



Woodward High School Reopening, Preliminary Forest Conservation Plan, MR2020022



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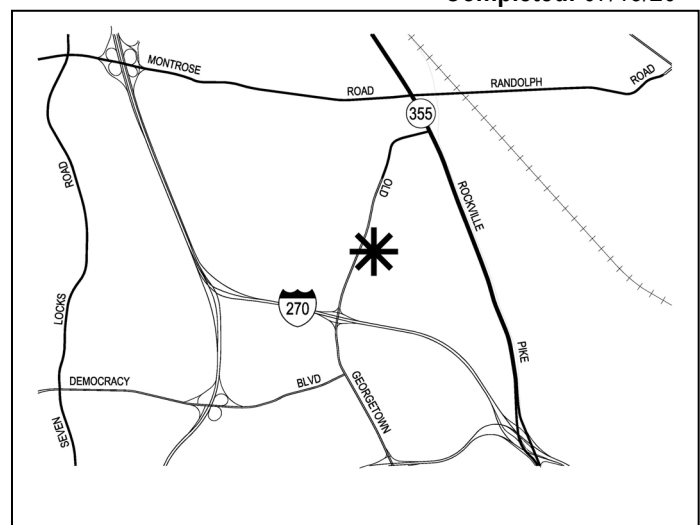


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Description

- Preliminary Forest Conservation Plan associated with the Mandatory Referral for the construction of the Woodward High School; requesting to clear 2.68 acres of forest and a variance request to remove and impact specimen trees;
- 11211 Old Georgetown Road, Rockville MD;
- 27.31 acres zoned R-90;
- 1992 North Bethesda Garrett Park Master Plan;
- Applicant: Montgomery County Public Schools;
- Filing date: April 31, 2020.

Completed: 07/13/20



Summary

- Staff recommends approval with conditions to be addressed at Final Forest Conservation Plan and submission of an updated Tree Variance request to be approved by the Planning Board.
- Staff has received community correspondence regarding the north parking lot placement and tree removal for this Application.
- Staff Report is based on plans submitted via eplans dated May 1, 2020.
- Staff recommends approval of the Variance request to remove trees No. 57, 59, 60, 61, and 62.
- Additional variance tree and forest impacts are to be addressed at Final Forest Conservation Plan.
- Pursuant to Chapter 22A of the County Code, the Planning Board's actions on Forest Conservation Plans are regulatory and binding.

INTRODUCTION

This report consists of staff review of the Preliminary Forest Conservation Plan associated with the Mandatory Referral for the proposed new construction of the Woodward High School and associated parking lots, bus loop and tennis and basketball courts. The proposal includes three phases of implementation: Phases 0, 1 and 2. The Preliminary Forest Conservation Plan and Mandatory Referral submissions are limited to Phases 0 and 1, with Phase 2 anticipated at a later date. While Planning Board action on a Mandatory Referral is advisory, the Forest Conservation Plan is regulatory and binding.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of Preliminary Forest Conservation Plan No. MR2020022, subject to the following regulatory and binding conditions:

1. Prior to any demolition, clearing, grading or construction on the Property, the Applicant must submit and obtain approval of a Final Forest Conservation Plan to be approved by Planning Board.
2. Prior to issuance of a Sediment Control Permit from the Montgomery County Department of Permitting Services (MCDPS), the Applicant must obtain approval of a Final Forest Conservation Plan from the Planning Board. The limits of disturbance on the Final Forest Conservation Plan must be consistent with the limits of disturbance on the approved Preliminary Forest Conservation Plan.
3. The Limits of Disturbance on the Sediment Control Plan must be consistent with the Limits of Disturbance as shown on the approved Final Forest Conservation Plan to be approved by Planning Board.
4. Prior to approval of the Final Forest Conservation Plan, the Applicant may need to obtain approval of a park permit, to be confirmed by M-NCPPC Parks Department.
5. Forest clearing for later phases of school construction will be determined and approved as a part of the Final Forest Conservation Plan to be approved by Planning Board.
6. Prior to approval of the Final Forest Conservation Plan, the Applicant must obtain approval of a Storm Water Management concept plan by the MCDPS.
7. The Final Forest Conservation Plan submission must include an amended Tree Variance request that includes trees No. 45 and 47.
8. The variance to remove trees identified under 22A-12 of the County code is limited to trees No. 57, 59, 60, 61, and 62.
9. The Final Forest Conservation Plan must show the planting locations of at least 43 total inches caliper of native shade trees, each at least three inches caliper, to mitigate the removal of variance trees number 57, 59, 60, 61, and 62.
10. The variance to removal trees identified under 22A-12 is limited to trees No. 57, 59, 60, 61, and 62. Applicant must submit additional justification for the removal of other trees identified under 22A-12 through a revised tree variance request, to be approved by the Planning Board.
11. The mitigation in terms of caliper inches and location of the plantings for the removal of other trees protected under Section 22A-12 of the County Code must be shown on the final forest conservation plan.
12. All trees to be planted as mitigation for trees protected under Section 22A-12 must be planted prior to issuance of the Use and Occupancy Certificate.
13. All trees credited towards variance mitigation must be at least five (5) feet away from any structures, stormwater management facilities, PIEs, PUEs, ROWs, utility lines, and/or their associated easements.

14. The Applicant must comply with all tree protection and tree save measures to be determined at the approved of Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspector.
15. Prior to any demolitions and land disturbing activities, the Applicant must hold a pre-construction meeting with the M-NCPPC Forest Conservation Inspector.
16. Prior to certification of the plans, coordinate with M-NCPPC Staff on minor corrections and clarifications as necessary.

SITE DESCRIPTION

The site of the future Charles W. Woodward High School is located at 11211 Old Georgetown Road in Rockville, Maryland. The Property, owned by the Board of Education, is comprised of a parcel that is approximately 27.31 acres. The Property is bounded by Old Georgetown Road to the west, Cedarwood Drive and M-NCPPC property (Timberlawn Local Park) to the south, residential properties to the east, and the County-owned Edson Lane property and residential properties to the north. The Property is currently developed with Tilden Middle School, as well as athletic fields, tennis courts, parking for the school, and an existing cellular tower. The site slopes down from west to east and has a drop in elevation of approximately thirty (30) feet. The Property has no streams, wetlands, floodplains or associated buffers but has 2.68 acres of high priority forest.



Figure 1: Site Vicinity



Figure 2: Subject Property

PROJECT DESCRIPTION

The primary purpose of the Project is to provide a new facility for the re-opening of the Charles W. Woodward High School in the fall of 2025. Before the school opens at Woodward High School it will be a temporary holding space for Northwood High School from September 2023 through June 2025 as that school undergoes reconstruction. The Project includes multiple phases in order to provide swing space for Northwood High School. The Project will be implemented in three (3) phases and includes the abatement and demolition of the existing Tilden Middle School building (Phase 0), the construction of a comprehensive high school with tennis and basketball courts and parking for cars and buses (Phase 1) and the addition of full athletic facilities, a parking structure, and a special core program that is housed in an addition to the high school (Phase 2). This submission for this Mandatory Referral only includes the work associated with Phase 0 (demolition) and Phase 1 (construction). A Mandatory Referral for Phase 2 will be submitted separately at a later date.

The forest conservation plan shows the removal of 2.68 acres of high priority forest and removal of forty-one (41) specimen trees with a DBH of 30" or greater. Due to the topography of the site, several retaining walls are also needed. The following is a summary of each phase:

- Phase 0 - includes demolition of the existing building and sediment basins for entire site sized for all phases of work.
- Phase 1 - includes the new building construction, parking lot construction, and basketball court and tennis courts.
- Phase 2 - includes additional parking, athletic fields, and addition to building. Phase 2 will be a separate Mandatory Referral application. This may include resubmittal of an NRI or could amend an approved the FFCP.

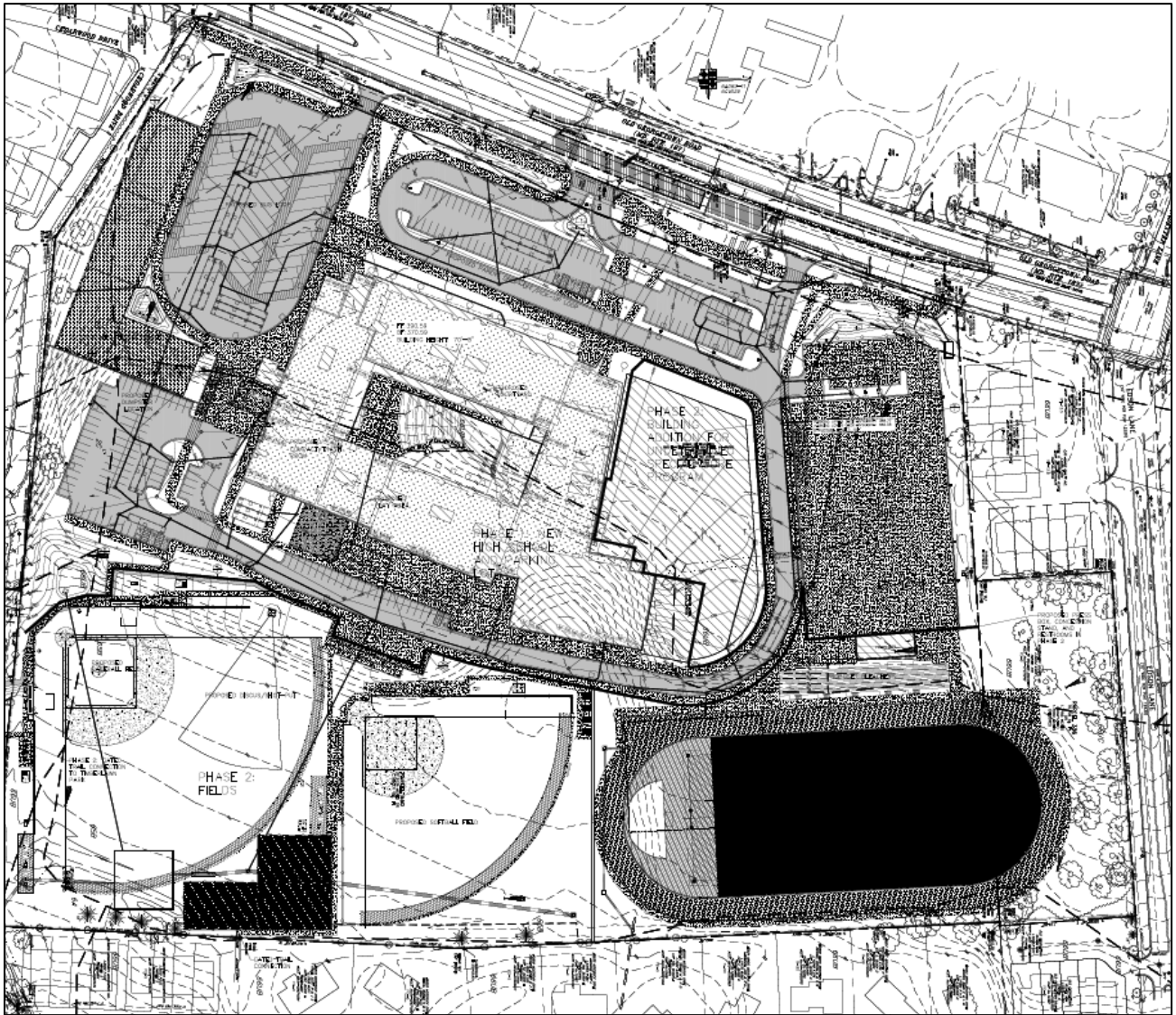


Figure 3- Phase 2 Recreational Field Concept

Mandatory Referral Status

The forest conservation plan is being reviewed concurrently with a MR. However, due to timing of PFCP revisions the plans before the Planning Board do not reflect all of the issues satisfied as a part of the MR. Montgomery County Public School (MCPS) and Planning Staff has worked out a number of issues to be

able to approve the site design and building layout for Phases 0 and 1. This staff report conditions and describes the plans that were submitted May 1, 2020, which does not reflect some of the items that were addressed during subsequent coordination.

PFCP as submitted does not include the following changes that are necessary to the drawings when MCPS submits the final forest conservation plan:

- The design of the building and facilities located for Phase 0 and 1 as shown on the MR that accompanies this staff report.
- Final frontage improvements regarding the bus loop, dedication, streetscape design, and access.
- LOD boundary as it relates to Phase 0 and 1.
- Impact to trees along the boundaries edges and offsite including an updated tree variance request.
- Revisions to the limits of disturbance, and the overall net tract area, because there is no longer the need to grade on Timberlawn Local Park.

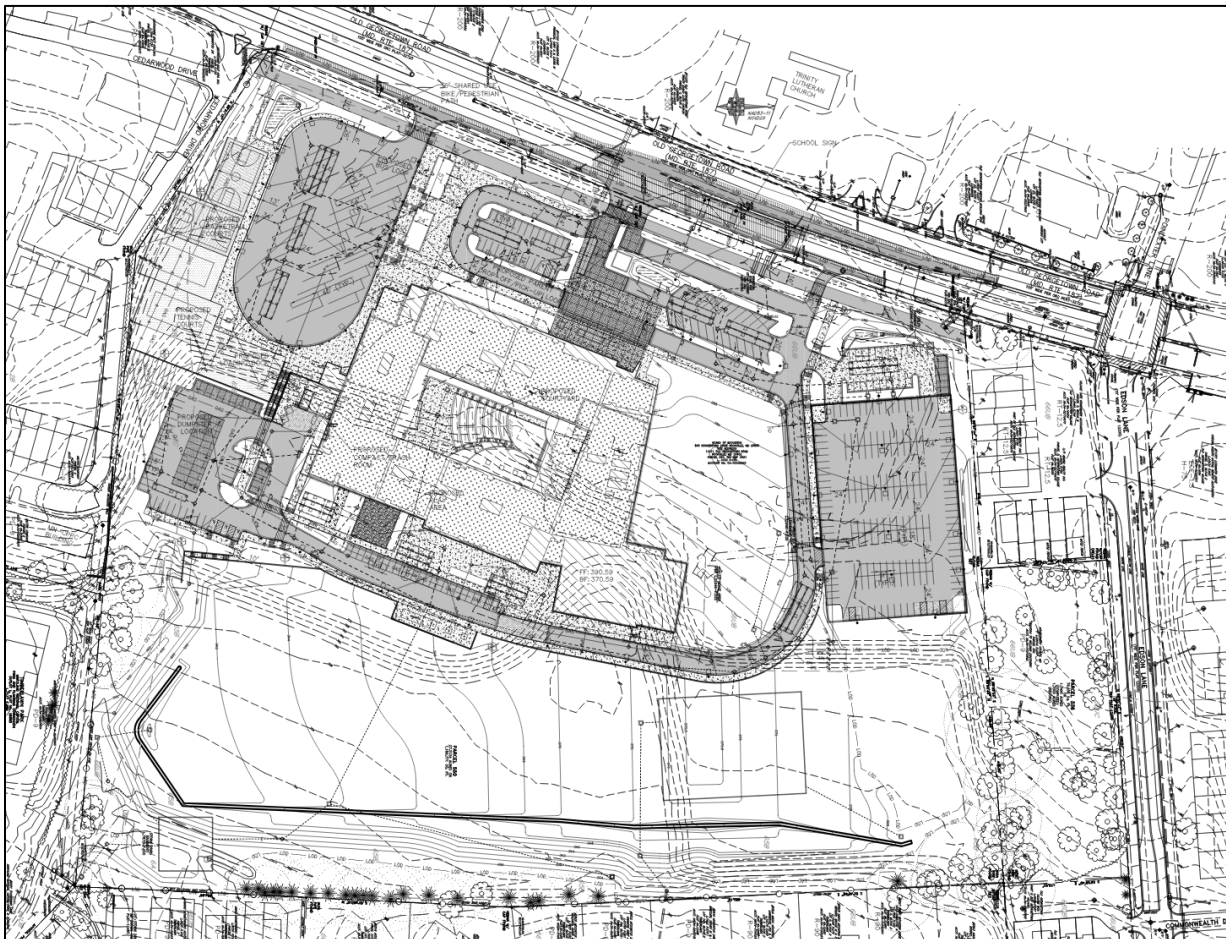


Figure 3- Updated Mandatory Referral Plans

Planning Staff expect these items to be updated as a part of a future FFCP along with the other outstanding items and requests these as conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

1. The Limits of Disturbance (LOD) shown on the PFCP is larger than necessary for the demolition and construction shown on the associated Mandatory Referral. The forest and Tree Variance request is accurately based on the LOD shown, but the LOD includes disturbance that does not correspond to Phase 0 and Phase 1 of the Mandatory Referral.
2. The Applicant does not have an approved Stormwater Management Concept from MCDPS. The LOD will have to be revised in response to any changes in the stormwater plan. Additionally, the Parks Department and a residential community south of the Property have raised concerns about stormwater overflowing from the Property that should be addressed.
3. The LOD as shown includes portions of Phase 2, which is the construction of the athletic fields. The LOD must be tied to the sediment control permit for the applicable phases, not future construction.

Planning Staff believes each of the outstanding issues associated with the PFCP can be resolved in coordination with the resolution of outstanding items associated with the Mandatory Referral. At the time of completion of this report, the Applicant does not have approvals from the Department of Permitting Services Stormwater, or the State Highway Administration. The remainder of this staff report will provide further details regarding outstanding issues associated with PFCP.

COMMUNITY CONCERNS

Planning Staff has received correspondence regarding concerns associated with the PFCP. The community has expressed concerns regarding the removal of trees along the northern boundary of the site for the proposed parking structure. Further description of this area is in the Variance Request section (page 9) of this report.

The community also raised a concern regarding maintaining a nest of chimney swifts that currently lives in the old Tilden Middle School building (to be demolished). Planning Staff suggested the Applicant pursue establishing a nesting structure somewhere onsite to encourage the chimney swifts to maintain its habitat on the site. The Applicant has acknowledged the concern and stated they could not accommodate this request within their program.

ANALYSIS AND FINDINGS

Environmental Guidelines

Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD # 420200230) for the Subject Property on 10/4/2019. The Property includes two forest stands for a total of 2.68 acres of forest onsite. There are some steep grades on the north-eastern and southern sides of the Property; some of the moderate slopes are on erodible soils. The site contains no wetlands, streams or stream buffers, critical habitats, or cultural features. The NRI/FSD does not include the "Edson Property," a forested 1.75-acre parcel north of the Property, which will be included in Phase 2 (see attachment 1 for NRI).



Figure 5: Edson Property

Forest Conservation

The Property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). The Property has 2.68 acres of forest, all of which is categorized as being the highest priority for retention due to the presence of slopes greater than 25 percent and the presence of numerous specimen trees, per COMCOR 22A.00.01.07.

The Applicant has proposed to remove all 2.68 acres of forest onsite, including impacts to forty- three (43) specimen trees which includes removal of forty-one (41) specimen trees.

The Applicant does not provide appropriate justification for most of the forest and variance tree impacts associated with Phase 0 and Phase 1. For example, there are areas proposed for clearing and impacts that do not correspond to any proposed development within Phases 0 or 1. Also, without an approved Stormwater Management Concept, Staff cannot confirm if the proposed infrastructure is valid with the shown LOD. These items must be reconciled, and additional justification must be provided prior to approval of the FFCP as conditioned. Impacts to trees, forest, and offsite disturbance will be addressed at FFCP.

Variance Request

Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees,

including removal of the subject tree 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. The law requires no impact to trees that: measure 30 inches or greater, DBH; are part of a historic site or designated with a historic structure; are designated as a national, State, or County champion tree; 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.

On March 23, 2020, the Applicant submitted a variance request in association with the PFCP (see attachment 3). As stated, the Project will require the removal of 41 protected trees and disturbance but retention of 2 other trees. In total the applicant's submission for the tree variance is for 43 trees that are considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law. In addition, the applicant did not include a variance request missed 2 trees that are identified in Section 22A-12 and are subject to the variance provisions found in 22A-21. Table 1 below shows the variance trees impacted. Please note in some cases the variance tree is shown for removal but non mitigation is required because that tree is located within one of the two forest stands on the Property.

However, Planning Staff has conditioned an updated tree variance request be submitted at FFCP to provide a more accurate description of the trees impacted for Phase 0 and Phase 1. Planning Staff anticipates less trees will be impacted for the FFCP with a modify LOD. Table 1-*Applicant's Tree Variance* is provided for purposes regarding the total number of impacted trees or the May 1st plan submittal.

Table 1: Applicant's Tree Variance Table

TREE VARIANCE TABLE								
Tree #	Species (Scientific Name)	Species (Common Name)	D.B.H (inches)	Tree Condition	Comments	Status	Variance	Mitigation
1	QUERCUS PALUSTRIS	PIN OAK	36	GOOD	DEAD LIMBS, OHW	REMOVE	YES	YES
2	ACER RUBRUM	RED MAPLE	40	GOOD	DEAD LIMBS, SPLIT @ 5'	REMOVE	YES	YES
3	ACER RUBRUM	RED MAPLE	32	GOOD	SPLIT @ 6'	REMOVE	YES	YES
4	MORUS RUBRA	RED MULBERRY	30	GOOD		REMOVE	YES	YES
5	MORUS RUBRA	RED MULBERRY	30	GOOD		REMOVE	YES	YES
6	QUERCUS RUBRA	RED OAK	35.5	GOOD	DEAD LIMBS	REMOVE	YES	NO
7	QUERCUS RUBRA	RED OAK	38.5	GOOD		REMOVE	YES	NO
8	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	50	GOOD		REMOVE	YES	NO
9	PINUS STROBUS	WHITE PINE	38	GOOD		REMOVE	YES	NO
10	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
11	PINUS STROBUS	WHITE PINE	42	GOOD		REMOVE	YES	NO
12	PINUS STROBUS	WHITE PINE	40	GOOD		REMOVE	YES	NO
14	ROBINIA PSEUDOACACIA	BLACK LOCUST	45	GOOD		REMOVE	YES	NO
15	PRUNUS SEROTINA	BLACK CHERRY	30	GOOD		REMOVE	YES	NO
16	ROBINIA PSEUDOACACIA	BLACK LOCUST	35	GOOD		REMOVE	YES	NO
17	ROBINIA PSEUDOACACIA	BLACK LOCUST	50	GOOD	SPLIT @ 5'	REMOVE	YES	YES
22	PLATANUS OCCIDENTALIS	SYCAMORE	34	GOOD		REMOVE	YES	NO
23	PINUS STROBUS	WHITE PINE	35	GOOD		REMOVE	YES	NO
25	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	NO
27	PINUS STROBUS	WHITE PINE	33	GOOD		REMOVE	YES	NO
29A	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
29D	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
30	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	NO
37	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
38	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
41	QUERCUS PHELLOS	WILLOW OAK	41	GOOD		REMOVE	YES	NO
42	QUERCUS ALBA	WHITE OAK	41	GOOD	REMOVE WITH ADJ PROPERTY OWNER'S PERMISSION	REMOVE	YES	YES
43	FUGLIANS NIGRA	BLACK WALNUT	32	GOOD	OFFSITE	SAVE/PROTECT	YES	NO
47	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	50	GOOD		SAVE/PROTECT	YES	NO
48	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	38	GOOD	REMOVE WITH ADJ PROPERTY OWNER'S PERMISSION	REMOVE	YES	YES
49	QUERCUS ALBA	WHITE OAK	41	GOOD	REMOVE WITH ADJ PROPERTY OWNER'S PERMISSION	REMOVE	YES	YES
50	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	YES
51	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	YES
52	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	YES
53	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	30	GOOD		REMOVE	YES	YES
54A	PLATANUS OCCIDENTALIS	SYCAMORE	34	GOOD		REMOVE	YES	YES
54B	PLATANUS OCCIDENTALIS	SYCAMORE	34	GOOD		REMOVE	YES	YES
57	QUERCUS RUBRA	RED OAK	31	GOOD		REMOVE	YES	YES
59	QUERCUS ALBA	WHITE OAK	44	GOOD		REMOVE	YES	YES
60	PINUS STROBUS	WHITE PINE	32	GOOD		REMOVE	YES	YES
61	PINUS STROBUS	WHITE PINE	30	GOOD	TRIPLE @ 5'	REMOVE	YES	YES
62	PINUS STROBUS	WHITE PINE	35	GOOD		REMOVE	YES	YES
64	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	NO

Variance Recommendation

The Forest Conservation Law requires that all zoning applications must include submission and approval of a PFCP. Variance requests are reviewed and approved as part of the PFCP review. At this review stage, many elements of the Project are unknown, and the exact engineering and grading have not been determined. It is clear that many variance trees will be impacted, and some will need to be removed as a part of the Project; however, Limits of Disturbance (LOD), building footprints, frontage improvements and offsite improvements may change as the Project proceeds through subsequent reviews. For this reason, exact impacts to many trees cannot be established; therefore, the disposition of many of the variance trees cannot reasonably be determined at this stage and the Applicant will be required to submit a new variance request at the time of the Final Forest Conservation Plan reviews to justify any clearing that is truly necessary.

Staff can only recommend the Planning Board grant variance approval for the removal of Trees No. 57, 59, 60, 61, and 62 (see Figure 6 & 7). Most of the remaining variance trees are along the perimeter of the Subject Property, which is generally associated with Phase 2 improvements of the Project. No alternative design will avoid the removal of the trees within the center of the Property.

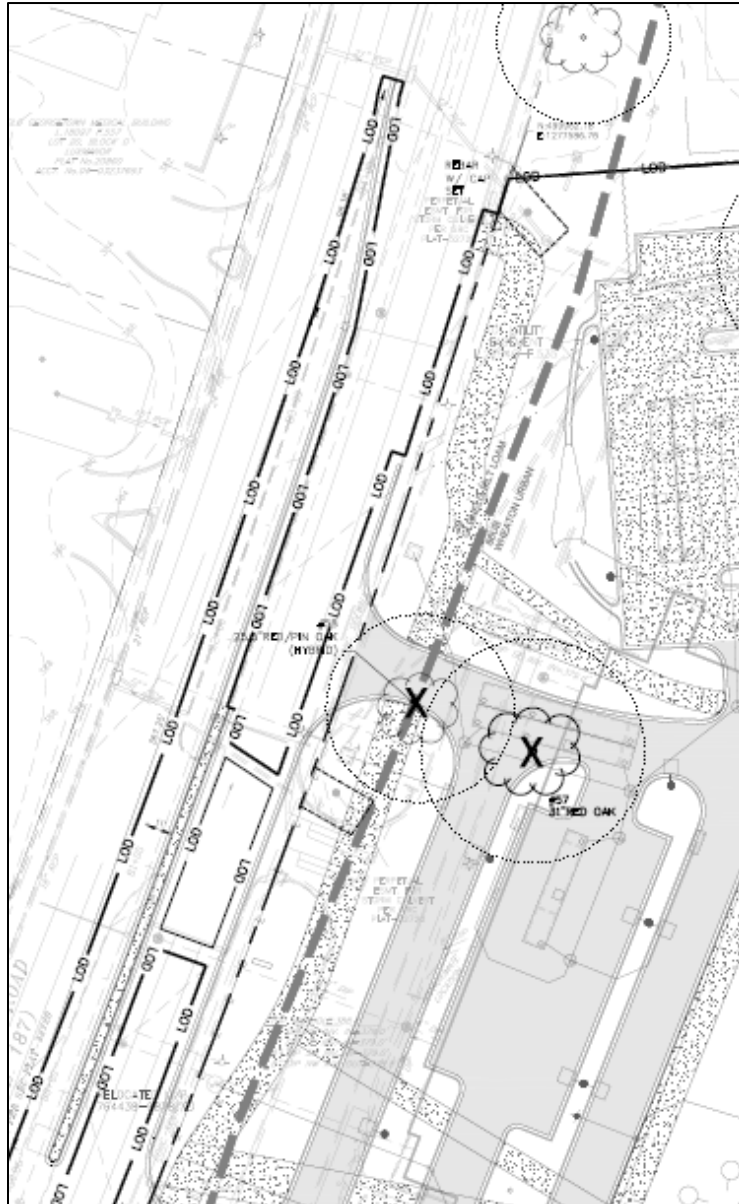


Figure 6- Plan Sheet L-1.4



Figure 7- Plan Sheet L-1.1 part 1

Staff cannot recommend approval of the impacts to the remaining thirty-eight (38) trees at this stage of the development review process, as requested by the Applicant, due to the outstanding issues summarized in this report. The Applicant must submit a revised variance request and justify impacts to, and/or removal of, the variance trees. Justification for this requirement is based on the following March 23, 2020 letter and May 1, 2020 eplan submittal (see attachment 2 and 3) and are described in greater detail below:

Variance tree numbers 22, 23, 25, 27, 29A, 29D, 30, 37, 38, 41, 42, 43, and 64 are located on the eastern boundaries adjacent to existing single-family homes (see Figure 8). The Applicant is proposing to clear all

the forest to the property line to provide grading for a drainage area. Tree number 43 is to be saved. It is not clear whether the area can be shifted westward into the site to avoid impacts.

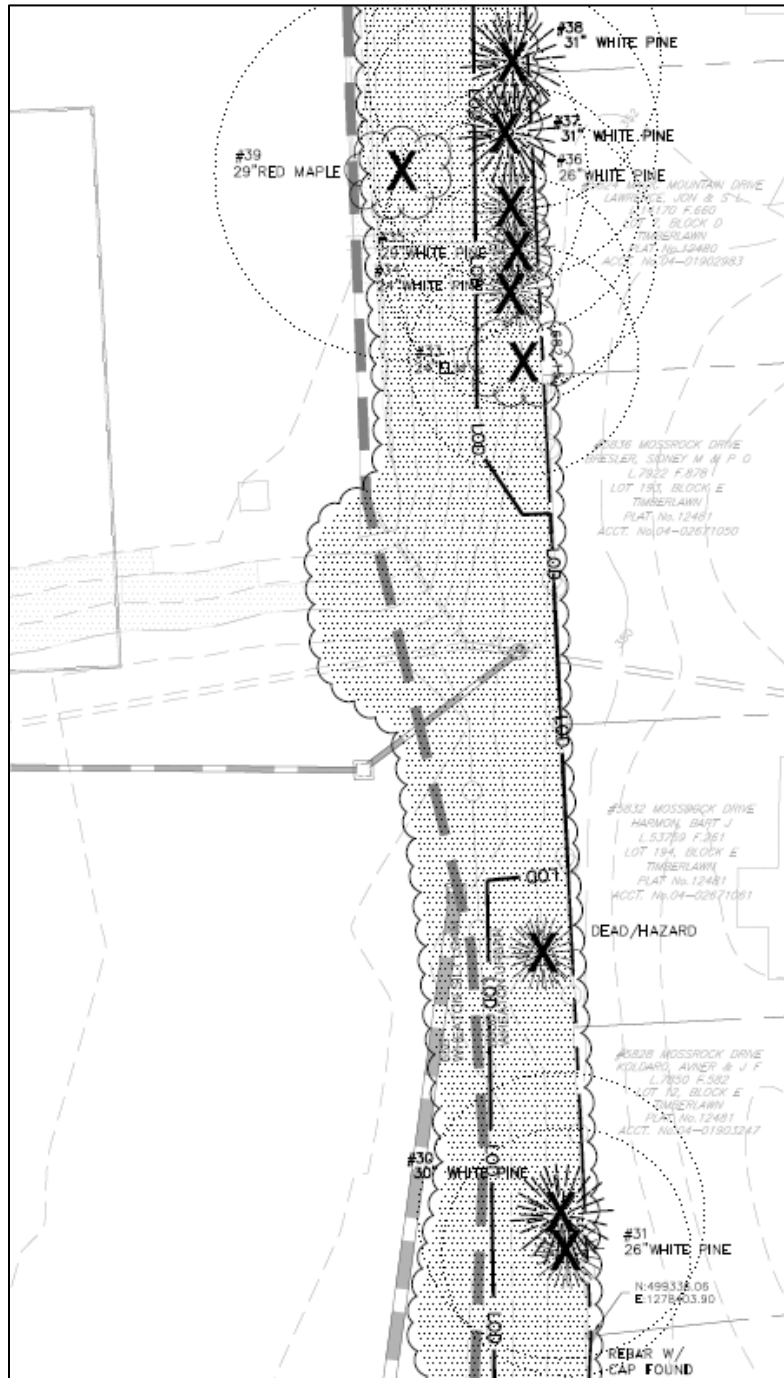


Figure 8-Plan Sheet L-1.1 part 2

The Applicant proposes to clear forest to the property line along the northern boundary adjacent to the wooded Edson property which affects variance trees numbers 45, 46, 47, 48, and 49 (offsite). Tree number 47 is to be saved (see Figure 9). It is not clear to Planning Staff why these trees are being impacted and removed for Phase 0 and 1. There is no development and infrastructure proposed for the area and the Applicant has not provided justification for impacts to these trees.



Figure 9- Plan Sheet L-1.1 part 3

Variance trees numbers 50, 51, 52, 53, 54, 54a, and 54b are located along the northern boundary as well and are proposed for removal to create the proposed parking lot (see Figure 10). The community raised concerns regarding tree removal along this portion of the site. Planning staff could potentially accept this area of impact and removal to facilitate the school development program. Planning staff recommends the Applicant assess the opportunities for tree retention during the Final Forest Conservation Plan.

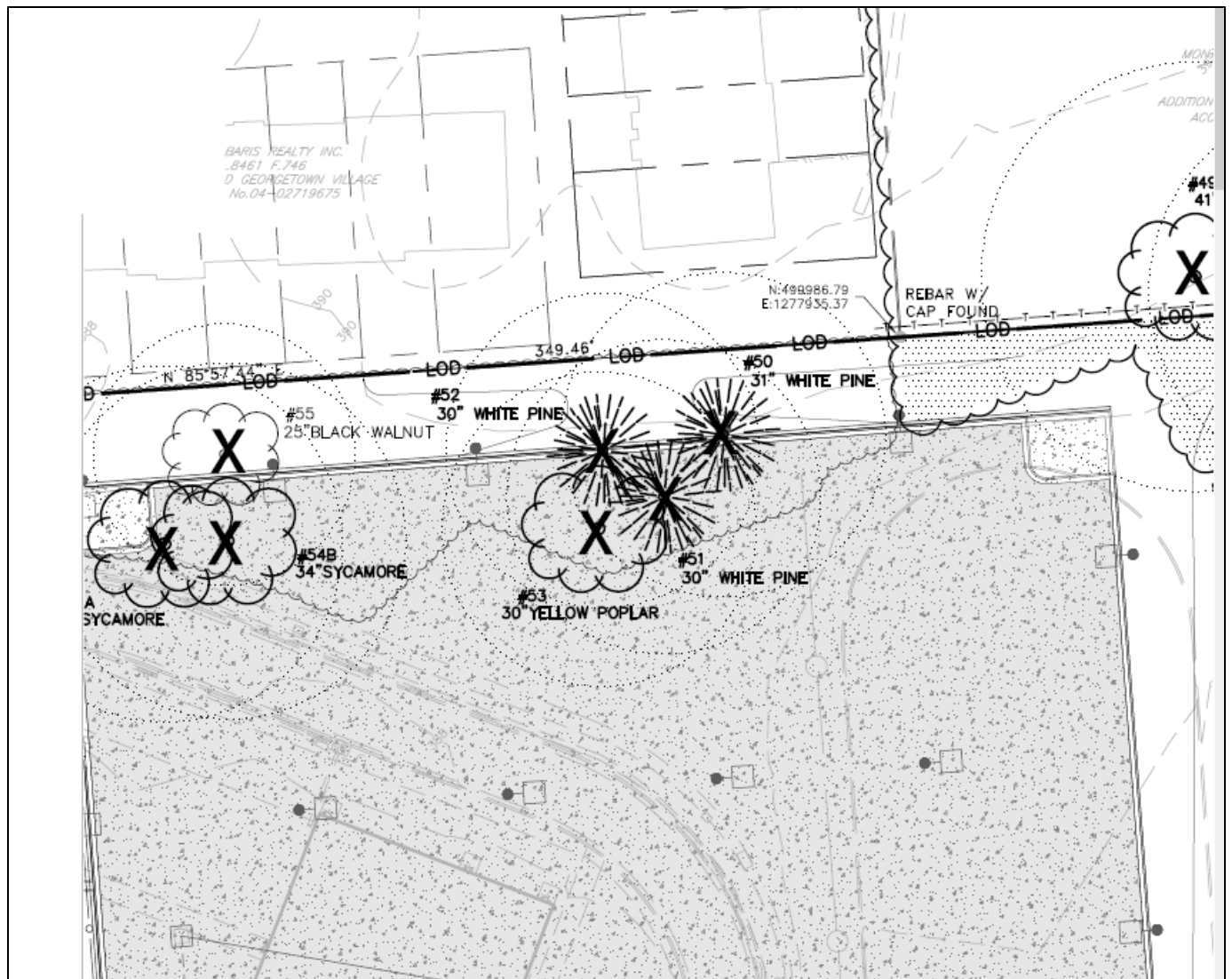


Figure 10- Plan Sheet L-1.1 part 4

Therefore, Staff cannot determine definitively at this time that these trees must be impacted or removed. The disposition of these trees should be reevaluated at the Final Forest Conservation Plan submission.

Variance trees number 6, 7, 8, 9, 10, 11, and 12 are located on the southern boundary (see Figure 11). Planning staff understand these trees will potentially be impacted during construction of the Project and most likely will require removal due to the proposed surface parking lot and retaining walls. However, since the development has unresolved issues Planning Staff recommends assessing the opportunities for retention.

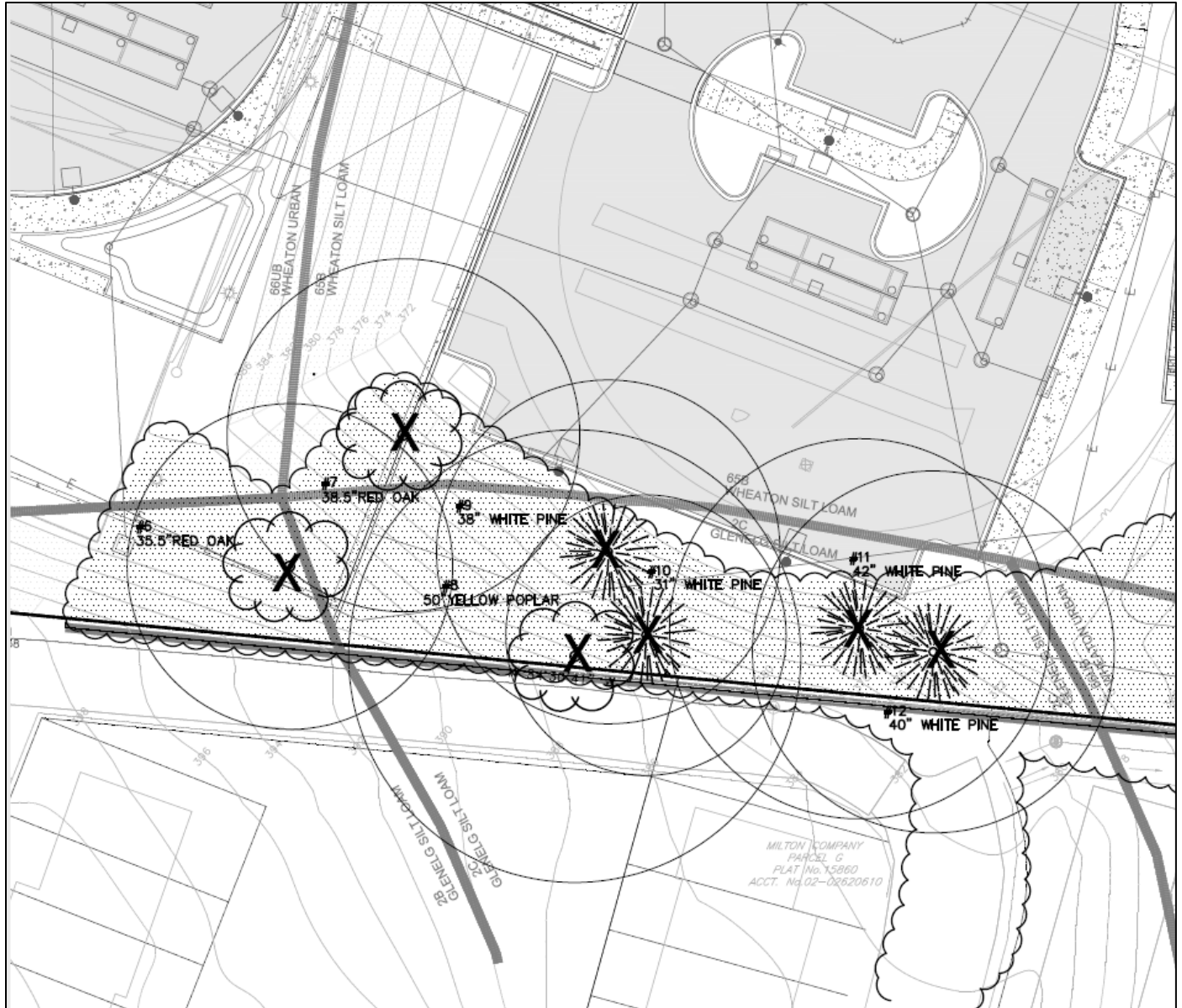


Figure 11- Plan Sheet L-1.2 part 1

Variance tree numbers 14, 15, 16, and 17 are located on the southern boundary of the Property, in a location proposed for a pedestrian path to connect to Timberlawn Park (see Figure 12). Planning staff supports the pedestrian connection to the Timberlawn Park. However, it is unclear why four trees need to be removed for this connection. The path could be reconfigured to avoid the tree impacts. Also, the MR states MCPS will no longer seek access to Timberlawn Park which may not require the removal of these trees. Final determination will occur at FFCP.



Figure 124-Plan Sheet L-1.2 part 2

Variance tree number 22, 23, 25, 27, 29a, 29d, 30, and 64 are located on the south eastern boundary corner (see Figure 13). Based on the disturbance associated with Phase 0 and Phase 1, it is unclear why these trees are impacted. Planning staff understand there is proposed grading and connections to existing storm drains. This is the area the community raised concerns about regarding water overflow. Planning Staff recommends the applicant provide justification and assess the opportunities for retention with the Final Forest Conservation Plan.

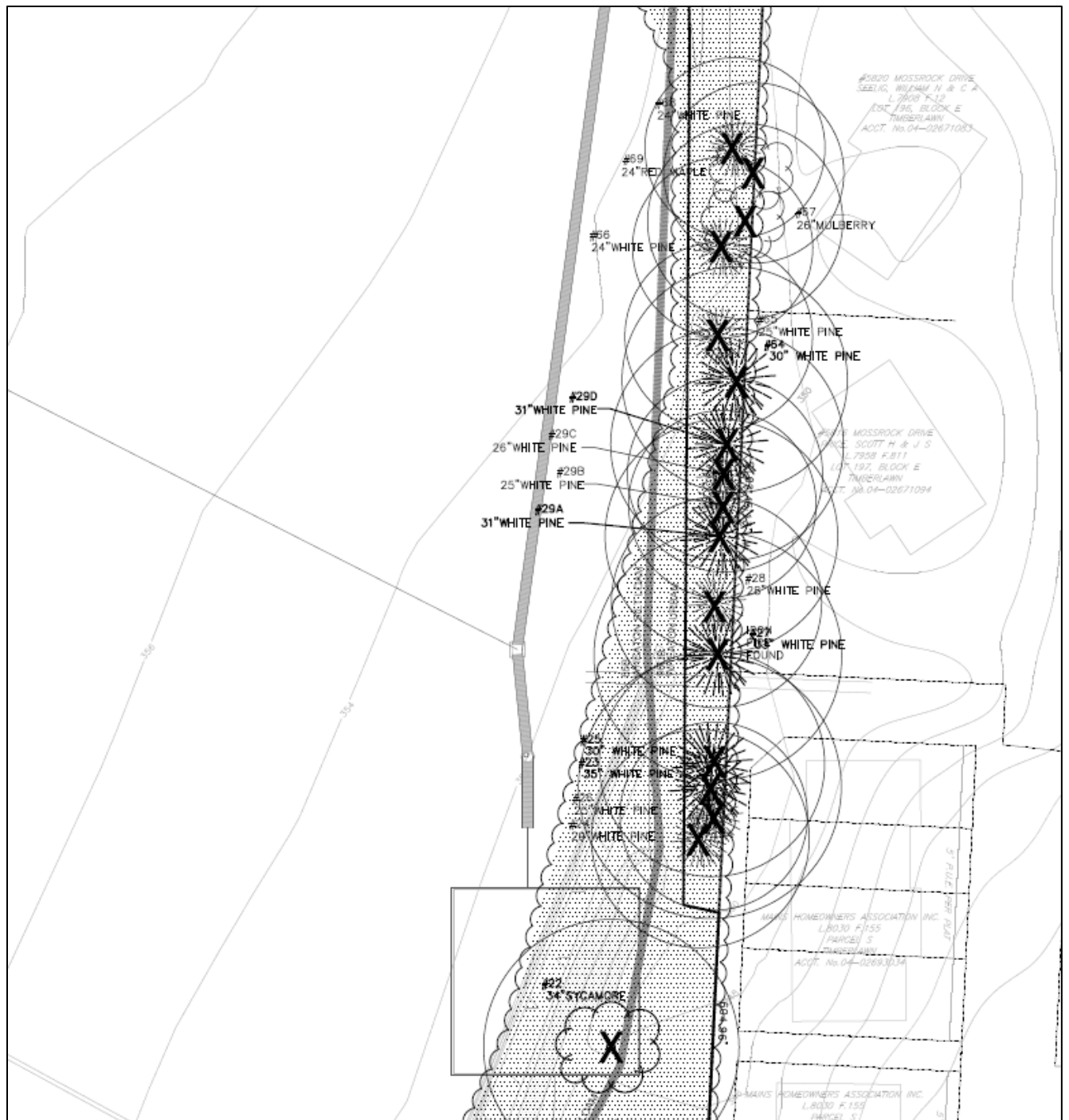


Figure 13- Plan Sheet L-1.2 part 3

Variance trees number 1, 2, 3, 4 and 5 are located on the southeastern boundary corner (see Figure 14). Planning Staff understands this area has grade constraints and the Applicant proposes to provide retaining walls. It highly likely these trees will be removed. A primary concern of Staff is that the improvements for the proposed removal do not include the LOD for the additional road dedication that

is required along the Old Georgetown Road, as recommended by the 1992 North Bethesda Garrett Park Master Plan, for the implementation of the future North Bethesda Transitway. Planning staff recommends the Applicant provide justification and implements the required dedication with associated LOD.

Therefore, Staff cannot determine definitively at this time that these trees must be impacted or removed. The disposition of these trees should be reevaluated with the review of the Final Forest Conservation Plan.

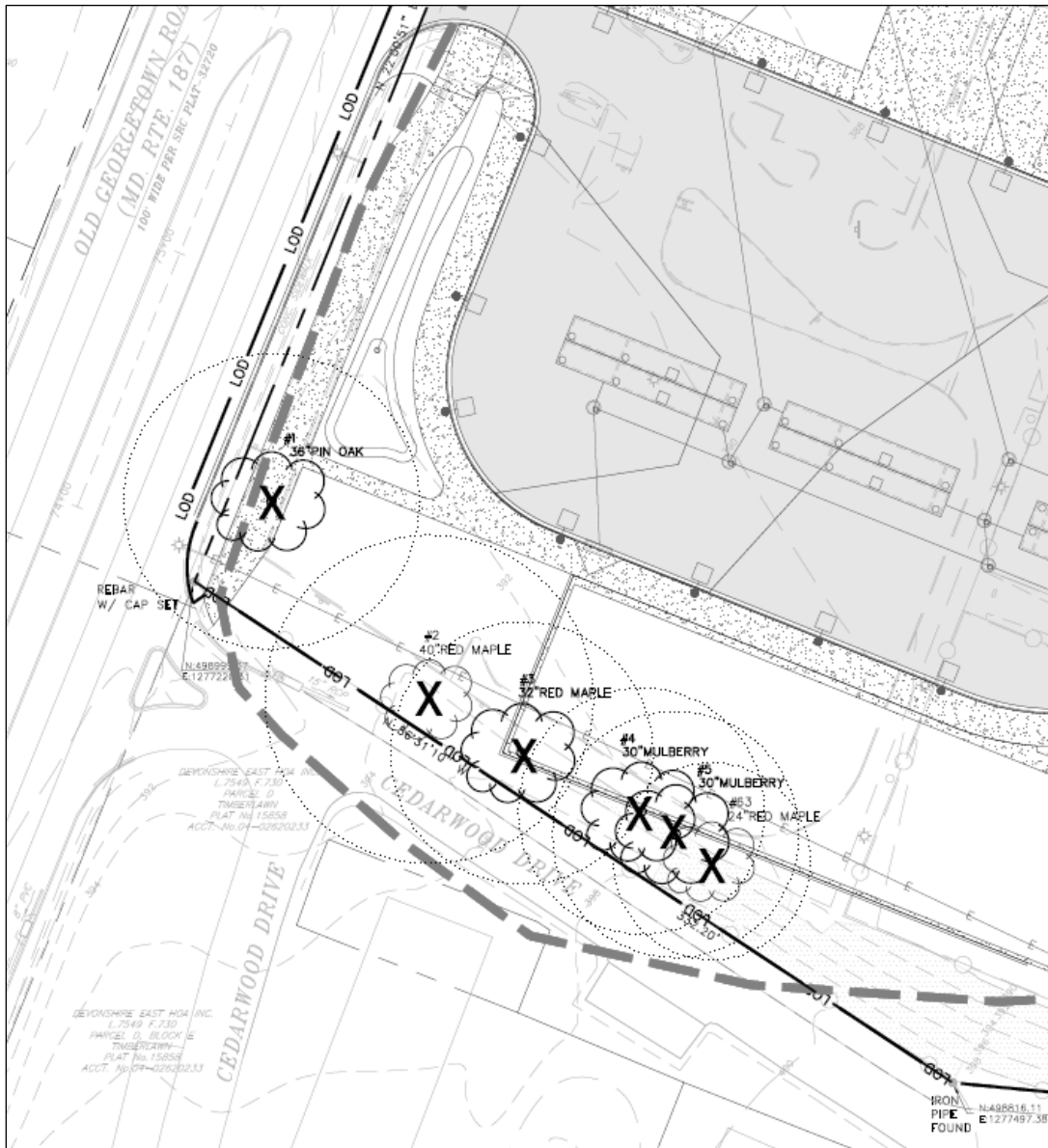


Figure 145 - Plan Sheet L-1.3

Unwarranted Hardship

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. While the Property is sizable in developable acreage, it is also challenging due to existing grading and slopes along the edges.

The proposed school building will be constructed in the center of the Property. The proposed arrangement of site elements prioritizes the separation of car and school bus traffic to optimize pick-up and drop-off activities, and to treat stormwater run-off on-site. Development is generally confined to areas outside of the forest.

Most of the variance trees are along the perimeter of the Subject Property, except for Trees No. 57, 59, 60, 61 and 62, which are located within the center of the Subject Property. No alternative design will avoid the removal of the trees within the center or along the frontage of the Property.

Leaving the requested five (5) trees in an undisturbed state would result in an unwarranted hardship because the Applicant could not remove the existing features or build a larger and modern school with necessary additional capacity to serve the community, new recreation features built to current state standards, separated student drop-off areas, site grading and stormwater management facilities. At the time of FFCP Staff will review the “unwarranted hardship” for the additional requested trees.

Variance Findings

The following findings are required for the Planning Board to approve the variance request for Trees No. 57, 59, 60, 61 and 62:

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

Removal of and disturbance to the trees is due to the need for the construction of a new high school to serve the public. 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 reconfigure the Property while minimizing impacts to the forest. Redevelopment of the Subject Property is a continuation of an existing permitted use.

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 need to address stormwater run-off on-site and the requirements to reconstruct new facilities.

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 location of trees in the center of the Subject Property and the impacts by the proposed layout with the school building, and not a result of characteristics or conditions of land or building use on a neighboring property.

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

Staff generally recommends that the Planning Board approve variance requests with mitigation to replace the form and function of the trees proposed for removal, outside of areas of forest removal. The Applicant will determine the overall mitigation at FFCP, once an updated tree variance is evaluated. Water quality will improve with the proposed development and State water quality standards will not result in measurable degradation in water quality.

Stormwater

The Applicant has not provided an approved Stormwater Management Concept letter from MCDPS, which could potentially require additional impacts to trees and change the LOD, which is not addressed in this Staff report. The Applicant is conditioned to provide an approved Stormwater Management Concept letter at FFCP.

Conclusion

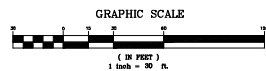
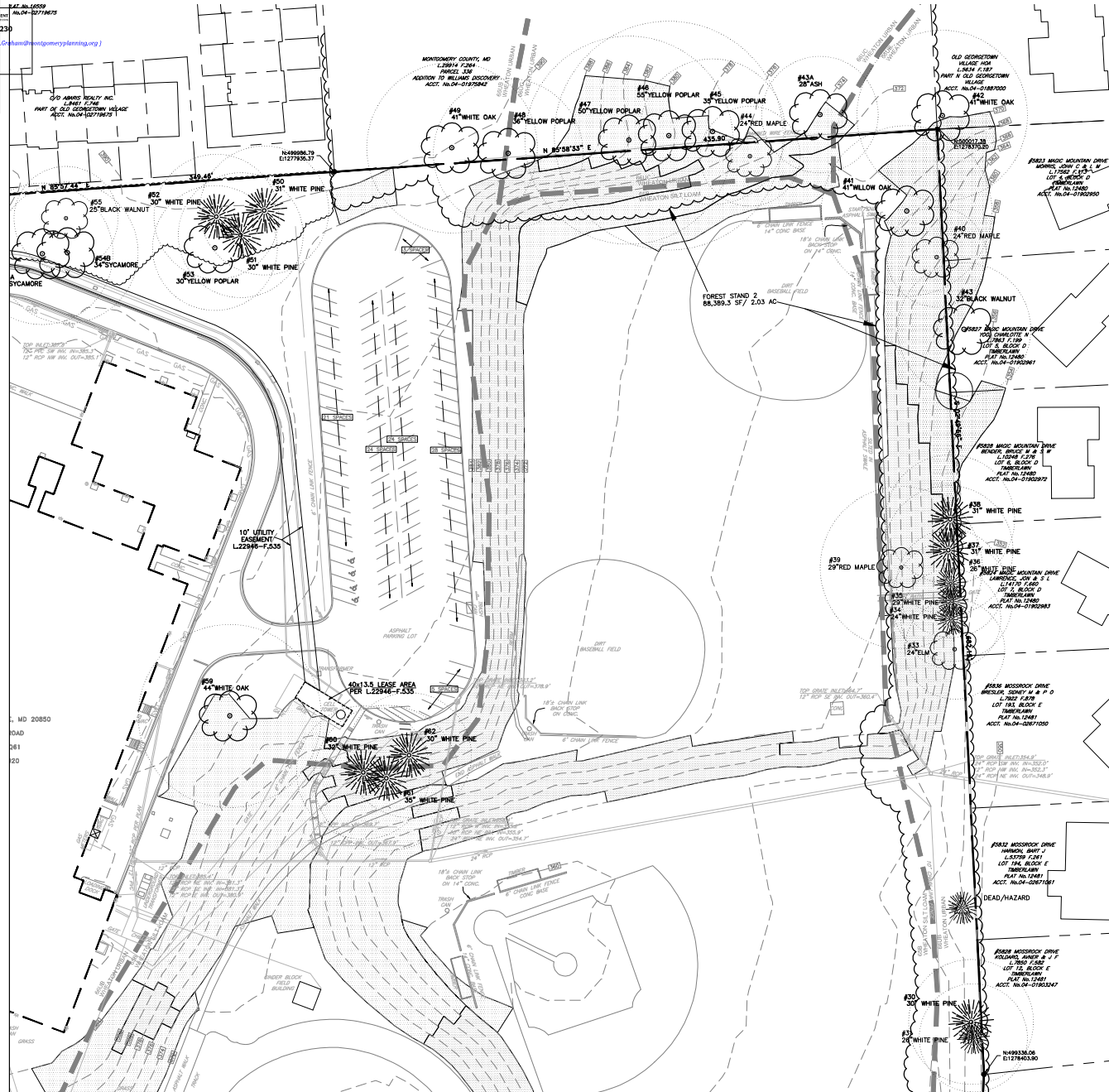
The proposed Preliminary Forest Conservation Plan meets the requirements of Chapter 22A Forest Conservation Law. Therefore, Staff recommends that the Planning Board approve the Preliminary Forest Conservation Plan and associated variance, with the above conditions.

Attachments:

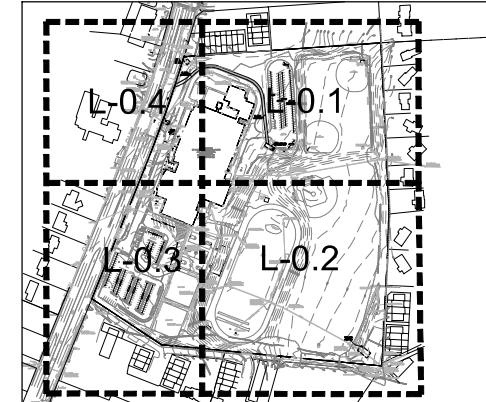
1. NRI
2. May 1, 2020 - Preliminary Forest Conservation Plan
3. Tree Variance request March 23, 2020,

ATTACHMENT 1

MONTGOMERY PLANNING DEPARTMENT
APPROVED - 420200230
Tumika Graham (Tumika.Graham@montgomeryplanning.org)
10/04/19



MATCHLINE SHEET L-0.2



SCALE: 1" = 200'-0"

- LEGEND**
- EXISTING SIGNIFICANT TREE ≥24" AND <30"DBH WITH TAG NUMBER AND CRZ
 - EXISTING SPECIMEN TREE >30"DBH WITH TAG NUMBER AND CRZ
 - SOIL BOUNDARY
 - PROPERTY BOUNDARY
 - ADJ. PROPERTY BOUNDARY
 - FOREST TREELINE
 - SCRUB/SHRUB LINE
 - EX. CONTOUR
 - STEEP SLOPES ≥ 25%
 - MODERATE SLOPES 15% ≥ 25% ON ERODIBLE SOILS
 - DEAD/HAZARD TREE

CERTIFICATION OF QUALIFIED PROFESSIONAL
I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, UNIFORM AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

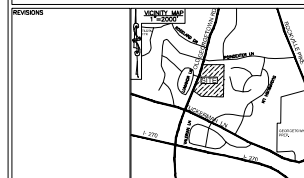
09.20.19
MICHAEL A. NORTON
OWNER / OWNER'S REPRESENTATIVE
QUAIFIED PROFESSIONAL

**NATURAL RESOURCE INVENTORY/
FOREST STAND DELINEATION
NO. 420200230**

PROJECT
WOODWARD HIGH SCHOOL
11211 OLD GEORGETOWN RD
ROCKVILLE, MD 20902

PREPARED FOR
MONTGOMERY COUNTY PUBLIC SCHOOLS
45 WEST GUDE DRIVE SUITE 4300
ROCKVILLE, MD 20850

NORTON LAND DESIGN
LANDSCAPE ARCHITECTURE & ENVIRONMENTAL PLANNING
1148 GEORGETOWN DRIVE, 2ND FLOOR
ELICOTT CITY, MD 21042
P: 410.542.9159
WWW.NORTONLANDDESIGN.COM



WATER CLASS 1-P
WATERSHED C&D CREEK / LOWER ROCK CREEK
TAX MAP G0541
DATE 12/14/2018
SCALE AS SHOWN
PROJ. NO. 214HW08
SHEET NO. L-0.1

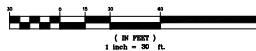


APPROVED - 420200230

Tamika Graham (Tamika.Graham@montgomeryplanning.org)
10/04/19

10/04/19

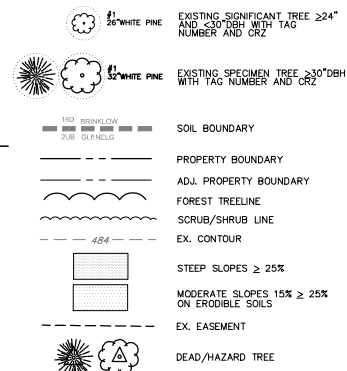
GRAPHIC SCALE



MATCHLINE SHEET L-0.1

MATCHLINE SHEET L-0.3

LEGEND



CERTIFICATION OF QUALIFIED PROFESSIONAL
I HEREBY CERTIFY THAT THE PLAN HEREON HAS BEEN PREPARED IN ACCORDANCE
WITH ARS. 33-1-101, 33-1-102, 33-1-103, 33-1-104, 33-1-105, 33-1-106, 33-1-107, 33-1-108, 33-1-109, 33-1-110, 33-1-111, 33-1-112, 33-1-113, 33-1-114, 33-1-115, 33-1-116, 33-1-117, 33-1-118, 33-1-119, 33-1-120, 33-1-121, 33-1-122, 33-1-123, 33-1-124, 33-1-125, 33-1-126, 33-1-127, 33-1-128, 33-1-129, 33-1-130, 33-1-131, 33-1-132, 33-1-133, 33-1-134, 33-1-135, 33-1-136, 33-1-137, 33-1-138, 33-1-139, 33-1-140, 33-1-141, 33-1-142, 33-1-143, 33-1-144, 33-1-145, 33-1-146, 33-1-147, 33-1-148, 33-1-149, 33-1-150, 33-1-151, 33-1-152, 33-1-153, 33-1-154, 33-1-155, 33-1-156, 33-1-157, 33-1-158, 33-1-159, 33-1-160, 33-1-161, 33-1-162, 33-1-163, 33-1-164, 33-1-165, 33-1-166, 33-1-167, 33-1-168, 33-1-169, 33-1-170, 33-1-171, 33-1-172, 33-1-173, 33-1-174, 33-1-175, 33-1-176, 33-1-177, 33-1-178, 33-1-179, 33-1-180, 33-1-181, 33-1-182, 33-1-183, 33-1-184, 33-1-185, 33-1-186, 33-1-187, 33-1-188, 33-1-189, 33-1-190, 33-1-191, 33-1-192, 33-1-193, 33-1-194, 33-1-195, 33-1-196, 33-1-197, 33-1-198, 33-1-199, 33-1-200, 33-1-201, 33-1-202, 33-1-203, 33-1-204, 33-1-205, 33-1-206, 33-1-207, 33-1-208, 33-1-209, 33-1-210, 33-1-211, 33-1-212, 33-1-213, 33-1-214, 33-1-215, 33-1-216, 33-1-217, 33-1-218, 33-1-219, 33-1-220, 33-1-221, 33-1-222, 33-1-223, 33-1-224, 33-1-225, 33-1-226, 33-1-227, 33-1-228, 33-1-229, 33-1-230, 33-1-231, 33-1-232, 33-1-233, 33-1-234, 33-1-235, 33-1-236, 33-1-237, 33-1-238, 33-1-239, 33-1-240, 33-1-241, 33-1-242, 33-1-243, 33-1-244, 33-1-245, 33-1-246, 33-1-247, 33-1-248, 33-1-249, 33-1-250, 33-1-251, 33-1-252, 33-1-253, 33-1-254, 33-1-255, 33-1-256, 33-1-257, 33-1-258, 33-1-259, 33-1-260, 33-1-261, 33-1-262, 33-1-263, 33-1-264, 33-1-265, 33-1-266, 33-1-267, 33-1-268, 33-1-269, 33-1-270, 33-1-271, 33-1-272, 33-1-273, 33-1-274, 33-1-275, 33-1-276, 33-1-277, 33-1-278, 33-1-279, 33-1-280, 33-1-281, 33-1-282, 33-1-283, 33-1-284, 33-1-285, 33-1-286, 33-1-287, 33-1-288, 33-1-289, 33-1-290, 33-1-291, 33-1-292, 33-1-293, 33-1-294, 33-1-295, 33-1-296, 33-1-297, 33-1-298, 33-1-299, 33-1-300, 33-1-301, 33-1-302, 33-1-303, 33-1-304, 33-1-305, 33-1-306, 33-1-307, 33-1-308, 33-1-309, 33-1-310, 33-1-311, 33-1-312, 33-1-313, 33-1-314, 33-1-315, 33-1-316, 33-1-317, 33-1-318, 33-1-319, 33-1-320, 33-1-321, 33-1-322, 33-1-323, 33-1-324, 33-1-325, 33-1-326, 33-1-327, 33-1-328, 33-1-329, 33-1-330, 33-1-331, 33-1-332, 33-1-333, 33-1-334, 33-1-335, 33-1-336, 33-1-337, 33-1-338, 33-1-339, 33-1-340, 33-1-341, 33-1-342, 33-1-343, 33-1-344, 33-1-345, 33-1-346, 33-1-347, 33-1-348, 33-1-349, 33-1-350, 33-1-351, 33-1-352, 33-1-353, 33-1-354, 33-1-355, 33-1-356, 33-1-357, 33-1-358, 33-1-359, 33-1-360, 33-1-361, 33-1-362, 33-1-363, 33-1-364, 33-1-365, 33-1-366, 33-1-367, 33-1-368, 33-1-369, 33-1-370, 33-1-371, 33-1-372, 33-1-373, 33-1-374, 33-1-375, 33-1-376, 33-1-377, 33-1-378, 33-1-379, 33-1-380, 33-1-381, 33-1-382, 33-1-383, 33-1-384, 33-1-385, 33-1-386, 33-1-387, 33-1-388, 33-1-389, 33-1-390, 33-1-391, 33-1-392, 33-1-393, 33-1-394, 33-1-395, 33-1-396, 33-1-397, 33-1-398, 33-1-399, 33-1-400, 33-1-401, 33-1-402, 33-1-403, 33-1-404, 33-1-405, 33-1-406, 33-1-407, 33-1-408, 33-1-409, 33-1-410, 33-1-411, 33-1-412, 33-1-413, 33-1-414, 33-1-415, 33-1-416, 33-1-417, 33-1-418, 33-1-419, 33-1-420, 33-1-421, 33-1-422, 33-1-423, 33-1-424, 33-1-425, 33-1-426, 33-1-427, 33-1-428, 33-1-429, 33-1-430, 33-1-431, 33-1-432, 33-1-433, 33-1-434, 33-1-435, 33-1-436, 33-1-437, 33-1-438, 33-1-439, 33-1-440, 33-1-441, 33-1-442, 33-1-443, 33-1-444, 33-1-445, 33-1-446, 33-1-447, 33-1-448, 33-1-449, 33-1-450, 33-1-451, 33-1-452, 33-1-453, 33-1-454, 33-1-455, 33-1-456, 33-1-457, 33-1-458, 33-1-459, 33-1-460, 33-1-461, 33-1-462, 33-1-463, 33-1-464, 33-1-465, 33-1-466, 33-1-467, 33-1-468, 33-1-469, 33-1-470, 33-1-471, 33-1-472, 33-1-473, 33-1-474, 33-1-475, 33-1-476, 33-1-477, 33-1-478, 33-1-479, 33-1-480, 33-1-481, 33-1-482, 33-1-483, 33-1-484, 33-1-485, 33-1-486, 33-1-487, 33-1-488, 33-1-489, 33-1-490, 33-1-491, 33-1-492, 33-1-493, 33-1-494, 33-1-495, 33-1-496, 33-1-497, 33-1-498, 33-1-499, 33-1-500, 33-1-501, 33-1-502, 33-1-503, 33-1-504, 33-1-505, 33-

09.20.19

MICHAEL A. NORTON
MEMBER / COMAR 08.19.06.C
QUALIFIED PROFESSIONAL

TITLE
NATURAL RESOURCE INVENTORY/
FOREST STAND DELINEATION
NO. 420200230

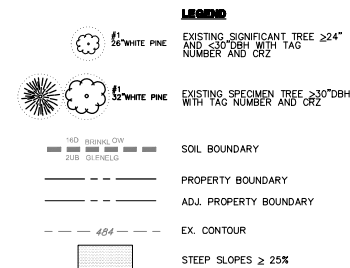
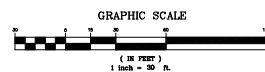
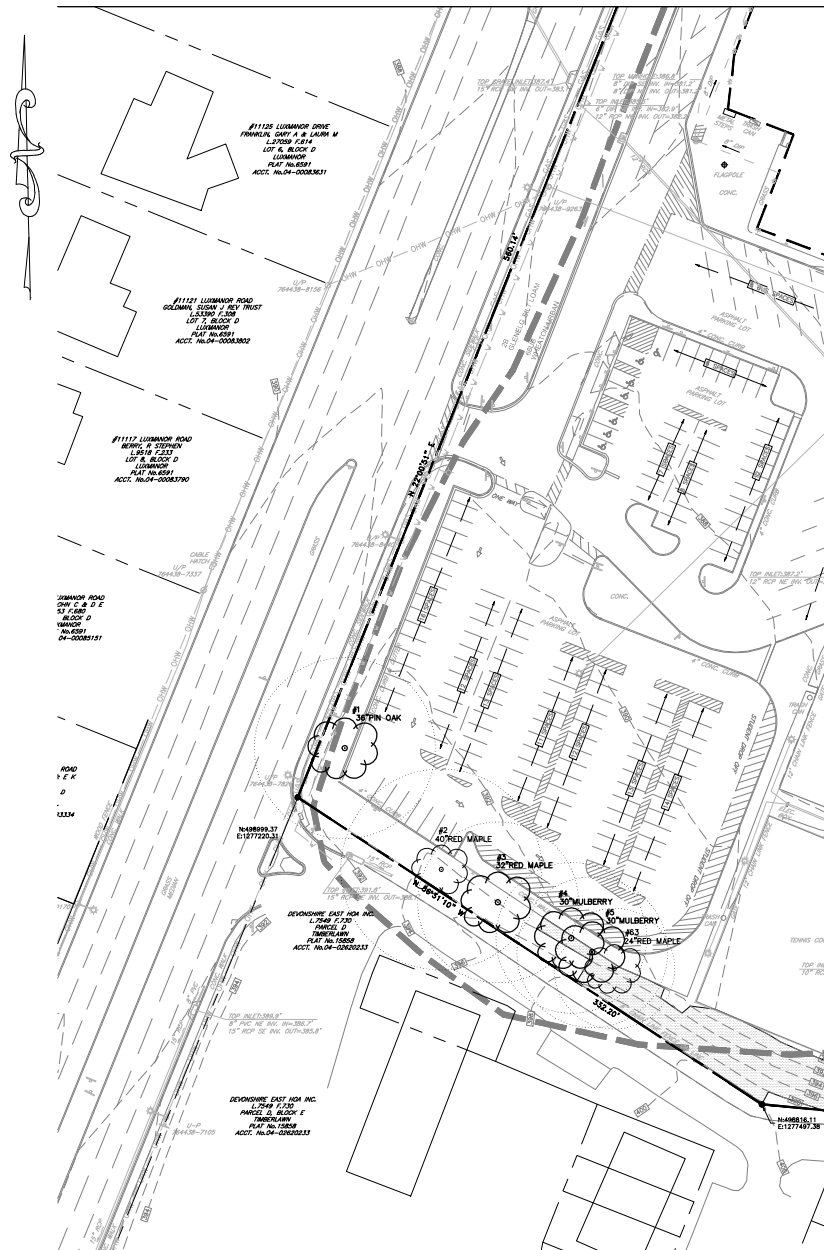
PROJECT	WOODWARD HIGH SCHOOL 11211 OLD GEORGETOWN RD ROCKVILLE, MD 20902
---------	--

PREPARED FOR
MONTGOMERY COUNTY PUBLIC SCHOOLS
45 WEST GUDE DRIVE SUITE 4300
ROCKVILLE, MD 20850

 **NORTON LAND DESIGN**
LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING
5145 DORSEY HALL DRIVE, 2ND FLOOR
P. 443 542 9199
ELLICOTT CITY, MD 21042
WWW.NORTONLANDDESIGN.COM

WATER CLASS TRIBUTARY		I-P		WATERSHED CABIN JOHN CREEK / LOWER ROCK CREEK		FEMA FLOODPLAIN MAP PANEL # 2403IC0361D	
TAX MAP		GQ561		200 SHEET 214NW06		ADD MAP PAGE GRID	
SCALE AS SHOWN		DATE SEPTEMBER 2019		PROJ. NO. 19-049		SHEET NO. L-0.2	

MATCHLINE SHEET L-0.4

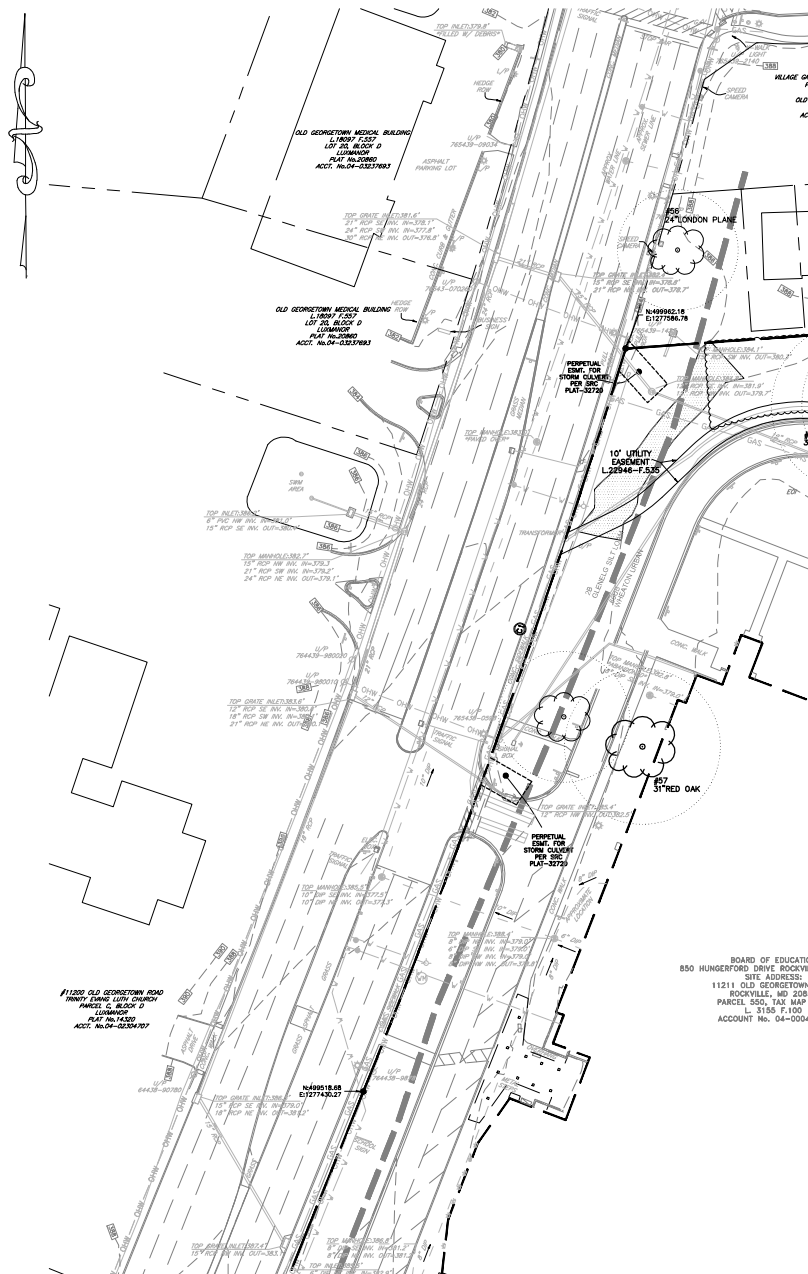


MATCHLINE SHEET L-0.2

CERTIFICATION OF QUALIFIED PROFESSIONAL
 I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON WAS PREPARED BY ME IN ACCORDANCE WITH MARYLAND STATE, MONTGOMERY COUNTY, AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

09.20.19
 DATE
 MICHAEL E. NORTON
 NORTON / CONRAD DB 18.08.01
 QUALIFIED PROFESSIONAL

NATURAL RESOURCE INVENTORY / FOREST STAND DELINEATION NO. 420200230			
PROJECT WOODWARD HIGH SCHOOL 11211 OLD GEORGETOWN RD ROCKVILLE, MD 20902			
PREPARED FOR MONTGOMERY COUNTY PUBLIC SCHOOLS 45 WEST GUDE DRIVE SUITE 4300 ROCKVILLE, MD 20850			
NORTON LAND DESIGN LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING 2148 CORSEY HALL DRIVE, 2ND FLOOR ELICOTT CITY, MD 21042 P 410 542 9159 WWW.NORTONLANDDESIGN.COM			
REVISIONS			
WATER CLASS 1-P	WATERSHED CASH / OHN CREEK / LOWER ROCK CREEK	MAP FLOORPLAN 2403100581D	
TAX MAP 00561	200' SHEET 21ANW05	TAX MAP 00561	
SCALE AS SHOWN	DATE SEPTEMBER 2019	PROJ. NO. 19-049	SHEET NO. L-0.3



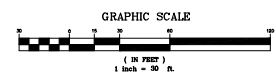
MATCHLINE SHEET L-0.1

- LEGEND**
- #1 26" WHITE PINE EXISTING SIGNIFICANT TREE ≥24" AND <30" DBH WITH TAG NUMBER AND CRZ
 - #2 30" DBH WHITE PINE EXISTING SPECIMEN TREE ≥30" DBH WITH TAG NUMBER AND CRZ
 - 100' SHRUB/LOW 200' GRASS/LOW SOIL BOUNDARY
 - PROPERTY BOUNDARY
 - ADJ. PROPERTY BOUNDARY
 - SCRUB/SHRUB LINE
 - EX. CONTOUR
 - STEEP SLOPES ≥ 25%
 - MODERATE SLOPES 15% ≥ 25% ON ERODIBLE SOILS
 - EX. EASEMENT

CERTIFICATION OF QUALIFIED PROFESSIONAL
 I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MUNICIPAL AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

09.20.19
 MICHAEL A. NORTON
 BOARD / CHARTERED PROFESSIONAL

FILE																					
NATURAL RESOURCE INVENTORY/ FOREST STAND DELINEATION NO. 420200230																					
PROJECT																					
WOODWARD HIGH SCHOOL 11211 OLD GEORGETOWN RD ROCKVILLE, MD 20902																					
PREPARED FOR																					
MONTGOMERY COUNTY PUBLIC SCHOOLS 45 WEST GUDE DRIVE SUITE 4300 ROCKVILLE, MD 20850																					
NORTON LAND DESIGN LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING 2148 GORSEY HALL DRIVE, 2ND FLOOR ELICOTT CITY, MD 21042 P: 410.542.9159 WWW.NORTONLANDDESIGN.COM																					
REVISIONS																					
<table border="1"> <tr> <td>WATER CLASS</td> <td>WATERSHED</td> <td>WATER</td> <td>WATER</td> </tr> <tr> <td>PRIMINARY</td> <td>CANON CREEK</td> <td>WATER</td> <td>WATER</td> </tr> <tr> <td>TAX MAP</td> <td>00541</td> <td>200' SHEET</td> <td>214HW08</td> </tr> <tr> <td>SCALE</td> <td>AS SHOWN</td> <td>DATE</td> <td>SEPTEMBER 2019</td> </tr> <tr> <td>PROJ. NO.</td> <td>19-049</td> <td>SHEET NO.</td> <td>L-0.4</td> </tr> </table>		WATER CLASS	WATERSHED	WATER	WATER	PRIMINARY	CANON CREEK	WATER	WATER	TAX MAP	00541	200' SHEET	214HW08	SCALE	AS SHOWN	DATE	SEPTEMBER 2019	PROJ. NO.	19-049	SHEET NO.	L-0.4
WATER CLASS	WATERSHED	WATER	WATER																		
PRIMINARY	CANON CREEK	WATER	WATER																		
TAX MAP	00541	200' SHEET	214HW08																		
SCALE	AS SHOWN	DATE	SEPTEMBER 2019																		
PROJ. NO.	19-049	SHEET NO.	L-0.4																		



MATCHLINE SHEET L-0.3



NRI/FSD TABULATION TABLE

ACREAGE OF TRACT:	27.31
ACREAGE OF EX. FOREST:	2.68
ACREAGE OF EXISTING WETLANDS	0.00
ACREAGE OF FORESTED WETLANDS	0.00
ACREAGE OF WETLAND BUFFERS	0.00
ACREAGE OF STREAM BUFFERS	0.00
ACREAGE OF FORESTED STREAM BUFFER	0.00
ACREAGE OF 100 YEAR FLOODPLAIN	0.00
LINEAR EXTENT OF STREAMS	0'
AVERAGE WIDTH OF STREAM BUFFER	0'

GENERAL NRI/FSD NOTES

1. THIS PROPERTY IS ZONED R-90.
2. THE TOTAL TRACT AREA IS 27.31 ACRES.
3. SITE FIELD WORK WAS PERFORMED AUGUST, 2019, BY BRANDON PARSONS (REVIEWED BY MICHAEL NORTON), NORTON LAND DESIGN LLC.
4. THE PROPERTY TAX ACCOUNT NUMBERS ASSOCIATED WITH THE PLANE ARE 00045920.
5. THE PROPERTY IS NOT WITHIN AN GVA OR PMA.
6. 2" TOPOGRAPHY & BOUNDARY SURVEY WAS PROVIDED FROM POTOMAC VALLEY SURVEYS.
7. THERE IS PRIME AGRICULTURAL SOILS ON THE PROPERTY (SEE SOIL TABLE).
8. THERE IS ERODIBLE SOIL ON THE PROPERTY (SEE SOIL TABLE).
9. ALL TREES 24" AND GREATER ON THE PROPERTY ARE SURVEY LOCATED AND MEASURED WITH A FORESTER DIAMETER TAPE MEASURE.
10. ALL TREES 24" AND GREATER OFFSITE ARE LOCATED AND MEASURED BY OCCULAR ESTIMATE ONLY.
11. NO RARE, THREATENED OR ENDANGERED SPECIES WERE OBSERVED ON OR OFFSITE AT THE TIME OF THE FIELD INVESTIGATION.
12. NO TREES OCCUR WITHIN THE STUDY AREA WHICH ARE RECOGNIZED AS CURRENT STATE CHAMPION TREES.

THE SUBJECT PROPERTY IS NOT LISTED AS INDIVIDUAL HISTORIC SITES AS FOUND IN THE MNCPPC HISTORIC PROPERTIES INTERACTIVE MAP.

SOIL TABLE

SOILS	ERODIBLE	HYDRIC	CONTAINS 15-25% SLOPES	CONTAINS > 25% SLOPES	CAPABILITY SUBCLASS SYMBOL	PRIME AGRICULTURAL SOIL
2B GLENELG SILT LOAM 3-8% SLOPES	NO	NO	NO	YES	Ile	YES
2C GLENELG SILT LOAM 8-15% SLOPES	YES	NO	NO	YES	Ile	NO
6A BAILE SILT LOAM 0-3% SLOPES	NO	YES	NO	NO	I/W	NO
65B WHEATON SILT LOAM 0-8% SLOPES	YES	NO	YES	YES	Ile	NO
66UB WHEATON-URBAN LAND COMPLEX 0-8% SLOPES	NO	YES	NO	YES	Ile	NO
66UC WHEATON-URBAN LAND COMPLEX 8-15% SLOPES	NO	YES	NO	YES	Ile	NO

SITE NARRATIVE AND FOREST SUMMARY

INTRODUCTION

Norton Land Design completed a Natural Resource Inventory & Forest Stand Delineation for the project known as Woodward High School located in Rockville, Montgomery County, MD in August, 2019. The delineation was conducted using the guidelines set forth in the MDCNR's *Forest Conservation Technical Manual* and MNCPPC's *Trees, Approved Technical Manual*.

GENERAL INFORMATION

This is a 27.31 acre site that consists of Liber 2166 & Folio 100, owned by Montgomery County Board of Education. The site is currently developed. The site is bordered by residents on the northern, southern, eastern, and western sides. The site has vehicular access from Old Georgetown Rd. The site lies within the Cabin John Creek and the Lower Rock Creek watersheds. Use I-P.

ENVIRONMENTAL FEATURES

100 YEAR FLOOD PLAIN

The FEMA flood map Community Panel # 24031C 0360D indicates there is no floodplain on the property.

SOILS

The *Soil Survey of Montgomery County, Maryland* describes the soil types that are present on the property as follows. The general soil association for this part of the county is Urban Land-Wheaton-Glenelg.

Soil type 2B - Glenelg silt loam, 3 to 8 percent slopes. This soil is very deep and well drained. It is usually found on broad ridges in upland areas. The slope are generally smooth, but some are dissected by drainageways. This soil is well suited for dwellings and urban development. The only limitation is its moderate permeability which can limit the absorption from septic leach.

Soil type 2C - Glenelg silt loam, 8 to 15 percent slopes. This soil is very deep and well drained. It is usually found on broad ridges and upland areas. The potential as habitat for openland wildlife and woodland wildlife is good. There are only slight limitations of the soils for dwellings with basements and lawns and landscapes due to moderate permeability. The moderate permeability can also limit the absorption from septic fields.

Soil type 6A - Baile silt loam, 0 to 3 percent slopes. The high water table and slow permeability are the main limitations on sites for septic tank absorption fields. Most areas are used as woodland or pasture. The suitability for wild herbaceous plants, hardwood trees, and coniferous plants is good. The potential as habitat for openland wildlife and woodland wildlife is good. These soils are classified as hydric soils.

Soil type 65B - Wheaton silt loam, 0 to 8 percent slopes. This very deep, well drained soil is in areas that have been graded, cut, and filled for recreational use such as golf courses, playgrounds, or athletic fields. Moderate permeability is the main limitation for this soil. This soil also has a high water table.

Soil type 66UB - Wheaton - Urban land complex, 0 to 8 percent slopes. Typical of this soil, it has been graded, cut, filled, or otherwise disturbed during stabilization. Yards, open areas between buildings and streets, and other areas that have not been urbanized are suitable for lawns, shade and ornamental trees, shrubs, vines and gardens. Areas that have been deeply excavated are poorly suited for vegetation.

Soil type 66UC - Wheaton - Urban land complex, 8-15 percent slopes. Typical of this soil, it has been graded, cut, filled, or otherwise disturbed during stabilization. Yards, open areas between buildings and streets, and other areas that have not been urbanized are suitable for lawns, shade and ornamental trees, shrubs, vines and gardens. Areas that have been deeply excavated are poorly suited for vegetation.

NATURAL WETLANDS

There were no wetlands observed within 100' of the property during the field investigation. No wetland buffers exist near the property.

STREAMS AND DRAINAGEWAYS

There were no streams observed onsite and within 100' of the property. The site is within the Northwest Branch Watershed, Use IV.

TOPOGRAPHY AND STEEP SLOPES

There are areas of steep slopes on the property, on the north-eastern and southern side of the property. Some areas of steep slopes appear to be located on forest area. There are some areas of moderate slopes on erodible soils.

CRITICAL HABITATS

The MDCNR has been notified of the project area and description. There appears to be no critical wildlife habitats from the field inspection. Copies of correspondence will be provided.

CULTURAL FEATURES

The site does not appear to have any proximity to individual historic sites found in MNCPPC Historic Properties Interactive Map. It appears the development of the subject site will not impact any historic sites.

FOREST STAND INFORMATION

The forest stand plot sample was done in a random method as outlined in *Natural Resources Measurement*, Avery, T. E., 1975, and *Simplified Point Sample Counting*, Ashley, B. D., 1991. The plot size was 1/10 acre. The Forest Stand #1 contains (2) two forest sample plots. This plot was conducted to inventory the most representative area of the forest stand.

The site contains forests with a total of 2.68 acres of forest onsite. There are significant and specimen trees located within the forest stand. A list of the significant and specimen trees in the study area along with the visual health is within shown on this drawing. The forest is summarized below.

FOREST STAND #1

Forest Stand 1 (28,215.74sq. ft. / 0.65 ac) is an upland hardwood area. The stand is dominated by 30" red oak. The canopy also includes yellow poplar. The understory consists of Locust and cherry. There is a moderate amount of herbaceous cover. A moderate amount of downed woody material is present throughout the stand. Invasive includes multiflora rose and ivy, and honeysuckle. The forest appears to be healthy and in good condition. Retention and regenerative potential are good. The priority for this stand is 1. High Retention.

FOREST STAND #2

Forest Stand 2 (88,389.3 sq. ft. / 2.03 ac) is an upland hardwood area. The stand is dominated by 30" white pine. The canopy also includes red maple, sycamore, and white oak. The understory consists of locust and mulberry. There is a moderate amount of herbaceous cover. A moderate amount of downed woody material is present throughout the stand. A moderate amount of sycamore makes up the shrub layer. Invasive includes multiflora rose and honeysuckle. The forest appears to be healthy and in good condition. Retention and regenerative potential are good. The priority for this stand is 1. High Retention.

CERTIFICATION OF QUALIFIED PROFESSIONAL

I HEREBY CERTIFY THAT THE PLAN DRAWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MDP&PC AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

09.20.19
DATE

MICHAEL A. NORTON
NORTON / LOWME DB 18.08.01
QUALIFIED PROFESSIONAL

FILE			
NATURAL RESOURCE INVENTORY/ FOREST STAND DELINEATION NO. 420200230			
PROJECT			
WOODWARD HIGH SCHOOL 11211 OLD GEORGETOWN RD ROCKVILLE, MD 20902			
PREPARED FOR			
MONTGOMERY COUNTY PUBLIC SCHOOLS 45 WEST GUDE DRIVE SUITE 4300 ROCKVILLE, MD 20850			
NORTON LAND DESIGN LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING 2148 CORSEY HALL DRIVE, 2ND FLOOR P.O. BOX 542 9100 BELL CITY, MD 21040 WWW.NORTONLANDDESIGN.COM			
REVISIONS			
WATER CLASS: I-P WATERSHED: CACON CREEK PRIORITY: LOWER ROCK CREEK TAX MAP: 00561 200 SHEET: 214NW08 SCALE: AS SHOWN DATE: SEPTEMBER 2019 PROJ. NO.: 19-049 SHEET NO.: 1-0.5			

GRAPHIC SCALE
1 inch = 30 feet

MATCHLINE SHEET L-1.2

LEGEND

- EXISTING SIGNIFICANT TREE $\geq 24"$ AND $\geq 50'$ DBH WITH TAG NUMBER AND CRZ
- EXISTING SPECIMEN TREE $\geq 30"$ DBH WITH TAG NUMBER AND CRZ
- SOIL BOUNDARY
- PROPERTY BOUNDARY
- ADJ. PROPERTY BOUNDARY
- FOREST TREELINE
- SCRUB/SHRUB LINE
- EX. CONTOUR
- STEEP SLOPES $\geq 25\%$
- FOREST CLEARING AREA
- DEAD/HAZARD TREE
- LIMITS OF DISTURBANCE
- TREE TO BE REMOVED
- TREE PROTECTION FENCE
- ROOT PRUNE TRENCH

CERTIFICATION OF QUALIFIED PROFESSIONAL
I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, FEDERAL AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

DEVELOPER'S CERTIFICATION
The undersigned agrees to meet all the features of the Approved Final Forest Conservation Plan No. 18-00000002, including financial performance, forest planning, maintenance, and all other applicable agreements.

OWNER/APPLICANT:
MONTGOMERY COUNTY PUBLIC SCHOOLS
ATTENTION: SHINO SHIRAKAWA
45 WEST GLEN DRIVE, SUITE 4300
ROCKVILLE, MD 20850
(240) 314-1004
SHINO_C_SHIRAKAWA@MCPD.MD.GOV

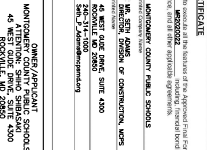
DATE: 04/13/2020

MANDATORY REFERRAL: 04/13/2020

L-1.1

4/13/2020
ORY REFERRAL
R2020022

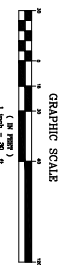
● 2013 年 12 月 1 日





MATCHLINE SHEET L-1.2

MATCHLINE SHEET L-1.4



- LEGEND**
- EXISTING SIGNIFICANT TREE 22.4" DBH
 - EXISTING SPECIES TREE 2.0" DBH
 - EXISTING TREE WITH TAG NUMBER AND DBH
 - SOIL BOUNDARY
 - PROPERTY BOUNDARY
 - ADJ. PROPERTY BOUNDARY
 - EX. CONTIGUOUS
 - STEEP SLOPES ≥ 25%
 - FOREST CLEARING AREA
 - LIMITS OF DISTURBANCE
 - TREE TO BE REMOVED
 - TREE PROTECTION FENCE
 - ROOT PROTECT. TRENCH

NORTON LAND DESIGN
 11111 Old Georgetown Road, Suite 200
 Rockville, MD 20850
 301.586.1000
 www.nortonlanddesign.com

DEVELOPER'S CERTIFICATE

The undersigned certifies that the information provided in this Preliminary Forest Conservation Plan is true and correct to the best of their knowledge and belief.

Signature: _____ Date: _____

Print Name and Title: _____

PRELIMINARY FOREST CONSERVATION PLAN

Woodward High School Reopening
 11211 Old Georgetown Rd, Rockville, MD 20852

G+P
 GRIMM AND PARKER

11720 Beltsville Drive
 Suite 600
 Calverton, MD 20705
 Tel 301.586.1000
 www.grimmandparker.com

ADTEK

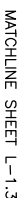
LIBER: 3155/29914 EOLC: 100/0264
 PARCEL: P550/336 TAX MAP: G061
 ACCOUNT NO.: 00045920/01975842
 ELECTION DISTRICT: 04

4.13.2020

[Signature]

WATSON/ARCHITECT

L-1.3

MATCHLINE SHEET L-1.1

A horizontal number line with a single tick mark labeled '3'.

LIBER: 3155/29914 FOLIO: 100/0264
PARCEL: P550/336 TAX MAP: GQ61
WSSC MAP: 214NW06
ACCOUNT NO.: 00045920/01975842
ELECTION DISTRICT: 04

ATTACHMENT 3



March 23, 2020

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

Re: Woodward High School
Request for Specimen Tree Variance
MR# -
NRI# - 42020230
Norton# 19-049

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 proposed school is going to replace an existing school; Tilden Middle School, located at 11211 Old Georgetown Rd, in Rockville, Montgomery County, Maryland. This is a 27.31-acre site that owned by the Montgomery County Board of Education. The site currently hosts an existing school, associated parking, athletic fields and play areas. The site is bordered by residential properties on east, north and south sides, as well as a portion of park property on the north and south sides. The site has vehicle access from Old Georgetown Rd Ave.

Proposed construction consists of a new building to replace the existing, new parking circulation, and stormwater management.

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 includes safe access to school by way of updated vehicle circulation. The school must be large to handle growing student capacity. Stormwater management is designed to ensure environmental quality following the construction of the new building and parking areas.

This work will require disturbance of the root zones of a total of forty-three (43) specimen trees. Forty-one (41) of the impacted trees will be required to be removed. Please note, trees #42, #48, #49 are not owned by Montgomery County Board of Education, but marked as removed. These trees can only be removed with the adjacent property owner's permission. Due to the proposed construction, it is unlikely that these trees will survive the impacts, and therefore it is best that these trees are removed for future safety reasons. The true determination of the outcome of these trees should be met through discussion between property owners.

If MCPS is not allowed to impact the trees, the school will not be able to be constructed due to the close proximity of specimen trees to the proposed school, parking, amenities, site grading, and updated stormwater utilities. 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, stormwater facilities, and parking would fail to be built 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. Additional improvements to the property include control of erosion and outfall stabilization. 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: Specimen tree mitigation will be required due to removals. 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 proposed school 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.

TREE VARIANCE TABLE								
Tree #	Species (Scientific Name)	Species (Common Name)	D.B.H (inches)	Tree Condition	Comments	Status	Variance	Mitigation
1	QUERCUS PALUSTRIS	PIN OAK	36	GOOD	DEAD LIMBS, OHW	REMOVE	YES	YES
2	ACER RUBRUM	RED MAPLE	40	GOOD	DEAD LIMBS, SPLIT @ 5'	REMOVE	YES	YES
3	ACER RUBRUM	RED MAPLE	32	GOOD	SPLIT @ 6'	REMOVE	YES	YES
4	MORUS RUBRA	RED MULBERRY	30	GOOD		REMOVE	YES	YES
5	MORUS RUBRA	RED MULBERRY	30	GOOD		REMOVE	YES	YES
6	QUERCUS RUBRA	RED OAK	35.5	GOOD	DEAD LIMBS	REMOVE	YES	NO
7	QUERCUS RUBRA	RED OAK	38.5	GOOD		REMOVE	YES	NO
8	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	50	GOOD		REMOVE	YES	NO
9	PINUS STROBUS	WHITE PINE	38	GOOD		REMOVE	YES	NO
10	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
11	PINUS STROBUS	WHITE PINE	42	GOOD		REMOVE	YES	NO
12	PINUS STROBUS	WHITE PINE	40	GOOD		REMOVE	YES	NO
14	ROBINIA PSEUDOACACIA	BLACK LOCUST	45	GOOD		REMOVE	YES	NO
15	PRUNUS SEROTINA	BLACK CHERRY	30	GOOD		REMOVE	YES	NO
16	ROBINIA PSEUDOACACIA	BLACK LOCUST	35	GOOD		REMOVE	YES	NO
17	ROBINIA PSEUDOACACIA	BLACK LOCUST	50	GOOD	SPLIT @ 5'	REMOVE	YES	YES
22	PLATANUS OCCIDENTALIS	SYCAMORE	34	GOOD		REMOVE	YES	NO
23	PINUS STROBUS	WHITE PINE	35	GOOD		REMOVE	YES	NO
25	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	NO
27	PINUS STROBUS	WHITE PINE	33	GOOD		REMOVE	YES	NO
29A	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
29D	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
30	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	NO
37	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
38	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	NO
41	QUERCUS PHELLOS	WILLOW OAK	41	GOOD		REMOVE	YES	NO
42	QUERCUS ALBA	WHITE OAK	41	GOOD	REMOVE WITH ADJ PROPERTY OWNER'S PERMISSION	REMOVE	YES	YES
43	FUGLANS NIGRA	BLACK WALNUT	32	GOOD	OFFSITE	SAVE/PROTECT	YES	NO
47	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	50	GOOD		SAVE/PROTECT	YES	NO
48	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	38	GOOD	REMOVE WITH ADJ PROPERTY OWNER'S PERMISSION	REMOVE	YES	YES
49	QUERCUS ALBA	WHITE OAK	41	GOOD	REMOVE WITH ADJ PROPERTY OWNER'S PERMISSION	REMOVE	YES	YES
50	PINUS STROBUS	WHITE PINE	31	GOOD		REMOVE	YES	YES
51	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	YES
52	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	YES
53	LIRIODENDRON TULIPIFERA	YELLOW POPLAR	30	GOOD		REMOVE	YES	YES
54A	PLATANUS OCCIDENTALIS	SYCAMORE	34	GOOD		REMOVE	YES	YES
54B	PLATANUS OCCIDENTALIS	SYCAMORE	34	GOOD		REMOVE	YES	YES
57	QUERCUS RUBRA	RED OAK	31	GOOD		REMOVE	YES	YES
59	QUERCUS ALBA	WHITE OAK	44	GOOD		REMOVE	YES	YES
60	PINUS STROBUS	WHITE PINE	32	GOOD		REMOVE	YES	YES
61	PINUS STROBUS	WHITE PINE	30	GOOD	TRIPLE @ 5'	REMOVE	YES	YES
62	PINUS STROBUS	WHITE PINE	35	GOOD		REMOVE	YES	YES
64	PINUS STROBUS	WHITE PINE	30	GOOD		REMOVE	YES	NO

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,

A handwritten signature in black ink, appearing to read 'Michael Norton', with a stylized, cursive script.

Michael Norton