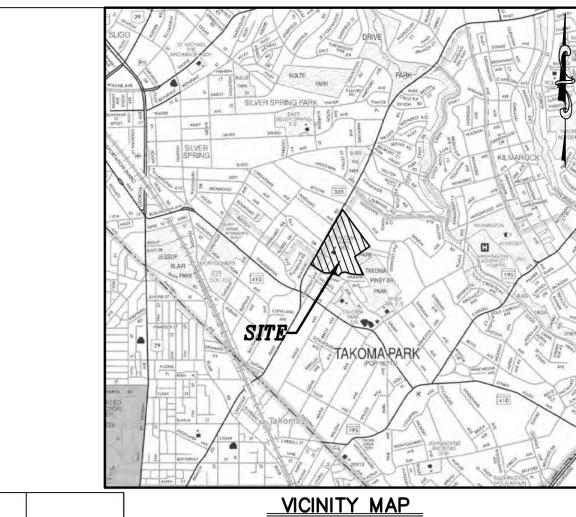
SHEET TITLE: **PRELIMINARY FOREST CONSERVATION PLAN** 

SCALE:

1" = 30'-0"

SHEET NO: L-1.2





SCALE:  $1" = 2,000' \pm$ (WSSC GRID: 209 NW 01) MONTGOMERY COUNTY

ADC MAP PAGE: 5408

GRIDS: H & J - 3

(2008/39TH EDITION)

											A CONTRACTOR OF THE PARTY OF TH
	Species Scientific Name	Species Common Name	D.B.H (inches)	Critical Root Zone (Sq.Ft)	Critical Root Zone Impacts	Percent of CRZ Impacted (SF)	Tree Condition	Comments	Status	Variance	Mitigation (Y/N)
	QUERCUS ALBA QUERCUS ALBA	WHITE OAK WHITE OAK	36 33	9161 7698	0	0%	GOOD				N N
	QUERCUS PHELLOS MORUS RUBRA	WILLOW OAK RED MULBERRY	24 24	4072 4072	0	0%	FAIR FAIR	IVY, VINES, LOTS OF GROWTH SPLITS AT 2', 6 LEADERS(4,4,6,7,8,8)			N N
	MORUS RUBRA	RED MULBERRY	24	4072	0	0%	GOOD	SPLITS AT 1', 8 LEADERS(10,8,6,12,14,4,8,3)	SAVE AND PROTECT	N/A	N
	MORUS RUBRA MAGNOLIA GRANDIFLORA	MAGNOLIA	<b>30</b> 24	<b>6362</b> 4072	0	0%	FAIR GOOD	LIMB, DIE BACK, SPLITS AT 2', 8 LEADERS			N N
	ACER SACCHARUM	CRIMSON KING NORWAY MAPLE	27	5153	0	0%	GOOD		SAVE AND PROTECT	N/A	N
	MAGNOLIA GRANDIFLORA ACER SACCHARUM	MAGNOLIA  CRIMSON KING NORWAY MAPLE		4072 <b>6362</b>	0	0%	GOOD GOOD				N N
	GLEDITSIA SSP. ULMUS SSP.	LOCUST	24 40	4072 11310	0	0%	FAIR GOOD	IVY, VINES, LOTS OF GROWTH			N N
	QUERCUS ALBA	WHITE OAK	27	5153	0	0%	GOOD		SAVE AND PROTECT	N/A	N
	QUERCUS ALBA  QUERCUS ALBA	WHITE OAK WHITE OAK	30	5542 6362	0	0%	GOOD GOOD		SAVE AND PROTECT	NO	N N
	QUERCUS ALBA QUERCUS ALBA	WHITE OAK WHITE OAK	26 26	4778 4778	0	0%	GOOD				N N
	QUERCUS ALBA	WHITE OAK		4072 4072	0	0%	GOOD		SAVE AND PROTECT	N/A	N N
	QUERCUS ALBA ULMUS SSP.	WHITE OAK ELM	28	5542	0	0%	GOOD	SPLITS AT 2.5'	SAVE AND PROTECT	N/A	N
	QUERCUS ALBA LIRIODENDRON TULIPIFERA	WHITE OAK TULIP POPLAR	<b>43</b> 28	<b>13070</b> 5542	<b>92</b> 0	0%	GOOD				N N
	QUERCUS ALBA GLEDITSIA SSP.	WHITE OAK LOCUST	24 25	4072 4418	0	0%	FAIR FAIR	BROKEN LEADER VINES, DEAD LIMBS			N N
	GLEDITSIA SSP.	LOCUST	28	5542	398	7%	POOR	VINES, DEAD LIMBS, LEANS TOWARDS BALL FIEL	D SAVE AND PROTECT	N/A	N
	GLEDITSIA SSP. MAGNOLIA GRANDIFLORA	MAGNOLIA	<b>33</b> 24	<b>7698</b> 4072	<b>746</b>	10% 0%	GOOD GOOD	VINES, IVY, SPLIT TRUNK	SAVE AND PROTECT SAVE AND PROTECT		N N
1	GLEDITSIA SSP.  QUERCUS ALBA	LOCUST WHITE OAK	28 44	5542 <b>13685</b>	779 <b>2652</b>	14% 19%	POOR GOOD	VINES, IVY, TOTALLY CONSUMED		F-100 D-11	N N
	QUERCUS ALBA	WHITE OAK	24	4072	0	0%	GOOD		SAVE AND PROTECT	N/A	N
	QUERCUS ALBA FAGUS GRANDIFOLIA	WHITE OAK BEECH	24 25	4072 4418	0 423	10%	POOR FAIR	IVY, DEAD LIMBS VINES			N N
	LIRIODENDRON TULIPIFERA QUERCUS RUBRA	TULIP POPLAR RED OAK	24 <b>40</b>	4072 11310	0	0%	GOOD		SAVE AND PROTECT	N/A	N N
	QUERCUS RUBRA	RED OAK	47	15615	0	0%	FAIR	DEAD LIMBS	SAVE AND PROTECT	NO	N
	LIRIODENDRON TULIPIFERA PRUNUS SEROTINA	TULIP POPLAR BLACK CHERRY	<b>33</b> 26	<b>7698</b> 4778	0	<b>0</b> %	GOOD FAIR	VINES	The state of the s	NO N/A	N N
	QUERCUS ALBA QUERCUS RUBRA	WHITE OAK RED OAK	28 24	5542 4072	0	0%	GOOD			N/A N/A	N
	QUERCUS ALBA	WHITE OAK	27	5153	0	0%	GOOD		SAVE AND PROTECT	N/A	N
	QUERCUS ALBA LIRIODENDRON TULIPIFERA	WHITE OAK TULIP POPLAR	28	4072 5542	0	0%	POOR GOOD	VINES,IVY		N/A N/A	N N
	LIRIODENDRON TULIPIFERA QUERCUS ALBA	TULIP POPLAR WHITE OAK	37 35	9677 8659	0	0%	GOOD			NO NO	N N
	QUERCUS ALBA	WHITE OAK	27	5153	0	0%	GOOD		SAVE AND PROTECT	N/A	N
	QUERCUS RUBRA PLATANUS OCCIDENTALIS	RED OAK SYCAMORE	<b>33</b> 24	<b>7698</b> 4072	0	0%	GOOD FAIR			NO N/A	N N
	QUERCUS ALBA MORUS SSP.	WHITE OAK MULBERRY	24 <b>49</b>	4072 <b>16972</b>	0 <b>6121</b>	0% 36%	POOR POOR	VINES,IVY TWIN, IVY, VINES/SPLIT/FALLING	SAVE AND PROTECT TO BE REMOVED		N N
	QUERCUS RUBRA	RED OAK	41	11882	0	0%	GOOD	TWIN, TVT, VINES/SPETI/TALLING	SAVE AND PROTECT	NO	N
		SYCAMORE TULIP POPLAR	26 24	4778 4072	0	0%	GOOD				N N
	LIRIODENDRON TULIPIFERA LIRIODENDRON TULIPIFERA	TULIP POPLAR TULIP POPLAR	27 28	5153 5542	0	0%	GOOD GOOD				N N
	LIRIODENDRON TULIPIFERA	TULIP POPLAR	25	4418	0	0%	GOOD		SAVE AND PROTECT	N/A	N
		SYCAMORE SYCAMORE	28 36	5542 <b>9161</b>	0	0%	GOOD				N N
	PINUS STROBUS PINUS STROBUS	WHITE PINE WHITE PINE	24 24	4072 4072	0	0%	GOOD GOOD				N N
	ACER SACCHARUM	SILVER MAPLE	40	11310	0	0%	GOOD		SAVE AND PROTECT	NO	N
		SILVER MAPLE SYCAMORE	30 28	<b>6362</b> 5542	0	0%	FAIR	DEAD			N N
	MORUS SSP. ACER SACCHARUM	MULBERRY SILVER MAPLE	40 50	11310 17671	0	0%	POOR FAIR	SPLIT DIE BACK, VINES, IVY			N N
	MORUS SSP.	MULBERRY	26	4778	0	0%	FAIR	DIE BACK, VINES, IVY	SAVE AND PROTECT	N/A	N
	LIRIODENDRON TULIPIFERA FAGUS GRANDIFOLIA	TULIP POPLAR BEECH	34 30	8171 6362	0	0%	GOOD GOOD	IVY, VINES	SAVE AND PROTECT	NO	N N
	ACER SACCHARUM ACER RUBRUM	SILVER MAPLE RED MAPLE	30 24	<b>6362</b> 4072	0	0%	3.7.000	IVY IVY	SAVE AND PROTECT SAVE AND PROTECT		N N
	ACER RUBRUM	RED MAPLE	38	10207	0	0%	FAIR	VINES, TWIN	SAVE AND PROTECT	NO	N
	PRUNUS SSP. LIRIODENDRON TULIPIFERA	CHERRY TULIP POPLAR		2290 <b>6362</b>	0	0%	POOR GOOD	DEAD LIMBS SPLITS AT 2'	SAVE AND PROTECT	N/A NO	N N
	ACER SSP. JUGLANS NIGRA	MAPLE BLACK WALNUT	26 <b>42</b>	4778 <b>12469</b>	0	0%	GOOD FAIR	VINE, IVY		N/A NO	N N
	GLEDITSIA SSP. MORUS SSP.	LOCUST MULBERRY	25 (24 47 42)	4418	0	0%	FAIR	IVY SPLITS AT 2'	SAVE AND PROTECT	N/A	N
	MORUS SSP.	MULBERRY	35,(21,17,12) 32	7238	35	0% <1%		IVY, VINES, DIE BACK	SAVE AND PROTECT	NO YES	N
V	MAGNOLIA GRANDIFLORA ACER SACCHARUM	MAGNOLIA SILVER MAPLE	25 24	4418 4072	57 1047	1% 26%	FAIR GOOD	VINES SPLITS 3		N/A N/A	N N
	PINUS STROBUS	WHITE OAK HONEY LOCUST	28	5542 4418	0	0%	POOR FAIR	VINES, DIE BACK	SAVE AND PROTECT	N/A	N
	GLEDITSIA TRIACANTHOS GLEDITSIA TRIACANTHOS	HONEY LOCUST	25 28	5542	0	0%	FAIR		SAVE AND PROTECT	N/A N/A	N N
	GLEDITSIA TRIACANTHOS ACER RUBRUM	HONEY LOCUST RED MAPLE	35	8659 6362	0	0%	FAIR GOOD	VINES, IVY		NO NO	N N
	ZELKOVA SERRATA QUERCUS RUBRA	ZELKOVA RED OAK	26 25	4778 4418	0	0%	GOOD	TWIN		N/A N/A	N N
	QUERCUS PHELLOS	WILLOW OAK	35	8659	0	0%	GOOD	TVVIIV	SAVE AND PROTECT	NO	N
	QUERCUS RUBRA QUERCUS PHELLOS	RED OAK WILLOW OAK	<b>32</b> 24	<b>7238</b> 4072	0	0%	GOOD FAIR	PRUNED FOR POWER LINE		NO N/A	N N
	LIRIODENDRON TULIPIFERA QUERCUS ALBA	TULIP POPLAR WHITE OAK		<b>6362</b> 4072	1997	31% 0%	GOOD		SAVE AND PROTECT		N
	LIRIODENDRON TULIPIFERA	TULIP POPLAR	25	4418	1466	33%	GOOD		SAVE AND PROTECT	N/A	N
	LIRIODENDRON TULIPIFERA MORUS SSP.	TULIP POPLAR MULBERRY		4418 <b>14314</b>	887 <b>0</b>	20% <b>0</b> %	POOR	SPLIT/LEANING			N N
	GLEDITSIA SSP. ILEX OPACA	LOCUST AMERICAN HOLLY		2043	274		FAIR GOOD	COVERED IN VINE	SAVE AND PROTECT	N/A	N N
	ILEX OPACA	AMERICAN HOLLY	15	1590	296	19%	GOOD	DECKEN DELIVERS	SAVE AND PROTECT	N/A	N
	MORUS SSP. SASSAFRAS ALBIDUM	MULBERRY SASSAFRAS	10 11	707 855	53 20	7% 2%	FAIR FAIR	BROKEN BRANCH/VINE VINE			N N
	The state of the s	AMERICAN SY CAMORE MULBERRY	16	1810 2043	173 132	10%	GOOD	VINE VINE	SAVE AND PROTECT	N/A	N N
	QUERCUS RUBRA	RED OAK	17	2043	2043	100%	GOOD	V HYL	TO BE REMOVED	N/A	N
	QUERCUS RUBRA QUERCUS RUBRA	RED OAK RED OAK	20 15	2827 1590	2827 1590	100%	GOOD		TO BE REMOVED TO BE REMOVED	A 1000 - 100	N N
5	GLEDITSIA SSP.	LOCUST	8	452	452	100%	POOR	VINE	TO BE REMOVED	N/A	N
7	QUERCUS RUBRA	RED OAK RED OAK	16	1810	2043 1810	100%	POOR	VINE VINE	TO BE REMOVED	N/A	N N
	QUERCUS RUBRA QUERCUS PALUSTRIS	RED OAK PIN OAK		2043 452	2043 452	100%		VINE VINE		N/A N/A	N N
-		LOCUST		452	452	100%		VINE			N

	0				0.111. 1 5 1 -		-		2000		
Tree #		Species	D.B.H	Critical Root	Critical Root Zone			Comments	Status	Variance	Mitigation (Y/N
	Scientific Name	Common Name	(inches)	Zone (Sq.Ft)	Impacts		Condition				
111		ZELKOVA	12	1018	1018		GOOD				N
112		BLACK LOCUST AMERICAN ELM	10	707 1018	707 1018		GOOD FAIR	VINE		N/A N/A	N N
113		BLACK LOCUST	12	452	452		FAIR	VINE		N/A N/A	N N
115		BLACK LOCUST	10	707	6		GOOD	LEANING		N/A	N
116		BLACK LOCUST	16	1810	348		FAIR	BROKEN BRANCH/LEANING		N/A	N
117		BLACK LOCUST	15	1590	282		GOOD	BROKEN BRANCH/LEANING		N/A	N
118		BLACK LOCUST	8	452	0		GOOD	LEANING		N/A	N
119		BLACK LOCUST	8	452	8		GOOD	LEANING		N/A	N
120		BLACK LOCUST	14	1385	342		GOOD			NA	N
121		BLACK LOCUST	14	1385	157		GOOD	BROKEN BRANCH		N/A	N
122		BLACK LOCUST	12	1018			POOR	DAMAGED TRUNK/BROKEN BRANCH		N/A	N
123		BLACK LOCUST	14	1385			FAIR	BROKEN BRANCH		N/A	N
124		RED OAK	17	2043	913		GOOD			N/A	N
125		PIN OAK	15	1590	937		GOOD			N/A	N
126		PIN OAK	17	2043			GOOD			N/A	N
127		PIN OAK	17	2043	2043		GOOD				N
128		ZELKOVA	11	855	855		GOOD			N/A	N
129		ZELKOVA	8	452			GOOD			N/A	N
130		CHERRY	14	1385			GOOD				N
131		MULBERRY	8	452	0		POOR	VINE		N/A	N
132		MULBERRY	13	1195	219		POOR	VINE		N/A	N
133		MULBERRY	15	1590	560		POOR	VINE		N/A	N
134		MULBERRY	15	1590	471		POOR	VINE		N/A	N
135		MULBERRY	14	1385			POOR	VINE		N/A	N
136	MORUS SSP.	MULBERRY	13	1195	300	25%	POOR	BROKEN BRANCH/VINE	SAVE AND PROTECT	N/A	N
137	MORUS SSP.	MULBERRY	13	1195	52		POOR	BROKEN BRANCH	SAVE AND PROTECT	N/A	N
138	MORUS SSP.	MULBERRY	12	1018	190	19%	POOR	VINE	SAVE AND PROTECT	N/A	N
139	ROBINIA PSEUDOACACIA	BLACK LOCUST	18	2290	2290	100%	POOR	BROKEN BRANCH/VINE	TO BE REMOVED	N/A	N
140	QUERCUS PALUSTRIS	PIN OAK	19	2552	410	16%	GOOD		SAVE AND PROTECT	N/A	N
141	QUERCUS PALUSTRIS	PIN OAK	19	2552	468	18%	GOOD		SAVE AND PROTECT	N/A	N
142	QUERCUS PALUSTRIS	PIN OAK	17	2043	333	16%	GOOD		SAVE AND PROTECT	N/A	N
143	QUERCUS PALUSTRIS	PIN OAK	15	1590	240	15%	GOOD		SAVE AND PROTECT	N/A	N
144	QUERCUS PALUSTRIS	PIN OAK	15	1590	214	13%	GOOD		SAVE AND PROTECT	N/A	N
145	QUERCUS PALUSTRIS	PIN OAK	17	2043	258		GOOD		SAVE AND PROTECT	N/A	N
146		WHITE OAK	22	3421			GOOD	EXPOSED ROOTS	SAVE AND PROTECT	N/A	N
147	ULMUS AMERICANA	AMERICAN ELM	11	855	355		GOOD		SAVE AND PROTECT	N/A	N
148		PIN OAK	20	2827			GOOD		SAVE AND PROTECT	N/A	N
149		PIN OAK	18	2290			GOOD		SAVE AND PROTECT	N/A	N
150		CHERRY	11	855			GOOD				N
151		WHITE PINE	16	1810			GOOD			N/A	N
152		WHITE PINE	12	1018			GOOD				N
153		WHITE PINE	12	1018	1018		GOOD				N
154		WHITE PINE	13	1195	1195		GOOD				N
155		WHITE PINE	14	1385	1385		GOOD				N
156		WHITE PINE	14	1385	1385		GOOD			,	N
157		WHITE PINE	15	1590	1590		GOOD				N
158		WHITE PINE	15	1590	1590		GOOD				N
159		WHITE PINE	12	1018	1018		GOOD				N
160		CHERRY	8	452	151		GOOD			N/A	N
161		AMERICAN ELM	9	573	56		GOOD				N
162		CHERRY	/	346	0		GOOD			N/A	N
163		CHERRY	8	452	452		GOOD				N
164		CHERRY	8	452	452		GOOD				N
165		CHERRY	10	707	707		GOOD				N
166		CHERRY	9	573	573		GOOD				N
167	KOELREUTERIA PANICULATA		8	452	452		GOOD				N
168	KOELREUTERIA PANICULATA		10	707	707		GOOD			N/A	N
169		GOLDEN RAIN TREE	9	573	573		GOOD				N
170		CHERRY	10	707	707		GOOD				N
171		CHERRY	9	573	573		GOOD			N/A	N
172		CHERRY	0	452 573	452 573		GOOD	-			N N
173	TAIT LIBERTAIN	CHERRY	17				GOOD				N N
174		PIN OAK	17	2043	2043		GOOD				N
175		PIN OAK	0	2043	2043		GOOD				N N
176		GOLDEN RAIN TREE	0	452	452		GOOD			N/A	N N
177 + POL D	KOELREUTERIA PANICULATA	GOLDEN KAIN IKEE	lo	452	452	100%	GOOD		TO BE REMOVED	N/A	N
BOLD	TYPE DENOTES SPECIMEN TREES	Condition Searing System	1								
		Condition Scoring System	Green and and	-							
		No Apparent Problems	Excellent	-							
		Minor Problems	Good								
		Major Problems	Fair								

### Sequence of Events for Property Owners Required to Comply With Forest Conservation and/or Tree-Save Plans

## **Pre-Construction**

1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The property owner should contact the Montgomery County Planning Department inspection staff

9. After construction is completed, an inspection shall be requested. Corrective measures may include: before construction to verify the limits of disturbance and discuss tree protection and tree care measures. The developer's representative, construction superintendent, ISA certified arborist or Maryland-licensed tree expert that will implement the tree protection measures, forest conservation inspector, and Department of Permitting Services (DPS) sediment control inspector should attend this pre-construction meeting.

2. No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to:

- a. Root pruning
- b. Crown reduction or pruning c. Watering
- d. Fertilizing

e. Vertical mulching f. Root aeration matting

Measures not specified on the forest conservation plan may be required as determined by the forest conservation inspector in coordination with the arborist.

3. A Maryland-licensed tree expert or an International Society of Arboriculture- certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must be either observed by the forest conservation inspector or sent to the inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The forest conservation inspector will determine the exact method to convey the stress reductions measures during the pre-construction meeting.

4. Temporary tree protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. The forest conservation inspector, in coordination with the DPS sediment control inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protect devices may include: a. Chain link fence (four feet high)

b. Super silt fence with wire strung between support poles (minimum 4 feet high) with high visibility flagging. c. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.

5. Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from the forest conservation inspector. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the entire construction project. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval of forest conservation

6. Forest retention area signs shall be installed as required by the forest conservation inspector, or as shown on the approved

7. Long-term protection devices will be installed per the Forest Conservation Plan/Tree Save Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed.

## **During Construction**

8. Periodic inspections by the forest conservation inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the forest conservation inspector, must be made within the timeframe established by the inspector.

## Post-Construction

a. Removal and replacement of dead and dying trees

- b. Pruning of dead or declining limbs c. Soil aeration
- d. Fertilization e. Watering
- f. Wound repair g. Clean up of retention areas

10. After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the forest conservation inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

## INSPECTIONS

All field inspections must be requested by the applicant. Inspections must be conducted as

## **Tree Save Plans and Forest Conservation Plans without Planting Requirements**

1. After the limits of disturbance have been staked and flagged, but before any clearing or

2. After necessary stress reduction measures have been completed and protection

- measures have been installed, but before any clearing and grading begin.
- 3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

## Additional Requirements for Plans with Planting Requirements

- 4. Before the start of any required reforestation and afforestation planting 5. After the required reforestation and afforestation planting has been completed to verify
- that the planting is acceptable and prior to the start the maintenance period. 6. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

CERTIFICATION OF QUALIFIED PROFESSIONAL I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE

08-21-18 DATE

MICHAEL A. NORTON MDNR / COMAR 08.19.06.01 QUALIFIED PROFESSIONAL

NORTON LAND DESIGN LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING
5146 DORSEY HALL DRIVE, 2ND FLOOR ELLICOTT CITY, MD 21042 ELLICOTT CITY, MD 21042 BALT.443.542.9199 DC 240.342.2329 WWW.NORTONLANDDESIGN.COM

57.21.110.012.0100	2020				, , , , , , , , , , , , , , , , , , ,		
ATER CLASS USE I,P	WATERSHED		FEMA FLOODPLAIN MAP PANEL #				
RIBUTARY <b>UNNAMED</b>	SLIGO CREEK	<b>`</b>	24	031C	0460D		
AX MAP JN342	<sup>200</sup> SHEET <b>209</b>	NW01	ADC MAI	∍ <b>37</b>	GRID C-11		
AS SHOWN DATE JUNE	<b>2018</b>	ROJ. NO. <b>16-140</b>		SHEET	NO. <b>L-1.4</b>		

**ARCHITECT** 

9211 CORPORATE BLVD, SUITE 340 ROCKVILLE, MD 20850 301-770-0177(P) 301-330-3224(F)

CIVIL

ADTEK ENGINEERS 97 MONOCACY BOULEVARD, UNIT H FREDERICK, MD 21701 301-662-4408(P) 301-662-7484(F)

STRUCTURAL **ADTEK ENGINEERS** 97 MONOCACY BOULEVARD, UNIT H FREDERICK, MD 21701 301-662-4408(P) 301-662-7484(F)

MECH./ELECTRICAL/PLUMBING

JAMES POSEY ASSOCIATES

301-265-6100(P) 301-298-9820(F)

3112 LORD BALTIMORE DRIVE BALTIMORE, MD 21244

CONSTRUCTION MANAGER

**TAKOMA PARK** MIDDLE SCHOOL **ADDITION** 

**MONTGOMERY COUNTY PUBLIC** SCHOOLS

SHEET TITLE: **PRELIMINARY FOREST CONSERVATION PLAN** 

PROJECT NO: 6/06/2018

SCALE: SHEET NO:

L-1.4

August 21, 2018

Maryland National Capital Park and Planning Commission (M-NCPPC) 8787 Georgia Avenue Silver Spring, Maryland 20910

Re: Takoma Park Middle School

Request for Specimen Tree Variance

MNCPPC NRI# 420180710

MR# 2018036

Dear Intake Division,

On behalf of the Montgomery County Public Schools and pursuant to Section 22A-21 *Variance provisions* of the Montgomery County Forest Conservation Ordinance and recent revisions to the State Forest Conservation Law enacted by S.B. 666, we are writing to request a variance(s) to allow impacts to or the removal of the following trees identified on the approved Natural Resource Inventory/Forest Stand Delineation for the above-named County construction project:

### **Project Description:**

The existing Takoma Park Middle School is located at 7611 Piney Branch Rd in Silver Spring, Montgomery County, Maryland. This is a 18.10-acre site that owned by the Montgomery County Board of Education. The site currently hosts the existing school, associated parking, athletic fields and play areas. The site is bordered by residential properties on all sides. The site has vehicle access from Piney Branch Rd and Grant Avenue.

Proposed construction consists of an addition, new hardcourt play surfaces, improved pedestrian circulaiton, stormwater management and updates for ADA accessibility.

### **Requirements for Justification of Variance:**

Section 22A-21(b) Application requirements states that the applicant must:

- (1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;
- (2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;

- (3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and
- (4) Provide any other information appropriate to support the request.

### **Justification of Variance:**

(1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;

Response: As part of the program, the task is to provide the community with an updated school facility that can accommodate a growing number of students as well as a modernized, safe and healthy environment for young students to learn.

This work will require disturbance of the root zones of a total of six (6) specimen trees. One (1) of the six (6) impacted trees will be required to be removed. The removal of specimen trees are due to the proposed pathway and utilities in relationship to the narrow property.

If MCPS is not allowed to impact the trees, the school will not be able to be updated due to the close proximity of specimen trees to the school parking, amenities and stormwater facilities. As such, this would cause an *unwarranted hardship* to the community that it serves.

(2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;

Response: If the County were required to keep all improvements outside the root zones of the specimen trees, the building, safe access drive aisles, parking and ballfield would fail to be rebuilt due to the close proximity of specimen trees.

(3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;

Response: Tree removals have been minimized by compact design of the layout ensuring the preservation of as many specimen trees as possible. In addition, this property will be developed in accordance with the latest Maryland Department of the Environment criteria for stormwater management. This includes Environmental Site Design to provide for protecting the natural resources to the Maximum Extent Practicable. This includes limiting the impervious areas and providing on-site stormwater management systems. A Stormwater Management Concept is currently under review by the Montgomery County Department of Permitting Services to ensure that this criterion is enforced. Specimen trees within the open space (outside of forest) is shown to be mitigated for on the Preliminary Forest Conservation Plan. Additional improvements to the property include control of erosion and outfall stabilization before entering the stream just offsite.

Therefore, the proposed activity will not degrade the water quality of the downstream areas and will not result in *measurable degradation in water quality*.

(4) Provide any other information appropriate to support the request.

Response: Presently there is forest along the edges of the property that will be retained to the greatest extent possible. Additional reforestation is proposed within the designated stream valley buffer. Additional canopy planting will serve to create greater ecological quality while establishing further buffering of adjacent land uses (residential).

As further basis for its variance request, the applicant can demonstrate that it meets the Section 22A-21(d) *Minimum criteria*, which states that a variance must not be granted if granting the request:

(1) Will confer on the applicant a special privilege that would be denied to other applicants;

Response: The school addition is in conformance with the County's General plan. As such, this is not a *special privilege* to be conferred on the applicant.

(2) Is based on conditions or circumstances which are the result of the actions by the applicant;

Response: Montgomery County Public Schools has taken no actions leading to the conditions or circumstances that are the subject of this variance request.

(3) Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or

Response: The surrounding land uses (residences) do not have any inherent characteristics or conditions that have created or contributed to this particular need for a variance.

(4) Will violate State water quality standards or cause measurable degradation in water quality.

Response: Granting this variance request will not violate State water quality standards or cause measurable degradation in water quality.

	1	т		Signific	cant/SpecimenTr	ee Summary	24" +			_
Tree #	Species	Species	D.B.H	Critical Root	Critical Root Zone	Percent of CRZ	Tree	Comments	Status	Varianc
	Scientific Name	Common Name	(inches)	Zone (Sq.Ft)	Impacts	Impacted (SF)	Condition			
21	QUERCUS ALBA	WHITE OAK	43	13070	92	1%	GOOD		IMPACTS ONLY	YES
26	GLEDITSIA SSP.	LOCUST	33	7698	746	10%	POOR	VINES, IVY, SPLIT TRUNK	IMPACTS ONLY	YES
29	QUERCUS ALBA	WHITE OAK	44	13685	2652	19%	GOOD		IMPACTS ONLY	YES
49	MORUS SSP.	MULBERRY	49	16972	6121	36%	POOR	TWIN, IVY, VINES/SPLIT/FALLING	TO BE REMOVED	YES
77	MORUS SSP.	MULBERRY	32	7238	35	<1%	POOR	IVY, VINES, DIE BACK	IMPACTS ONLY	YES
90	LIRIODENDRON TULIPIFERA	TULIP POPLAR	30	6362	1997	31%	GOOD		IMPACTS ONLY	YES
BOLD	TYPE DENOTES SPECIMEN TREES			-				7-		
		Condition Scoring System								
		No Apparent Problems	Excellent							
		Minor Problems	Cont							
		Majur Problems	Far							
		Extreme Problems	Pour							

### **Conclusion:**

For the above reasons, the applicant respectfully requests that the Planning Board APPROVE its request for a variance from the provisions of Section 22A of the Montgomery County Forest Conservation Ordinance, and thereby, GRANTS permission to impact/remove the specimen trees in order to allow the construction of this vital project.

The recommendations in this report are based on tree conditions noted at the time the NRI/FSD field work was conducted. Tree condition can be influenced by many environmental factors, such as wind, ice and heavy snow, drought conditions, heavy rainfall, rapid or prolonged freezing temperatures, and insect/disease infestation. Therefore, tree conditions are subject to change without notice.

The site plans and plotting of tree locations were furnished for the purpose of creating a detailed Tree Protection Plan. All information is true and accurate to the best of my knowledge and experience. All conclusions are based on professional opinion and were not influenced by any other party.

Sincerely,

Michael Norton

# City of Takoma Park

### **DEPARTMENT OF PUBLIC WORKS**

Telephone: 301-891-7633

FAX: 301-585-2405



31 Oswego Avenue Silver Spring, MD 20910

May 24, 2018

ADTEK Engineering Inc. 97 ManoClay Blvd. Unit H Frederick MD 21710

Attn: Mr. Aron Jolin

RE: Takoma Park Middle School

Stormwater Management (SWM) Concept Application

SWMC 18-04-23

#### Gentlemen:

Our review of your Stormwater Management Concept application for the referenced project is completed. The SWM Concept submitted is deemed generally acceptable.

The following comments should be addressed and limits of disturbance finalized prior to permit application.

- 1. Available computations and details for existing SWM facilities (SW97-07) along with any inspection reports or maintenance records done by MGCPS or MGCDEP must be submitted for review. In the absence of such documents, the current system conditions must be evaluated to verify the adequacy and functionality of the existing system.
- 2. Please clearly delineate LOD for phases 1 and 2 of the project. Show the LOD for each phase separately tabulating the LOD area and the impervious area within LOD for each phase.
- 3. Please expand on the Reduced Curve Number (RCN) methodology description and computation of each component that are tabulated on page 8 of your narrative. Also, index references of relevant sections of MDE Stormwater Manual and TR55.
- 4. Please calculate the groundwater recharge (Rev) and channel protection (CPv) volumes and verify the adequacy of storage provided in the proposed bioretention storage volume.

5. Please check the capacity of the SWM bioretentions to ensure that each bioretention pond holds 75% of ESDv as ponding volume and apply adjustment to all volume, if necessary.

Thank you for your diligent work on this project. Should you have any questions or if I can provide additional information, please call.

Sincerely,

Ali Khalilian, P.E.

cc: Montgomery County Public School

Construction Division

850 Hungerford Drive, Room #123

Rockville, MD 20850 Michael Horton

File