



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

MCPB
Items and
4/12/07

March 29, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief *JAC*
Community-Based Planning Division

Sue Edwards, Team Leader, I-270 Corridor *Sue*
Community-Based Planning Division

FROM: Pamela Johnson, Planner Coordinator, I-270 Team *PJ*
Community-Based Planning Division (301-495-4590)

SUBJECT: 1. Preliminary Forest Conservation Plan: Mandatory Referral No. 07304-DPWT-1 – East Germantown Fire Station No. 34, 20633 Boland Farm Road, R-200 Zone, Germantown Master Plan

2. Mandatory Referral No. 07304-DPWT-1 – East Germantown Fire Station No. 34, 20633 Boland Farm Road, R-200 Zone, Germantown Master Plan

STAFF RECOMMENDATION NO. 1: APPROVE the Preliminary Forest Conservation Plan with the following conditions:

1. Submit a Final Forest Conservation Plan (FCP) that meets the requirements of Section 109(B) of the Forest Conservation Regulations. A Final FCP must be approved by the M-NCPPC staff prior to any clearing or grading for the new facility.
2. Applicant to clear retained forest areas of non-native invasive plant species and trash.
3. Applicant to take all practicable steps, without compromising public safety, to save the Chinese Chestnut (*Castanea mollissima*) champion tree listed as Tree No. 10 on the FCP, in accordance with the measures outlined in the Tree Save Option One dated March 19, 2007. If an arborist indicates that the tree cannot be saved, allow removal of this tree.
4. Applicant to submit a Final Landscape Plan to M-NCPPC staff for review. Plan to be approved by the M-NCPPC staff prior to any clearing or grading for the new facility.
5. Construct an eight-foot-wide boardwalk for a paved section of the MD 355 (Frederick Road) hiker-biker trail where it crosses the critical root zone of Tree No. 9, the Silver Maple specimen tree, at the site's southeast corner.
6. Permit required site inspections by the M-NCPPC staff as required by Section 110 of the Forest Conservation Regulations.

STAFF RECOMMENDATION NO. 2: APPROVE transmittal of the following comments to the Department of Public Works and Transportation:

1. Enhance the station's appearance from MD 355 by considering the elimination of the eastern driveway.
2. Install landscaping of the originally planned eastern driveway area with street trees, planted forty-five feet on-center.
3. Install hardwood trees, at the Boland Farm Road front entrance area, planted forty-five feet on-center.
4. Relocate the fueling activities to the station house area to increase the separation from adjacent residential properties.
5. Construct the stormwater management sand filter with a minimum 50-foot buffer from the Collins Drive residences by installing underground pipes beneath the parking area and elongating the sand filter pond eastward.
6. Construct a six-foot high solid wood or masonry fence as follows:
 - a. Along the southern property line between the area of the stormwater management facility and the Collins Drive residences
 - b. Along the northwestern property line between the western driveway and the adjacent property at 20629 Boland Farm Road.
7. Modify outdoor lighting to ensure no light source is visible from neighboring properties.
8. Provide two bicycle lockers to encourage workers to bike to work.
9. Submit a Preliminary Plan of Subdivision followed by a Record Plat to create a single building lot for construction of the East Germantown Fire Station.

PROJECT SUMMARY

The Montgomery County Department of Public Works and Transportation (DPWT) intends to build a Class I fire station to serve the east Germantown area, as well as portions of Gaithersburg, Laytonsville and Clarksburg. The proposed one-story station will contain 22,000 square-feet. The facility will be located on a County-owned site located at 20633 Boland Farm Road on the southwest corner of MD 355 (Frederick Road) and the intersection of Boland Farm Road. The nearly four-acre site is zoned R-200 for single-family residential development. Construction is expected to begin February 2008, and be completed by June 2009.

Previous Planning Board Actions

On July 23, 1999, the Planning Board approved Mandatory Referral No. 99304-FRS-1, approving the sites for several fire and rescue stations in the Upcounty area, including the subject East Germantown Fire Station site. The Planning Board approval of the East Germantown Fire Station site was subject to several conditions. These conditions, as well as DPWT's responses, are as follows:

Comment 1: The applicant should submit a second mandatory referral for Planning Board review and approval when the site is acquired and schematic design is completed for the selected site. At the time of submittal, the application should be in compliance with applicable Montgomery County Regulations such as local area transportation review, stormwater management, water and sewer category designation, forest conservation, noise, landscaping, and lighting.

Response: The County now owns the subject site, and the applicant submitted a completed schematic design and a revised second mandatory referral on February 23, 2007. Conceptual stormwater management approval has been granted for the proposal. Upon complying with this report's conditions, the plans will conform with County forest conservation, landscaping, environmental, and other regulations.

The proposal complies with zoning requirements for rear and side setbacks, but the building's frontage along MD 355 is five feet short of the zoning requirements. A building redesign or a reduced building program would be needed to meet the MD 355 setback since the building is already at the setback limits along the northwest property line. The elimination of the eastern driveway and the landscaping of the driveway area with street trees is recommended to compensate for the reduced setback.

Comment 2: The applicant and the Division of Facilities and Services should consult with agency staff when beginning facility planning to address compatibility with adjoining uses, setbacks and other site issues.

Response: Since the selection of the current site for the East Germantown Fire Station, staff met with the applicant initially in 2003 about preparing the Natural Resources Inventory/Forest Stand Delineation. Since August 2006, the applicant has worked with staff to address compatibility issues concerning the adjacent sites and setbacks, tree conservation (including that of "Champion" trees), stormwater management, and other matters. The applicant has cooperated in moving the stormwater management facility farther from the Collins Drive residences, substantially reducing parking, preserving more of the forested areas, and increasing landscaping and setbacks. This report's conditions encourage removing the eastern driveway along MD 355 and landscaping the driveway area with trees to help establish an appropriate presence for the facility along

MD 355. Other conditions provide for increasing the station's compatibility with its neighbors by planting more street trees at the building's Boland Farm Road entrance, moving the fuel dispensing and the stormwater management facilities farther from the Collins Drive residences, and installing screening fences along certain property boundary sections. These sections are along the northwestern property line between the western driveway and the adjacent Boland Farm Road property, and along the southern property line between the stormwater management facility and the Collins Drive residences. Finally, compatibility conditions are included to ensure that no outdoor light source is visible from neighboring properties.

Comment 3: The applicant and the Division of Facilities and Services should address the following issues through the facility planning and schematic design process.

- Submit a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) and preliminary Forest Conservation Plan (FCP).
Response: Complied; conditions included in report for compliance with final FCP.
- Submit a traffic analysis or traffic statement.
Response: Complied
- Obtain site access permission from the State Highway (SHA) for access to MD 355.
Response: The applicant decided to provide vehicular site access only from Boland Farm Road since existing slopes along the MD 355 frontage would require substantial grading.
- Prepare site and landscaping and lighting plans.
Response: Complied. This report includes conditions to ensure the landscaping and outdoor lighting are compatible with the surrounding neighborhood.

Comment 4: Observe recommended 50-foot setbacks from Collins Drive residences.

Response: Complied. The submitted plans provide a fifty-foot buffer except at the area of the stormwater management sand filter facility and extending beyond into a portion of the drainage pipe area. The report recommends that the drainage pipes be relocated underneath the parking lot so that the sand filter may be extended eastward and a 50-foot buffer from these residences may be obtained.

Comment 5: Locate access from MD 355 and Boland Farm Road. Avoid diagonal direct access onto the intersection due to safety conflicts with pedestrians, bicyclists, and traffic signal poles.

Response: Complied. Access is only provided from Boland Farm Road due to slopes on MD 355 frontage.

Comment 6: Provide a maximum of 25-30 feet driveway width.

Response: Complied. Although the easternmost access drive exceeds 30 feet, this access point, which is about 120 feet from the MD 355 and Boland Farm Road intersection, satisfies the intent that driveways be a safe distance from the intersection.

Comment 7: Minimize grading to preserve existing woodland to the rear of the site.

Response: Complied.

Previous Development Applications

On March 4, 2004, Robert A. Pumphrey Funeral Homes, Inc. filed Special Exception Petition No. 2609 requesting use of the subject site (20620 Frederick Road) for a funeral parlor. The applicant sought to build a two-story, approximately 12,300-square foot facility with a chapel seating 196 persons and 168 parking spaces. The special exception application was abandoned in late 2004 after the County indicated interest in acquiring the subject property for a fire and rescue station.

PROJECT DESCRIPTION

Neighborhood Context – The site is in the Neelsville Village section of Germantown. The property consists of three parcels adding to 3.9 acres zoned R-200 for low-density, single-family detached use. A medical office, operating as a special exception, is immediately northwest and single-family detached residences are just south and southwest of the site. All of these adjacent properties are zoned R-200.

Project Description – The proposed one-story fire station will occupy the southwest corner of Boland Farm Road and MD 355 (Frederick Road), facing Boland Farm Road. The station will contain four apparatus bays initially holding one engine and two emergency medical units. Ultimately, five apparatus units will locate at the firehouse, and two-to-three other vehicular units may park at the station periodically. The facility will also contain offices, sleeping quarters, a 50-person training room, an exercise room, specialized equipment rooms and support space. The T-shaped building will be 28-feet tall and constructed of brick and glass with a standing-seam metal roof. The facility will provide fifty-six parking spaces, including 40 for employees and three for the handicapped.

Fifteen-to-twenty fire and rescue workers per shift will staff the facility. Employees, including career and volunteer, will arrive on-site at 7:00 a.m. and work 24-hour shifts. Training of up to 50 workers, including staff from other stations, will occur at times.

Subject Site – Three separate parcels comprise the L-shaped site. The property has frontage on both Frederick Road and Boland Farm Road, with a portion extending westward between the Boland Farm Road and Collins Drive properties. The site has a generally southerly, downward slope, and also a notable dip along the MD 355 frontage.

The property is forested, including four trees which meet the requirements for identification as “Champion” trees, and two which were named as “Champion” trees. The station will have two access points on Boland Farm Road. The driveway to the apparatus bays will be about 120 feet from the MD 355 frontage and will also swing around the building’s east front to the rear bay entrances. The other driveway will parallel the site’s northwest boundary and lead to the parking lot as well as the rear bay entrances.

Proposed Landscaping – Landscaping includes several maple trees along the Boland Farm Road frontage, a row of oaks along MD 355 and a row of maples between the MD 355 bikepath and the proposed eastern driveway. Another row of trees, consisting of dogwoods and maples, will border the top of the retaining wall, and maples will also be planted along border sections and in islands in the parking lot. Leyland Cypress trees will help buffer the site’s northwest boundary sections beside the western driveway and the parking lot. Finally, low evergreen plants will line the building’s western façade and patio.

ANALYSIS

Master Plan Conformance – The proposal is consistent with the 1989 Approved and Adopted Germantown Master Plan, which shows the site for low-density residential use with R-200 zoning which allows for publicly owned and operated uses. The site is located in the NE-5 Analysis sub-area of Neelsville Village. Residential development at a density of two units per acre with continued R-200 zoning is recommended for the sub-area. The Plan states (page 83) that special exceptions considered for the sub-area should be compatible with the scale of the existing single-family houses.

The Master Plan neither projects the need nor shows locations for new fire stations. It notes the existing Germantown station and its planned addition on page 137. Concerning planning for future fire service, the Plan states:

Staffing and equipment needs will be reviewed periodically and expanded to reflect growth in the area.

And on the general planning for Community Facilities the Plan indicates (page 136):

The delivery of services is dependent on a number of factors such as size of client population; utilization rates; availability, location, and size of facilities, and operating budget allocations. The need for these facilities will change as the population of Germantown grows and matures.

The Plan further notes that the information for planning future facilities is provided by the responsible agencies. As part of its submission for this Mandatory Referral, the Montgomery County Department of Fire and Rescue Service (DFRS) related that planning for the subject station is based on their delineated “first-due” service area of 12.7 miles, a desired six-minute response time, and 2015 population projections of 34,360 persons and 11,500 households in the first response area.

Conformance with Development Standards – As noted, the subject site is in the R-200 Zone, which permits publicly owned and operated uses. Development standards relating to the proposal are listed in the following tables.

The proposed use meets the required zoning setbacks, except the MD 355 setback, which is five feet short. Maintaining the proper street frontage and streetscape along MD 355 is important, especially with our agency’s current effort to address the character of this corridor. An institutional use, such this fire station, is appropriate for this location. Staff worked with the County and the consultants on the station’s design, and deliberated about various aspects such as setback requirements and the building’s street presence, but also other important considerations, including tree-save “Champion trees” and landscaping needs, and the location of the stormwater management facility and fueling activities.

| Development Standards – R-200 Zone and Parking Facilities | | |
|---|----------------|-----------------------------|
| Development Standard | Required | Provided |
| Lot size | 20,000 sq. ft. | 169,910 sq. ft. (3.9 acres) |
| Building Setbacks | | |
| Front, Boland Farm Road | 40' | 40' |
| Other front, corner lot, MD 355 ROW | 40' | <u>35'</u> |
| Rear, from Collins Drive homes | 30' | 125' |
| Side, from Boland Farm Road | 12' | 45' |
| Building Height | 50' | 28' |
| Parking and Driveway Setbacks | | |
| Eastern driveway, from MD 355 | 10' | 15' |
| Western driveway, side setback, from adjacent Boland Farm Road property | 12' | 12' |
| Parking lot, rear setback from Boland Farm Road properties | 30' | 150' |
| Parking lot, rear setback from Collins Drive properties | 30' | 65' |
| Other Development Standards and Setbacks | | |
| Required parking spaces | n.a. | 56 |
| For motorcycles | 2 | 2 |
| For bicycles | 4 | 6 |
| Interior parking lot greenspace | 5.0% | 6.0% |
| Landscape strip between east drive and MD 355 ROW | 10' | 15' |
| Lot coverage | 25% | 13.1% |
| Stormwater Management Facility Setbacks | | |
| Sand filter pond from Collins Drive properties | n.a. | 35' |
| Rim of stormwater management facility from Collins Drive properties | n.a. | 25' |
| Fuel pumps from Collins Drive properties | n.a. | 65' |

Note: "Provided" setbacks underlined in boldface do not meet setback requirements

Compatibility – The lot's limited size and shape was challenging. Since the 1999 site selection, DFRS has expanded their program to include more apparatus units, more interior space, and a fueling station. Additionally, the Department prefers a one-floor arrangement to reduce potential injuries to fire and rescue personnel. The applicant explored various designs attempting to meet all requirements, and decided the current plans that slightly encroaches the MD 355 setback was the best alternative since no immediate neighbor would be significantly impacted.

Due to the significance of the station's presence on the corridor, staff encourages the applicant to make a special effort to achieve an attractive appearance and to compensate for the setback encroachment. Staff recommends the applicant remove the eastern driveway and revise the landscape plan to provide additional shade trees, planted 45 feet on-center, in the driveway area.

To protect the specimen 72-inch Silver Maple tree, Tree No. 9, in the site's southeast corner, staff suggests that the hiker-biker path section adjacent to the tree be an eight-foot-wide boardwalk (meeting the standards of the American Association of State Highway and Traffic Officials), rather than paving, that avoids the critical tree-root zone. Also, the station's compatibility with its neighbors should be enhanced by planting hardwood trees, forty-five on-center, in the mulch beds at the building's front entrance area along Boland Farm Road.

The currently submitted institutional plans are appropriate for this site along MD 355. Staff suggests additional measures to meet the Zoning Ordinance's intent that properties should be compatible with their neighbors and protected from adverse impacts of adjacent uses, and that adequate separation and buffering be two measures used to achieve these objectives. We recommend relocating the drainage pipes for the stormwater management facility underneath the parking lot and elongating the sand filter pond eastward, so that the buffer area for the sand filter will be at least 50 feet from the Collins Drive properties. (A buffer area of 35 feet would then be provided between the berm for the facility and the property line, about the maximum we believe possible with the forest save requirements.)

Additionally, we suggest moving the fueling operations farther from the Collins Drive residences to provide compatibility with these neighbors. We note that while "publicly supported fire stations" are a permitted use in residential zones, "automobile filling stations" are not. Since DFRS policy requiring that all fire stations including fueling operations was enacted after this site's purchase, we believe these operations should be moved closer to the building, and if possible, on the side of the station facing Boland Farm Road.

As a final compatibility measure, staff recommends installing a six-foot high, solid wood or masonry fencing, along the southern property boundary between the Collins Drive residences and the stormwater management facility, and along the northwest property line, between the western driveway and the bordering Boland Farm Road property.

Transportation and Access – The proposed East Germantown Fire Station is located in the southwest quadrant of the MD 355/Boland Farm Road intersection. The 1989 Germantown Master Plan recommends Frederick Road (MD 355) as a six-lane major highway within a 150-foot wide right-of-way adjacent to the site. MD 355 exists as a six-lane divided highway in the vicinity of the site. The applicant proposes to convey the property needed for the 150-foot-right-of-way to the Maryland State Highway Administration via a roadway construction plat. Staff determined that since the property will combine three parcels into one, the applicants should submit a Preliminary Plan of Subdivision followed by a Record Plat to create a single building lot for construction of

the facility. The Master Plan recommends Boland Farm Road as a four-lane arterial with an 80-foot wide right-of-way. This recommended right-of-way already exists in the site's vicinity, and no right-of-way dedication will be required on Boland Farm Road. The site plan includes a five-foot wide concrete sidewalk along Boland Farm Road leading to the existing sidewalk along MD 355 to be relocated for the hiker-biker path. Staff recommends that the eight-foot wide boardwalk section be provided at the site's southeast corner at the location of the specimen Silver Maple tree, avoiding the tree's critical root zone.

Staff reviewed the submitted traffic statement and concur that traffic generated by the proposed fire station is not expected to have an adverse effect on the adjacent roadway network. Based on information contained in the traffic statement, the site would generate eight peak hour trips during the morning peak period (6:30 a.m. to 9:30 a.m.) and 12 peak hour trips during the evening peak period (4:00 p.m. to 7:00 p.m.). *A Local Area Transportation Review is not required to satisfy the Adequate Public Facilities review.*

Circulation – The site is proposed to have two full movement access points from Boland Farm Road. One of these points will be to the employee parking lot, and the other restricted to fire apparatus, the visitor parking area and fire station. A traffic signal will be installed at the intersection of MD 355 and Boland Farm Road for the fire station, and the intersection modified to permit emergency vehicles to enter northbound MD 355 from Boland Farm Road. Staff finds the proposed access onto MD 355 via Boland Farm Road, and internal traffic circulation as shown on the site plan are adequate to accommodate safe operation of the East Germantown Fire Station.

Parking – Fifty-six parking spaces, including three spaces for the handicapped, two motorcycle spaces, and a bicycle rack for six are provided. Parking needs have been determined on the basis of the 15 to 20 workers per shift at the 7:00 a.m. shift overlap, the provision of visitor spaces, and on the maximum 50 workers expected for some training classes which will convene after the shift change occurs. No parking will be permitted on Boland Farm Road or MD 355.

Bicycle and Pedestrian Access – The Countywide Bikeways Functional Master Plan recommends a shared-use path along MD 355 and the path is being implemented along the west side of the roadway. The site plan is being implemented along the west side of the roadway. The site plan includes an eight-foot-wide concrete hiker biker-trail along MD 355 in accordance with the Master Plan. Staff recommends that a boardwalk section be installed at the southwest corner of the site adjacent to the Silver Maple tree, (identified as tree number nine), avoiding the root zone, to ensure the protection of this specimen tree. Staff also recommends installing two bike lockers to encourage some of the workers to bike to work and to reduce single-occupancy car travel. The bike lockers should be located close to the building, or alternatively beside the parking lot.

Landscaping and Lighting – Staff recommends enhancing the station's street presence and increasing its compatibility with its neighbors by eliminating the eastern driveway and revising the landscape plan to provide for planting the former driveway

area with street trees, planted forty-five feet on-center, along Boland Farm Road. Additionally, achieving compatibility is recommended by revising the outdoor lighting plans to ensure that no outdoor lighting source will be visible from neighboring properties.

Forest Conservation Law Compliance – The 3.90-acre site has an approved Natural Resources Inventory/Forest Stand Delineation (No. 4-03290) granted in July 2003 and recertified in September 2006. Staff has reviewed the Preliminary Forest Conservation Plan (FCP) submitted for the project. The plan shows the site containing 2.69 acres of forest, and the applicant intends to clear 1.90 acres. The Conservation Threshold for the site is 0.86 acres and the total planting requirement is 0.60 acres (see the attached memorandum from Environmental Planning staff).

The project qualifies for 0.06 acres of landscaping credit, which will be applied to the reforestation requirements. The applicant will meet the remaining reforestation requirements by planting 0.11 acres of forest on-site, and contributing to a suitable offsite reforestation bank for the remaining 0.43 acres. The applicant has adequately accounted for off site disturbance (0.41 acres) to facilitate road access and sewer connection to the site.

Removal of Specimen and Champion Trees

The site contains 11 large trees ranging in diameter from 28 to 72 inches. Also, a 27-inch White Pine tree is on private lands just off the northern property boundary. Because the Preliminary FCP was submitted to the M-NCPPC early in the process, staff were able to work with DFRS to save as many of these large trees as possible. Since its submission, the County adopted Champion Tree Bill (Expedited Bill No. 45-06 of October 26, 2006). Agency staff subsequently identified four Chinese Chestnut trees on site as potential Champion trees and nominated them to the Montgomery County Forestry Board. On January 31, 2007 the Forestry Board confirmed that the Chinese Chestnut trees on the site all exceeded the point total of the current County Champion, and that two of the trees (42-inch Tree No. 12 and 40-inch Tree No. 10) would be placed in the 2007 Register of Champion Trees as co-champions.

The applicant proposes to remove six of the eleven large trees, including all of the four Chinese Chestnut trees. The building must meet County CIP project program requirements for a one-story, four-bay building with additional requirements for support functions such as training. The design provides surface parking, front and rear aprons for four bays, an access drive, and stormwater management facilities on site. Our agency, DPWT, DFRS, and the County Council approved the site for the station before the Champion Tree law was enacted. The site is irregularly shaped and slopes about 20 feet towards the rear. The site's shape and total area of 3.9 acres with corresponding requirements to address forest conservation, compatibility, stormwater management, and landscape issues, do not permit adequate room for site development unless the large trees are removed.

While the law affords a higher level of protection for Champion trees, it does not prohibit their removal and does not require their preservation if there is no option within the design to avoid removal. We have determined that due to the constrained site, construction of the station will require the removal of the six large trees proposed by the applicants, but *urge the applicants make great effort to save the Chinese Chestnut Tree No. 10.*

During the design process, staff met with DFRS and their consultants several times to explore alternative designs. Requirements for the station were expanded considerably since the site was first chosen. To conserve forest and reduce parking spaces, DFRS reduced the number of parking spaces by 57 percent (from 95 to 55 spaces) and moved the building closer to Boland Farm Road. DFRS also *originally proposed measures that could save Chinese Chestnut Champion Tree No. 10, but decided the tree could not be saved.*

An option submitted by the applicants at one point with a probable chance of saving the tree would have required a nineteen-foot encroachment into the Boland Farm Road setback and permission from the Washington Suburban Sanitary Commission to relocate the sanitary sewer or else sign a hold "harmless agreement" to build on top of the sewer. This option has not been fully explored. The applicant should take all practicable steps, without compromising public safety, to save Tree No. 10. If an arborist indicates the tree cannot be saved, removal of the tree is permitted. Also, while encouraging all efforts to save the tree on-site, we recognize that the design and utility requirements may damage the tree and its survival cannot be guaranteed. Accordingly, DFRS must determine by Final FCP stage, whether the tree needs to be removed, or the steps that are required to guarantee the tree's survival.

The proposed hiker-biker trail traverses the critical root zone of Tree No. 9, a 72-inch multi-trunked Silver Maple located in the proposed expanded right-of-way for MD 355. This tree provides screening for the adjacent residence and shading for the road. An eight-foot wide boardwalk, which will avoid the tree's critical root zone, should be provided for the trail path in this section.

Environmental Guidelines for Wetlands – No wetlands or streams are located on the property. The applicant has taken steps to save forest and large trees where possible, in accordance with the Environmental Guidelines (Guidelines for Environmental Management of Development in Montgomery County). In order to accommodate additional conservation buffers, the DFRS reduced parking and relocated the proposed building further north, closer to Boland Farm Road.

Water Quality – The site is in the Gunners Branch subwatershed of the Great Seneca Creek Watershed. Great Seneca Creek is classified as a Use I-P watershed. The Countywide Stream Protection Strategy (CSPS, 2003 Update) lists the subwatershed's stream quality and current habitat conditions as "good" and habitat stability as "unstable" based on data available at that time. This large tributary drains portions of Germantown, which has portions of relatively new developed areas with stormwater controls. Gunners Branch has been designated a Watershed Restoration Area, indicating a need to treat varying degrees of stream degradation, primarily from the impacts of uncontrolled runoff.

Stormwater Management – The applicant has submitted a stormwater management concept plan to the Montgomery County Department of Permitting Services (DPS) for their review. The key aspects of this plan are based on the unusually high infiltration rates of sub-surface soils, and on providing a membrane-lined surface sand filter with a pre-treatment device. An underground stormwater management detention structure using 90" –diameter pipe is also provided to meet DPS criteria for channel protection volume and to increase the amount of protected vegetation area.

LEED Design – The fire station building is currently targeting a Leadership in Energy and Environmental Design (LEED) "Silver" rating. Sustainable recycled materials, daylight, and energy efficient systems are all being incorporated into the design to achieve the rating.

COMMUNITY OUTREACH

Staff contacted community organization representatives and immediate neighbors of the subject Mandatory Referral, and advertised the proposal on our agency website. Additionally, our agency, the Upcounty Regional Services Center, DPWT, and DFRS jointly held a meeting (also advertised on our agency website) in Germantown on February 27, 2007, to present the station plans.

Residents have expressed a range of opinions on the proposed station. We have received positive comments from residents looking forward to the station's construction and to improved fire and rescue service, including one resident who was pleased that workers will not need to leave the station for training. Other comments included a neighbor calling to identify a concern with potential noise from sirens and their potential frequency, the potential loss of the Chinese Chestnut trees, and other potential impacts of the station on adjacent residences. Residents have commented that buffering is not adequate and that the station should be located in a commercial zone.

DFRS estimates that about 20 to 24 responses daily, on average, might be expected when the station is fully operational. Because of their location, three of the Chinese Chestnut trees require removal to build the station. Staff recommends that all practicable steps be taken to save the Champion Chinese Chestnut tree. If an arborist indicates the tree cannot be saved, it will be removed. Staff worked with the applicant and proposed conditions to establish compatibility between the facility and its neighbors. Staff finds that the station, with the conditions contained in this report, will be compatible with and responsive to its surrounding community.

CONCLUSION

The East Germantown Fire Station will be one of three fire stations to serve the fire and rescue needs of Germantown and the Upcounty area. Other stations include the West Germantown Fire Station reviewed as a Mandatory Referral in May 2006; and the existing Station #29 in the Germantown Town Center built in 1981.

These stations are critical to meeting response times identified by the Department of Fire and Rescue Service that were not in place when the 1989 Germantown Master Plan was adopted. Absent a specific location recommendation in the Master Plan, the Planning Board conducted a site selection review in which the facility need was depicted as 19,550-20,135 square-feet with a staffing level of 20 personnel. During the site selection review conducted in July 1999, the Planning Board advised that a 50-foot setback to the residential properties to the rear would be desirable to achieve compatibility with the existing residences on Collins Drive. The Collins Drive residences were built in the mid-1950's, long before consideration of a public facility adjacent to these homes.

The Program of Requirements, access and operations of the fire station have limited the ability to protect the Champion Trees, and provide compatibility with residential properties to the south and west of the fire station. The applicant has made a number of other adjustments to the project to reduce parking, meet minimum standards for setback, increase landscaping, and provide a solid fence to provide compatibility.

Staff recommends approval to transmit the comments described on pages 1 and 2. With acceptable resolution of these issues, staff recommends approval of the Preliminary Forest Conservation Plan and Mandatory Referral No. 07304-DPW&T-1.

PJ:ha: j:\2007 staff reports\team 3\East Germantown Fire Station

Attachments

1. Vicinity Map – Planned East Germantown Fire Station
2. Comprehensive Zoning Map
3. Site and Landscape Plan
4. Elevations
5. Floor Plans
6. Memorandum from Transportation Planning
7. Memorandum from Environmental Planning
8. Correspondence

PLANNED EAST GERMANTOWN FIRE STATION



Map compiled on February 06, 2007 at 4:35 PM | Site located on base sheet no - 228NW12 | Date of Orthophotos: April 2006 - Used with permission from Montgomery County Government

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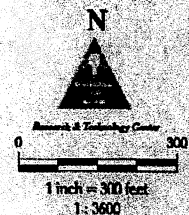


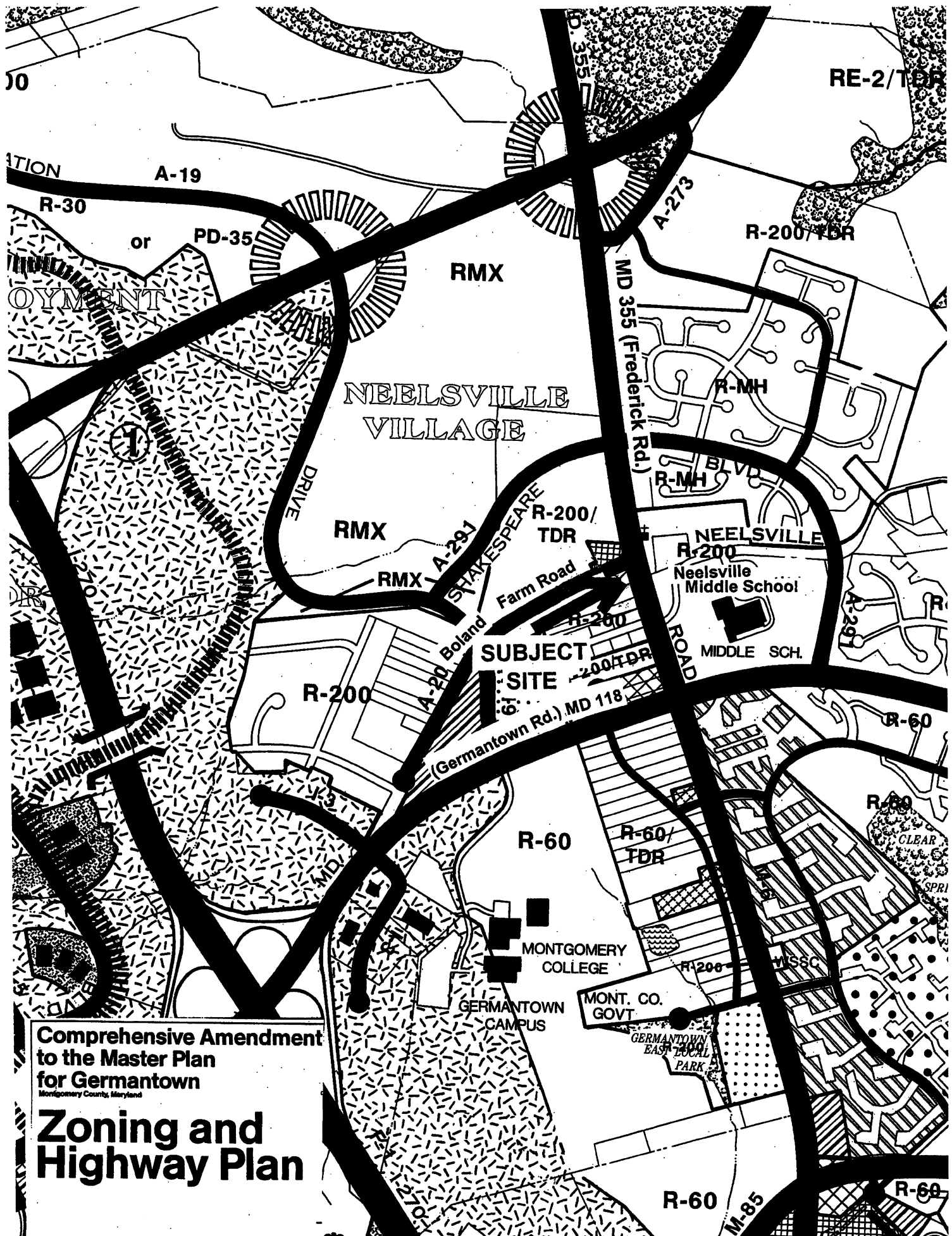
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

2007 Georgia Avenue - Silver Spring, Maryland 20900-2208

Key Map





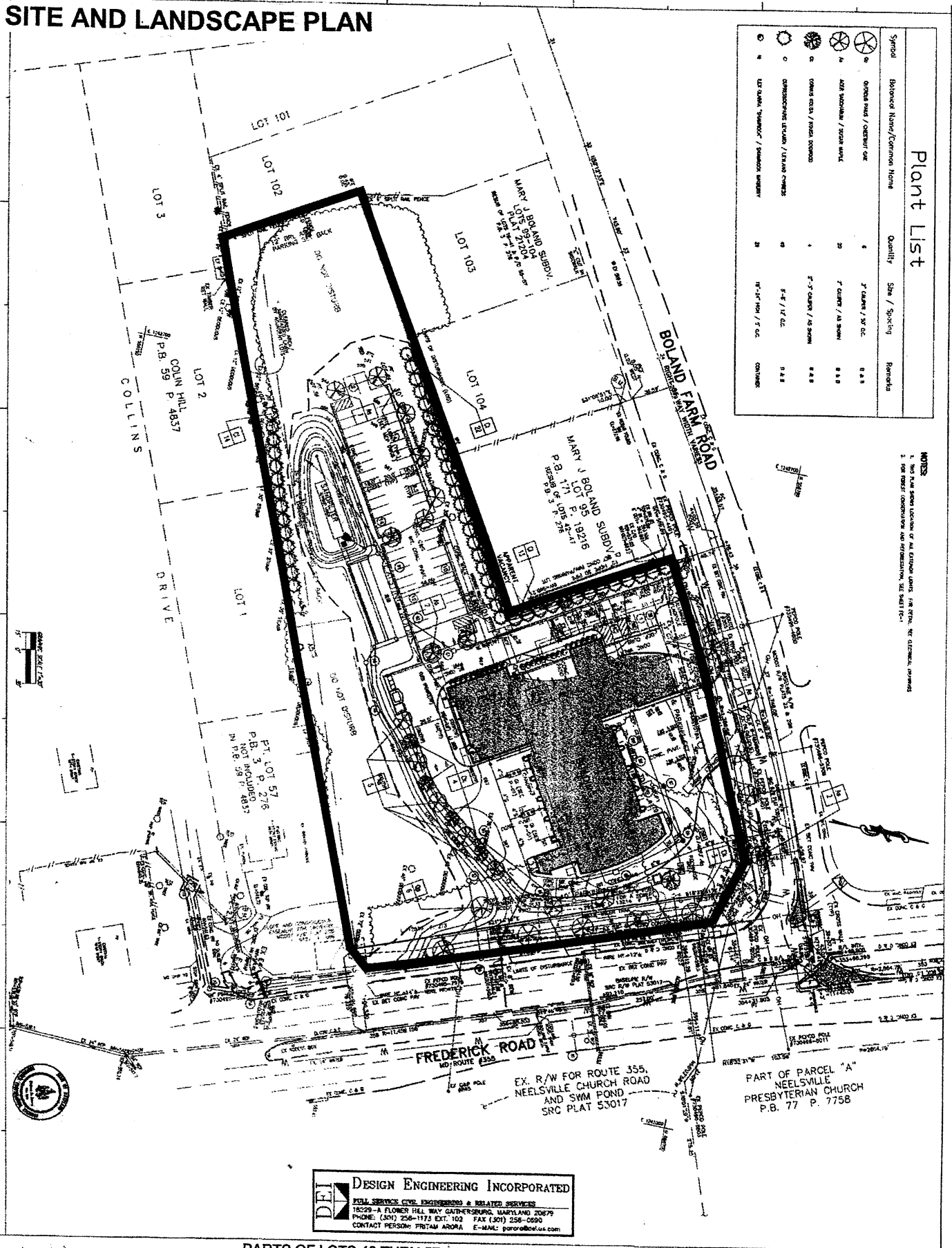
ATTACHMENT 3

SITE AND LANDSCAPE PLAN

Plant List

| Symbol | Botanical Name/Common Name | Quantity | Size / Spacing | Remarks |
|--------|-------------------------------------|----------|-----------------------|---------|
| 1 | ORIENTAL PINE / ORIENTAL PINE | 6 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 2 | RED TWIG DOGWOOD / RED TWIG DOGWOOD | 20 | 2" CALIBER / 10' O.C. | 8.8.8 |
| 3 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 4 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 5 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 6 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 7 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 8 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 9 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 10 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 11 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 12 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
| 13 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |
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| 100 | ORIENTAL PINE / ORIENTAL PINE | 4 | 3" CALIBER / 10' O.C. | 8.8.8 |

NOTES:
1. SEE SITE PLAN FOR LOCATION OF ALL PLANTINGS.
2. SEE NOTES FOR SPECIFICATIONS AND QUANTITIES.



DESIGN ENGINEERING INCORPORATED
FULL SERVICE CIVIL ENGINEERING & RELATED SERVICES
18529-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879
PHONE (301) 258-1173 EXT. 102 FAX (301) 258-0590
CONTACT PERSON: PRITAM ADORA E-MAIL: ppritam@dei.com

PARTS OF LOTS 48 THRU 57

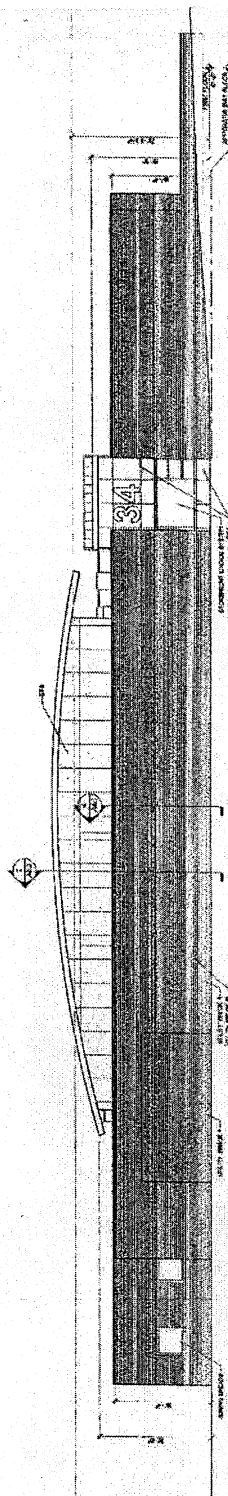
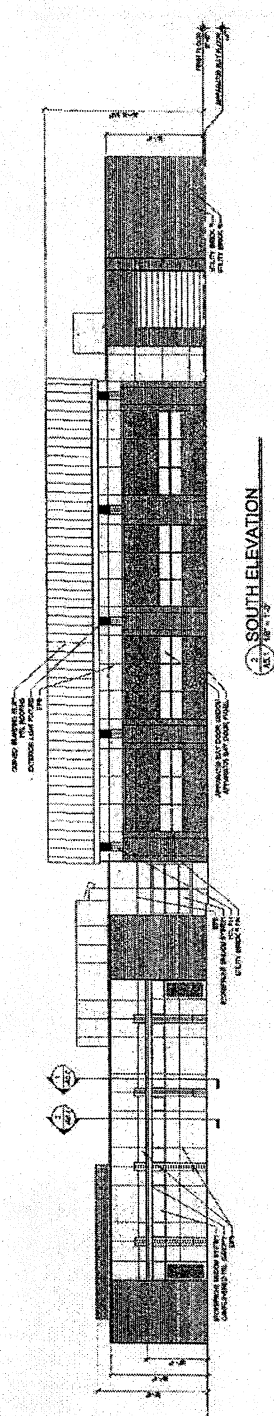
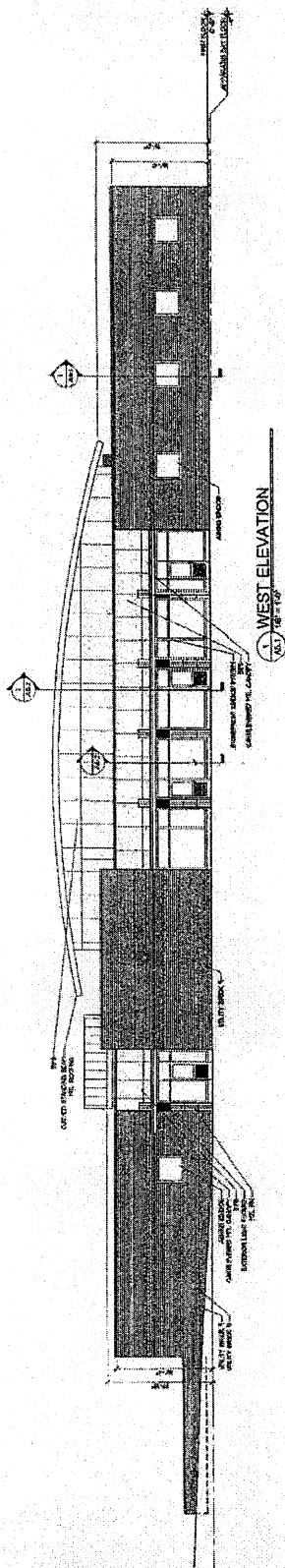
LANDSCAPE PLAN
L-1
DATE: 11/11/03

LeMay Erickson Architects • 11250 Roger Bacon Drive, Ste. 16 • Reston, Virginia 20190 • Ptn. (703) 471-7555 • Fax (703) 471-7781 • www.lemayerickson.com

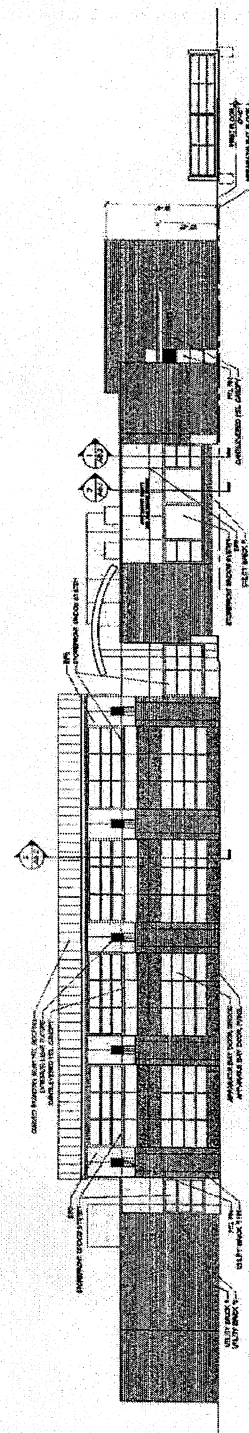
LeMay Erickson

ATTACHMENT 4

ELEVATIONS



East Elevation—MD 355 (Frederick Road)



North Elevation—Boland Farm Road

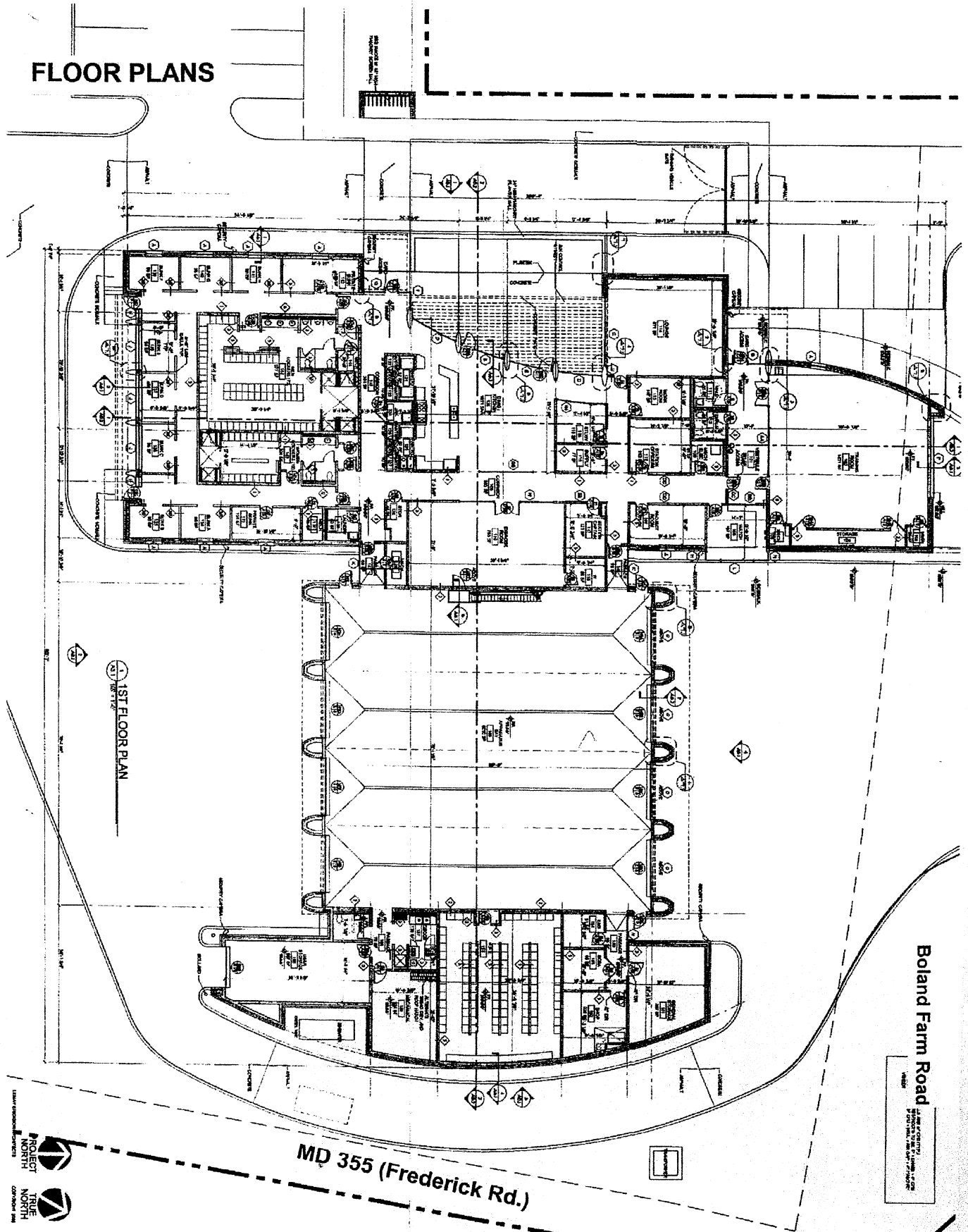
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| NO. | REVISION | DATE |
|-----|-------------------|---------|
| 1 | ISSUED FOR PERMIT | 10/1/10 |
| 2 | ISSUED FOR PERMIT | 10/1/10 |
| 3 | ISSUED FOR PERMIT | 10/1/10 |
| 4 | ISSUED FOR PERMIT | 10/1/10 |
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| 9 | ISSUED FOR PERMIT | 10/1/10 |
| 10 | ISSUED FOR PERMIT | 10/1/10 |



ATTACHMENT 5

FLOOR PLANS



Boland Farm Road

20633 Boland Farm Road
Germanatown, Maryland 20878



A3.1

1ST FLOOR
PLAN

GERMANTOWN
20633 Boland Farm Road
Germanatown, Maryland 20878

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ATTACHMENT 6

March 19, 2007

MEMORANDUM:

TO: Pamela Johnson
Community-Based Planning Division

VIA: Daniel K. Hardy, Supervisor
Transportation Planning

FROM: Ki H. Kim, Planner Coordinator
Transportation Planning

SUBJECT: Mandatory Referral 073004-DPW&T-1 - East Germantown Fire Station,
Germantown

Transportation Planning staff has reviewed the subject Mandatory Referral application and recommends the following comments in support of the approval of the subject Mandatory Referral application:

1. The site should include two bike lockers to encourage employees/volunteers to bike to work.
2. The applicant shall dedicate the master planned MD 355 right-of-way along the site's frontage as shown on the site plan.

Discussion

The proposed East Germantown Fire Station is located in the southwest quadrant of the MD 355/Boland Farm Road intersection in Germantown.

Staff has reviewed the submitted traffic statement and concurs that the traffic generated by the proposed fire station is not expected to have an adverse effect on the adjacent roadway network. Based on the information contained in the traffic statement, the site would generate 8 peak hour trips during the morning peak period (6:30 am to 9:30 am) and 12 peak hour trips during the evening peak period (4:00 am to 7:00 pm). Therefore, the site would not require a Local Area Transportation Review study to satisfy the Adequate Public Facilities review.

The 1989 Germantown Master Plan recommends Frederick Road (MD 355) as a six-lane major highway within 150-foot right-of-way adjacent to the site. MD 355 exists as a six-lane divided highway in the vicinity of the site. The applicant is required to dedicate additional right-of-way as shown on the site plan to meet the master planned right-of-way. Boland Farm Road is not a master planned road (Old MD 118). There is sufficient right-of-way existing along Boland Farm Road, approximately 70 feet wide, to provide safe access to the proposed fire station. The site plan includes a five-foot-wide concrete sidewalk along Boland Farm Road to lead to the existing sidewalk on MD 355.

The Countywide Bikeways Functional Master Plan recommends a shared-use path along the west side of MD 355. The site plan includes an eight-foot-wide concrete hiker biker trail along MD 355 per the master plan. Staff recommends that the site include installation of two bike lockers to encourage some of the 20 employees/volunteers to bike to work and reduce single-occupant car travel. The bike lockers should be located close to the building, or alternatively on the parking lot.

The site is proposed to have two full movement access points, one to the employee parking lot and the other one to the fire station, from Boland Farm Road. A traffic signal will be installed at MD 355/Boland Farm Road intersection as a part of this project. Staff finds that the proposed access onto MD 355 via Boland Farm Road, and internal traffic circulation as shown on the site plan are adequate to accommodate safe operation of the East Germantown Fire Station.

ATTACHMENT 7



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: March 28, 2007

TO: Pamela Johnson, Community Based Planning

VIA: Mary Dolan, Environmental Planning *MD*

FROM: Michael Zamore, Environmental Planning *MZ*

SUBJECT: 1. Forest Conservation Plan for Mandatory Referral No. 07304-DPWT-1:
New Germantown (East) Fire Station

2. Mandatory Referral No. 07304-DPWT-1: New Germantown (East) Fire Station

STAFF RECOMMENDATIONS:

1. **Approval** of the Forest Conservation Plan, with the following conditions:
 - a) Applicant to submit a Final Forest Conservation Plan that meets the requirements of Section 109(B) of the Forest Conservation Regulations.
 - b) Final FCP to be approved by M-NCPPC Staff prior to any clearing or grading for the new facility.
 - c) Applicant to clear retained forest areas of nonnative invasive plant species and trash.
 - d) Applicant to take all practicable steps, without compromising public safety, to save the Chinese Chestnut (*Castanea mollissima*) champion tree listed as Tree No. 10 on the FCP, per the measures that they outlined in their Tree Save Option One dated March 19, 2007 (Exhibit A).
 - e) Applicant to submit a Final Landscape Plan to M-NCPPC Staff for review. Plan to be approved by M-NCPPC Staff prior to any clearing or grading for the new facility.
 - f) Substitute an eight-foot boardwalk for a paved section of the MD 355 (Frederick Road) hiker-biker trail where it crosses the critical root zone of Tree No. 9 at the southwest corner of the property.
 - g) Required site inspections by M-NCPPC monitoring staff per Section 110 of the Forest Conservation Regulations.
2. **Approval** of Mandatory Referral No. 07304-DPWT-1 for the new Germantown (East) Fire Station

Discussion

Forest Conservation Law Compliance

The 3.90-acre site has an approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) (No. 4-03290) granted in July 2003 and recertified in September 2006. Environmental Planning staff has reviewed the preliminary forest conservation plan (FCP) submitted for the project. The plan shows the site containing 2.69 acres of forest from which the applicant intends to clear 1.90 acres. The Conservation Threshold for the site is 0.86 acre and the total planting requirement is 0.62 acre.

The project qualifies for 0.06 acre of landscaping credit, which will be applied to the reforestation requirements. The applicant will meet the remaining reforestation requirements by planting 0.11 acre of forest onsite, and contributing to a suitable offsite reforestation bank for the remaining 0.45 acre. The applicant has adequately accounted for offsite disturbance (0.41 acre) to facilitate road access and sewer connection to the site. Staff recommends approval of the FCP with the above conditions.

Removal of Specimen and Champion Trees

The site contains 11 large trees ranging in diameter from 28 inches to 72 inches. One 27" White Pine and one 48" Silver Maple are located on private lands just off the northern and southern property boundaries, respectively. Because the Preliminary FCP was submitted to M-NCPPC for review early in the process, it allowed time for Environmental Planning staff to work with the Fire Department to save as many of these large trees as possible. Since it was submitted, the County adopted the Champion Tree Bill (Expedited Bill No. 45-06 of October 26, 2006). Park and Planning Staff subsequently identified four Chinese Chestnut trees on the site as potential champion trees and nominated them to the Montgomery County Forestry Board. On January 31, 2007 the Forestry Board confirmed that the Chinese Chestnut trees on the site all exceeded the point total of the current County champion, and that two of the trees (42-inch Tree No. 12 and 40-inch Tree No. 10) would be placed in the 2007 Register of Champion Trees as co-champions.

The applicant proposes to remove eight of the eleven large trees, including all four Chinese Chestnut trees. We believe that at least one of the champion trees can be saved if the Fire Department takes appropriate pre and post construction measures as outlined in their Tree Save Option One submitted to Environmental Planning. Consequently, we have conditioned our approval of the FCP on Tree No. 10 being saved unless a qualified professional presents evidence to Environmental Planning that the tree cannot be saved.

The Fire Department has provided justification of the design requirements that necessitate removal of seven large trees. The building must meet County CIP project program requirements for a one story, four-bay building with additional requirements for support functions such as training. The design must allow for required surface parking, front and rear aprons for four bays, access drive, and stormwater management facilities onsite. M-NCPPC, DPW&T, Fire & Rescue, and the County Council approved the site for development before the Champion Tree law was passed. Moreover, the site is odd-shaped and slopes about 20 feet towards the rear. The site's shape and total area of 3.90 acres with the corresponding requirements to address forest conservation, compatibility, stormwater management, and landscape issues, do not allow adequate room for site development unless the seven large trees are removed.

While the law affords a higher level of protection for champion trees, it does not prohibit their removal and they do not have to be saved if there is no option within the design to avoid taking

them down. We have determined that due to the constrained site, construction of the station will require the removal of seven of the large trees but that one of the champion trees (No. 10) could be saved under Option One.

During the design process, we met with the Fire Department and their consultants on several occasions to explore alternative designs. Requirements for the station had been expanded considerably since the site was originally chosen, making it impossible to meet all the recommendations of the previous mandatory referral. In an effort to conserve forest and save some of the site's large trees the Fire Department reduced the number of parking spaces by 57% (from 95 spaces to 55 spaces) and moved the building closer to Boland Farm Road. The Fire Department also proposed measures to save Chinese Chestnut champion tree No. 10. These measures are dependent on WSSC allowing a slight encroachment into a water and sewer easement near Boland Farm Road. WSSC indicated that it has allowed such encroachments in the past and listed two options that facilitate the process.

Environmental Guidelines

There are no wetlands or streams on the property. The applicant has taken steps to save forest and large trees where possible, per the Environmental Guidelines (*Guidelines for Environmental Management of Development in Montgomery County*) although more could have been done to maximize forest retention near the stormwater management facility.

Water Quality

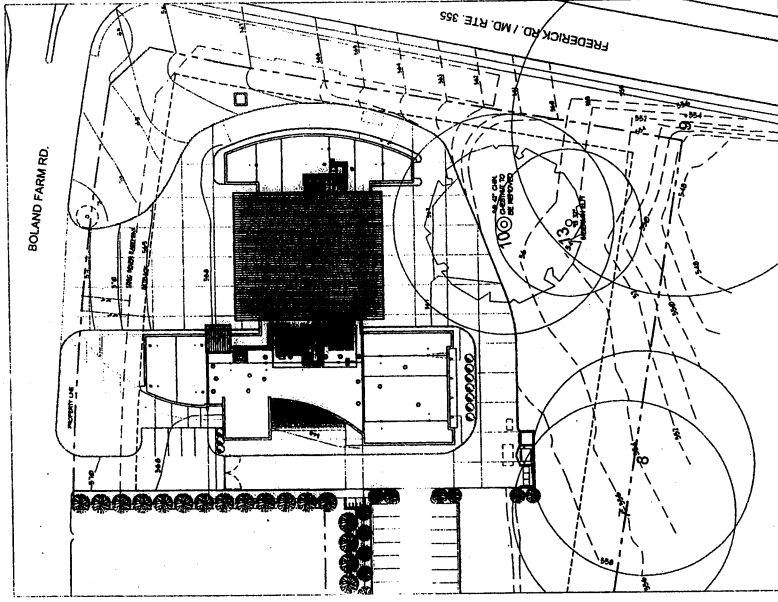
The site is in the Gunners Branch subwatershed of the Middle Great Seneca Creek Watershed. Great Seneca Creek is classified as a Use I-P watershed. The *Countywide Stream Protection Strategy* (CSPS, 2003 Update) lists the subwatershed's stream quality and current habitat status conditions as 'good' and habitat stability as 'unstable' based on data available at that time. This large tributary drains portions of Germantown, which have relatively new developed areas with stormwater controls. Gunners Branch has been designated a Watershed Restoration Area indicating a need to treat varying degrees of stream degradation, primarily from the effects of uncontrolled runoff.

Stormwater Management

The applicant has submitted a stormwater management concept plan to the Montgomery County Department of Permitting Services (MDPS) for their review. The key aspects of this plan are based on the unusually high infiltration rates of the sub-surface soils and on providing a membrane-lined surface sand filter with a pre-treatment device. An underground stormwater management detention structure using 90"-diameter pipe is also provided to meet MCDPS criteria for channel protection volume and to increase the amount of protected vegetation area.

LEED Design

The fire station building is currently targeting a Leadership in Energy and Environmental Design (LEED) "Silver" rating. Sustainable recycled materials, daylight, and energy efficient systems are all being incorporated into the design to achieve the rating.

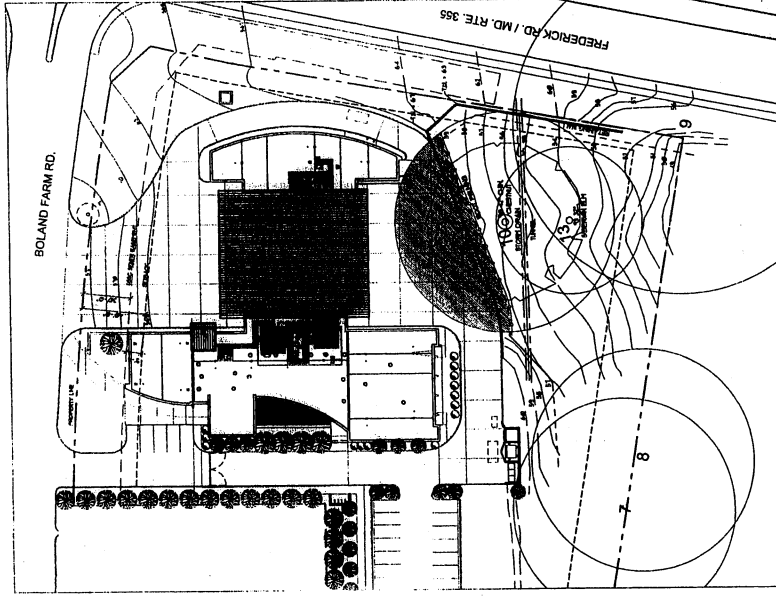


OPTION THREE

BUILDING AND SITE PAVING WERE RELOCATED 10' SOUTH TO CLEAR BOLAND FARM ROAD SETBACK AND W.S.C. SANITARY SEWER EASEMENT.

RESULTS:

1. CHINESE CHESTNUT TREE #10 WILL BE REMOVED.
2. NO RETAINING WALL IS REQUIRED.
3. NO P.U.E. IS DISTURBED.
4. NO SANITARY SEWER EASEMENT IS DISTURBED
5. NO PROPERTY SETBACK IS DISTURBED



OPTION TWO

BUILDING AND SITE PAVING REMAINED ON THE SITE AS SUBMITTED ON THE APPROVED SCHEMATIC DESIGN PLAN; ENCRoACHED 9'-4" ON BOLAND FARM ROAD SETBACK.

CRITICAL ROOT ZONE DISTURBED: 5,130 S.F. (41%)
CANOPY AREA DISTURBED: 1,800 S.F. (23%)

STRATEGY USED TO SAVE CHAMPION TREE:

- TUNNEL STORM WATER DRAIN
- RETAINING WALLS

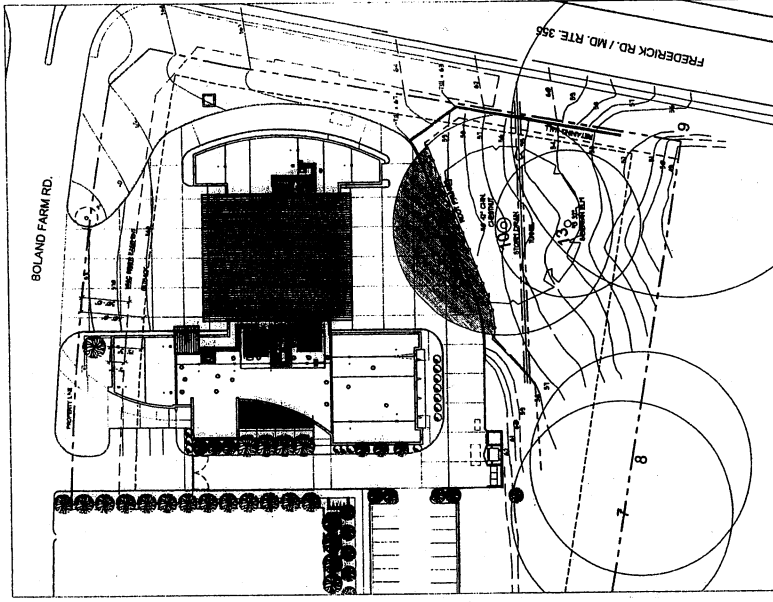
SINCE MORE THAN 30% OF CRITICAL ROOT ZONE IS DISTURBED, EXTRAORDINARY TREE PROTECTION MEASURES SPECIFIED BY MONTGOMERY COUNTY ARBORIST MAY BE REQUIRED.

THIS OPTION IS CONTINGENT UPON ADDITIONAL APPROVAL TO THE FOLLOWING ITEM:

1. APPROVAL OF UTILITY COMPANIES TO ALLOW FOR THE RETAINING WALL CONSTRUCTION WITHIN THE P.U.E. (PUBLIC UTILITY EASEMENT)
- A 10' P.U.E. IS TO RUN PARALLEL AND OUTSIDE THE RWY LINE ALONG ROUTE 355.

RESULTS:

1. TREE #10 SURVIVAL IS MARGINAL
2. BUILDING STAYS AWAY FROM W.S.C. SEWER EASEMENT
3. RETAINING WALL IS LOCATED ON PUBLIC UTILITY EASEMENT ALONG ROUTE 355



OPTION ONE

BUILDING AND SITE PAVING WERE RELOCATED 10' NORTH, TOWARD BOLAND FARM ROAD AND IN THE W.S.C. SEWER EASEMENT

CRITICAL ROOT ZONE DISTURBANCE: 3,680 S.F. (30%)

STRATEGY USED TO SAVE CHAMPION TREE:

- TUNNEL STORM WATER DRAIN
- RETAINING WALLS

THIS OPTION IS CONTINGENT UPON ADDITIONAL APPROVAL TO THE FOLLOWING ITEMS:

1. W.S.C.'S APPROVAL TO ALLOW FOR REQUIRED REDUCTION OF APPROX. 10' WIDTH IN SANITARY SEWER EASEMENT AND THE RELOCATION OF A PORTION OF THE EXISTING SANITARY SEWER.

2. APPROVAL OF UTILITY COMPANIES TO ALLOW FOR THE RETAINING WALL CONSTRUCTION WITHIN THE P.U.E. (PUBLIC UTILITY EASEMENT)

A 10' P.U.E. IS TO RUN PARALLEL AND OUTSIDE THE RWY LINE ALONG ROUTE 355.

RESULTS:

1. TREE NUMBER 10 SURVIVAL IS LIKELY BUT NOT GUARANTEED.
2. BUILDING IS LOCATED ON W.S.C. SEWER EASEMENT AND PROPERTY SETBACK ON BOLAND FARM ROAD.
3. RETAINING WALL IS LOCATED ON PUBLIC UTILITY EASEMENT ALONG ROUTE 355.

ATTACHMENT 8

CORRESPONDENCE

Johnson, Pamela

From: ENealNRAI@aol.com
Sent: Tuesday, February 13, 2007 8:21 PM
To: Johnson, Pamela
Subject: East Germantown Fire Station // mandatory referral

Pamela:

Regarding the East Germantown Fire Station I do request permission to present results that:

1. Show that the Fire Commission's site's selection criterion was not followed.
2. Assertions by Chief Carr -- and others -- concerning emergency-vehicle travel time predictions that were not true.
3. A Park and Planning Staffer that inappropriately responded to a new home purchaser regarding the Pumphrey site.
4. The great financial impact to the elderly on Collins Drive, the military, young families, and recent immigrants in my neighborhood.
5. Using the Fire Commission's criterion many better sites -- owned by rich developers -- were rejected by the false 1/10 mile assertion by Park and Planning and by the Fire Chief.
6. I may have:
 - * Analysis results that will put emergency vehicle travel time increases if the East Germantown Station is placed on the Pumphrey property.
 - * Results of an investigation of the possible use of the false 1/10 mile assertion and/or other false assertions in the taking of the Pumphrey property.

I will plan on a Power Point presentation lasting 15 to 20 minutes without questions.

Thanks,

Ed Neal
301-972-3919
2/13/2007

3/28/2007