



Clarksburg Road at Snowden Farm Parkway, Mandatory Referral No. MR2018018

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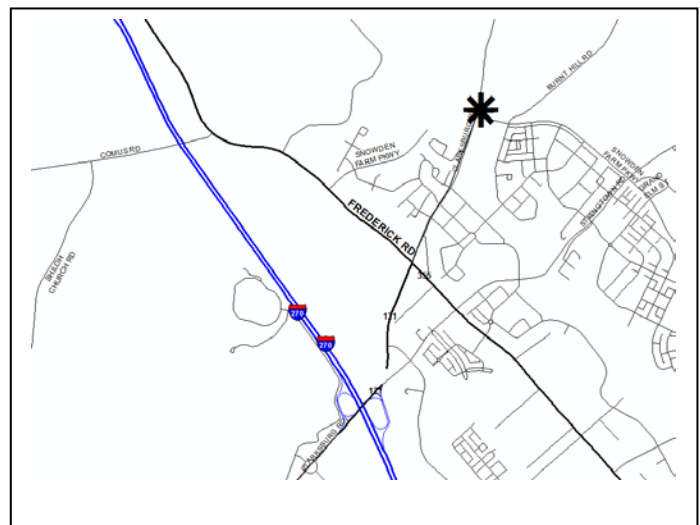
Description

Completed: 4/2/18

4B. **Preliminary/Final Water Quality Plan
MR2018018: Clarksburg Special Protection
Area**

Construct improvements to a 2,575-foot-long section of Clarksburg Road and a 476-foot-long section of Snowden Farm Parkway in Clarksburg. Master Plan: 1994 Clarksburg

- Applicant: Montgomery County Department of Transportation
- Filing Date: February 16, 2018



Summary

- The review of this Mandatory Referral is in two parts:
Item 4A – Mandatory Referral MR2018018 discussed as a separate staff report, and
Item 4B – Preliminary/Final Water Quality Plan MR2018018.
- Staff recommends approval of the Preliminary/Final Water Quality Plan with conditions (Item B).
- This project is located within the Clarksburg Special Protection Area (SPA) and on publicly owned property. Approval of a water quality plan is required under Section 19-62 of the Montgomery County Code. The Planning Board must take separate action on the Preliminary/Final Water Quality Plan (Item B) prior to taking action on the Mandatory Referral.

RECOMMENDATION

Approval of the Preliminary/Final Water Quality Plan. Subject to the following conditions:

1. The impervious surfaces are limited to the area as shown on the Impervious Surface Plan Portion of the Preliminary/Final Water Quality Plan. Impervious surfaces should be limited to no more than 28%.
2. Applicant shall mitigate forest losses on a 1:1 basis according to the approved forest conservation exemption and tree save plan.
3. Prior to the start of any clearing, grading, or demolition, the applicant must submit and get approved a revised forest conservation exemption and tree save plan that matches the final road improvement design.

SITE DESCRIPTION

Existing Clarksburg Road is a 2-lane, undivided roadway oriented in a north-south direction. The current travel lanes are 10-feet wide without paved shoulders. There are no pedestrian facilities or bicycle accommodations with the exception of 200 feet of curb and sidewalk along the southbound right turn lane. Land uses along Clarksburg Road include residential neighborhoods, forest within King's Park, Little Bennett Elementary School and the Clarksburg Church of God.

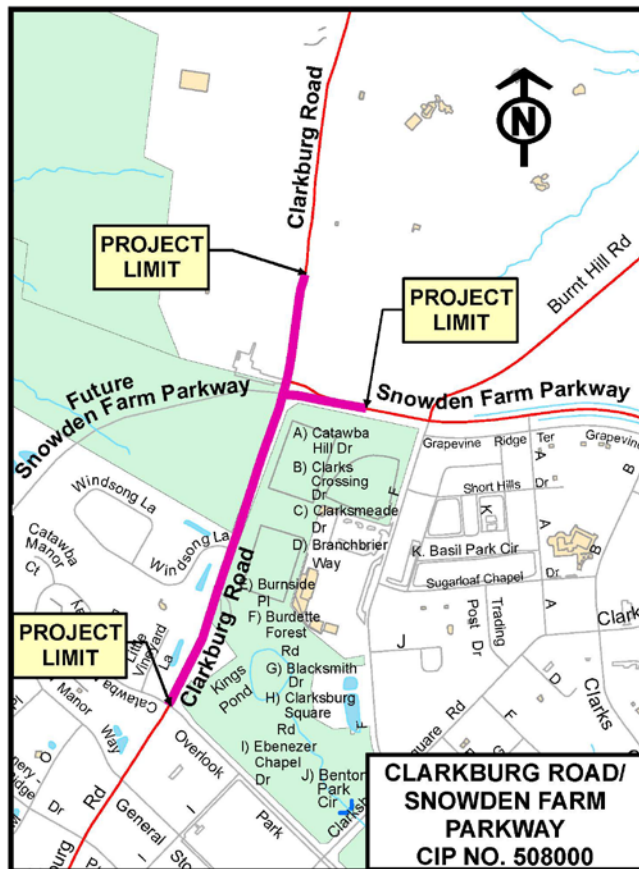


Figure 1. Project Location and Surrounding Area



Figure 2. Project Location

PROJECT DESCRIPTION

The proposed road construction involves widening Clarksburg Road from the existing two-lane roadway without shoulders (generally 22 feet wide) to a 40-foot wide closed section roadway. Improvements will include the following:

- Provision of two 10-foot-wide travel lanes (one per direction), a 10-foot wide center left-turn lane, and two five-foot-wide bicycle lanes within the roadway,
- Construction of a five-foot wide sidewalk along the north side of Clarksburg Road between Overlook Park Drive and Snowden Farm Parkway,
- Construction of an eight-foot wide side path along the south side of Clarksburg Road between Overlook Park Drive and Snowden Farm Parkway, and
- Construction of an eight-foot wide side path along the west side of Snowden Farm Parkway

The Planning Board’s action on the Preliminary/Final Water Quality Plan is regulatory and binding. The Planning Board must act on the Preliminary/Final Water Quality Plan before it finalizes its recommendations on the Mandatory Referral.

A. FOREST CONSERVATION PLAN ANALYSIS AND FINDINGS

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law.

Review for Conformance to the Forest Conservation Law

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. The Application is exempt from submission of a forest conservation plan. A forest conservation exemption (#42018138E) was granted under the provisions of Section 22A-5(e) as “a State or County highway construction activity...” M-NCPPC Staff confirmed the exemption in a letter dated February 15, 2018 (Attachment A).

While the project is exempt, the applicant is still required under section 22A-9 of the County code to:

- a) Minimize forest cutting, clearing, and loss of specimen trees to the extent possible while balancing other design, construction, and environmental standards. The constructing agency must make a reasonable effort to minimize the cutting or clearing of trees and other woody plants.
- b) If the forest to be cut or cleared for a County highway project equals or exceeds 20,000 square feet, the constructing agency must reforest a suitable area at the rate of one acre of reforestation for each acre of forest cleared.
- c) Mitigation for loss of specimen or champion trees. Mitigation amounts are based on the size and character of the tree.

This road improvement proposes to clear 1.22 acres of forest. Mitigation for the loss of this forest will take place at a 1:1 basis in an off-site forest bank. One 41-inch black walnut tree will be removed in order to improve this road. Mitigation for the loss of specimen trees is not required when an exemption from the forest conservation law has been approved. The applicant has minimized the limits of disturbance and minimized the impacts to large and specimen trees. A tree save plan has been provided to highlight tree protection measures to be used during construction. Field location and protection of trees will take place at the pre-construction meeting. Additional measures for the protection and preservation of individual trees may occur at that time.

Environmental Guidelines

The project area does not contain any environmental buffers, streams, or any other sensitive features. Most of the project disturbance is within the Clarksburg tributary of Little Seneca Creek watershed, a Use IV stream currently in fair condition. The area of the project generally north of Snowden Farm Parkway is within the Kingsley Tributary of Little Bennett Creek watershed, a Use III stream currently in good condition. The project proposes no impacts to Stream Valley Buffers, or 100-Year-Floodplains.

B. SPA WATER QUALITY PLAN ANALYSIS AND FINDINGS

The Application meets the Water Quality Plan requirements of Chapter 19 of the Montgomery County Code for the Clarksburg Special Protection Area.

Review for Conformance to the Special Protection Area Requirements

This project is located within the Clarksburg SPA and on publicly owned property. It is required to obtain approval of a water quality plan under Section 19-62(c) of the Montgomery County Code. This section of the code states:

Publicly owned property. Before engaging in any land-disturbing activity on publicly owned property in an area designated as a special protection area, the applying agency or department should prepare a combined preliminary and final water quality plan.

As part of the requirements of the Special Protection Area law, a SPA Water Quality Plan should be reviewed in conjunction with a Mandatory Referral. Under Section 19-65 of the law, the Montgomery County Department of Permitting Services (MCDPS) and the Planning Board have different responsibilities in the review of a Water Quality Plan. MCDPS has reviewed and conditionally approved the elements of the water quality plan under its purview. The Planning Board's responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements, and minimization of impervious surfaces have been satisfied.

County DPS Special Protection Area Review Elements

In a letter dated December 8, 2017 MCDPS found that the elements of the SPA Preliminary/Final Water Quality Plan under its purview were acceptable. (Attachment 2).

Site Performance Goals

As part of the Preliminary/Final Water Quality Plan, the following performance goals were established for the Property:

1. Minimize storm flow run off increases.
2. Minimize sediment loading.

Stormwater Management

Stormwater management goals for the Project will be met with a combination of micro bioretention, bio swale and bioretention facilities.

Sediment Control

An engineered sediment control plan must be submitted for this project prior to permitting.

BMP Monitoring

A stream monitoring fee for the site areas and a BMP monitoring fee will be required.

Planning Board Special Protection Area Review Elements

Staff recommends Planning Board approval of the elements of the SPA Water Quality Plan under its purview.

Forest Conservation

A Natural Resources Inventory and Forest Stand Delineation (NRI/FSD) was included as part of the Forest Conservation Exemption Request #42018138E, which was approved by Staff on February 15, 2018. Also approved was a tree-save plan under the same number. Forest impacts will be mitigated with 1.22 acres of off-site forest protection. This acreage is a slight increase from the 1.09 acres of forest loss delineated with the forest conservation exemption.

Environmental Buffer Protection

There are no streams, floodplains, wetlands, or environmental buffers affected by the Project.

Impervious Surfaces

A main goal for development in all SPAs is to minimize impervious surfaces. The Clarksburg SPA does not have a specific impervious limit.

The area of the project within the SPA is approximately 5.94 acres and currently has 0.55 acres of imperviousness or a 9 percent impervious level. The proposed roadway improvements will add an additional 1.19 acres of imperviousness and remove 0.05 acres for a total of 1.69 acres. This will result in an impervious level of 28%. The improvements are being built to current standards and there are no unnecessary impervious surfaces.

Planning staff believes that the applicant has minimized the total amount of impervious surface while maintaining the public purpose.

CONCLUSION

Staff recommends the Planning Board approve the Preliminary/Final Water Quality Plan with conditions specified above.

ATTACHMENTS

1. Forest Conservation Exemption
2. Department of Permitting Services (MCDPS) Preliminary/Final Water Quality Plan approval letter
3. Impervious Study
4. Forest Impact Delineation