



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

**MCPB No. 19-003**  
**Forest Conservation Plan No. CBA-2724-C**  
**Norbeck Country Club, Parcel A**  
**Date of Hearing: January 17, 2019**

**JAN 22 2019**

**RESOLUTION**

WHEREAS, The Planning Board has authority under Chapter 22A of the County Code to review amendments to a Forest Conservation Plan that involves more than 5,000 square feet of additional forest removal; and

WHEREAS, the Planning Board approved an amendment to Forest Conservation Plan No. CBA-2724-C, which did not impact forest; and

WHEREAS, on October 23, 2018, Norbeck Country Club (“Applicant”, “Property Owner”), filed an application for approval of an amendment to the previously approved Forest Conservation Plan requesting release of the Category I Conservation Easement from Parcel A (Subject Property) as follows; and

1. Release of 3.89 acres (169,600 square feet) of M-NCPPC Category 1 Conservation Easement.
2. Provide 3.90 acres (169,800 square feet) of M-NCPPC Category 1 Conservation Easement, which includes 0.60 acres (26,500 square feet) of new forest planting.

WHEREAS, The Applicant’s application to amend the Forest Conservation Plan was designated Forest Conservation Plan No. CBA-2724-C, Norbeck Country Club, Parcel A (“Amendment” or “Application”); and

WHEREAS, following review and analysis of the Application, Planning Board staff (“Staff”) issued a memorandum to the Planning Board, dated January 4, 2019, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on January 17, 2019, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on January 17, 2019, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

Approved as to  
Legal Sufficiency

*Christina Scott* 1/10/19

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Forest Conservation Plan Amendment CBA-2724-C, subject to the following conditions:

1. Within thirty (30) days of the mailing of the Planning Board Resolution the Applicant must submit, to Planning staff for review and approval, a cost estimate for the planting of 0.60 acres of land with 1.5inch-2inch caliper native trees and two-year maintenance of the trees.
2. Within sixty (60) days of the mailing date of the Planning Board Resolution, the Applicant must submit to Planning staff the financial security for the planting and maintenance requirements of 0.60 acres of forest planting in a form approved by Staff.
3. Within sixty (60) days of the mailing date of the Planning Board Resolution, the Applicant must record a Category I Conservation Easement by deed, in a form approved by the M-NCPPC Office of the General Counsel, in the Land Records of Montgomery County, Maryland for all new and retained easement areas on the Subject Property.
4. Within sixty (60) days of the mailing date of the Planning Board Resolution, the Applicant must submit a Maintenance and Management Agreement in a form approved by the M-NCPPC Office of General Counsel to ensure compliance with the conditions of the Forest Conservation Plan.
5. Within sixty (60) days of the recordation of the new onsite conservation easements, the Applicant must obtain and record a release of all the existing Category I Conservation Easements in a form approved by the M-NCPPC Office of the General Counsel, in the Land Records of Montgomery County, Maryland. All existing conservation easements remain in full force and effect until the deed of release is recorded.
6. By May 15, 2019 the Property Owner must complete the planting and have the planting inspected and accepted by the M-NCPPC Inspector.

BE IT FURTHER RESOLVED, that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. Except as specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved Forest Conservation Plan, and all findings not specifically addressed remain in effect.

2. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County, Chapter 22A.

The Applicant is removing 3.89 acres of Category 1 Conservation Easement and replacing it with 3.90 acres of new Category I easement onsite. This includes planting 0.60 acres within the new easement. Therefore, the amendment fulfills the original forest conservation plan requirements.

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JAN 22 2019 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty (30) days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor, and Vice Chair Dreyfuss and Commissioner Patterson absent at its regular meeting held on Thursday, January 17, 2019, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board